

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11670 of 2019

-
1. Mithila Teachers Training College, A.T and P.O. Basuara, District-Madhubani through its Secretary.
 2. Md. Ishteyaque Ahmad, Male , aged about 33 years, Secretary, Mithila Teachers Training College, A.T. and P.O. Basuara, District- Madhubani.

... .. Petitioner/s

Versus

1. Lalit Narayan Mithila University through its Registrar.
2. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
3. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
4. Professor Bhola Chaurasia, Deen Student Welfare, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
5. Dr. A.K. Milan, H.O.D. (Education), Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga.
6. Dr. K.C. Singh, Inspector of College, Arts and Commerce, Convener, Lalit Narayan Mithila University Kameshwar Nagar, Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jagnnath Singh
For the Respondent/s	:	Mr.Md. Nadim Seraj
		Mr. Shahbaj Alam
		Mr. Afham Akhtar
		Mr. Ali M. Ahmad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 09-10-2023 1. The petitioner, Mithila Teachers Training College, through it Secretary, has filed the present writ application for quashing of the inspection report, submitted by the Inspection Team, for grant of No Objection Certificate for intake of additional two units of 100 students in B. Ed. Course to the petitioner College under Regulation framed by the National Council for Teacher Education and



further direction to the Lalit Narayan Mithila University, Darbhanga, for issuance of No Objection Certificate, in absence of which, the National Council for Teacher Education cannot grant permission/recommendation for intake of additional two units of 100 students in B.Ed. Course.

2. It is not disputed between the parties that the petitioner College was granted recommendation by the National Council for Teacher Education in the year 2009 for running a B. Ed. College of two units of 100 students. The petitioner College applied for intake of additional two units of 100 students seeking No Objection Certificate from the University, for which an Inspection Team was constituted by the University to see the infrastructural and other parameters for grant of No Objection Certificate.
3. A notice was issued by one of the members of the Inspection Team, i.e. Dean of Students Welfare Committee Member, on 01.07.2017, informing the petitioner College that the Inspection Team would proceed at 11 AM on 02.07.2017 for inspection of the petitioner College in order to examine the feasibility and



viability for granting No Objection Certificate for intake of additional two units of 100 students in B. Ed. Course in the College.

4. The inspection of the petitioner College was conducted on 02.07.2017, at 12:10 PM and a report was submitted by the Inspection Team (Annexure 12) and from perusal of the same, it appears that the petitioner College was lacking in infrastructural facility in relation to the area of the land in possession, built up area and total built up area.
5. The Inspection Team made following recommendations:
 1. The institution did not provide proof of built up area.
 2. The institute did not provide information about facilities in library, such as no of books reference books, encyclopedia, newspaper, visitor records, etc. and deliberately tried to hide it.
 3. Even after prior information staffs were not present in the institute.
 4. In Educational Technology lab only 03 computers were found functional. There was no staff to operate or demonstrate before the visiting team.
 5. Language Lab :- Head phones were found on desk and



no facility for cabin/table

6. The institute did not show Faculty Register and Staff-Register.

7. The institute did no show any record regarding financial matter.

8. It seems that looking at the above observations the institute deliberately, tried to hide all records.

6. Learned Counsel for the petitioner contended that in the recommendation, the Inspection Team has noted that the Institution did not provide proof of built up area, along with other information about the facility in Library, reference books, encyclopedia etc. However, all the information was given by the Principal of the College, vide letter, dated 03.07.2017, to the member of the Inspection Team, i.e. Dean of Students Welfare Committee Member, duly received by the Office of the Dean on 05.07.2017 (Annexure 16). He submits that despite having received all the information, the report submitted by the Inspection Team did not take into account the documents produced by the petitioner College prior to submission of the inspection report by the Inspecting Team, by which the Inspection Team did not



recommend for grant of No Objection Certificate. He thus submits that on the basis of the faulty recommendation made by the Inspection Team, the issuance of No Objection Certificate has been denied by the University.

7. Learned Counsel for the petitioner College further pointed out by referring to the criteria of the National Council for Teacher Education that the petitioner College fulfills all the infrastructural facility and other criteria for grant of No Objection Certificate from the University for intake of additional two units of 100 students.
8. Learned Counsel for the University submits that the University has taken a decision not to grant No Objection Certificate to the petitioner College on the basis of report submitted by the Inspection Team inasmuch as the petitioner College is required to abide by the 2014 Regulation of the National Council for Teacher Education.
9. I have heard learned Counsel for the parties and have gone through the materials available on record.
10. From perusal of the materials on record, it appears that the documents provided by the petitioner College to the Inspection Team, duly received by one of the member of



the Inspection Team on 05.07.2017, were not considered by the Inspection Team while submitting its report on 10.07.2017. The petitioner College has also brought on record certain documents to show that the College is fulfilling the infrastructural and other criteria for grant of No Objection Certificate by the University for intake of additional two units of 100 students for B. Ed. Course.

11. In view of the fact that the petitioner College had submitted all the documents, though after the inspection of the College was conducted by the Inspection Team on 02.07.2017, it is expedient in the interest of justice that a fresh inspection be conducted by the University by constituting a fresh inspection team within a period of two months from today for the purpose of inspection of the petitioner College for grant of No Objection Certificate by the University for intake of additional two units of 100 students for B. Ed. Course.

12. Accordingly, I direct the Vice Chancellor of the University to constitute a new three-member Inspection Team for this purpose, headed by the Registrar of the University.

13. The Inspection Team, so constituted, shall visit the



petitioner College within a period of twenty days from the date of its constitution, by giving at least one week's prior notice to the petitioner-College to enable the College to arrange all the relevant documents and produce the same before the Inspection Team on or before the date of inspection.

14. The process of inspection and submission of report must be completed within a period of three months from the date of receipt/production of a copy of this order before the Vice Chancellor of the University.

15. With the aforesaid observation and direction, this writ application is disposed.

16. It goes without saying that the petitioner College shall deposit the required inspection fee within a period of fifteen days from today.

17. As prayed by learned Counsel for the petitioner, I. A. No. 01 of 2021 filed by the petitioner College, for impleading the National Council for Teacher Education as party respondent, is permitted to be withdrawn.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√		
---	---	--	--

