



In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 24791 of 2023 (O&M)

Date of Decision: 30.09.2024

The Malout Educational Society, Malout
... Petitioner(s)

Versus

State of Punjab and Others
... Respondent(s)

**CORAM: Hon’ble Mr. Justice Sheel Nagu, Chief Justice.
Hon’ble Mr. Justice Anil Kshetarpal.**

Present: Mr. Mansur Ali and Mr. Tushar Madaan, Advocates
for the petitioner(s).

Mr. Saurav Khurana, Additional Advocate General,
and Mr. Anurag Chopra, Additional Advocate General,
Punjab, for the respondents.

Anil Kshetarpal, J.

CM-12286-CWP-2024

1. For the reasons stated in the application, the same is allowed.
The document (Annexure P34) is taken on record.

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2. Brief Facts of the Case

2.1 In this writ petition, the petitioner-Society challenges the order
passed on 01.08.2023, by the Principal Secretary to Government of Punjab,
Department of Higher Education, whereby the “No Objection Certificate”
(NOC) for setting up a new B.Ed. College has been refused.

2.2 In substance, the petitioner-Society intends to open a B.Ed.
College in the area of Malout (a city in the State of Punjab). The petitioner

claims that the National Council for Teacher Education (NCTE) has already

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granted the recognition/permission to the petitioner-Society vide letter dated 02.05.2016. The Principal Secretary has passed a detailed order refusing to grant NOC on the following two grounds:-

- I) The government took a policy decision on 31.08.2016 to not allow opening of any new B.Ed. College in the State after 31.05.2015 due to the fact that almost 40% of seats of B.Ed. Course were lying vacant in the existing B.Ed. Colleges in the State.
- II) The NCTE has failed to follow the procedure laid down in Regulation 7 of the National Council for Teacher Education (Recognition Norms and Procedure) Regulation, 2014, before granting recognition to the petitioner-college as the State Government was not consulted and its comments were never sought before granting recognition.

2.3 During the pendency of the writ petition, another development has taken place. The State of Punjab has adopted a New Education Policy, 2020 (NEP, 2020) on 02.08.2024 wherein it has been provided that a four years integrated B.Ed. degree course will be offered wherein the curriculum prescribed is at variance with the one followed in the earlier two years. Moreover, only multi disciplinary colleges with the provision of four years integrated B.Ed. Degree course shall be permitted.

3. Submissions put forth by the learned counsel representing the petitioner-Society.

The petitioner's counsel has submitted that the application

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submitted by the petitioner-society was already in the pipeline and therefore, the subsequent decision of the government shall not be applicable.

4. Discussion and Decision

4.1 This Court has considered the submissions. It is a categorical stand of the State that no college, after the policy decision taken on 31.08.2016, has been permitted to open a new B.Ed. College in the State of Punjab. Moreover, it is evident that the State has taken a stand that the NCTE did not consult the State Government before granting permission to the petitioner-Society. At this stage, it would not be appropriate to issue directions to the State to grant permission to open a new B.Ed. College primarily in view of the policy decision taken on 31.08.2016 as well as the NEP, 2020, duly adopted by the State on 02.08.2024.

4.2 With the observations made above, the present writ petition is disposed of. Any interim orders passed in this case will be deemed to have become ineffective.

4.3 The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

(Sheel Nagu)
Chief Justice

September 30, 2024**“DK”**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No