

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. 115/2014 and I.A. 116/2014
in Civil Appeal No(s). 5914/2011

COLLEGE OF PROFESSIONAL EDUCATION & ORS

Appellant(s)

VERSUS

STATE OF U.P.& ORS.

Respondent(s)

With
Writ Petition (C) No.809/2014
Writ Petition (C) No.810/2014
Writ Petition (C) No.832/14

O R D E R

I.A. No. 115/2014

This application has been preferred by the State of Uttar Pradesh seeking permission to fill up vacant B.Ed. Seats for the academic session 2014-2015 on 6, 7 and 8 September, 2014 or any subsequent dates as may be fixed by the Court. A Schedule proposed by the State of U.P. for achieving 200 teaching days have been produced before this court.

From the decision of this Court in College of Professional Education and others Vs. State of U.P. and others, (2013) 2 SCC

721, we find that for the academic session year 2012-2013 and

subsequent years the following Schedule was adopted:

Signature Not Verified

Digitally signed by

Rajni Mukhi

Date: 2014.10.09

17:25:45 IST

Reason:

1.	Publication of advertisement	1-2-2012
2.	Sale of application forms and their submission	10-2-2012 to 10-3-2012

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3.	Date of entrance examination	20-4-2012 to 25-4-2012
4.	Declaration of result	25-5-2012 to 30-5-2012
5.	Commencement and completion of counselling	1-6-2012 to 25-6-2012
6.	Last date of admissions after counselling	28-6-2012
7.	Commencement of academic session	1-7-2012

Subsequently in case of College of Professional Education and others Vs. State of U.P. and others in C.A. No. 5914/2011, this

Court by order dated 7th May, 2014 extended the time for Academic

Sessions 2014-2015 as follows:

"Stages in the process of admission of B.Ed	Dates fixed as per order of this Hon'ble Court dated 22.07.2011	Dates proposed to be followed for academic Course year 2014-15
Date of Entrance Examination	20.04.2012 to 25.04.2012	On 20.05.2014
Declaration of Result	25.05.2012 to 30.05.2012	On 04.06.2014
Commencement and 02.07.2014 completion of counseling	01.06.2012 to 25.06.2012	07.06.2014 to
Last date of admissions after counseling	28.06.2012	On 05.07.2014
Commencement of Academic Session	01.07.2012	On 07.07.2014"

In the present appeal other Interlocutory Applications Nos. 113-114/2014 were filed by the University for extension of time upto 31st August, 2014 for completion of admission of students. On the ground that the Academic Sessions already commenced since 7th July, 2014, this Court by order dated 13.08.2014 refused to extend time on the ground that if 200 working days are not completed by 15th April, 2015, it will not be possible for students to appear for examination in May, 2015.

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From the earlier judgment, we find that the State of U.P. was directed to frame admission procedure rules framing time Schedule for achieving 200 mandatory teaching days in the Colleges showing therein the date of entrance examination, declaration of result, commencement and completion of the counselling, last date of admission after counselling and commencement of academic session. Though more than three years have been passed but no such Rules have been framed by the State Government.

It is informed that about 71,910 seats are vacant in different colleges in different Universities.

In view of the time granted upto 7th July, 2014, all the seats could not be filled up and,

therefore, further prayer has been made to extend the time Schedule.

Mr. Gaurav Bhatia appears on behalf of the State of U.P. and submits that though 7th July, 2014 was the date fixed to commence the classes, in fact no such classes were started in many of the B.Ed Colleges. The students have already been admitted. It was submitted that some adjustment is required for extending the period for completion of this Session.

To complete 200 working days of teaching classes excluding the period of examination and considering that atleast 40 days should be required for teaching skill, the following proposal has been

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placed on behalf of the State of U.P.:

Sl. No.	Month	No. of working days	No. of Holidays/ Non-Teaching Days
1.	From 16th October, 2014	12	Total 4 days i.e. 2 Sundays, 23rd October (Diwali) 25th October (Bhaiya Dooj)
2.	November, 2014	23	Total 7 days, i.e. 5 Sundays 4th November (Moharram) 6th November (Gurunanak Jayanti)
3.	December, 2014	25	Total 6 days i.e. 4 Sundays 13th December (Chahallum) 25th December (Christmas)
4.	January, 2015	26	Total 5 days, i.e. 4 Sundays 26th January (Republic Day)
5.	February, 2015	22	Total 4 days, i.e. 4 Sundays
6.	March, 2015	24	Total 7 days, i.e. 5 Sundays 6th March, (Holi) 18th March, (Ramnavmi)
7.	April, 2015	25	Total 5 days, i.e. 4 Sundays 14th April (Ambedkar Jayanti)
8.	May, 2015	26	Total 5 days, i.e. 5

			Sundays	
9.	Till 19th June, 2015	17	Total 2 days, Sundays	i.e. 2
	Total	200 days		

Taking into consideration the fact that even in the B.Ed

Colleges where the students ⁴ have already been admitted, the classes have not commenced and there are about 71,910 seats are vacant in different B.Ed colleges within the State of U.P. and in the interest of the students who are waiting for admission by way of last chance, we extend the period of admission to the B.Ed colleges as proposed by State of U.P. as recorded below for the Academic Session 2014-2015.

- (i) Notice for counselling be issued by 5th October, 2014.
- (ii) The Counselling be conducted in between 7th to 10th October, 2014.
- (iii) Commencement of classes should be from 16th October, 2014.
- (iv) Class should be completed by 30th June, 2015.
- (v) Final Examination be conducted by 30th July, 2015.

This order is passed in the peculiar facts and circumstances of the case and cannot be cited as precedent in future. It will be desirable for the State of U.P. to prepare a Regulation prescribing the Schedule for Admission in B.Ed Course and its counselling, admission, examination, etc.

I.A. No. 115/2014 stands disposed of.

I.A. No. 116/2014

I.A. NO. 116/2013 stands disposed of in terms of the order passed in I.A.No. 115/2014.

In view of order passed in I.A.No. 115/2014, no further orders are required to be passed. The petitioners shall be guided by the directions given in the said case.

The writ petitions stand disposed of.

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(SUDHANSU JYOTI MUKHOPADHAYA)

.....J.

.....
[PRAFULLA CHANDRA PANT]

NEW DELHI;
SEPTEMBER 26, 2014

ITEM NOS.1+53	6 COURT NO.4	SECTION XI
S U P R E M E C O U R T O F RECORD OF PROCEEDINGS		I N D I A
I.A. 115/2014 and I.A. 116/2014 in Civil Appeal		No(s). 5914/2011
COLLEGE OF PROFESSIONAL EDUCATION & ORS		Appellant(s)
VERSUS		
STATE OF U.P.& ORS.		Respondent(s)
(for directions and permission to file appln. for office report)		impleadment and
W.P.(C) NO.809/2014 with W.P.(c) No. 810/2014 with W.P.(C) No. 832/2014 (With office report)		

Date : 26/09/2014 This application was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA
HON'BLE MR. JUSTICE PRAFULLA CHANDRA PANT

For Appellant(s) Dr. Sanjay Gupta, Adv.
Mr. Vishwa Pal Singh, Adv.

Mr. Vikas Singh, Sr. Adv.
Mr. Ravi Kant, Adv.
Ms. Deepika Kalia, Adv.
Mr. Mayank Manish, Adv.
Mr. Chendra Prakash, Adv.

Ms. Asha Gopalan Nair, Adv.

Mr. Gaurav Sharma, Adv.

Ms. Amandeep Kaur, Adv.

For Respondent(s)

Mr. Ashok Kumar Singh, Adv.

Mr. P.N. Misra, Sr. Adv.

Mr. Pawan Kumar Shukla, Adv.

Mr. Pankaj Kumar Singh, Adv.

Mr. K. L. Janjani, Adv.

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Mr. Manish K. Bishnoi, Adv.

-2-

Mr. Gaurav Bhatia, AAG

Mr. M. R. Shamshad, Adv.

Mr. Gaurav Srivastava, Adv.

Mr. Shashank Singh, Adv.

Mr. Amitesh Kumar, Adv.

Mr. Shashank Shekhar, Adv.

Mr. Navin Prakash, Adv.

Mr. Pahlad Singh Sharma, Adv.

Mr. Prashant Chaudhary, Adv.

Mr. Rameshwar Prasad Goyal, Adv.

Mr. Shrish Kumar Misra, Adv.

Mr. S. R. Setia, Adv.

Mr. Sumit Kumar, Adv.

Mr. Gourab Benergi, Sr. Adv.

Mrs. D. Bharathi Reddy, Adv.

Mr. Sriharsha Peechara, Adv.

Ms. Kamini Jaiswal, Sr. Adv.

Mr. Ramesh Babu M.R., Adv.

Ms. Mukti Chowdhary, Adv.

UPON hearing the counsel the Court made the following

O R D E R

I.A. No.115/2014, I.A.116/2014 and W.P.(C) Nos. 809, 810 and 832 of 2014 stand disposed of in terms of the Signed Order.

(Rajni Mukhi)
Sr. P.A.

(H.S.Parasher)
Court Master

(Signed Order is placed on the file)