
(2012) 08 AHC CK 0201
In the Allahabad High Court
Case No : C.M.W.P. No. 41387 of 2012

Kailash Singh and Others

APPELLANT

Vs

Union of India and Others

RESPONDENT

Date of Decision : 23-08-2012

Acts Referred:

Citation : (2013) 2 AWC 1725

Hon'ble Judges : Amreshwar Pratap Sahi, J

Bench : Single Bench

Advocate : Sudeep Dwivedi, for the Appellant; Rajesh Kesarwani and A.S.G.I., for the Respondent

Final Decision : Dismissed

Judgement

Amreshwar Pratap Sahi, J.—Heard learned counsel for the petitioners and Sri Rajesh Kesarwani for the respondent No. 1. The petitioners have come up assailing the rejection of their forms for admission in B.Ed. Programme of the Indira Gandhi National Open University. The candidature of the petitioners has been rejected on the ground that they do not fulfil the eligibility criteria of teaching experience of two years, inasmuch as, all the petitioners have a teaching experience of a Degree College and not of a Secondary or a Higher Secondary School.

2. Learned counsel for the petitioners contends that the petitioners are in possession of a higher teaching experience and, therefore, the same should not be made a ground for rejection in view of the provisions contained in the brochure.

3. Having heard learned counsel for the petitioners, the eligibility criteria on which the present dispute has arisen is extracted herein under:

Eligibility, (ii) Two years" full time teaching experience on temporary/permanent basis as Primary/Graduate/Post Graduate teacher in a primary, secondary/higher/senior secondary school with registration number recognised by the respective

Directorate of Education or Central or State Government or Union Territory. The teacher should be in service at the time of submitting application form as well as at the time of producing the original documents at the Regional Centre, The experience certificate should be issued by the Principal or Headmaster/ Headmistress only. The requisite teaching experience of two years must be completed on or before the last date of submission of application as notified in the advertisement. An attested photocopy of the Recognition and Affiliation Certificate with Registration number issued to the school by Directorate of Education, Central or a State Government or Union Territory must be enclosed alongwith other documents at the time of submission of Entrance-cum-admission form.

4. A perusal of the said provision leaves no room for doubt that the teaching experience has to be in a Primary, Secondary, Higher Secondary or Senior Secondary School and not in a Degree College. In the aforesaid circumstances, the rejection is in conformity with the aforesaid rule. There is no merit in the petition. It is accordingly dismissed.