

(2012) 10 MP CK 0140
In the Madhya Pradesh High Court
Case No : Writ Petition No. 2948 of 2012

Veena Vadini Samaj Kalyan Vkash Samiti	APPELLANT
Vs	
M.P. Board of Secondary Education and Another	RESPONDENT

Date of Decision : 04-10-2012

Acts Referred:

Citation : (2012) 10 MP CK 0140

Hon'ble Judges : S.K. Gangele, J;G.D. Saxena, J

Bench : Division Bench

Advocate : D.K. Agrawal, for the Appellant; Raghvendra Dixit, Advocate for Respondent No. 1 and Shri Hemant Bharadwaj, Advocate, for the Respondent

Judgement

1. Heard. The petitioner has filed this petition against the order dt. 28.5.2010 (Annexure P/1) passed by the respondent No. 1-Board. By the aforesaid order, the respondent No. 1 reduced the duration of Pre-Primary Teacher Training Course (PPTT Course) from two years to one year.

2. The petitioner institution was granted recognition to conduct PPTT Course of two years" duration from the academic session 2001-2002 with annual intake of 30 students. Since then the petitioner institution had been conducting the aforesaid course of two years" duration. Vide order dt. 28.5.2010 (Annexure P/1), the respondent No. 1- Board reduced the duration of the PPTT Course from two years to one year from the academic session 2010-2011. As per the petitioner, the Board has no power and authority for the aforesaid act.

3. Respondent No. 2 NCTE in its return stated that in accordance with the NCTE Norms & Standards 2009, the duration of PPTT Course is two years and the State Government has no power and authority to reduce the duration of the course. The respondent No. 1 Board in its return stated that the Board received a letter dt. 1.5.2009 from the respondent No. 2, who had informed the Board that the norms and standards for Pre-School Teacher Education Programme leading to Certificate in Education (C.Ed.) as contained in the NCTE (Regulation Norms &

Procedure) Regulations, 2007 is for one year duration. Thereafter, a meeting was convened and a decision had been taken to revise the duration of PPTC Course reducing it to one year and then again a clarification was sought from the respondent No. 2 in regard to duration of course. It is further submitted that the Board has not reduced the duration of the PPTT course on its own.

4. From the return filed by the respondent No. 1- Board, it is clear that the respondent No. 2 has a power and authority to fix the duration of the course. It is in accordance with the provisions of the National Council for Teacher Education Act, 1993. The respondent No. 2-NCTE itself clarified that the duration of the course is of two years. In such circumstances, the Board can not fix the duration of the course as one year.

5. Learned Counsel for the respondent No. 1-Board has clarified that those students, who appeared in one year course, their course be treated as valid one and they shall be issued mark sheets accordingly. In this view of the matter, this writ petition is disposed of with the following directions:-

(1) That the duration of the course PPTC course shall be of two years in accordance with the direction of respondent No. 2.

(2) That those students, who have already appeared in one year course as per the decision of the Board, their examination be treated as valid as contended by the counsel for the respondent No. 1-Board.

No order as to costs.