

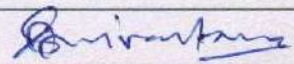
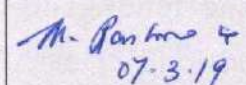
Minutes of the emergent meeting of the Governing Body held on 07.03.2019

Agenda:

1. To consider the letter from OSD(Judl), Rajbhavan, Patna vide Letter No. BSU (Regulation)-16/2015 Part-I)- 777/GS(I) dated 05.03.2019, regarding selection and admission of students into B.Ed course- 2019-20
2. To appoint an admission committee for selection of candidates into B.Ed. course
3. To authorize the Principal, Patna Women's College to take the necessary steps towards legal procedures with regard to B.Ed admissions 2019-20.

Members

Sl. No.	Name	Designation	Signature
1.	Rt. Rev Archbishop William D'Souza S. J Archbishop of Patna	President	<i>William D'Souza, SJ</i>
2.	Fr. Prem Prakash, Baptist Vicar General of Patna Archdiocese)	Vice President	<i>Prem Prakash</i>
3.	Dr. Sister Doris D'Souza A.C Provincial Superior, Apostolic Carmel, Northern Province	Management	<i>Doris D'Souza</i>
4.	Sister M. Lavita A.C. Councilor of Education, Northern Province	Management	<i>M. Lavita AC</i>
5.	Sister M. Tanisha A.C. Vice – Principal Patna Women's College	Management	<i>M. Tanisha AC 07.03.19</i>
6.	Dr. Surabhi Prasad Head of the Department of Physics Patna Women's College	Senior Teacher of the College	<i>Surabhi Prasad 7.3.19</i>
7.	Dr. Sister M. Reema A.C. Head of the Department of Psychology Patna Women's College	Senior Teacher of the College	<i>M. Reema AC 7.3.2019</i>
8.	Prof. Khagendra Kumar Post Graduate Head Department of Education Patna University, Patna	Educationist	
9.	Prof. Rita Singh (Dept. of Sociology, BHU Varanasi)	UGC Representative	
10.	State Government Nominee	In the Process	
11.	University Nominee	In the Process	

12.	Mr. J.S. Arora	Special Invitee	
13.	Mr. Abhinav Srivastava	Special Invitee	
14.	Dr. Sister M. Rashmi A.C. Principal Patna Women's College	Secretary	 07-3-19

Sr. Rashmi the Principal at the outset explained to the group that the meeting has been convened in the context of the receipt of letter No.-BSU (Regulation)-16/2015 Part I)-777/GS(I), dated 05.03.2019, received from the Officer on Spl. Duty (Judl), Rajbhavan, regarding adoption of own process of selection and admission of students into B.Ed courses during the academic session 2019-20. The contents of Letter received from O.S.D. (judl) by the Principal, Patna Women's College, was read out and explained by the Principal to the members present. It was noticed that the letter imposes arbitrary restrictions on the exercise by the College, of its fundamental right to select and admit students of its choice.

With respect to subject under discussion the following legal points^t were brought to the notice of the members present:-

1. The State can make rules prescribing eligibility criteria for admission to B.Ed colleges but not restrict the right of admission.
2. The State has made the regulation prescribing pass in Common Entrance Test (CET) as requirement for admission to B.Ed colleges and has laid down minimum marks for pass in the test.
3. The Hon'ble High Court in LPA No. 902/2018 laid down that the candidates for admission have to appear in the Common Entrance Test (and nothing more).
4. That the Hon'ble High Court, Patna, in CWJC No. 13298 of 2018, **St. Xavier's College of Education v State & Others** has held that at the time of admission of students, right of minority to select and admit students under Article 30 (1) of the Constitution of India would be protected.
5. The Apex Court in **T.M.A. Pai Foundation Vs. the State of Karnataka** has upheld the earlier ruling of the Constitutional Bench in **St. Stephen's Vs the University of Delhi**, that the minorities have the right to give preferential admission in the Minority Institutions to candidates from the minority community. However the 11 Judge Bench has removed the upper limit of 50% laid down in

St. Stephen's case and held that the percentage will be determined on the basis of the need of the community but it cannot be 100 %.

6. A Constitutional Bench of the Supreme Court in ***Pramati Educational and Cultural Trust Vs Union of India*** has Noting of Provision in Article 15(5) of the Constitution of India, held that RTE Act is not applicable to Minority Institutions, aided or unaided, as provision in section 12 of the Act, directed compulsory admission of a percentage of students of a particular class by the school.
7. The Supreme Court in ***P.A. Inamdar Vs. State of Maharashtra*** held that reservation is not applicable in admission to minority institutions
8. University Grants Commission (Conferment of Autonomous Status Upon Colleges and Measures for Maintenance of Standards in Autonomous Colleges) Regulations, 2018, no. 3.6, direct, that the Autonomous College has the power to frame rules for admission of students in the college.

The Governing Body after considering all the above matters and the Educational Rights guaranteed to Minorities under Article 30 of Constitution of India as interpreted by the Apex Court, in its various pronouncements up to date and the arbitrary restrictions sought to be imposed on the exercise of its Fundamental Right of Administration of the College, hereby resolve to move once again before the Chancellor of Bihar Universities to recall or rescind the restrictions sought to be imposed on the College in the exercise of its right to select and admit students, failing which the college will be left with no other option than that of moving before the Hon'le High Court for appropriate relief.

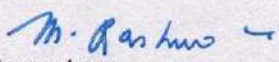
Dr. Sister M. Rashmi A.C., Principal is hereby directed and authorised to represent the matter before the Chancellor, and if no appropriate relief is provided as indicated above, to move before the High Court for appropriate relief.

The Governing body approved that the selection of students for the coming academic session 2019-2021 will be done along the lines approved and

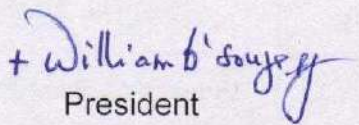
adopted during the previous year as explained by the Principal as shown below:-

- I. All the applicants to Patna Women's College will require to appear and pass in the CET being conducted at the direction of the Chancellor of Universities, by the Nodal Agency vide Memo No. BSU (Regulation) – 16/2015-3267 dated 24 12 2018
- II. Following the direction of the High Court in CWJC No. 13298/2018 that admission will be taken from the candidates who appear and pass in the CET, keeping in view of the directives contained in TMA Pai Foundation Vs State of Karnataka. The selection of candidates for admission will be done by the Admission committee.
- III. The following Admission committee is appointed by the Governing Body for the year 2019-20 will consist of Dr. Sister M. Rashmi A.C, Principal, Patna Women's College as Chair person, Sister M. Tanisha, Vice Principal, Patna Women's College, Dr. Sister M. Dipasha A.C. Head, Department of Economics, Patna Women's College, Sister M. Saroj A.C. Asst. Professor, Department of Education, Patna Women's College.

Principal, Patna Women's College is authorized to take necessary steps towards legal procedures with regard to admission of candidates into the B.Ed Course 2019-20.


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Governing Body
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