

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE SEVENTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

**WRIT PETITION NOS: 6780, 6891, 7282, 7619, 7763, 9018, 9022, 17157, 18819,
19002 OF 2016 AND 7266 OF 2017**

W.P.NO: 6780 OF 2016

Between:

1. Madarsa-I-Aizza Educational Society, (Regd.No.205/1961), 16-4-1, New Malakpet, Hyderabad Rep. by Secretary Mahboob Alam Khan.
2. Nawab Shah Alam Khan College of Engineering & Technology, 16-4-1, Malakpet, Hyderabad Rep by its Secretary Mahboob Alam Khan
3. Mahboob Alam Khan, S/o. Shah Alam Khan, aged 66 years, R/o. Barkatpura, Hyderabad

...PETITIONERS

AND

1. Jawaharlal Nehru Technological University (JNTU), Hyderabad, Represented by its Registrar.
2. The State of Telangana, Rep by its Principal Secretary, Higher Education Department Secretariat Buildings, Hyderabad
3. All India Council for Technical Education, 7th Floor, Chandralok Building, Janpath, New Delhi - 110001. Rep by its Member Secretary.
4. University Grants Commission, Bahadur Shah Zafar Marg, New Delhi - 110 002, Represented by its Chairman.

(Respondent No.4 is impleaded as per Court order dated 25-10-2016 in WPMP.No.43944/2016)

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to It is therefore prayed that this Hon'ble court may be pleased to issue any appropriate writ, order or direction more particularly one in the nature of 'Writ of Mandamus' (i) declaring the University Grants Commission (Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Other Measures for Maintenance of Standard in Higher Education) Regulations, 2010 to the extent of constituting

selection committee for verification of faculty, particularly, Regulation 5.1.4, 5.1.5 and 5.1.6 as arbitrary, illegal, unconstitutional and ultra vires apart from being the violative of the law declared by the Hon'ble Supreme Court; (ii) Declaring the JNTU Grant of affiliation for College/Institution Regulations, 2016, to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulation 11.9 and Annexure-1(8) as ultra vires, illegal and unconstitutional; (iii) declaring the further action of the 1st respondent in seeking information through the Form issued for constituting Selection Committees for verification and conducting interviews as a part of the affiliation process as illegal, unconstitutional and violative of the Petitioners' fundamental rights and the law laid down by the Hon'ble Supreme Court of India and set aside the same.

(Prayer is amended as per Court order dated 25-10-2016 in WPMP.No.43945 of 2016)

I.A. NO: 1 OF 2016(WPMP. NO: 8635 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased suspend the JNTU Grant of affiliation for College/Institution Regulations to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulations 11.9 and Annexure-1(8), pending disposal of the writ petition.

I.A. NO: 2 OF 2016(WPMP. NO: 8637 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased direct the 151 respondent not to interfere with the rights of selection of faculty and staff of the petitioners in any manner either as part of affiliation process or otherwise, including by suspending the Form constituting Selection Committees for verification and conducting interviews as a part of the affiliation process, pending disposal of the writ petition.

I.A. NO: 3 OF 2016(WPMP. NO: 27023 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent university to forthwith pass orders on the petitioners' application for affiliation for the academic year 2016-17 without reference to the pendency of the above writ petition and in the light of the interim orders made by this Hon'ble Court on 28.04.2016 and admit the Petitioner Institution to the counseling process for the academic year 2016-17 pending disposal of the above writ petition.

Counsel for the Petitioners: SRI TARUN G. REDDY

**Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR
JNTUH**

**Counsel for the Respondent No.2: SRI K.SHANTAN RAO, AGP FOR HIGHER
EDUCATION**

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

**Counsel for the Respondent No.4: SRI GADI PRAVEEN KUMAR, Dy.
SOLICITOR GENERAL OF INDIA**

W.P.NO: 6891 OF 2016

Between:

1. Shaaz College of Engineering AND Technology, Himayathnagar (V), Moinabad Mandal Ranga Reddy District Telangana - 500 075 rep by its Director Mohammed Shameemuddin, S/o late Mohammed Shafi age 68 years R/o Hyderabad.
2. Mohammed Shameemuddin, S/o late Mohammed Shafi age 68 years Occ. Director of the 1st petitioner institution R/o Hyderabad.

...PETITIONERS

AND

1. Jawaharlal Nehru Technological University, Kukatpally, Hyderabad Represented by its Registrar.
2. The University Grants Commission, Bahadur Shah Marg, New Delhi - 110 002 Rep by its Secretary.
3. The All India Council for Technical Education, New Delhi, represented by its Member Secretary.
4. The State of Telangana, Rep. by its Principal Secretary, Higher Education Department, Secretariat, Hyderabad

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to Issue a writ, order or direction one more particularly in the nature of writ of Mandamus declaring

a. Clause 5.1.4(a)(4), 5.1.5(a)(4) and 5.1.6(a)(3) of the UGC Regulations 2010 framed by the 2nd respondent

b. The consequential clause 8 of Annexure I of the Jawaharlal Nehru Technological University Hyderabad Grant of Affiliations for the College/Institution Regulations

In so far as it relates to co-option of nominees of the Vice Chancellor of the 1st respondent University into the Selection Committee of the Colleges and empowering the University to take punitive action against the colleges on the basis of the remarks of the said nominees as arbitrary and illegal, constituting an unreasonable regulation offending Article 30(1) of the Constitution of India and with a further direction to the respondents not to interfere with the petitioner colleges process of selection of faculty and staff.

I.A. NO: 1 OF 2016(WPMP. NO: 8773 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased suspend the operation of the impugned Regulations 5.1.4 (a)(4), 5.1.5 (a)(4) and 5.1.6 (a)(3) of UGC Regulations, 2010 issued by the 2nd respondent including the consequential Affiliation Regulations, 2015 framed by the 1st respondent in regard to co-option of university nominees in the Selection Committees of the College pending disposal of the above writ petition.

Counsel for the Petitioners: SRI S.SRI RAM

**Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR
JNTUH**

Counsel for the Respondent No.2: SRI B.KRISHNA MOHAN, SC FOR UGC

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

**Counsel for the Respondent No.4: SRI K.SHANTAN RAO, AGP FOR HIGHER
EDUCATION**

W.P.NO: 7282 OF 2016

Between:

1. Asifia Educational Society, H.No. 3-5-121/E/1/2. Rafath Manzil, Eden Garden. Ramkote, Hyderabad Rep by its Secretary Mr.Khudrath Ali Khan
2. Asifia College of Engineering and Technology Sy.No.166, and 167. Chintula Village, Yacharam, Ibrahimpatnam, Rangareddy District Rep by its Correspondent Mr.Khudrath Ali Khan
3. Khader Memorial Educational Society, H.No. 4-10-368/1. Abbasia Colony, Nalgonda District Rep by its Secretary Mr.M.A.Khaleel
4. Khader Memorial College of Engineering & Technology, Konda Bhemampally Village, Devarakonda Mandal, Nalgonda District Rep by its Correspondent Mr.M.A.Khaleel
5. Syed Hashim Educational Society 16-4-71., Chanchalguda, Hyderabad Rep by its Secretary Mr. Syed Khursheed Ahmed
6. Syed Hashim College of Science and Technology Rajiv, Rahadari Marg, Pragnapur, Gajwel Mandal, Medak District Rep by its Correspondent Mr.Syed Khursheed Ahmed
7. Gajwel Minorities Educational Society, D.No.16-2-61/12/A/2-3, Sun Shine Enclave, Akbarbagh, Malakpet, Hyderabad Rep by its Chairman Mr.Syed Khursheed Ahmed
8. Medak College of Engineering & Technology Kondapak, Village and Mandal, Siddipet Division Medak District Rep by its Correspondent Mr.Syed Khursheed Ahmed
9. Azad Educational Society, Udith Chambers, Opp Andhra Bank, Ashoknagar, Hyderabad Rep. by its Secretary, Mr. Ghouse Moinuddin
10. Azad College of Engineering and Technology, Peddamangalaram Village. Moinabad Mandal, Rangareddy District Rep by its Correspondent Mr. Ghouse Moinuddin
11. Mr.Khudrath Ali Khan, S/o Zahoor Nawaz Jung Aged about 56 years, R/o Rafath Manzil, Eden Garden, Ramkote, Hyderabad.

...PETITIONERS

AND

1. The Jawaharlal Nehru Technological University (INTU), Hyderabad, Represented by its Registrar
2. The State of Telangana, Represented by its Principal Secretary. Higher Education Department, Secretariat Buildings, Hyderabad
3. All India Council for Technical Education 7th, Floor. Chandralok Building, Janpath, New Delhi, Rep by its Member Secretary.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus.

- i) Declaring the JNTU Grant of affiliation for College/Institution Regulations, to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulation 11.9 and Annexure -1(8) as

ultra vires, illegal and unconstitutional apart from being violative of the law declared by the Honble Supreme Court and quash the same-

- ii) Declaring the further action of the 1st respondent in seeking information through the Form issued for constituting Selection Committees for verification and conducting interviews as a part of the Petitioner fundamental rights and the law laid down by the Hon'ble Supreme Court of India and set aside the same.

I.A. NO: 1 OF 2016(WPMP. NO: 9305 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the JNTU Grant of affiliation for College/Institution Regulations to the extent of constituting Selection committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulations 11.9 and Annexure -1(8), pending the disposal of the writ petition.

I.A. NO: 2 OF 2016(WPMP. NO: 9306 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 1st respondent not to interfere with the rights of selection of faculty and staff of the petitioners in any manner either as part of affiliation process or otherwise, including by suspending the Form constituting Selection Committees for verification and conducting interview, as a part of the affiliation process, pending the disposal of the writ petition.

Counsel for the Petitioners: SRI P.PANDU RANGA REDDY

**Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR
JNTUH**

**Counsel for the Respondent No.2: SRI K.SHANTAN RAO, AGP FOR HIGHER
EDUCATION**

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

W.P.NO: 7619 OF 2016

Between:

1. Neo Royal Educational Society, H.No. 11-4-641/A, New Block, Masab Tank, Hyderabad Rep by its Secretary Mr.Mohd Haneef Abid
2. Royal Institute of Technology and Science, Sy.No.54, Damargidda Village, Chevella, Rangareddy District Rep by its Correspondent Mr.Mohd Haneef Abid
3. Mr.Mohd Haneef Abid, S/o Mohd Yaqoob Aged about 40 years, R/o Vijayanagar Colony, Hyderabad.

...PETITIONERS

AND

1. The Jawaharlal Nehru Technological University (JNTU), Hyderabad, Represented by its Registrar
2. The State of Telangana, Represented by its Principal Secretary, Higher Education Department, Secretariat Buildings, Hyderabad
3. All India Council for Technical Education, 7th Floor, Chandralok Building, Janpath, New Delhi Rep by its Member Secretary.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus

- i) Declaring the JNTU Grant of affiliation for College/Institution Regulations, to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulation 11.9 and Annexure -1(8) as ultra vires, illegal and unconstitutional apart from being violative of the law declared by the Hon'ble Supreme Court and quash the same-
- ii) Declaring the further action of the 14 respondent in seeking information through the Form issued for constituting Selection Committees for verification and conducting interviews as a part of the Petitioner fundamental rights and the law laid down by the Hon'ble Supreme Court of India and set aside the same.

I.A. NO: 1 OF 2016(WPMP. NO: 9717 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the JNTU Grant of affiliation for College/Institution Regulations" to the

extent of constituting Selection committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulations 11.9 and Annexure -1(8), pending the disposal of the writ petition.

I.A. NO: 2 OF 2016(WPMP. NO: 9718 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 1st respondent not to interfere with the rights of selection of faculty and staff of the petitioners in any manner either as part of affiliation process or otherwise, including by suspending the Form constituting Selection Committees for verification and conducting interviews as a part of the affiliation process, pending the disposal of the writ petition.

Counsel for the Petitioners: SRI P.PANDU RANGA REDDY

**Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR
JNTUH**

**Counsel for the Respondent No.2: SRI K.SHANTAN RAO, AGP FOR HIGHER
EDUCATION**

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

W.P.NO: 7763 OF 2016

Between:

1. Sana Educational Society, NH-9, Kodad, Nalgonda District, Rep by its Secretary Mohd Nazeeruddin
2. Sana Engineering College, NH-9, Kodad, Nalgonda District Rep by its Correspondent Mohd Nazeeruddin
3. Sana College of Pharmacy, NH-9, Kodad, Nalgonda District Rep by its Correspondent Mohd Nazeeruddin
4. Mohd. Nazeeruddin, S/o Naseeruddin aged about 50 years, Occ Business, R/o NH-9, Vijayawada Road, Kodad, Nalgonda District

...PETITIONERS

AND

1. The Jawaharlal Nehru Technological University (JNTU), Hyderabad, Represented by its Registrar
2. The State of Telangana, Represented by its Principal Secretary, Higher Education Department, Secretariat Buildings, Hyderabad
3. All India Council for Technical Education, 7th Floor, Chandralok Building, Janpath, New Delhi Rep by its Member Secretary.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus

- i) Declaring the JNTU Grant of affiliation for College/Institution Regulations, to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulation 11.9 and Annexure -1(8) as ultra vires, illegal and unconstitutional apart from being violative of the law declared by the Hon'ble Supreme Court and quash the same-
- ii) Declaring the further action of the respondent in seeking information through the Form issued for constituting Selection Committees for verification and conducting interviews as a part of the Petitioner fundamental rights and the law laid down by the Hon'ble Supreme Court of India and set aside the same.

I.A. NO: 1 OF 2016(WPMP. NO: 9874 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the "JNTU Grant of affiliation for College/Institution Regulations" to the extent of constituting Selection committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulations 11.9 and Annexure -1(8), pending the disposal of the writ petition.

I.A. NO: 2 OF 2016(WPMP. NO: 9875 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the In respondent not to interfere with the rights of selection of faculty and staff of the petitioners in any manner either as part of affiliation process or otherwise, including by suspending the Form constituting Selection Committees for verification and conducting interviews as a part of the, affiliation process, pending the disposal of the writ petition

Counsel for the Petitioners: SRI P.PANDU RANGA REDDY

**Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR
JNTUH**

**Counsel for the Respondent No.2: SRI K.SHANTAN RAO, AGP FOR HIGHER
EDUCATION**

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

W.P.NO: 9018 OF 2016

Between:

1. Madrasa-I-Aizza Society, Malakpet, Hyderabad. Rep. by its Secretary Mahboob Alam Khan
2. Aizza College of Engineering and Technology, Mulkallah, Mancherial, Adilabad - 504209 Rep. by its Secretary Mahboob Alain Khan
3. Mahboob Alam Khan, s/o Shah Alam Khan aged 66 years R/o Barkatpura, Hyderabad

...PETITIONERS

AND

1. Jawaharlal Nehru Technological University (JNTU), Hyderabad, represented by its Registrar.
2. The State of Telangana, Rep by its Principal Secretary Higher Education Department Secretariat Buildings, Hyderabad
3. All India Council for Technical Education, 7th Floor, Chandralok Building, Janpath, New Delhi - 110001. Rep by its Member Secretary.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction and more particularly, one in the nature of Writ of Mandamus iv) Declaring the JNTIJ Grant of affiliation for College/Institution Regulations, to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulation 11.9 and Annexure-1(8) as ultra vires, illegal and unconstitutional apart from being violative of the law declared by the Hon'ble Supreme Court and quash the same v) declaring the further action of the 15t respondent in seeking information through the Form issued for constituting Selection Committees for verification and conducting interviews as a part of the affiliation process as illegal, unconstitutional and violative of the Petitioners fundamental rights and the law laid down by the Hon'ble Supreme Court of India and set aside the same.

I.A. NO: 1 OF 2016(WPMP. NO: 11423 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the JNTU Grant of affiliation for College/Institution Regulations to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulations 11.9 and Annexure-1(8), pending disposal of the writ petition.

I.A. NO: 2 OF 2016(WPMP. NO: 11424 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 1st respondent not to interfere with the rights of selection of faculty and staff of the petitioners in any manner either as part of affiliation process or Otherwise, including by suspending the Form constituting Selection Committees for verification and conducting interviews as a part of the affiliation process, pending disposal of writ petition.

Counsel for the Petitioners: SRI TARUN G. REDDY

**Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR
JNTUH**

**Counsel for the Respondent No.2: SRI K.SHANTAN RAO, AGP FOR HIGHER
EDUCATION**

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

W.P.NO: 9022 OF 2016

Between:

1. Anwar ul Uloom Educational Association, D. No. 11-3-918, New Mallapally, Asif Nagar, Hyderabad - 500 01, Represented by its Secretary and Correspondent MahboobAlam Khan.
2. Anwar ul Uloom College of Pharmacy, D. No. 11-3-918, New Mallapally, Asif Nagar, Hyderabad - 500 01, Represented by its Secretary and Correspondent Mahboob Alam Khan.
3. Mahboob Alam Khan, S/o Shah Alam Khan aged 66 years R/o Barkatpura, Hyderabad

...PETITIONERS

AND

1. Jawaharlal Nehru Technological University (JNTU), Hyderabad, represented by its Registrar.
2. The State of Telangana, Rep by its Principal Secretary, Higher Education Department Secretariat Buildings, Hyderabad

3. All India Council for Technical Education, 7th Floor, Chandralok Building, Janpath, New Delhi - 110001. Rep by its Member Secretary.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction and more particularly, one in the nature of Writ of Mandamus

- i) Declaring the JNTU Grant of affiliation for College/Institution Regulations, to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulation 11.9 and Annexure-1(8) as ultra vires, illegal and unconstitutional apart from being violative of the law declared by the Hon'ble Supreme Court and quash the same
- ii) declaring the further action of the 151 respondent in seeking information through the Form issued for constituting Selection Committees for verification and conducting interviews as a part of the affiliation process as illegal, unconstitutional and violative of the Petitioners fundamental rights and the law laid down by the Hon'ble Supreme Court of India and set aside the same.

I.A. NO: 1 OF 2016(WPMP. NO: 11427 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the JNTU Grant of affiliation for College/Institution Regulations to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulations 11.9 and Annexure-1(8), pending disposal of the writ petition

I.A. NO: 2 OF 2016(WPMP. NO: 11428 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 1st respondent not to interfere with the rights of selection of faculty and staff of the petitioners in any manner either as part of affiliation process or otherwise,

including by suspending the Form constituting Selection Committees for verification and conducting interviews as a part of the affiliation process, pending disposal of the writ petition.

Counsel for the Petitioners: SRI RUBAINA S KHATOON

Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR JNTUH

Counsel for the Respondent No.2: SRI K.SHANTAN RAO, AGP FOR HIGHER EDUCATION

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

W.P.NO: 17157 OF 2016

Between:

1. Moghal Educational Society, H.No. 8-5-2/18, Moghal Campus, Near Chandrayangutta X road, Hyderabad. Rep by its Secretary, Mr.Mirza Farahtullah Baig
2. Moghal College of Engineering & Technology, H.No. 8-5-2/18, Moghal Campus, Near Chandrayangutta X road, Bandlaguda Hyderabad. Rep by its Correspondent Mr.Mirza Farahtullah Baig
3. Noor Educational Society, H.No. 8-5-2/18, Bandlaguda, Moghal Campus, Near Chandrayangutta X road, Hyderabad. Rep by its Secretary Mr.Mirza Asadullah Baig,
4. Noor College of Engineering and Technology, Noor Gate, Solipur Village, Amangal Road, Faroognagar Mandal, Shadnagar, Mahabubnagar District Rep by its Secretary Mr. Mirza Asadullah Baig
5. Mr.Mirza Farahtullah Baig, S/o Mirza Ahmed Baig, Aged about 52 years, Occ Business, C/o H.No. 8-5-2/18, Moghal Campus, Near Chandrayangutta X road, Hyderabad

...PETITIONERS

AND

1. The Jawaharlal Nehru Technological University, (JNTU), Kukatpally, Hyderabad, Represented by its Registrar
2. The State of Telangana, Represented by its Principal Secretary, Higher Education Department, Secretariat Buildings, Hyderabad
3. All India Council for Technical Education, 7th Floor, Chandralok Building, Janpath, New Delhi, Rep by its Member Secretary.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus

- i) Declaring the JNTU Grant of affiliation for College/Institution Regulations, to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the

affiliation process, particularly Regulation 11.9 and Annexure -1(8) as ultra vires, illegal and unconstitutional apart from being violative of the law declared by the Hon'ble Supreme Court and quash the same-

- ii) Declaring the further action of the 1st respondent in seeking information through the Form issued for constituting Selection Committees for verification and conducting interviews as a part of the Petitioner fundamental rights and the law laid down by the Hon'ble Supreme Court of India and set aside the same.

I.A. NO: 1 OF 2016(WPMP. NO: 21117 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 1st respondent not to interfere with the rights of selection of faculty and staff of the petitioners in any manner either as part of affiliation process or otherwise, including by suspending the Form constituting Selection Committees for verification and conducting interviews as a part of the affiliation process, pending the disposal of the writ petition.

I.A. NO: 2 OF 2016(WPMP. NO: 21118 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the JNTU Grant of affiliation for College/Institution Regulations to the extent of constituting Selection committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulations 11.9 and Annexure -1(8), pending the disposal of the writ petition.

Counsel for the Petitioners: SRI P.PANDU RANGA REDDY

**Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR
JNTUH**

**Counsel for the Respondent No.2: SRI K.SHANTAN RAO, AGP FOR HIGHER
EDUCATION**

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

W.P.NO: 18819 OF 2016

Between:

1. Dr. V. R. K. Womens College of Engineering and Technology, Rep. by its Director, Smt. Sujatha Theodore, W/o. Sampson Theodore Cherla, Aged about 50 years, Aziz Nagar, Moinabad, Ranga Reddy District.
2. Dr. V. R. K. Educational Society, Muslim Minority Institution, rep. by its Treasurer, Mohammed Shal Alam Rasool Khan, S/o. Dr. Mohammed Vizarath Rasool Khan, Aged about 38 years, Shah Manzil, 10-3-307, Masab Tank, Hyderabad

...PETITIONERS

AND

1. Jawaharlal Nehru Technological University, Kukatpally, Hyderabad
Represented by its Registrar
2. The University Grants Commission, Bahadur Shah Marg, New Delhi - 110 002
Rep by its Secretary.
3. The All India Council for Technical Education, New Delhi, represented by its
Member Secretary
4. The State of Telangana, represented by its Principal Secretary, Higher
Education Department, Secretariat, Hyderabad

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction one more particularly in the nature of writ of Mandamus declaring

- a. Clause 5.1.4(a)(4), 5.1.5(a)(4) and 5.1.6(a)(3) of the UGC Regulations 2010 framed by the 2nd respondent
- b. The consequential clause 8 of Annexure I of the Jawaharlal Nehru Technological University Hyderabad Grant of Affiliations for the College/Institution Regulations

in so far as it relates to co-option of nominees of the Vice Chancellor of the 1st respondent University into the Selection Committee of the Colleges and empowering the University to take punitive action against the colleges on the basis of the remarks of the said nominees as arbitrary and illegal, constituting an unreasonable regulation offending Article 30(1) of the Constitution of India and with a further direction to the respondents not to interfere with the petitioner colleges process of selection of faculty and staff.

I.A. NO: 1 OF 2016(WPMP. NO: 23100 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent University to process the applications of the petitioners for affiliation for the academic year 2016-2017 without insisting on compliance of the presence of the University Nominee in the selection committee of the petitioner colleges for appointment of faculty for the academic year 2016-17 pending disposal of the above writ petition.

Counsel for the Petitioners: SRI S.SRI RAM

**Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR
JNTUH**

Counsel for the Respondent No.2: SRI B.KRISHNA MOHAN, SC FOR UGC

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

**Counsel for the Respondent No.4: SRI K.SHANTAN RAO, AGP FOR HIGHER
EDUCATION**

W.P.NO: 19002 OF 2016

Between:

1. Shadan Womens College of, Engineering and Technology, Rep. by its Director, Dr.P.Himabindu, W/o. Ramesh, Aged about 44 yrs, 6-2-980, Rajbhavan Road, Khairtabad, Hyderabad.
2. Shadan College of Pharmacy, Rep. by its Director, Mr. Shaik Mohammed Khasim, S/o. Dr.S.M.Shabbir, Aged about 30 yrs, Peerancheru, Himayathsagar Road, Hyderabad.
3. Shadan College of Engineering and Technology, Rep. by its Director, Mr. S. A. Muneem, S/o. S.A.Raheem, Aged about 54 yrs, Peerancheru, Himayathsagar Road, Hyderabad.
4. Shadan Women's College of Pharmacy, Rep. by its Principal, Dr. M.Sunitha, W/o. P.Madhu, Aged about 39 yrs, 6-2-980, Rajbhavan Road, Khairtabad, Hyderabad.
5. Shadan Educational Society, Muslim Minority Institution, rep. by its Chairman, Mohammed Shal Alam Rasool Khan, S/o. Dr.Mohammed Vizarath Rasool Khan, Aged about 38 years, Shah Manzil, 6-2-978, Khairatabad Hyderabad.

...PETITIONERS

AND

1. Jawaharlal Nehru Technological University, Kukatpally, Hyderabad
Represented by its Registrar.
2. The University Grants Commission Bahadur Shah Marg, New Delhi - 110 002
Rep by its Secretary.
3. The All India Council for Technical Education, New Delhi, represented by its
Member Secretary.
4. The State of Telangana, represented by its Principal Secretary, Higher
Education Department Secretariat, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, **It is therefore prayed that this honourable court may be pleased to issue a writ order or direction, one more particularly in the nature of Writ of Mandamus declaring,**

- a. **Clause 5.1.4(a)(4), 5.1.5(a)(4) and 5.1.6(a)(3) of the UGC Regulations 2010 framed by the 2nd respondent.**
- b. **The consequential clause 8 of Annexure I of the JNTU Grant of Affiliations for the College/Institution, Regulations, 2015 reiterated under.**
- c. **Clause VI of Annexure I of the Jawaharlal Nehru Technological University Hyderabad Grant of Affiliations for the College/Institution Regulations for the academic year 2017-2018 in so far as it relates to co-option of nominees of the Vice Chancellor of the 1st respondent University into the Selection Committee of the Colleges and empowering the University to take punitive action against the colleges on the basis of the remarks of the said nominees as arbitrary and illegal, constituting an unreasonable regulation offending Article 30(1) of the Constitution of India and with a further direction to the respondents not to interfere with the petitioner college's process of selection of faculty and staff pending disposal the above writ petition.**

(Prayer is amended, as per court order dt: 17-12-2024, vide IA.1 of 2017 in (WPMP.No.5627 of 2017), in W.P.No.19002 of 2016)

I.A. NO: 1 OF 2016(WPMP. NO: 23309 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent University to process the applications of the petitioners for affiliation for the academic year 2016-2017 without insisting on compliance of the presence of the University Nominee in the selection committee of the petitioner colleges for appointment of faculty for the academic year 2016-17 pending disposal of the above writ petition.

I.A. NO: 2 OF 2016(WPMP. NO: 23310 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to

suspend the operation of the impugned Regulations 5.1.4 (a)(4), 5.1.5 (a)(4) and 5.1.6 (a)(3) of UGC Regulations, 2010 issued by the 2nd respondent including the consequential Affiliation Regulations, 2015 framed by the 1st respondent in regard to co-option of university nominees in the Selection Committees of the College pending disposal of the above writ petition.

I.A. NO: 3 OF 2016(WPMP. NO: 27114 OF 2016)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to clarify the order dt. 3/03/2016 & 15-06-2016 so as to enable further proceeding of the applications of the petitioners for affiliation to secure inclusion into counseling process for allotment of students.

Counsel for the Petitioners: SRI S.SRI RAM

**Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR
JNTUH**

Counsel for the Respondent No.2: SRI B.KRISHNA MOHAN, SC FOR UGC

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

**Counsel for the Respondent No.4: SRI K.SHANTAN RAO, AGP FOR HIGHER
EDUCATION**

W.P.NO: 7266 OF 2017

Between:

1. Mumtaz Yaruddowla Wakf, 16-2-737, Malakpet, Hyderabad. Rep. by its Authorized signatory Ahmed Baig
2. Mumtaz College of Engineering and Technology, 16-2-737, Malakpet, Hyderabad. Rep. by its Authorized signatory and Board Member, Ahmed Baig.
3. Ahmed Baig, S/o. Mohommed Baig Aged about 62 yrs, R/o. 8-1-40/A/64, Samata Colony, 7 tombs road, Towlichowki Hyderabad-500008

...PETITIONERS

AND

1. Jawaharlal Nehru Technological University (JNTU), Hyderabad, represented by its Registrar.
2. The State of Telangana, Rep by its Principal Secretary Higher Education Department Secretariat Buildings, Hyderabad
3. All India Council for Technical Education, 7th Floor, Chandralok Building, Janpath, New Delhi - 110001. Rep by its Member Secretary.
4. University Grants Commission, Bahadur Shah Zafar Marg, New Delhi 110 002, Represented by its Chairman.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction and more particularly, one in the nature of Writ of Mandamus,

- (i) declaring the University Grants Commission (Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Other Measures for Maintenance of Standard in Higher Education) Regulations, 2010 to the extent of constituting selection committee for verification of faculty, particularly, Regulation 5.1.4, 5.1.5 and 5.1.6 as arbitrary, illegal, unconstitutional and ultra vires apart from being the violative of the law declared by the Hon'ble Supreme Court and set aside the same
- (ii) Declaring the JNTU Grant of affiliation for College/Institution Regulations, 2017, to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulation 11 and Annexure1(VI) as ultra vires, illegal and unconstitutional.

I.A. NO: 1 OF 2017(WPMP. NO: 8937 OF 2017)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the JNTU Grant of affiliation for College/Institution Regulations 2017 to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulations 11 and Annexure-1(VI), pending disposal of the writ petition.

I.A. NO: 2 OF 2017(WPMP. NO: 8938 OF 2017)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents not to interfere with the rights of selection of faculty and staff of the petitioners in any manner either as part of affiliation process or otherwise, pending disposal of the writ petition.

Counsel for the Petitioners: SRI TARUN G. REDDY

**Counsel for the Respondent No.1: SRI ABDUL QUDDUS MOHD, SC FOR
JNTUH**

**Counsel for the Respondent No.2: SRI K.SHANTAN RAO, AGP FOR HIGHER
EDUCATION**

Counsel for the Respondent No.3: SRI M.MEHBOOB ALI, SC FOR AICTE

Counsel for the Respondent No.4: SRI B.KRISHNA MOHAN, SC FOR UGC

The Court made the following: COMMON ORDER

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

WRIT PETITION Nos.6780 of 2016, 6891 of 2016, 7282 of 2016, 7619 of 2016, 7763 of 2016, 9018 of 2016, 9022 of 2016, 17157 of 2016, 18819 of 2016, 19002 of 2016 and 7266 of 2017

COMMON ORDER: *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. Tarun G. Reddy, learned counsel for the petitioners in W.P.Nos.6780 of 2016, 9018 of 2016 and 7266 of 2017.

Mr. Abdul Quddus Mohd., learned Standing Counsel for Jawaharlal Nehru Technological University (JNTU) for respondent No.1 in all the writ petitions.

Mr. K.Shantan Rao, learned Assistant Government Pleader for Higher Education for respondent No.2 in W.P.Nos.6780 of 2016, 7282 of 2016, 7619 of 2016, 7763 of 2016, 9018 of 2016, 9022 of 2016, 17157 of 2016 and 7266 of 2017 and respondent No.4 in W.P.Nos.6891 of 2016, 18819 of 2016 and 19002 of 2016.

Mr. M.Mehboob Ali, learned Standing Counsel for All India Council for Technical Education (AICTE) for respondent No.3 in all the writ petitions.

2. In W.P.No.6780 of 2016, the petitioners have prayed for the following relief:

"It is therefore prayed that this Hon'ble Court may be pleased to issue any appropriate writ, order or direction more particularly one in the nature of 'Writ of Mandamus'

(i) declaring the University Grants Commission (Minimum Qualifications for Appointment of Teachers and Other Academic Staff in Universities and Colleges and Other Measures for Maintenance of Standard in Higher Education) Regulations, 2010 to the extent of constituting selection committee for verification of faculty, particularly, Regulation 5.1.4, 5.1.5 and 5.1.6 as arbitrary, illegal, unconstitutional and ultra vires apart from being the violative of the law declared by the Hon'ble Supreme Court;

(ii) declaring the JNTU Grant of affiliation for College/ Institution Regulations, 2016, to the extent of constituting Selection Committees for verification of faculty, including registration of the faculty as a part of the affiliation process, particularly Regulation 11.9 and Annexure-1(8) as ultra vires, illegal and unconstitutional;

(iii) declaring the further action of the 1st respondent in seeking information through the Form issued for constituting Selection Committees for verification and conducting interviews as a part of the affiliation process as

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illegal, unconstitutional and violative of the Petitioners' fundamental rights and the law laid down by the Hon'ble Supreme Court of India and set aside the same;

(iv) pass such order or other orders as this Hon'ble Court deems fit and proper in the circumstances of the case."

3. Learned counsel for the parties in all the writ petitions jointly submit that in view of common order dated 11.12.2018 passed by a Division Bench of this Court in W.P.No.18954 of 2017 and batch, no further orders are required to be passed in these writ petitions.

4. The aforesaid submission is placed on record.

5. Accordingly, the Writ Petitions are disposed of.

Miscellaneous petitions, pending if any, shall stand closed. There shall be no order as to costs.

**SD/-MOHD. ISMAIL
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. The Registrar, Jawaharlal Nehru Technological University (JNTU), Hyderabad.
2. The Principal Secretary, Higher Education Department Secretariat Buildings, Hyderabad, State of Telangana.
3. The Member Secretary, All India Council for Technical Education, 7th Floor, Chandrakok Building, Janpath, New Delhi - 110001.
4. The Chairman, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi - 110 002.
5. One CC to SRI TARUN G. REDDY, Advocate [OPUC]

6. Two CCs to GP FOR HIGHER EDUCATION, High Court for the State of Telangana, at Hyderabad. [OUT]
7. One CC to SRI S.SRIRAM, Advocate [OPUC]
8. One CC to SRI P.PANDU RANGA REDDY, Advocate [OPUC]
9. One CC to SRI RUBAINA S.KHATOON, Advocate [OPUC]
10. One CC to SRI B.KRISHNA MOHAN, SC FOR UGC [OPUC]
11. One CC to SRI M.MEHBOOB ALI, SC FOR AICTE [OPUC]
12. One CC to SRI ABDUL QUDDUS MOHD., SC FOR JNTU [OPUC]
13. One CC to SRI GADI PRAVEEN KUMAR, Dy. SOLICITOR GENERAL OF INDIA [OPUC]
14. Two CD Copies

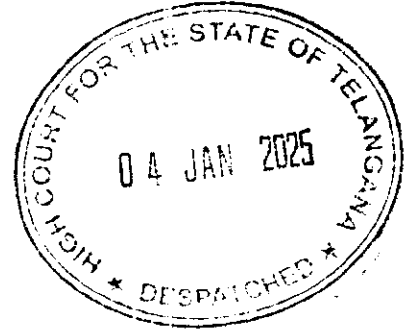
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HIGH COURT

DATED:17/12/2024



COMMON ORDER

**WP.Nos.6780, 6891, 7282, 7619, 7763, 9018, 9022,
17157, 18819, 19002 OF 2016 AND 7266 OF 2017**

**DISPOSING OF THE WRIT PETITIONS
WITHOUT COSTS**

(17)

kp.
3/1/25