

F.No.ER-303.4/NCTE/Application No...../B.Ed./BR/2022/65278

Dated: 05-04-2022

**SHOW CAUSE NOTICE**

WHEREAS, a copy of Order dated 24.01.2022 passed by Hon'ble High Court of Delhi at New Delhi in W.P.(C) 1371/2022 in the matter of BABA SAHEB BHIMRAO AMBEDKAR TEACHERS TRAINING COLLEGE & ANR vs. NCTE & Anr. was received in ERC NCTE bearing e-office Diary Receipt No.239003 dated 01.02.2022. The text of the order of the Hon'ble Court is as under:

**CM APPL. 3989/2022 & CM APPL. 3990/2022**

1. Exemptions allowed, subject to all just exceptions.
2. The original *Vakalatnama* be filed within two weeks of this Court resuming physical hearing.
3. The applications are disposed of.

**W.P.(C) 1371/2022**

4. The petitioners, who had submitted an application to respondent no.2 on 31.05.2016 seeking recognition for conducting B.Ed course, have approached this Court with a grievance that the said application remains undecided till date.
5. Issue notice. Ms. Akanksha Kaul accepts notice on behalf of the respondents and submits that keeping in view the nature of the relief sought by the petitioner, she does not propose to file any counter affidavit. She also does not deny the fact that this Court has already disposed of similar petitions by directing the respondents to decide the petitioner's pending application in a time bound manner.
6. In light of the aforesaid, the writ petition deserves to be allowed and is accordingly allowed by directing the respondent no.2 to decide the petitioner's pending application dated 31.05.2016 within 8 weeks from today by following the laid down procedure including the applicable Standard Operating Procedure (SOP)-issued by the National Council for Teacher Education (NCTE).
7. In case, the respondent requires any further information or documents from the petitioners, the same will be duly communicated to the petitioners who will then furnish the necessary Information/documents as may be required.
8. Needless to state, this Court has not expressed any opinion on the merits of the petitioner's claim and in case, the petitioners are aggrieved by any order passed by the respondent, it will be open for the petitioners to seek legal recourse as permissible in law.

2. **AND WHEREAS**, the ERC in its 303<sup>rd</sup> (Virtual) meeting held on 24<sup>th</sup> March, 2022 considered the matter and other related documents under NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, and the Commission made following observations:

क्षेत्रीय निदेशक / Regional Director  
पूर्व क्षेत्रीय समिति / Eastern Regional Committee  
राष्ट्रीय अध्यापक शिक्षा परिषद्  
National Council for Teacher Education  
G-7, Sector-10, Dwarka, New Delhi - 110075

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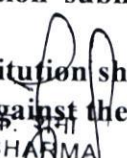
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“In compliance of the Order dated 24.01.2022 passed by Hon’ble High Court of Delhi at New Delhi in W.P.(C) No. 13471 and the other related documents, NCTE Act, 1993, Regulations, Guidelines issued by NCTE from time to time, representation/application from the institution were carefully considered by ERC-NCTE and the committee made following observations:-

1. On search of ERC office database and records, the name of institution bearing ID No.10056, Application No. ERCAPP201646003 for B.Ed. course (as per copy attached with court order) has not been shown on the dashboard. Also, the hard copy of application was not received by ERC NCTE from the institution, hence in the absence of information, such application bearing ID No.10056, Application No. ERCAPP201646003 was not processed by ERC.
2. As per remarks of the Accounts and IT & e-Gov Sections of NCTE, New Delhi, processing fee of Rs.1.5 lakh through received through RTGS/PAYU PAYMENTS PRIVATE LTD.
3. As per Clause 7(2)(b) of NCTE Regulations, 2014, the application shall be summarily rejected for failure to submit print out of the application made online along with the land documents as required under sub-regulation (4) of Regulation 5 within 15 days of the submission of the online application. In this case, no information in this regard has been received from the institution earlier. In light of Clause 7(1) of NCTE Regulations, 2014, in case of an application is not complete, or requisite document are not attached with the application, the application shall be treated as incomplete and rejected, and the application fees paid shall be forfeited.
4. A typed version of application for B.Ed. course bearing ID No.10056, Application No. ERCAPP201646003 (which was not earlier shown on the NCTE dashboard and not received by ERC NCTE) was found attached along with the copy of Court Order dated 24.01.2022 now placed for consideration of ERC NCTE. No document/record related to submission of application is there available at ERC, NCTE.

Accordingly, the institution is deficient on the following points in the light of NCTE Regulation 2014.

- (i) Affidavit on Rs. 100 stamp paper from the President / Secretary of the Management duly notarized giving the details of applications pending with NCTE and also the existing courses being run by the management on the same land where this application is proposed.
- (ii) To submit the proof of submission of initial application to ERC in original, self-attested.
- (iii) To submit the proof of rejection of initial application by ERC in original, duly self-attested if any.
- (iv) To submit the proof of payment of processing fee at the time of initial application, self-attested (photocopy of DD/ Bank Statement / Certificate from Bank etc).
- (v) To submit copy of the application submitted through on-line mode alongwith infrastructure facility.
- (vi) In view of the aforesaid, the institution shall submit an affidavit stating as to why a complaint may not be lodged against the institution.

  
 N. K. SHARMA  
 क्षेत्रीय निदेशक / Regional Director  
 पूर्वी क्षेत्रीय समिति / Eastern Regional Committee  
 राष्ट्रीय अध्यापक शिक्षा परिषद  
 National Council for Teacher Education  
 भारत सरकार / Govt. of India  
 जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075  
 G-7, Sector-10, Dwarka, New Delhi-110075

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Hence, Show Cause Notice under Section U/s 14/15 (3) (b) of the NCTE Act, 1993 be issued to the institution to submit their reply alongwith supporting documents accompanied with notarized affidavit of Rs. 100/- on Non-judicial stamp paper by the authorized representative of the Management within 30 days from the date of issue of show cause notice.

3. **AND WHEREAS**, the Committee is of the opinion that the institution prima facie, does not fulfill the requirements, the norms and standards laid down by the NCTE in accordance with the provisions of the NCTE Act, 1993, as detailed above.

4. **NOW THEREFORE**, the institution is required to submit the representation/compliance accompanied with an affidavit on Rs.100/- on Non-Judicial Stamp paper from the authorized representative of the Management. The representation along with an affidavit must reach this office within the time specified at the end.

5. It is expected that your reply shall reach in this office through Courier/ Registered AD/ Speed Post only. NCTE does not expect applicant to personally visit the Eastern Regional Committee Office for any reason whatsoever.

6. Your reply, being complete in all respects must reach this office on or before **30 days** i.e. ...05./...05./2022. In the event of this office not receiving representation within 30 days from the date of issue of this notice, it will be presumed that you do not wish to make any representation and the Regional Committee shall take decision as it deems fit and proper.

7. Receipt of this show cause notice may please be acknowledged.



एन. के. शर्मा  
N. K. SHARMA  
**Regional Director (I/c)**

पूर्वी क्षेत्रीय समिति/ Eastern Regional Committee  
राष्ट्रीय अध्यापक शिक्षा परिषद  
National Council for Teacher Education  
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जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075  
G-7, Sector-10, Dwarka, New Delhi-110075

**The Secretary/Correspondent,**

Baba Saheb Bhimrao Ambedkar Teacher's Training College,  
Village- Jharharwa, Street/Road- Jharharwa,  
Taluka/Mandal : Valmikinagar, Town/City Jharnarwa,  
District- Champaran West, State : Bihar, Pin Code : 845107

**Copy to:**

**The Secretary,**

Maharishi Valmiki Social Welfare Society,  
Village- Valmiki Nagar, Street/Road- Valmiki Nagar  
Taluka/Mandal : Valmiki Nagar, Town/City- Valmiki Nagar  
District- Champaran West, State : Bihar, Pin Code : 845107



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क्षेत्रीय निदेशक/Regional Director  
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