



F.No.89-654/E-89726/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Sarswati Teachers Training College, Sihali Khurd, Munadawar Sihali Khurd Road, Mundawar, Rajasthan dated 14/09/2018 is against the Letter F. No. Old APP/NRCAPP-7808/49/2017/169172 dated 15/03/2017 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. course on the grounds that "In cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS the appellant filed a S.B. Civil Writs No. 19740/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 05/09/2018, disposed of the petition reserving liberty to the petitioner to avail the remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS Sh. Veer Singh Mehra, Secretary, Sarswati Teachers Training College, Sihali Khurd, Munadawar Sihali Khurd Road, Mundawar, Rajasthan presented the case of the appellant institution on 17/11/2018. In the appeal and during personal presentation it was submitted that "NCTE, New Delhi had issued a public notice on 27.11.2012 through which applications for grant of recognition for various Teacher Education courses had been invited from all stake holders in which no ban for D.El.Ed. course was imposed. In the State of Rajasthan there was no ban. This institution has applied online for grant of recognition of D.El.Ed. course (02 units) to NCTE from

2013-14 on 31.12.2012. The hard copy was submitted in the office of NRC, NCTE, Jaipur on 07.01.2013. Copy of receipt letter, challan for processing fees and online application is annexed and marked as Annexure-5. 3. The NRC, NCTE had returned the application for grant of recognition of D.El.Ed. (02 units) submitted by this institution vide letter 18.06.2013. Copy of returning letter is annexed. Being aggrieved from the action of NRC, NCTE, this institution has filed a S.B. Civil writ No. 4955/2016 in the Hon'ble High court of Rajasthan, Jaipur. Hon'ble Court had passed an order on 23.04.2016 in which court had directed the petitioner to move an application before NRC, NCTE for grant of recognition of D.El.Ed. course (02 units) and also directed to NRC, NCTE to decide the recognition application in accordance with Regulations 2014. Copy of order of Hon'ble High Court is annexed. In compliance to the order of Hon'ble High Court of Rajasthan dated 23.04.2016 this institution has submitted the required documents and processing fees in the office of NRC, NCTE on 28.04.2016. Copy of receipt letter is annexed. Instead of processing the application of this institution for granting recognition for D.El.Ed. course (02 units), NRC, NCTE had again returned the application of this institution on 15.03.2017 on arbitrary, unjustified, illegal and unconstitutional basis. Copy of returning letter is annexed. Being aggrieved from the order of NRC, NCTE, this institution has filed a S.B. Civil writ Petition No. 19740/2018 in Hon'ble High Court of Rajasthan, Jaipur. Hon'ble High Court has passed an order on 05.09.2018 and directed to petitioner to file an appeal u/s 18 of NCTE Act. 1993 and Appellate Authority is directed to dispose the appeal filed by the petitioner as expeditiously as possible, in accordance with law. Copy of the order of Hon'ble High Court is annexed. This institution is running B.Ed. course in the college campus. Copy of recognition order issued by NRC, NCTE is annexed. The appellate Authority, NCTE had already decided by its order dated 27.11.2017 that "Once applications are invited, the Regional Committee had no right to reject it on the grounds of ban imposed subsequently by the State Govt." Copy of Appeal Order is annexed. The Appellate Authority, NCTE had already decided by its order dated 16.10.2017 that "The ground of non-submission of application online can not be held against the appellant at this stage and therefore, the matter deserved to be remanded to the NRC for taking further action as per the NCTE Regulations 2014" Copy of

Appeal Order is annexed. The NRC, NCTE had conducted inspection of Royal Shikshak Prashikshan Center, Chomu, Jaipur (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 05.06.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 05.06.2018 is annexed. The NRC, NCTE had conducted inspection of Tak Shiksha Niketan Girls BSTC College, Lohagal, Ajmer (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 05.06.2018 that the rejection ground of no submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 05.06.2018 is annexed. The NRC, NCTE had conducted inspection of SRN School of Education, Neem ka thana, Sikar (Raj) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. The NRC, NCTE had conducted inspection of Annpurana BSTC School, Neem ka thana, Sikar (Raj) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. The NRC, NCTE had conducted inspection of Swami Vivekanand T. T. College, Gothara, Bassi (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations

2014. Copy of Appeal Order dated 24.07.2018 is annexed. It is pertinent to mention here that Deptt. of Elementary Education (Ayojana) Deptt., Govt. of Rajasthan had sent a letter to Member Secretary, NCTE, New Delhi on 01.01.2018 in which it is clearly mentioned that no ban has been imposed for D.El.Ed. course for session 2019-2020. Copy of letter is annexed. The NRC, NCTE had considered the application of above institution and conducted inspection for granting recognition for D.El.Ed. course after Order of the Hon'ble High Court but the application of this institution for grant of recognition for D.El.Ed. course was returned despite of order of Hon'ble High Court. The NRC, NCTE had returned the application of this institution on totally arbitrary, unjustified, illegal and unconstitutional basis because this institution has submitted application for grant of recognition for D.El.Ed. course (02 units) through online electronically mode and required processing fees of Rs. 50100/- has been submitted to NRC, NCTE on 31.12.2012. Thus, NRC, NCTE has rejected the application of this institution for grant of recognition for D.El.Ed. course (02 units) on illegal, unlawful, unjustified and unconstitutional basis. So, it is prayed that the rejection order issued by NRC, NCTE be set aside and direction be issued to NRC, NCTE for further processing of the application of this institution for grant of recognition for D.El.Ed. course (02 units).

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Sarswati Teachers Training College, Sihali Khurd, Munadawar Sihali Khurd Road, Mundawar – 301401, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-658/E-90427/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Mahadev STC College, Choti Khatu, Didwana, Rajasthan dated 08/09/2018 is against the Order No. Old App/RJ-----/279/2017/169540 dated 23/03/2017 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. course on the grounds that "In cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS the appellant filed a S.B. Civil Writs No. 20782/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur praying direction to the respondents to adjudicate upon the pending appeal instituted by the petitioner on 08/09/2018. The Hon'ble High Court, in their order dt. 12/09/2018, disposed of the petition, directing the respondents to expedite the proceedings and adjudicate on the pending appeal as expeditiously as possible, preferably within six weeks from the date a certified copy of this order is presented.

AND WHEREAS Sh. Munnalal Verma, Secretary, Mahadev STC College, Choti Khatu, Didwana, Rajasthan presented the case of the appellant institution on 17/11/2018. In the appeal and during personal presentation and in a letter dt. 17/11/2018, it is submitted that they applied for D.El.Ed. course on 03/09/2008, their application was returned by the N.R.C. with their letter dt. 02/03/2009 deciding not to grant recognition to any institution in Rajasthan for B.Ed./STC/Shiksha course for the academic session 2009-10; they filed a S.B. Civil Writ Petition No. 15826/2016 before the Hon'ble Rajasthan High Court; the Hon'ble High Court in their order dt. 16/11/2016

granted liberty to the petitioner to move an application before N.R.C. for recognition of STC course under NCTE Regulations, 2014; they again submitted their returned application with court orders on 21/11/2016; and the N.R.C. again returned their application with their letter dt. 23/03/2017.

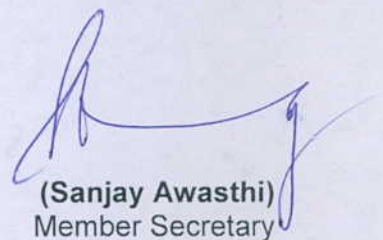
AND WHEREAS the appellant further submitted that requirement of online submission of applications was introduced first time under NCTE Regulations, 2014, which can be filed only when the NCTE portal is open and 2008 Regulations did not contain this provision, the controversy regarding online submission was settled by the Appellate Authority in a similar matter vide order dt. 16/10/2017, copy annexed; the respondent had already granted recognition to several institutions ignoring the above shortcomings vide recognition order dt. 26/08/2016 for D.El.Ed. course; the act of respondent giving recognition to various institutions and rejecting their application is faulty and discriminatory; the respondent did not issue any show cause notice before passing an adverse order as per the requirements of Section 14 (3) (b) of the NCTE Act, 1993 providing a reasonable opportunity to the institution for making a written representation; they made necessary arrangements with regard to physical infrastructure and other facilities; and returning their application in an arbitrary manner is bad in the eye of law and is liable to be quashed and set aside.

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Mahadev STC College, Choti Khatu, Didwana – 341302, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.39-670/E-91119/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Shri Kanh Ram Memorial College of Education, Churina, Buhana, Rajasthan dated 03/10/2018 is against the Order No. Old App/RJ-----/267/2017/169502 dated 23/03/2017 of the Northern Regional Committee, returning their application for grant of recognition for conducting B.Ed. course on the grounds that "In cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS the appellant, aggrieved by the Letter of the N.R.C. returning their application, filed a S.B. Civil Writs No. 21147/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 18/09/2018, disposed of the petition, reserving liberty to the petitioner to avail remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditious y as possible, in accordance with law.

AND WHEREAS Sh. Sushil Kumar, Secretary, Shri Kanhi Ram Memorial College of Education, Churina, Buhana, Rajasthan presented the case of the appellant institution on 17/11/2018. In the appeal and during personal presentation it was submitted that "they applied for grant of recognition for B.Ed. course on 30/10/2008; the N.R.C. returned their application on 03/03/2009 in an illegal manner as NCTE Regulations do not have any Clause to return the file; in compliance with the orders of the Hon'ble High Court dt. 20/07/2016 in S.B. C.W.P. No. 9232/2016 filed by them, they submitted a representation to N.R.C. on 14/10/2016; and again N.R.C. returned their application on 23/03/2017.

AND WHEREAS the appellant further submitted that the NRC erred in deciding the matter and did not make any effort to even look at the application in consonance of NCTE's Regulation under which the application was submitted offline. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was submitted offline. If the institution were provided opportunity to move an application before the NRC as per the directions of Hon'ble Court given in another identical matters, it would have been done but due to the virtual impossibility, online submission was totally impossible. The appellant institution submitted his application along with in reference to another identical/similar matters, but the respondent Committee not considered the matter as per reference. Further, in a similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the Appellate Authority of NCTE vide order No. 89-534/E8922/2017 Appeal/ 15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal." A copy of order dated 16.10.2017 is annexed. The controversy was settled by the Appellate Authority vide order dt. 05/06/2018 (copy enclosed) in the case of Sorabh College of Teacher Training, Sawai Madhopur, Rajasthan. The respondent granted recognition to several institutions ignoring the above said shortcomings vide order dt. 26/08/2016, copy enclosed. The act of respondent giving recognition to various institutions and rejecting their application is faulty and discriminatory in nature. The respondent did not issue any Show Cause Notice before passing an adverse order as per Section 14 (3) (b) of the NCTE Act, 1993, providing a reasonable opportunity to the institution for making a written representation. The rejection order is neither speaking nor reasoned. The appellant made necessary arrangements with regard to physical infrastructure and other facilities but their application has been returned in a most arbitrary manner, making the order bad in the eye of law and liable to be quashed and set aside.

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Kanhi Ram Memorial College of Education, Churina, Narnaul Road, Buhana – 333515, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.39-680/E-91348/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Sardar Patel B.Ed. College, Hanuman Nagar, Vistar, Jaipur, Rajasthan dated 02/10/2018 is against the Letter No. Old App/RJ-----/189/2017/169063 dated 14/03/2017 of the Northern Regional Committee, returning their application for grant of recognition for conducting B.Ed. course on the grounds that "In cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014.

AND WHEREAS the appellant filed a S.B. Civil Writs No. 20978/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 25/09/2018, disposed of the petition, reserving liberty to the petitioner to avail remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS Sh. Vinod Kumar Lamba, Administrator, Sardar Patel B.Ed. College, Hanuman Nagar, Vistar, Jaipur, Rajasthan presented the case of the appellant institution on 17/11/2018. In the appeal and during personal presentation it was submitted that "they applied for grant of recognition for B.Ed. course on 07/10/2008; their application was returned in an illegal manner as the Regulations of NCTE did not have any Clause to return the file; aggrieved by the action of respondents, they preferred a S.B. C.W.P. No. 14991/2015 before the Hon'ble High Court; in compliance of the Hon'ble Court's order dt. 28/10/2015 they submitted a representation on 31/08/2016; and the respondent again their application on 14/03/2017.

AND WHEREAS the appellant further submitted the NRC erred in deciding the matter and did not make any effort to even look at the application in consonance of NCTE's Regulation under which the application was submitted offline. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was submitted offline. If the institution were provided opportunity to move an application before the NRC as per the directions of Hon'ble Court given in another identical matters, it would have been done but due to the virtual impossibility, online submission was totally impossible. The appellant institution submitted his application along with in reference to another identical/similar matters, but the respondent Committee not considered the matter as per reference. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E8922/2017 Appeal/ 15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal." A copy of order dated 16.10.2017 is annexed herewith. The controversy was settled by the Appellate Authority vide order dt. 05/06/2018 in the case of Sorabh College of Teacher Training Sawai Madhopur, Rajasthan; the respondent already granted recognition to several institutions ignoring the above – said short comings vide order dt. 26/08/2016, copy enclosed. The act of the respondent giving recognition to various institutions and rejecting their application is faulty and discriminatory in nature; the respondent did not issue any Show Cause Notice to the appellant as per the provisions of Section 14 (3) (b) of NCTE Act, 1993 providing a reasonable opportunity to the institution for making a representation before passing an adverse order; the appellant made necessary arrangement with regard to physical infrastructure and other facilities; and their application has been returned in a most arbitrary manner, making it bad in the eyes of law and liable to be quashed and set aside.

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sardar Patel B.Ed. College, Plot No. 299, Hanuman Nagar, Vistar, Jaipur – 302021, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.39-671/E-91121/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of S.G. College, Churina, Narnaul Road, Buhana, Rajasthan dated 02/10/2018 is against the Letter F.No. Old APP/NRCAPP-6114/191/2017/169558 dt. 23/03/2017 of the N.R.C. returning their application for grant of recognition for conducting D.El Ed. course on the grounds. "The N.R.C. in its 264th meeting held from 20th to 23rd February, 2017 (Part 5) considered the matter regarding applications received from the Teacher Education Institutes in the State of Rajasthan alongwith legal advice obtained and decided as under:- In cases where the institutions have submitted the applications by offline mode alongwith Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS the appellant, aggrieved by the Letter of the NRC returning their application file a S.B. Civil Writs No. 21091/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 18/09/2018, disposed of the petitioner, reserving liberty to the petition to avail remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS Sh. Sushil Kumar, Secretary, S.G College, Churina, Narnaul Road, Buhana, Rajasthan presented the case of the appellant institution on

17/11/2018. In the appeal and during personal presentation it was submitted that "they submitted an online application for D.El.Ed. course on 29/12/2012; the N.R.C. returned their application on 19/06/2013 in an illegal manner as NCTE Regulations do not have any Clause to return the file; in compliance with the orders of the Hon'ble High Court dt. 20/07/2016 in S.B. C.W.P. No. 9229/2016 filed by them, they submitted a representation to N.R.C. on 31/08/2016; and again N.R.C. returned their application on 23/03/2017. The NRC erred in deciding the matter and did not make any effort to even look on the application of our institution which surely is an online application bearing application ID NRCAPP-6114 which was submitted online on 29.12.2012.

AND WHEREAS the appellant further submitted that the NRC erred in deciding the matter and did not make any effort to even look at the application in consonance of NCTE's Regulation under which the application was submitted. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was submitted offline. If the institution were provided opportunity to move an application before the NRC as per the directions of Hon'ble Court given in another identical matters, it would have been done but due to the virtual impossibility, online submission was totally impossible. The appellant institution submitted his application along with in reference to another identical/similar matters, but the respondent Committee not considered the matter as per the reference. Further, in the similar matter while disposing of the appeal u/s 18 of the NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E-8922/2017 Appeal/15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal." A copy of order dated 16.10.2017 is annexed. The controversy was settled by the Appellate Authority vide order dt. 05/06/2018 (copy enclosed) in the case of Sorabh College of Teacher Training, Sawai Madhopur, Rajasthan. The respondent granted recognition to several institutions ignoring the above said shortcomings vide order dt. 26/08/2016, copy

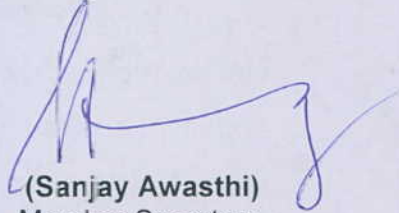
enclosed. The act of respondent giving recognition to various institutions and rejecting their application is faulty and discriminatory in nature. The respondent did not issue any Show Cause Notice before passing an adverse order as per Section 14 (3) (b) of the NCTE Act, 1993, providing a reasonable opportunity to the institution for making a written representation. The rejection order is neither speaking nor reasoned. The appellant made necessary arrangements with regard to physical infrastructure and other facilities but their application has been returned in a most arbitrary manner, making the order bad in the eye of law and liable to be quashed and set aside.

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – LS (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, S.G. College, Churina, Narnaul Road, Buhana – 333515, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-701/E-92446/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Shekhawati Shikshan Sansthan, Nokha, Tehandesar, Sandwa Bidasar, Rajasthan dated 04/10/2018 is against the Letter No. Old Appl./RJ ---/2017/169026 dated 14/03/2017 of the Northern Regional Committee, returning the application seeking recognition for conducting B.Ed. course on the grounds that "In cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by N.R.C, all such application be returned to the institutions alongwith all documents as they have not submitted the application as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Appeal Committee noted that appellant institution filed a S.B. Civil Writs No. 20979 of 2018 in the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble Court vide order no. 24/09/2018 granted liberty to the petitioner to avail remedy of appeal which is required to be disposed of expeditiously by the Appellate Authority.

AND WHEREAS Sh. Vijendra Kumar, Secretary, Shekhawati Shikshan Sansthan, Nokha, Tehandesar, Sandwa Bidasar, Rajasthan presented the case of the appellant institution on 19/11/2018. In the appeal and during personal presentation it was submitted that "The NRC erred in deciding the matter and did not make any effort to even look on the application in consonance of NCTE's Regulation under which the application was submitted offline. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was submitted offline. If the institution were provided opportunity to move an application before the NRC as per the directions of

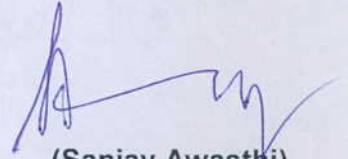
Hon'ble Court given in another identical matters, it would have been done but due to the virtual impossibility, online submission was totally impossible. The appellant institution submitted its application along with in reference to another identical/similar matters, but the respondent Committee not considered the matter as per reference. On the grounds discussed and narrated above, the ground of rejection of our application is solely baseless. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E8922/2017 Appeal/ 15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal."

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shekhawati Shikshan Sansthan, 65/50 Nokha, Tehandesar, Sandwa Bidasar – 331517, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-706/E-92605/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Bhagwat Shikshak Prashikshan Mahavidyalaya, Parashar Colony, Mahwa, Rajasthan dated 10/10/2013 is against the Order No. NRC/NCTE/RJ-1698/278th Meeting/2018/137131 dated 11/01/2018 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The Petitioner Society has not submitted the application online electronically along with processing fees and relevant documents as per clause 5 of NCTE Regulations, 2014. No Objection Certificate issued by the concerned affiliating body has not been submitted by the petitioner Society alongwith the application. The institution has not submitted any proof/evidence of its being a composite institution as required under Clause 2(b) of NCTE Regulations, 2014."

AND WHEREAS Appeal Committee noted that appellant institution filed a S.B. Civil Writs No. 3357 of 2018 in the Hon'ble High Court, Judicature for Rajasthan, Bench at Jaipur and the Hon'ble Court vide order dated 16/02/2018 directed the petitioner to avail statutory remedy of appeal and in the event of appeal being filed Appellate Authority is required to dispose of appeal expeditiously.

AND WHEREAS Sh. Jay Prakash Dixit, Member, Bhagwati Shikshak Prashikshan Mahavidyalaya, Parashar Colony, Mahwa, Rajasthan presented the case of the appellant institution on 19/11/2018. In the appeal and during personal presentation it was submitted that "NRC erred in deciding the matter and did not make any effort to even look on the application in consonance of NCTE's Regulation under which the application was submitted offline. It is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was submitted offline. This fact was also

submitted in our written representation against show cause notice which certainly was not considered and it is convinced herewith that neither anybody in NRC even spread a glimpse on the Court's order and Regulations of NCTE applied on this particular application. Had the institution been provided opportunity to file afresh as per the directions of Hon'ble Court, it would have been done so but due to the virtual impossibility, afresh submission the application online was totally impossible. In a similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E8922/2017 Appeal/ 15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal." In another similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-488/E-9740/2017 Appeal/17th Meeting-2017 dt. 27.11.2017 titled "J.B.M. College of Education" directed the NRC to process further the application on the ground that "...Appeal Committee noted that the appellant applied in 2012, there was no ban by the State Government. Further the Appeal Committee is of the view that the blanket general ban imposed by the State Government can be taken into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular state for the prospective academic year(s), applications are invited, the Regional Committee has no right to reject it on grounds of ban imposed subsequent by the State Government." On the ground discussed and narrated above, the ground of rejection of our application do not have any foundation. The NCTE had granted recognition to the institutions for Teacher Education course which were already running single Teacher Training course or submitted two applications for grant of recognition of two Teacher Education courses (proposed composite)."

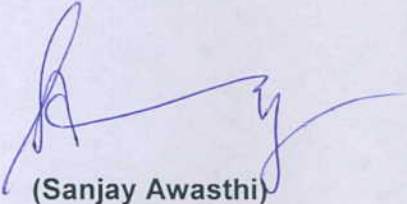
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed

to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the Order of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the Order of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Bhagwati Shikshak Prashikshan Mahavidyalaya, Tehsil Road, Parashar Colony, Mahwa – 321608, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-717/E-92993/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of G.R. Memorial Shikshak Prashikshan Sansthan, Churi Banethi, Kotputli, Rajasthan dated 14/10/2018 is against the Order No. Old App/NRCAPP-7381/94/2017/169090 dated 14/03/2017 of the Northern Regional Committee, returning the application seeking recognition for conducting D.El.Ed. course on the grounds that "In cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Appeal Committee noted that appellant institution has filed a S.B. Civil Writ No. 23140/2018 in the High Court of Judicature for Rajasthan, Bench at Jaipur and the Hon'ble Court passed an order dated 09/10/2018 directing the appellate authority to decide the appeal expeditiously.

AND WHEREAS Sh. Ram Kumar Yadav, Secretary, G.R. Memorial Shikshak Prashikshan Sansthan, Churi Banethi, Kotputli, Rajasthan presented the case of the appellant institution on 19/11/2018. In the appeal and during personal presentation it was submitted that "NRC erred in deciding the matter and did not make any effort to even look on the application on consonance of NRTE's Regulation under which the application was submitted online. The application in 2012 was submitted online and after directions of Hon'ble Court narrated above the application was submitted offline. Had the institution been provided opportunity to move an application before the NRC as per the directions of Hon'ble Court given in another identical matter, it would have been done but due to the virtual impossibility, online submission again was totally

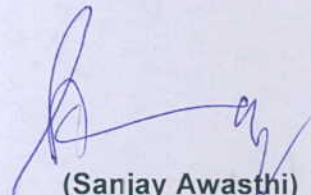
impossible. The appellant institution submitted his application along with in reference to another identical/similar matters, but the respondent Committee not considered the matter as per reference. On the grounds discussed and narrated above, the ground of rejection of our application is solely baseless. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E-8922/2017 Appeal/15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal." A copy of order dated 16.10.2017 is annexed herewith and marked as Annexure-6."

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, G.R. Memorial Shikshak Prashikshan Sansthan, Churi Banethi, Kotputli – 303105, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-724/E-93266/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Dev Kanya Shikshak Prashikshan Mahavidyalaya, Infront of Nehru Youa Kendra, Civil Lines, Tonk, Rajasthan dated 16/10/2018 is against the Order No. Old App/RJ---/2017/169471 dated 23/03/2017 of the Northern Regional Committee, returning the application seeking the application seeking recognition for conducting D.El.Ed. course on the grounds that "In cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014.'

AND WHEREAS the appellant filed a S.B. Civil Writ Petition No. 22513 of 2018 in the Hon'ble High Court for Judicature for Rajasthan, Bench at Jaipur praying for issue of directions to the Appellate Authority for processing the appeal preferred by them in expeditious manner and within stipulated time frame. The Hon'ble High Court in their order dt. 03/10/2018 granted liberty to the petitioner to file appeal which is required to be disposed of expeditiously.

AND WHEREAS Sh. Ramesh Mukul, Secretary, Dev Kanya Shikshak Prashikshan Mahavidyalaya, Infront of Nehru Youa Kendra, Civil Lines, Tonk, Rajasthan presented the case of the appellant institution on 19/11/2018. In the appeal and during personal presentation it was submitted that 'NRC erred in deciding the matter and did not make any effort to even look on the application in consonance of NCTE's Regulation under which the application was submitted offline. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was

submitted offline. Had the institution been provided opportunity to move an application before the NRC as per the directions of Hon'ble Court given in another identical matters, it would have done so but due to the virtual impossibility, online submission was totally impossible. The appellant institution submitted application along with in reference to other identical/similar matters, but the respondent Committee did not consider the matter. On the grounds discussed and narrated above, the ground of rejection of our application is solely baseless. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E8922/2017 Appeal/ 15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal."

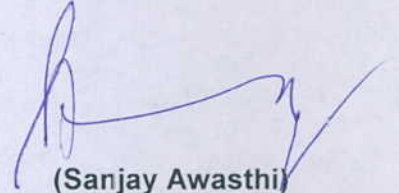
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018 addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was

justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Dev Kanya Shikshak Prashikshan Mahavidyalaya, Infront of Nehru Youa Kendra, Civil Lines, Tonk – 304001, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.39-726/E-93264/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Aravali College of Education, Neema Ka Thana, RIICO Industrial Area, Neem Ka Thana, Rajasthan dated 15/10/2018 is against the Letter No. Old App/RJ-1545/206/2017/169474 dated 23/03/2017 of the Northern Regional Committee returning application seeking recognition for conducting D.El.Ed. course on the grounds that "In cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS the appellant aggrieved by the letter of the N.R.C. dated 23/03/2017 returning their application, filed a S.B. Civil Writs No. 21832/2018 before High Court of Judicature for Rajasthan, Bench at Jaipur. Hon'ble High Court in their order dated 25/09/2018 disposed of the petitioner granting liberty to the petitioner to avail remedy of Appeal which is required to be disposed of expeditiously.

AND WHEREAS Sh. Kailash, Secretary, Aravali College of Education, Neema Ka Thana, RIICO Industrial Area, Neem Ka Thana, Rajasthan presented the case of the appellant institution on 19/11/2018. In the appeal and during personal presentation it was submitted that "NRC erred in deciding the matter and did not make any effort to even look on the application in consonance of NCTE's Regulation under which the application was submitted offline. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was submitted offline. Had the institution been provided opportunity to move an application before the NRC as per the directions of

Hon'ble Court given in other identical matters, it would have been done but due to the virtual impossibility, online submission was totally impossible. The appellant institution submitted application along with in reference to another identical/similar matters but the respondent committee did not consider the matter. On the grounds discussed and narrated above, the ground of rejection of our application is solely baseless. In similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E-8922/2017 Appeal/15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal."

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Aravali College of Education, Neema Ka Thana, SP-1, RIICO Industrial Area, Neem Ka Thana – 332713, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No 89-728/E-93459/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Swami Vivekanand Teacher Training School, Bhawani Mandi Dug Road, Pachpahar, Rajasthan dated 17/10/2018 is against the Letter No. Old App/NRCAPP-9308/204/2017/169588 dated 23/03/2017 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. course on the grounds that "In cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS the appellant filed a S.B. Civil Writs No. 21835/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 25/09/2018, disposed of the petition reserving liberty to the petitioner to avail remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS Sh. Rajkumar, Secretary, Swami Vivekanand Teacher Training School, Bhawani Mandi Dug Road, Pachpahar, Rajasthan presented the case of the appellant institution on 20/11/2018. In the appeal and during personal presentation it was submitted that they applied for D.El.Ed. course online on 31/12/2012; the N.R.C. returned their application in a gross illegal manner as the Regulations of NCTE did not have any Clause to return the file; aggrieved by the action of the respondent, they preferred a S.B. C.W.P. No. 13495/2016 and in consonance of the order of the Hon'ble Court dt. 29/09/2016, they submitted a representation dt. 07/10/2016 to the N.R.C. to

consider their file; and N.R.C., without giving a reasonable opportunity of hearing to the appellant returned their application with their letter dt. 23/03/2017.

AND WHEREAS the appellant further submitted that the NRC erred in deciding the matter and did not make any effort to even look at the application in consonance of NCTE's Regulation under which the application was submitted offline. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was submitted offline. If the institution were provided opportunity to move an application before the NRC as per the directions of Hon'ble Court given in another identical matters, it would have been done but due to the virtual impossibility, online submission was totally impossible. The appellant institution submitted his application along with in reference to another identical/similar matters, but the respondent Committee not considered the matter as per reference. On the grounds discussed and narrated above, the ground of rejection of our application is solely baseless. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E8922/2017 Appeal/ 15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal." A copy of order dated 16.10.2017 is annexed. The controversy was settled by the Appellate Authority vide order dt. 05/06/2018 in the case of Sorabh College of Teacher Training, Sawai Madhopur, Rajasthan. The respondent had already granted recognition to several institutions, ignoring the above said shortcomings vide recognition order for D.El.Ed. dt. 26/08/2016. The act of the respondent giving recognition to various institutions and rejecting their application is faulty and discriminatory in nature. The respondent, before issuing the adverse order did not provide a reasonable opportunity to the institution for making a written representation under Section 14 (3) (b) of the NCTE Act, 1993. The appellant made necessary arrangements with regard to physical infrastructure and other facilities. The rejection

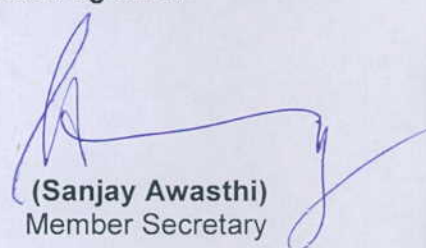
order which is neither reasoned nor speaking is bad in the eye of law and is liable to be quashed and set aside.

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/9/2018 – LS (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Swami Vivekanand Teacher Training School, Bhawani Mandi Dug Road, Pachpahar – 326502, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-729/E-93449/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Raghukul College of Education, Pipla Bai Ka Bad, Chaksu, Rajasthan dated 16/10/2018 is against the Letter No. Old APP/NRCAPP-5198/153/2017/169117 dated 14/03/2017 of the Northern Regional Committee, returning their application from grant of recognition for conducting D.El.Ed. course on the grounds that "In cases where the institutions have submitted the applications by offline mode alongwith Court orders and where no processing has been initiated by N.R.C., all such applications be returned to the institutions alongwith all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS the appellant filed a S.B. Civil Writs No. 23449/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 12/10/2018, disposed of the petition, reserving liberty to the petitioner to avail remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS Sh. Mahendra Singh Secretary, Raghukul College of Education, Pipla Bai Ka Bad, Chaksu, Rajasthan presented the case of the appellant institution on 20/11/2018. In the appeal and during personal presentation it was submitted that "NCTE, New Delhi had issued a public notice on 27.11.2012 through which applications for grant of recognition for various Teacher Education courses had been invited from all stake holders in which no ban for D.El.Ed. course was imposed. In the State of Rajasthan no ban was imposed. Copy of public notice is annexed. This institution has applied online for grant of recognition of D.El.Ed. course (C2 units) to NCTE from 2013-14 on 28.12.2012. The hard copy was submitted in the office of NRC, NCTE, Jaipur on

03.01 2013. Copy of receipt letter, challan for processing fees and online application is annexed. The NRC, NCTE had returned the application for grant of recognition of D.El.Ed. (02 units) submitted by this institution vide letter 10.06.2013. Copy of returning letter is annexed. Being aggrieved from the action of NRC, NCTE, this institution has filed a S.B. Civil Writ No. 8533/2016 in the Hon'ble High Court of Rajasthan, Jaipur. Hon'ble Court had passed an order on 27.06.2016 in which Court had directed the petitioner to move an application before NRC, NCTE for grant of recognition of D.El.Ed. course (02 units) and also directed to NRC, NCTE to decide the recognition application in accordance with Regulations 2014. Copy of order of Hon'ble High Court is annexed. In compliance to the order of Hon'ble High Court of Rajasthan dated 27.06.2016 this institution has submitted the required documents and processing fees in the office of NRC, NCTE on 30.06.2016. Copy of receipt letter is annexed. Instead of processing the application of this institution for granting recognition for D.El.Ed. course (02 units), NRC, NCTE had again returned the application of this institution on 14.03.2017 on arbitrary, unjustified, illegal and unconstitutional basis. Copy of returning letter is annexed. Being aggrieved from the order of NRC, NCTE, this institution has filed a S.B. Civil Writ Petition No. 23449/2018 in Hon'ble High Court of Rajasthan, Jaipur. Hon'ble High Court has passed an order on 12.10.2018 and directed to petitioner to file an appeal u/s 18 of NCTE Act. 1993 and Appellate Authority is directed to dispose the appeal filed by the petitioner within 03 months. Copy of the order of Hon'ble High Court is annexed. This institution is running B.A. B.Ed./B.Sc. B.Ed. course in the college campus. Copy of recognition order issued by NRC, NCTE is annexed. The Appellate Authority, NCTE had already decided by its order dated 27.11.2017 that "Once applications are invited, the Regional Committee had no right to reject it on the grounds of ban imposed subsequently by the State Govt." Copy of Appeal Order is annexed. The Appellate Authority, NCTE had already decided by its order dated 16.10.2017 that "The ground of non-submission of application online cannot be held against the appellant at this stage and therefore, the matter deserved to be remanded to the NRC for taking further action as per the NCTE Regulations 2014" Copy of Appeal Order is annexed. The NRC, NCTE had conducted inspection of Royal Shikshak Prashikshan Center, Chomu, Jaipur (Raj.) who had applied for D.El.Ed. course in 2012.

After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority NCTE had decided by its order dated 05.06.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 05.06.2018 is annexed. The NRC, NCTE had conducted inspection of Tak Shiksha Niketan Girls BSTC College, Lohagal, Ajmer (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 05.06.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 05.06.2018 is annexed. The NRC, NCTE had conducted inspection of SRN School of Education, Neem Ka Thana, Sikar (Raj) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. The NRC, NCTE had conducted inspection of Annpurana BSTC School, Neem ka thana, Sikar (Raj) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. The NRC, NCTE had conducted inspection of Swami Vivekanand T. T. College, Gothara, Bassi (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. In the Appeal matter of Sardar Bhagat Singh Shikshan Sansthan, Khara Chak, Pilibangan, Goluwala, Rgjasthan, Appellate Authority, NCTE had decided by its

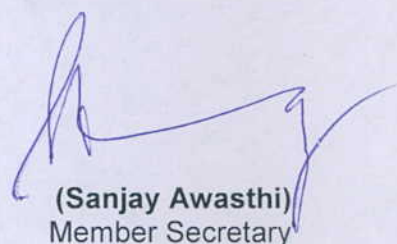
order dated 24.09.2018 that the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014 and the Appellate orders issued in similar cases. Copy of Appeal Order dated 24.09.2018 is annexed. It is pertinent to mention here that Deptt. of Elementary Education (Ayojana) Deptt., Govt. of Rajasthan had sent a letter to Member Secretary, NCTE, New Delhi on 01.01.2018 in which it is clearly mentioned that no ban has been imposed for D.El.Ed. course for session 2019-2020. Copy of letter is annexed. The NRC, NCTE had considered the applications of above institutions and conducted inspection for granting recognition for D.El.Ed. course after Order of the Hon'ble High Court but the application of this institution for grant of recognition for D.El.Ed. course was returned despite the order of Hon'ble High Court. NRC, NCTE had returned the application of this institution on totally arbitrary, unjustified, illegal and unconstitutional basis because this institution has submitted application for grant of recognition for D.El.Ed. course (02 units) through online electronically mode and required processing fees of Rs. 50100/- has been submitted to NRC, NCTE on 03.01.2013. Thus, NRC, NCTE has rejected the application of this institution for grant of recognition for D.El.Ed. course (02 units) on illegal, unlawful, unjustified and unconstitutional basis. So, it is prayed that the rejection order issued by NRC, NCTE be set aside and direction be issued to NRC, NCTE for further processing of the application of this institution for grant of recognition for D.El.Ed. course (02 units).

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018 addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Raghukul College of Education, Pipla Bai Ka Bad, Chaksu – 303903, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-581/E-86212/2018 Appeal/20th Mtg.-2018/17th, 19th & 20th November, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31/01/2019

ORDER

WHEREAS the appeal of Aziman Memorial Shikshak Prashikshan Mahavidhyalay, Deedwana, Dhankoli dated 11/08/2018 is against the Letter No. Old App/NRCAPP-7419/233/2017/169486 dated 23/03/2017 of the Northern Regional Committee, returning their application for grant of recognition for conducting B.Ed. course on the grounds that "in cases where the institutions have submitted the applications by offline mode along with Council orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS the appellant, aggrieved by the Letter of the N.R.C. dt. 23/03/2017 returning their application, filed a S.B. Civil Writs No. 25386/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 15/11/2018 disposed of the petition by directing the respondent to adjudicate upon the pending appeal preferably within 6 weeks.

AND WHEREAS Sh. Sunil Kumar, Principal and Mohd. Sikandar Khan, Secretary, Aziman Memorial Shikshak Prashikshan Mahavidhyalay, Deedwana, Dhankoli presented the case of the appellant institution on 20/11/2018. In the appeal and during personal presentation it was submitted that "Our application was filed online, the copy of which is enclosed herewith for your reference. We had also approached court against returning of our application and the court has also directed NCTE to consider our application. Also, the State Government has given NOC for the subject course for the academic session 2019-20."

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

AND WHEREAS in view of the above categorical decision of the Council, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal affidavit, and the documents available on records, the Committee concluded that the NRC was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the NRC is confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Aziman Memorial Shikshak Prashikshan Mahavidhyalay, Deedwana, Dhankoli – 341516.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.