

25 (A)



F.No.89-300/2016 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 23-2-2018

ORDER

WHEREAS the appeal of Dr. C.C. Mahato Teachers Training College, Bokaro, Jharkhand dt. 17/05/2016 against the order of the Eastern Regional Committee No. ERC/7-205.8.35/D.El.Ed./ERCAPP3120/2016/43757 dt. 24.02.2016 refusing recognition for conducting D.El.Ed. course on the ground that the NOC for D.El.Ed. programme issued on 23/09/2015 by the Directorate of Primary Education, Government of Jharkhand i.e. after the stipulated dated of 15.07.2015 was not acceptable was rejected and the order of the ERC was confirmed by the Council in their order F.No. 89-300/2016 Appeal/9th Meeting – 2016 dt. 04/08/2016.

AND WHEREAS the appellant, aggrieved by the order of the Council filed a W.P. (C) 7847/2016 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court in their order dt. 01.03.2017 set aside the appellate order dt. 04.08.2016 and remanded the matter back to the Appellate Committee for consideration of the appeal afresh taking into consideration the NOC of the affiliating body issued on 23.09.2016 (the correct date should be 23.09.2015) and the prayer of the appellant to consideration application for the academic session 2017-18 and pass appropriate orders in accordance with law.

AND WHEREAS the appellant finding that the order dt. 01.03.2017 was not complied with filed a W.P. (C) 3472/2017 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court in their order dt. 27.04.2017, noting the submission of the counsel for the respondent that the petitioner's case will be considered in the meeting of the Appeal Committee to be held on the following day and appropriate decision taken, disposed of the petitioner with a direction that the decision taken by the Committee shall be communicated to the petitioner immediately thereafter.

AND WHEREAS as no decision was communicated thereafter, the appellant filed a contempt petition Cont. CAS(C)740/2017 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court in their order dt. 01.02.2018, noting the

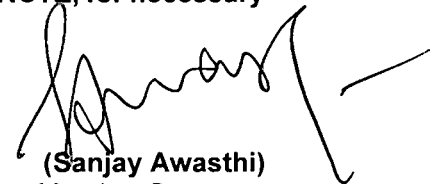
submissions of the Counsels to the parties, directed that if the Appeal Committee holds its proceedings on 3rd, 4th and 5th Feb., 2018 the case of the petitioner shall be placed before the Committee for consideration on those dates, if in the eventuality, the appeal proceedings are not to be held on those dates, then the case of the petitioner shall be considered in the proceedings to be held in the 03rd / 04th week of February, 2018. The Hon'ble High Court also directed that the decision taken by the Appeal Committee shall be communicated to the petitioner as expeditiously as possible.

AND WHEREAS the Committee in their meeting held on 03.02.2018 was informed that the Counsel for the NCTE during the course of proceedings in the contempt petition, apprised the Hon'ble High Court of Delhi about the dismissal of the Council's SLP by the Hon'ble Supreme Court of India in a similar case of consideration of a belated NOC of the affiliated body submitted by the institution, namely, Rambha College of Education.

AND WHEREAS the Committee taking into consideration the position stated in paras 4 and 5 above concluded that the matter deserved to be remanded to the ERC with a direction to consider the NOC dt. 23.09.2015 and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit and documents available on records, the Committee concluded that the appeal deserves to be remanded to ERC with a direction to consider the NOC dt. 23.09.2015 and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Dr. C.C. Mahato Teachers Training College, Bokaro, Jharkhand to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The President, Dr. C.C. Mahato Teachers Training College, 1198, Ownership Basis, 1198, Sardaha Bokaro, Jharkhand – 827013.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

25(B)



F.No.89-301/2016 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 23 - 2 - 2018

ORDER

WHEREAS the appeal of Dr. C. C. Mahato Teachers Training College, Bokaro, Jharkhand dt. 17.05.2016 against the order of the Eastern Regional Committee No. ERC/7-205.8.34/B.Ed. /ERCAPP3083/2016/43754 dt. 24.02.2016 refusing recognition for conducting B.Ed. course on the ground that as NOC for D.El.Ed. programme issued on 23.09.2015 i.e. after the stipulated date of 15.07.2015 is not acceptable, the B.Ed. programme of the institution comes under the category of standalone institution, which according to NCTE Regulation, 2014 is not permissible, was rejected and the order of the ERC confirmed by the Council in their order no. F. 89-301/2016 Appeal/9th Meeting – 2016 dt. 04.08.2016.

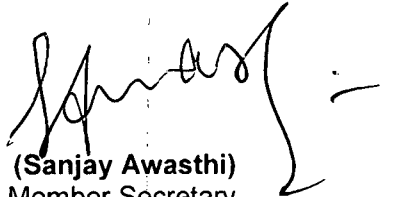
AND WHEREAS the appellant aggrieved by the order of the Council No. F. 89-300/2016 Appeal/9th Meeting – 2016 dt. 04.08.2016 rejecting their appeal against the order of the ERC refusing recognition for their proposed D.El.Ed. course filed a W.P. (C) 7847/2016 before the Hon'ble High Court of Delhi at New Delhi. In that petition, the appellant sought relief in respect of their B.Ed. course also, which was refused recognition. The Hon'ble High Court in their order dt. 01.03.2017 observing that, as the outcome of the appeal qua D.El.Ed. programme would have a bearing on the appeal qua B.Ed. programme set aside the appellate order dt. 04.08.2016 in respect of B.Ed. programme as well as D.El.Ed. programme and remanded back the matter relating to D.El.Ed. course to the Appellate Committee for considering the appeal afresh.

AND WHEREAS the Committee in their meeting held on 03.02.2018 decided to remand the matter relating D.El.Ed. programme of the appellant institution to the ERC with a direction to consider the NOC dt. 23.09.2015 issued in respect of that programme and take further action as per the NCTE Regulations, 2014. In view, this decision, refusal of recognition for B.Ed. course on the ground of 'standalone' institution cannot survive. In these circumstances, the Committee concluded that the

matter deserved to be remanded to the ERC with a direction to take further action on the application for B.Ed. course as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit and documents available on records, the Committee concluded that the appeal deserves to be remanded to ERC with a direction to take further action on the application for B.Ed. course as per the NCTE Regulations, 2014.

* **NOW THEREFORE**, the Council hereby remands back the case of Dr. C. C. Mahato Teachers Training College, Bokaro, Jharkhand to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
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