

F.NRC/NCTE/F-3/RJ-620/ 8305-8314
Code: **apn01718**

Date: 12/08/2005

ORDER

S. S. JAIN SUBODH MAHILA SHIKSHAK PRASHIKSHAN MAHAVIDYALAYA, OPPOSITE AIRPORT, SANGANER, JAIPUR - 302006, RAJASTHAN submitted an application to the Northern Regional Committee of National Council for Teacher Education for grant of recognition for **B.ED.** Course of 1 year duration in terms of section 14(1) of NCTE Act, 1993.

2. Now, therefore, in exercise of the powers vested under Section 14(3)(a) of the NCTE Act, 1993, the Regional Committee hereby grants recognition to **S. S. JAIN SUBODH MAHILA SHIKSHAK PRASHIKSHAN MAHAVIDYALAYA, OPPOSITE AIRPORT, SANGANER, JAIPUR - 302006, RAJASTHAN** for **B.ED.** course with an annual intake of **100** seats, w.e.f. **11-August-2005** subject to compliance of the following conditions before commencement of the academic session.


- Appointment of the faculty members duly qualified and staff as per the norms of NCTE/ State Govt./ UGC is to be completed before the commencement of the session.
- The countersigned statement of all faculty members from the Registrar of the concerned University should be submitted before the commencement of the academic session.
- The institution shall adhere to all the other regulations and guidelines as framed by NCTE from time to time.
- The institution shall within one month of the receipt of Recognition order, convert the Endowment Fund account into a Joint Account in the form of FDR for a period of not less than 60 months (Five Years) in a Nationalized Bank only to be operated along with an official of the Regional Committee.
- That the Reserve fund for an amount equal to three months salary of the Teacher & Staff be created within one month from the date of issue of this order and maintained in the form of FDR in favour of the management/ institution, for a period of not less than sixty months (Five Years) in a Nationalized Bank.

Non-compliance of the above mentioned conditions shall cause action under Section 17(1) of NCTE Act, 1993

- The recognition is subject to the condition that the affiliating University shall ensure that, among other things, the institution has appointed required number of faculty members (including Principal/ Head of Department), as per the norms of the NCTE / UGC / Affiliating University.
- Further, the recognition is subject to fulfillment of all such other requirements as may be prescribed by other regulatory bodies like UGC and State Government, etc.
- The Institution shall submit to the Regional Committee a Self-Appraisal Report at

the end of each academic year along with a copy of the approval of the affiliating University / State Directorate of Education about the appointment of faculty members and the Statement of Annual Accounts duly audited by a Chartered Accountant.

6. If the institution contravenes any of the above conditions or any of the provisions of the NCTE Act, Rules, Regulations and/or order made or issued there under, the Regional Committee may withdraw the recognition under the provisions of Section 17(1) of the NCTE Act, 1993.
7. Please acknowledge receipt of this order together with its enclosures.

By Order,

(N.R. Murali)
Regional Director

The Manager,
Government of India,
Department of Publications, (Gazette Section),
Civil Lines, Delhi-110 054

Copy to:

1. The Secretary, Department of Elementary Education and Literacy, Ministry of Human Resource Development, Government of India, Shastri Bhawan, New Delhi.
2. The Education Secretary, Govt. of RAJASTHAN, Secretariat, Jaipur, Rajasthan.
3. The Director, Directorate of Higher Education, I/C Teacher Education, Govt. of RAJASTHAN, Bikaner, Rajasthan.
4. The Director / Registrar, **UNIVERSITY OF RAJASTHAN, JAIPUR**- to ensure compliance of the clause 3 of the recognition order. In case the institution is not found to have complied with the said requirements; the concerned department shall withhold the affiliation and report the same to NRC- NCTE.
5. The Member Secretary, National Council for Teacher Education, Hans Bhawan, Wing - II, 1, Bahadur Shah Zafar Marg, (Near ITO), New Delhi-110002
6. The Chairman / Secretary, **Shri S.S.Jain Subodh Shiksha Samiti, Subodh College Campus, Rambagh Circle, Jaipur**. - A copy of procedure for creation of fixed deposit in joint account towards Endowment Fund and Reserve Fund is enclosed.
7. The Principal, **S. S. JAIN SUBODH MAHILA SHIKSHAK PRASHIKSHAN MAHAVIDYALAYA, OPPOSITE AIRPORT, SANGANER, JAIPUR-302006, RAJASTHAN** - A copy of procedure for creation of fixed deposit in joint account towards Endowment Fund and Reserve Fund is enclosed.
8. The Under Secretary, Computer Section, National Council for Teacher Education, Hans Bhawan, Wing-II, 1, Bahadur Shah Zafar Marg, (Near ITO), New Delhi-110002.
9. Computer Cell (NRC)


Regional Director





गुरुर्गुरुतमो धाम
NCTE

NATIONAL COUNCIL FOR TEACHER EDUCATION

(A STATUTORY BODY OF THE GOVERNMENT OF INDIA)

Northern Regional Committee

राष्ट्रीय अध्यापक शिक्षा परिषद

(भारत सरकार का एक विधिक संस्थान)

उत्तर क्षेत्रीय समिति

TO BE PUBLISHED IN GAZETTE OF INDIA PART - III, SECTION 4

NCTE/RJ-1300/2008

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Date:

29 SEP 2008

ORDER

WHEREAS in terms of Section 15(1) of the NCTE Act, 1993 **S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Budh Singhpura, Airport, Sanganer, Rajasthan** has submitted an application (code No.**APN04724**) to the **Northern Regional Committee** of NCTE for grant of recognition/permission for starting **B.Ed.add. Course** of one year duration with an **annual additional intake of 100 (One Hundred)** students on 06.09.2007.

2. AND WHEREAS on scrutiny/perusal of the application submitted by the institution, the documents attached therewith, the affidavit and the input received from the visiting team in the form of report and videography, recommendation of the State Government, the Committee is satisfied that the institution/society fulfills the requirements under the provisions of NCTE Act, Rules and relevant Regulations including the Norms and Standards for the **Secondary** teacher education programme such as instructional facilities, infrastructural facilities, library, accommodation, financial resources, laboratory etc. for running the programme and has selected/appointed duly qualified teaching staff as per NCTE norms.

3. NOW, THEREFORE, in exercise of the powers vested under Section 15 (3) (a) of the NCTE Act, 1993, the Northern Regional Committee hereby grants recognition/permission to **S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Budh Singhpura, Airport, Sanganer, Rajasthan** for conducting **B.Ed.add. Course** of **Secondary** (level) of one year duration an **annual additional intake of 100 (Existing 100 + Additional 100 = 200)** students from the academic session 2008-09 under clause 7(11) of NCTE Regulation, 2007 notified on 10-12-2007 subject to fulfillment of the following:

- (i) The admissions in the institution so recognized for the academic session 2008-2009 shall be made only after affiliation by the examining body, before the commencement of the academic year and the admission of the students shall be completed well before the cut of date prescribed by the examining body for the academic year 2008-2009, failing which the recognition will be deemed to be for the next year academic year that is 2009-2010.
- (ii) Formal orders for recognition / permission will operate for 2008-2009 only if requirement of 180 teaching days in the session would be fulfilled as per calendar of the University / Affiliating body. The decision of the University in this regard shall be final.
- (iii) The institution shall, within one month of the receipt of recognition order, convert the endowment fund and reserve fund accounts into joint accounts to be operated along with an officer of the **Northern** Regional Committee.
- (iv) The institution shall comply with the various other norms and standards prescribed in the NCTE regulations, as amended from time to time.
- (v) The Institution shall make admission only after it obtains affiliation from the examining body in terms of clause 8(12) of the NCTE Regulations, 2007 notified on 10-12-2007.

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कार्यालय : ए-46, शान्ति पथ, तिलक नगर, जयपुर-302004 (राजस्थान)
कार्यक्षेत्र : उत्तर प्रदेश, उत्तराखण्ड, दिल्ली, हरियाणा, पंजाब, चण्डीगढ़, हिमाचल प्रदेश, राजस्थान
Phone No. : 0141-2623501 (O), Telefax No. : 0141-2620116 (RD)

Office : A-46, Shanti Path, Tilak Nagar, Jaipur-302004 (Rajasthan)
Jurisdiction : U.P., Ultrakhand, Delhi, Haryana, Punjab, Chandigarh, H.P., Rajasthan
E-mail : nrc@ncte-in.org • Website : http://www.nrcncte.org, www.ncte-in.org

शान्ति पथ, तिलक नगर, जयपुर-302004 (राजस्थान)

4. Further, the recognition is subject to fulfillment of all such other requirements as may be by other regulatory bodies like UGC, affiliating University Body, the State Government etc, applicable.

5. The institution shall submit to the Regional Committee a Self-Appraisal Report at the end of each academic year along the statement of annual accounts duly audited by a Chartered Accountant.

6. If the institution contravenes any of the above conditions or the provisions of the NCTE Act, Rules, Regulations and Orders made or issued there under, the Regional Committee shall withdraw the recognition as stipulated provisions of Section 17(1) of the NCTE Act.

7. The institution shall maintain & update its Web-site as per provisions of NCTE Regulations and always display following as mandatory disclosure:-

- (i) Copy of the Application Form
- (ii) Land and Building Particulars
- (iii) Staff Profile
- (iv) Recognition letter
- (v) Information for having fulfilled the norms & standard and other required conditions.


Regional Director
Tel. No.-0141-2623501

The Manager to Govt. of India
Department of Publications, (Gazette Section)
Civil Lines, Delhi - 110 054

C.C. :-

1. The Principal, **S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Budh Singhpura, Airport, Sanganer, Rajasthan.**
2. The Secretary, **Education, Govt. of Rajasthan, Secretariat, Jaipur, Rajasthan.**
3. The Registrar, **University of Rajasthan, Jaipur, Rajasthan.**
4. The Director, Directorate of Higher Education, I/c Teacher Education, Govt. of Rajasthan, Directorate, Bikaner, Rajasthan.
5. The Secretary, Dept. of Elementary Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi-110 001
6. The US (Computer), National Council for Teacher Education, Hans Bhawan, Wing-II, Bahadurshah Zafar Marg, New Delhi - 110 002.
7. Office Order file/ Institution file

Regional Director

NCTE • NRC • JAIPUR

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TO BE PUBLISHED IN GAZETTE OF INDIA PART-III, SECTION-4

F.NRC/NCTE/RJ-620/209th meeting/2012/37242

Date 28 JAN 2013

Withdrawal Order

WHEREAS, in terms of section 14 (1) of the NCTE Act, 1993 S.S. Jain Subodh Shiksha Samiti, Ram Bagh Circle, District - Jaipur-302004, State - Rajasthan had submitted an application to the Northern Regional Committee of NCTE for grant of recognition for seeking permission to the S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Opposite Airport, Sanganer, Jaipur, Rajasthan for B.Ed. course of 1 year duration for an intake of 100 seats (One Hundred Only) students on 31.12.2004. The institution was granted recognition to the B.Ed. Course for an annual intake of 100 seats (One Hundred Only) vide order No. F.NRC/NCTE/F-3/RJ-620/8305-8314 dated 12.08.2005.

AND WHEREAS, a CBI report was received from the Head of Branch, SPE, CBI, ACB, Jaipur vide letter dt.17.7.2012 alleging therein submission of forged NOC purportedly received from Dy. Commissioner, Zone-9, JDA, Jaipur mentioning therein that the building had been constructed as per norms and JDA had no objection in allowing the institution to run educational courses.

AND WHEREAS, the matter was considered by the NRC in its 204th meeting held from 27th to 29th August, 2012 NRC decided to issue show cause notice to the institution under section 17 of the NCTE Act. Accordingly, show cause notice was issued to the institution on 18.09.2012 on the following point :-

- *The NRC further noted that as per the provisions contained in clause 7(I-B) of the NCTE Regulations, 2009 "Furnishing any wrong information or concealment of facts in the application, which may have bearing on the decisions making process or the decisions pertaining to grant of recognition, shall result in withdrawal of recognition of the institution besides other legal action against its management, order of withdrawal of recognition shall be passed after affording reasonable opportunity of hearing through a show cause notice to the institution.*

Hence, the NRC decides to issue Show Cause Notice under section 17 of the NCTE Act, to the institution on the above points and direct the institution to submit the reply accompanied with an affidavit as per provisions of the NCTE Rules & Regulations within 30 days.

AND WHEREAS, a Show Cause Notice dated 18.09.2012 issued to the institution.

AND WHEREAS, the reply received from the institution in response to the aforesaid notice was considered by NRC in its 209th meeting held from 26th to 28th December, 2012 and the Committee decided that the recognition for the said course be withdrawn under provision of NCTE, Regulations, 2009 on the followings points:-

- *On the basis of verification of records submitted by the institution it has been found that the institution has constructed the college building without approval of the map by the competent authority, Jaipur Development Authority, This is in violation of the norms of NCTE.*



NOW THEREFORE, in exercise of the powers vested under section 17(1) of NCTE Act, 2009, the Northern Regional Committee hereby withdraw the above recognition granted to S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Opposite Airport, Sanganer, Jaipur, Rajasthan for 100 seats in the B.Ed. Course on the grounds mentioned above with effect from the end of the academic session next following the date of communication of this order.

If the institution is not satisfied with the order, it may prefer an appeal under sections 18 of NCTE Act, 1993 in the "online mode" available on NCTE's website www.ncte-india.org within 60 days from the issue of this order.

By orders,


(Dr. Ram Kishor)
Regional Director

To,
The Manager to Govt. of India
Department of Publications, (Gazette Section)
Civil Lines, Delhi - 110 054

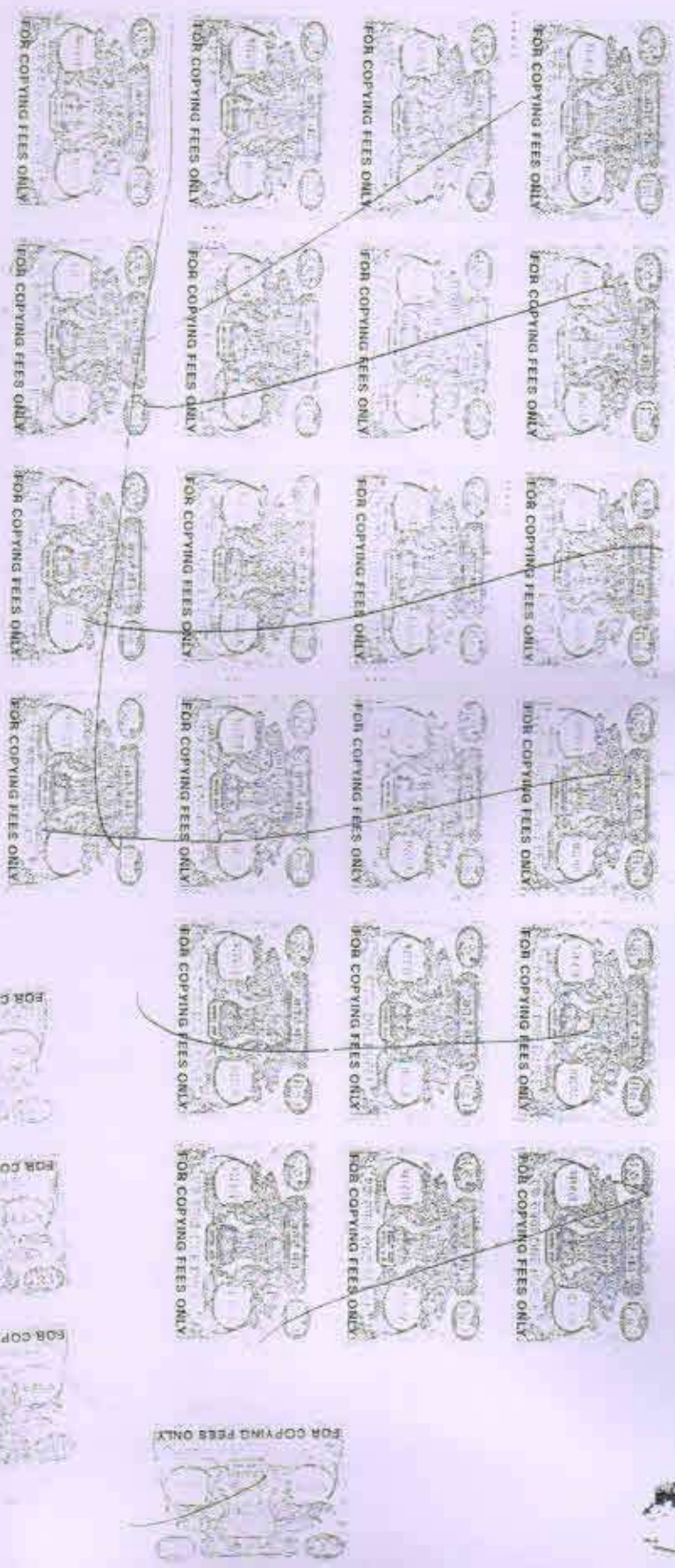
Copy to:

1. The Principal, S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Opposite Airport, Sanganer, Jaipur, Rajasthan.
2. The Secretary/Correspondent, S.S. Jain Subodh Shiksha Samiti, Ram Bagh Circle, District - Jaipur-302004, State - Rajasthan.
3. The Education Secretary, Department of Higher Education, Govt. of Rajasthan, Jaipur Secretariat, Jaipur.
4. The Registrar, Rajasthan University, JLN. Marg, Jaipur, Rajasthan.
5. The Secretary, Dept. of Elementary Education and literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan New Delhi- 110001,
6. The US (Computer), National council for Teacher Education, Hans Bhawan, Wing-II, Bhadurshah Zafar Marg, New Delhi-110002.
7. Office order file/ Institution file.


Regional Director

OATH COMMISSIONER
Raj. High Court Ben. A.P. 1918

Part 1



15/5/12
5/9/18



Handwritten notes at the top of the page: "Certified copy of Court Order" and a date "6/19/13".

AMENDED CAUSE TITLE

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JAIPUR
BENCH, JAIPUR.

S B CIVIL WRIT PETITION NO. 4420 OF 2013

Petitioner

S.S Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya
through its Secretary Shri Sumer Singh Bothra Son of Late Shri Ugra
Singh Bothra, Aged about 68 years, Resident of Royal Abode, Flat No
501-502, A-7 Vijay Path, Tilak Nagar, Jaipur(Rajasthan)

Versus

Respondents

1. The State of Rajasthan through its Education Secretary,
Department of Higher Education, Government of Rajasthan, Jaipur
Secretariat, Jaipur
2. The University of Rajasthan through Vice- Chancellor, J.L.N Marg
University Campus, Jaipur, Rajasthan
National Council for Teacher Education, through its Chairman,
Hans Bhawan, Wing-II, Bahadur Shah Zafar Marg, New Delhi
Northern Regional Committee, National Council for Teacher
Education through its Chairman, 20/198, Kaveri Path, mansarovar,
Jaipur-302020
Jaipur Development Authority through its Commissioner, J.L.N
Marg, Jaipur



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OATH COMMISSIONER
Raj High Court Ben. JAIPUR

S. B. CIVIL WRIT PETITION NO. 4420/2013
S. S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya
vs.
The State of Rajasthan & Ors.

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR
ORDER

S. B. CIVIL WRIT PETITION NO. 4420/2013

S. S. Jain Subodh Mahila Shikshak Prashikshan
Mahavidyalaya

vs.

The State of Rajasthan & Ors.

Date of Order, 6th September, 2013

PRESENT

HON'BLE MR JUSTICE VIJAY BISHNOI

Mr Vigyan Shah, for the petitioner

Ms Sumati Bishnoi, for NCTE

Mr Ajit Maloo, for Jaipur Development Authority

BY THE COURT:

In an intra-court appeal being D.B.Civil Special Appeal (Writ) No.688/2013 preferred by the petitioner - Institution against the order dated 17.07.2013, whereby the second stay application of the institution was rejected by a Co-ordinate Bench of this Court, the Division Bench of this Court has made a request to the Single Judge in the following terms:



सहायक न्यायाधीश
राजस्थान उच्च न्यायालय, जयपुर
व्यक्तिगत कार्यालय, जयपुर

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was handed over to it. In the year 2009, the petitioner - institution had applied for *No Objection Certificate* to start B.Ed. Course, which was granted by the State Government on 27.12.2004. On the strength of *No Objection Certificate* granted by the State Government, the petitioner - institution submitted an application on 30.12.2004 before the Northern Regional Committee, National Council for Teacher Education for grant of recognition for starting B.Ed. Course with an annual intake of 100 seats. The respondent - National Council for Teacher Education granted recognition to the petitioner - institution for B.Ed. Course of one year duration with an annual intake of 100 seats in terms of section 14(1) of the National Council For Teacher Education Act, 1993 (for short 'the NCTE Act, 1993' hereinafter). Later on, in the year 2007, the petitioner - institution had applied for grant of recognition for starting B.Ed. additional Course of one year duration with an annual additional intake of 100 students. Respondent No.4 - Northern Regional Committee, National Council for Teacher Education had granted recognition to the petitioner - institution for conducting B.Ed. additional Course of

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Secondary (level) of one year duration with an annual additional intake of 100 seats for academic session 2008-2009 while exercising powers under section 15 (3) 'a' of the NCTE Act, 1993. The petitioner - institution was running the said course successfully from the date of grant of recognition. However, on 18th September, 2012, the respondent No.4 - Northern Regional Committee, National Council for Teacher Education issued a show cause notice to the petitioner - Institution under section 17 of the NCTE Act, 1993 in the following manner:

"The Committee after going through all relevant records, report of CBI viz-a-viz provisions of the NCTE Act, Rules & Regulations, and the NRC deliberated and considered the case in detail. The Committee observed the following:

The institution by letter No. SS/2005-6/1217 dt. 22.06.2005 submitted a letter No. JDA/Jopne-9/05/D-679 dt. 21/06.2005 purportedly received from Dy. Commissioner, Zone-9, JDA, Jaipur informing therein that the building had been constructed as per norms and JDA had no objection in allowing the institution to run educational courses. The same has been found forged as verified by the CBI, Jaipur. Therefore the institution has contravened the provision of the NCTE Regulations.

The NRC further noted that as per the provisions contained in clause 7(I-B) of the

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NCTE Regulations, 2009 "Furnishing any wrong information or concealment of facts in the application, which may have bearing on the decisions making process or the decisions pertaining to grant of recognition, shall result in withdrawal of recognition of the institution besides other legal action against its management, order of withdrawal of recognition shall be passed after affording reasonable opportunity of hearing through a show cause notice to the institution.

Hence, the NRC decides to issue Show Cause Notice under section 17 of the NCTE Act, to the institution on the above points and direct the institution to submit the reply accompanied with an affidavit as per provisions of the NCTE Rules & Regulations within 30 days.

In view of the above, you are hereby requested to submit the representation of the institution accompanied with an affidavit from the authorized representative of the management as per provision of the NCTE Act, Rules & Regulations within 30 days."

In response to show cause notice dated 18.09.2012, the Honorary Secretary of the petitioner - institution submitted its reply on 17.10.2012. Thereafter, the petitioner - institution submitted



another reply in furtherance to earlier reply on 10.12.2012, wherein it is mentioned that the Deputy Commissioner, Zone-9, JDA, Jaipur vide letter dated 21.11.2012 clearly stated that JDA, Jaipur does not have any objection if the petitioner - institution runs any college for women education on the land allotted to it by the JDA. Along with the writ petition, a letter dated 23.01.2013 (Annexure-7), purportedly issued by the Deputy Commissioner, Zone-9, JDA, Jaipur, has also been submitted in which the JDA has again clarified that if the petitioner - institution runs any college for women education in the building constructed on the plot allotted to it, the JDA has no objection. However, the respondent No.4 - Northern Regional Committee, National Council for Teacher Education has passed the impugned order dated 28.01.2013, whereby the recognition granted to the petitioner - institution for conducting B.Ed. Course for 100 seats has been withdrawn. While withdrawing the recognition, the Northern Regional Committee, National Council for Teacher Education has observed as under:

"AND WHEREAS, the reply received from the

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institution in response to the aforesaid notice was considered by NRC in its 209th meeting held from 26th to 28th December, 2012 and the Committee decided that the recognition for the said course be withdrawn under provision of NCTE, Regulations, 2009 on the following points:-

On the basis of verification of records submitted by the institution it has been found that the institution has constructed the college building without approval of the map by the competent authority, Jaipur Development Authority. This is in violation of the norms of NCTE.

NOW THEREFORE, in exercise of the powers vested under section 17(1) of NCTE Act, 2009, the Northern Regional Committee hereby withdraw the above recognition granted to S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Opposite Airport, Sanganer, Jaipur, Rajasthan for 100 seats in the B.Ed. Course on the grounds mentioned above with effect from the end of the academic session next following the date of communication of this order.

Being aggrieved with the order dated 28.01.2013, the petitioner - Institution has preferred this writ petition on various grounds.

Though, no reply to the writ petition has been filed on behalf of respondent No.3-National

Council for Teacher Education and respondent No.4- Northern Regional Committee; National Council for Teacher Education; yet the petitioner - institution has filed rejoinder to the reply filed by respondent No.3. On the inquiry having been made from the Registry, it has been informed that no reply to the writ petition has been filed on behalf of respondent Nos. 3 and 4.

Be that as it may, an affidavit has been filed on behalf of Jaipur Development Authority, wherein it is stated that since the land was allotted to the petitioner - institution for the purpose of women education, therefore, the JDA has no objection if it is utilized for women education. It is also stated in the affidavit that the plan for construction submitted by the petitioner - institution is under consideration as the matter regarding exemption from charges was pending consideration with the State Government. It is also stated that vide letter dated 06.03.2013, the State Government has given consent for exemption from charges.

During the course of arguments, the learned counsel for the respondent-JDA has categorically stated that the JDA has no objection if the petitioner

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institution by invoking the powers under section 17 of the NCTE Act, 1993 is absolutely without any basis. Lastly, it is contended by the learned counsel for the petitioner that the petitioner - institution is running the B.Ed. Course from last seven years and during the various inspections conducted by the NCTE Officials, no deficiency regarding infrastructure, facilities and availability of faculty members has been found. On the other hand, the visiting Team of the NCTE has confirmed that the institution has fulfilled the norms of the course concerned and, therefore, in such circumstances, the action of the respondent No.4 in withdrawing the recognition granted to the petitioner - institution for running B.Ed. Course is absolutely illegal and is liable to be quashed and set aside.

Per contra, learned counsel for the respondent - NCTE has argued that the petitioner - institution has submitted a forged document along with the application seeking recognition for running B.Ed. Course. The action of the respondent No.4 - NCTE in withdrawing the recognition granted to the petitioner - institution is perfectly in accordance with Clause 7(I-B) of the NCTE Regulations, 2009 and, therefore, no case



for interference is made out.

The learned counsel for the respondent - JDA has reiterated that if the petitioner - institution runs a B.Ed.College for women in the building constructed on the land allotted to it by JDA, the JDA has no objection. In respect of the letters dated 21.11.2012 and 23.01.2013 submitted by the petitioner - institution along with the writ petition, the learned counsel for JDA has stated that the same are issued by the Deputy Commissioner, Zone-9, JDA, Jaipur.

Heard learned counsel for the parties.

The contention of the learned counsel for the petitioner that the impugned order has been passed by the respondent No.4 without affording any opportunity of hearing to the petitioner - institution is not tenable in view of the fact that the NCTE issued the show cause notice dated 18.09.2012 to the petitioner - institution and the petitioner - institution submitted reply to the said notice on 17.09.2012 and thereafter on 10.12.2012, and the NCTE, after taking into consideration the reply submitted by the petitioner - institution, has passed the impugned order and,



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therefore, it cannot be said that no proper opportunity of hearing was afforded to the petitioner - institution.

The another contention of the learned counsel for the petitioner to the effect that the petitioner - institution has not violated any provision of the NCTE Act, Rules or Regulations and the respondent No.4 has illegally withdrawn the recognition granted to the petitioner to run the B.Ed. Course while exercising powers under section 17 of the NCTE Act, 1993, is also considered but for rejection only because under the provisions of NCTE Act, Rules and Regulations, the NCTE can withdraw the recognition of any institution if it furnishes any wrong information or concealed any fact in the application pertaining to the grant of recognition.

However, in the present case, it is clear from the impugned order that the respondent No.4 has withdrawn the recognition of the petitioner - institution on the ground that the petitioner - institution has constructed the college building without approval of the map by the competent authority i.e. Jaipur Development Authority and this action of the petitioner-institution is in violation of the norms of the

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It is to be noticed that the Deputy Commissioner, Zone-9, JDA, Jaipur vide letters dated 21.11.2012 and 23.01.2013 has clearly stated that they have no objection if the petitioner - institution runs a B.Ed. College in the building constructed on the plot allotted to it. However, so far approval of maps of the constructed college building is concerned, it is clarified by the JDA that the same cannot be issued since the matter regarding exemption from charges is pending consideration with the State Government. In the letter dated 23.01.2013, the Deputy Commissioner, Zone-9, JDA, Jaipur has clarified that the site plan cannot be made available, however, if the petitioner - institution runs the course for the women education in the building constructed on the land allotted to it by the JDA, the JDA has no objection.

From perusal of the impugned order dated 28.01.2013, it is clear that the respondent No.4 - Northern Regional Committee, National Council for Teacher Education has not taken into consideration the letters dated 21.11.2012 and 23.01.2013 issued by the Deputy Commissioner, Zone-9, JDA, Jaipur. In

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such circumstances, in the fitness of things, it is required that the respondent No.4 Northern Regional Committee, National Council for Teacher Education should consider the above mentioned letters issued by the JDA and thereafter to take a fresh decision in respect of the show cause notice dated 18.09.2012 issued to the petitioner - Institution. While deciding the notice dated 18.09.2012, the respondent No.4 shall also take into consideration the fact that the petitioner - Institution is running the women B.Ed. College for last seven years and during the various inspections conducted by the NCTE and other agencies from time to time, no deficiency regarding infrastructure, finance, facilities, availability of faculty members etc. has been found.

Though the petitioner - Institution has an alternative remedy of filing an appeal under section 18 of the NCTE Act, 1993 against the impugned order dated 28.01.2013, but no such objection is raised on behalf of the respondent Nos.3 and 4, and in view of the undisputed fact that before passing of the impugned order, the respondent Nos. 3 and 4 have not taken into consideration the orders dated 21.11.2012

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and 23.01.2013 passed by the JDA, this Court is of the opinion that no useful purpose will be served by directing the petitioner - institution to prefer an appeal against the impugned order before the appellate authority.

Consequently, the writ petition is allowed.

The impugned order dated 28.01.2013 (Annexure-8) is quashed and set aside. The respondent No.4 Northern Regional Committee, National Council for Teacher Education is directed to take a fresh decision upon the notice dated 18.09.2012 after taking into consideration the letters dated 21.11.2012 and 23.01.2013 issued by the Deputy Commissioner, Zone-9, JDA, Jaipur, wherein the JDA has categorically stated that it has no objection if the petitioner- institution runs a women education college in the building constructed on the plot allotted to it by the JDA. While deciding the notice dated 18.09.2012, the respondent No.4 shall also take into consideration the fact that the petitioner - institution is running the women B.Ed. College for last seven years and during the various inspections conducted by the NCTE and other agencies from time to time, no deficiency regarding infrastructure, finance,

[Handwritten mark]

facilities, availability of faculty members etc. has been found.

However, it is made clear that this order will have no effect on the criminal proceedings pending against the Honorary Secretary and the Principal of the petitioner - institution in respect of submission of forged NOC.

No order as to costs.

[VIJAY BISHNOI], J.

m.asif/-

Handwritten signature and date: 21/5/13

BY Regd. / Speed Post

TO BE PUBLISHED IN GAZETTE OF INDIA EXTRAORDINARY PART-III, SECTION-4

F.NRC/NCTE/RJ-620/Emergent Meeting/2013/59153

Date: 8 SEP 2013

ORDER

AND WHEREAS, consequent upon receipt of the report of the CBI, Jaipur, the case of the institution was considered by the NRC in its 204th meeting held from 27th to 29th August, 2012 NRC decided to issue show cause notice to the institution under section 17 of the NCTE Act on the following grounds:-

The institution vide letter No. SS/2005-6/1217 dt.22.6.2005 submitted a letter No. JDA/Hopnoe-9/05/D-679 dated 21.06.2005 purportedly received from Dy. Commissioner, Zone-9, JDA, Jaipur informing therein that the building had been constructed as per norms and JDA had no objection in allowing the institution to run educational courses. The same has been found forged as verified by the CBI, Jaipur. Therefore the institution has contravened the provision of the NCTE Regulations.

The NRC further noted that as per the provisions contained in clause 7(I-B) of the NCTE Regulations, 2009 "Furnishing any wrong information or concealment of facts in the application, which may have bearing on the decisions making process or the decisions pertaining to grant of recognition, shall result in withdrawal of recognition of the institution besides other legal action against its management, order of withdrawal of recognition shall be passed after affording reasonable opportunity of hearing through a show cause notice to the institution.

Hence, the NRC decides to issue Show Cause Notice under section 17 of the NCTE, Act to the institution on the above points and direct the institution to submit the reply accompanied with an affidavit as per provisions of the NCTE Rules & Regulations within 30 days.

Accordingly, a show cause notice was issued to the institution on 18.09.2012.

AND WHEREAS, the reply was considered by the NRC in its 209th meeting held from 26th to 28th December, 2012 and NRC decided that the recognition for the said course be withdrawn under provision section of clause 17 of NCTE Act, 1993 from the next following academic session. Accordingly, a withdrawal order was issued to the institution on 28.01.2013 on the following point:-

- *On the basis of verification of records submitted by the institution it has been found that the institution has constructed the college building without approval of the map by the competent authority, Jaipur Development Authority, This is in violation of the norms of NCTE.*

AND WHEREAS, the institution, thereafter, filed a S.B. Civil Writ Petition No. 4420 of 2013 in the Hon'ble High Court of Judicature for Rajasthan at Jaipur Bench, Jaipur and the court had passed an order dated 06.09.2013. The institution had submitted letter in NRC on 09.09.2013 with the copy of court order to consider the application.

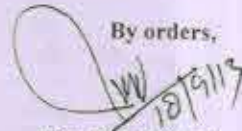
AND WHEREAS, the matter was considered by the Northern Regional Committee in its Emergent Meeting held on 14th September, 2013 and the Northern Regional Committee decided the following:-

- In compliance of the direction of the Hon'ble High Court in the SB Civil Writ Petition No. 4420 of 2013 vide order dt. 06.09.2013, the case of the institution was considered by the NRC viz-a-viz provisions of the NCTE Act, 1993, Regulations and norms & standards made there under published

from time to time were carefully considered by NRC. The NRC keeping in view of the order of the Hon'ble High Court decided the following:-

- **The recognition of the institution is hereby restored with immediate effect.**

NOW THEREFORE, in exercise of powers vested under the NCTE Act, 1993 and in compliance of the order of the Hon'ble High Court, the Northern Regional Committee hereby restore the recognition of **S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Opposite Airport, Sanganer, Jaipur, Rajasthan** for B.Ed. course with immediate effect.

By orders,

(Dr. Ram Kishor)
Regional Director

To,
The Manager to Govt. of India
Department of Publications, (Gazette Section)
Civil Lines, Delhi - 110 054

Copy to:

1. The Secretary/Correspondent, S.S. Jain Subodh Shiksha Samiti, Ram Bagh circle, District-Jaipur, State-Rajasthan.
- ✓ 2. The Principal, S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Opposite Airport, Sanganer, Jaipur, Rajasthan.
3. The Registrar, Rajasthan University, J.L.N. Marg, Jaipur, Rajasthan.
4. The Secretary, Dept. of Elementary Education and literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan New Delhi- 110001.
5. The US (Computer), National council for Teacher Education, Hans Bhawan, Wing-II, Bhadurshah Zafar Marg, New Delhi-110002.
6. Institution file.
7. M/S File-MIS, NRC Jaipur.
8. Office order file.


Regional Director

1. No. NRC/NCTE/F-7/RJ-1300/2015 /105997

Date: 27 MAY 2015

TO BE PUBLISHED IN GAZETTE OF INDIA PART III SECTION 4

ORDER

WHEREAS, in exercise of the powers conferred by sub-section (2) of Section 32 of the National Council for Teacher Education Act, 1993 (73 of 1993) and in supersession of the National Council for Teacher Education (Recognition Norms and Procedure) Regulations, 2009, the National Council for Teacher Education has notified the Regulations, 2014 on 01.12.2014.

2. AND WHEREAS, the institution i.e. S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Budh Singhpura, Airport, Sanganer, Rajasthan has been recognized for B.Ed. (Shiksha Shastri) by NRC vide order No. F.NRC/NCTE/F-7/ RJ-1300/2008/64133 dt. 29.09.2008 for an intake of 200.

3. AND WHEREAS, the institution S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Budh Singhpura, Airport, Sanganer, Rajasthan has by affidavit consented to come under new regulations and sought for four basic units in B. Ed., which require additional facilities.

4. AND WHEREAS, it has been decided to permit the institution four basic units of 50 students each subject to fulfillment of the following conditions namely.

- (i) The institution shall create additional facilities which include (a) additional built-up area, (b) additional infrastructure, (c) additional funds, (d) adherence to staff norms as per Regulation, 2014 and inform the Regional Committees with required documents by October 31, 2015.
- (ii) The applicant institution, for additional unit will be required to submit the required documents, such as land documents, Non-Encumbrance Certificate (NEC), Land Use Certificate (CLU) and the Building Plan (BP) in the format available on the website, to the Regional Committee in proof of having provided additional facilities, before October 31, 2015. Building Completion Certificate (BCC) may be given along with other documents, if available, otherwise it may be given to the Visiting Team at the time of inspection.
- (iii) The Regional Committee shall arrange for verification of documents, inspection of the premises and check adherence to these conditions by 20 February, 2016. If it is found by the Regional Committee that the institution fails to comply with these requirements, the institutions shall not be permitted to admit students for the academic year 2016-2017.
- (iv) In case any existing institution's matter is sub-judice under court direction/SCN under section 17 of the NCTE Act/ Complaint etc., the institution shall be required to submit a copy of the Hon'ble Court order/reply to SCN/complaint/already submitted alongwith the documents, if any together the documents referred above. In case the institution's request for shifting of premises is pending, such institution shall be required to submit the requisite documents as per provisions of the NCTE Regulations, 2014 with a copy of the order/NOC of the affiliating body/State Govt. and such other documents as indicated in the revised format recognition order. The final decision shall be subject to the directions given by the Hon'ble Court in the Writ Petition/case decided by the Northern Regional Committee in respect of Section 17/complaint cases etc.

5. Now therefore, in the light of the above, the Northern Regional Committee, NCTE hereby issues the revised recognition order S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Budh Singhpura, Airport, Sanganer, Rajasthan for conducting B.Ed. programme of two years duration with an annual intake of 200 for four basic units of 50 students each from the academic session 2015-2016 subject to fulfillment of the conditions mentioned herein, before 31.10.2015.

6. Further, the recognition is subject to fulfillment of all such other requirements as may be prescribed by other regulatory bodies like UGC, affiliating University/ Body, State Government etc. as applicable. The affiliating body (University/State Govt.) shall also be required to verify the authenticity of the land & building documents as well as appointment of requisite teaching & non-teaching staff as per provisions of the NCTE Regulations, 2014 by the concerned institution before grant of affiliation to an institution.

7. The institution shall submit to the Regional Committee a Self-Appraisal Report at the end of each academic year along with the statement of annual accounts duly audited by a Chartered Accountant.

8. The institution shall maintain & update its website as per provisions of NCTE Regulations and always display following as mandatory disclosure.

- (a) Sanctioned programmes along with annual intake in the institution.
- (b) Name of the faculty and staff in full as mentioned in school certificate along with their qualifications, scale of pay and photograph.
- (c) Name of faculty members who left or joined during the last quarter.
- (d) Names of students admitted during the current session along with qualification, Percentage of marks in the qualifying examination and in the entrance test, if any, date of admission, etc.
- (e) Fee charged from students.
- (f) Available infrastructural facilities.
- (g) Facilities added during the last quarter.
- (h) Number of books in the library, journals subscribed to and additions, if any, in the last quarter
- (i) The affidavit with enclosure submitted along with application.
- (j) The institution shall be free to post additional relevant information, if it so desires.
- (k) Any false or incomplete information on website shall render the institution liable for withdrawal of recognition.

If the institution Contravenes any the above conditions or the provision of the NCTE Act, Rules, Regulations and Orders made and issued there under, the institution will render itself liable to adverse action including withdrawal of recognition by the Regional Committee under the provisions of Section 17(f) of the NCTE Act.

The Manager to Govt. of India,
Department of Publications, (Gazette Section)
Civil Lines, Delhi - 110 054

By Order,

(Dr. S.K. Chauhan)
Regional Director

Copy to:-

1. The Principal, S.S. Jain Subodh Mahila Shikshak Prashikshan Mahavidyalaya, Budh Singhpura, Airport, Sanganer, Rajasthan.
2. The Principal Secretary, (Higher Education) Govt. of Rajasthan, Secretariat, Jaipur Rajasthan.
3. The Registrar, University of Rajasthan, JLN Marg, Dist. Jaipur-302004, State-Rajasthan.
4. The Secretary, Ministry of Human Resource Development, Deptt. of School Education & Literacy, Shastri Bhawan, New Delhi-110 001.
5. The US (Computer), National Council for Teacher Education, Hans Bhawan Wing-II, I, Bahadur Shah Zafar Marg, New Delhi- 110 002.
6. The Coordinator, PTET, M.D.S. University, Ajmer, Rajasthan.
7. Office order file/ Institution file