



AMENDED CAUSE TITLE

-16-

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

S.B CIVIL MISC. STAY APPLICATION NO. _____ OF 2013

IN

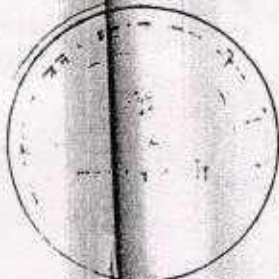
S.B.CIVIL WRIT PETITION NO. 6237 OF 2013

Smt. Jyanki Devi Teacher Training College, through its
Chairman Ramgopal Jangir S/o Shri Bhagirath Mal Jangir
aged about 51 years Village & Post Doomra, Tehsil
Nawalgarh, Jhunjhunu

...Petitioner

Versus

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 it's Vice Chancellor, University of Rajasthan, J.L.N. Marg, Jaipur-302004 (Raj.)
3. The Controller of Examination, University of Rajasthan, J.L.N. Marg, Jaipur-302004 (Raj.)
4. Northern Regional Committee, National Council for Teacher Education through its Regional Director, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur, 302005.



संख्या	१५१
दिनांक	१२/११/१६
व्यक्ति	१५१
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व्यक्ति	१५१

H. DHAKA
OATH COMMISSIONER
Raj. High Court Bench Jaipur

.....Respondents

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

D.B.CIVIL WRIT PETITION (CW) NO. 6237/2014.

PETITIONER:

Smt.Jyanki Devi Teacher Training College, through its Chairman
Ramgopal Jangir S/o Shri Bhagirath Mal Jangir aged about 51 years
Village & Post Doomra, Tehsil Nawalgarh, Jhunjhunu

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 its Vice Chancellor,
University of Rajasthan, J.L.N.Marg, Jaipur-302004 (Raj.)

3. The Controller of Examination, University of Rajasthan,
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Education through its Regional Director, Fourth Floor, Jeevan
Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle,
Jaipur 302005.

राजस्थान प्रतिलिपि
१/१९
राजस्थान उच्च न्यायालय
जायपुर

REPORTABLE

Date of Order : **02.09.2016**

HON'BLE MR.JUSTICE AJAY RASTOGI
HON'BLE MR.JUSTICE JAINENDRA KUMAR RANKA

Mr.M.S.RAGHAV, Counsel for petitioner.
Mr.R.A.KATTA, Counsel for University of Rajasthan.
Mr.INDERJEET SINGH, Additional Advocate General for State.
Mr.SAMEER SHARMA, Counsel on behalf of
Mrs.SUMATI BISHNOI, Counsel for respondents.

ORDER

The controversy in the present matter is that there was a
withdrawal of recognition by the National Council for Teacher
Education (NCTE) vide its order dt.05.11.2012 and there was an on-
going litigation at the instance of the Institution impleading the
State of Rajasthan, NRC-NCTE and University of Rajasthan as party

respondents and under interim orders of the court, 26 students were inducted by the College in the Academic Session 2013-14 in the month of March, 2014, although the Academic Session 2013-14 commenced in the month of August, 2013 and within four months of the study, despite the minimum requirement that one has to study for minimum 200 days, as per the norms laid down by the NRC-NCTE, which evidently could not be possible but under the interim order of the court dt.07.07.2014, the students of the Institution of B.Ed. Course for the Academic Session 2013-14 appeared in the written examination.

In the writ petition filed at the instance of the Institution and so also by students, as they were admitted to appear in the written examination under orders of the court but their result was withheld and counsel placed reliance on the judgment of another coordinate Single Bench of this Court in **Bright Future Teacher Training & Ors. Vs. State of Raj. & Ors.** reported in **2009(2) WLC (Raj.) 365** to declare their result.

It appears that the Id. Single Judge of this court, after taking note of the facts & proposition was not conceivable to accept the contention advanced and referred the matter to be heard by the Division Bench of this Court vide its order dt.20.04.2015.

The office in compliance thereof, placed the matter before the Division Bench and when the matter was examined by us, we find that it is an on-going litigation as there is no prescribed calendar available regarding admission to B.Ed. Course either by the Government or by any other agency, which has to be followed for holding examination, declaration of result & admission to B.Ed.



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Course & we were of the view that it is need of the hour that a joint Committee be constituted of all the agencies to examine and after the matter being heard and taking note of the submissions made, this court vide order dt.05.02.2016 constituted a Committee of the Principal Secretary, Department of Higher Education, Regional Director of NRC-NCTE & Registrar, University of Rajasthan and requested them to deliberate and come out with a concrete proposal and prescribe a calendar which is to be followed for various activities for session of B.Ed. Programme in Rajasthan.

Pursuant thereto, the Committee held its meeting and draft Schedule was placed for our perusal and that was taken note of by this court in its order dt.14.07.2016. However, in our order dt.03.08.2016, we requested the Committee to take into consideration the Schedule which has been laid down by the Apex Court in the judgment reported in (2013) 2 SCC 617 and for the ensuing academic sessions what should be the prescribed calendar which is to be followed may be placed for our perusal.



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We would like to record the note of our appreciation that the Committee, constituted under orders of this court, took great pains and after their detailed deliberation earlier placed before us the annual calendar of activities for session of B.Ed. Programme and taking note of further proceedings, a final annual calendar of activities for session of B.Ed. Programme, after their due deliberations have been prepared and signed by all the three Officers of the respective agencies i.e. Additional Chief Secretary, High Education, Government of Rajasthan, Regional Director, NRC-NCTE, Jaipur and Registrar, University of Rajasthan, Jaipur and we

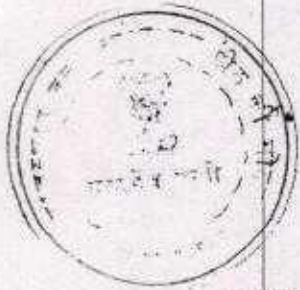
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can further take note of the fact that a calendar has been jointly suggested by the respective agencies to be in conformity with the calendar proposed by the Apex Court in the judgment referred to supra, copy of which has been placed on record for perusal, duly signed by all the three respective agencies.

After the final consensus being arrived at between the State Government, NRC-NCTE, Jaipur & University of Rajasthan, Jaipur, all the three agencies being involved in examining the applications for ensuing academic session of B.Ed. Programme & we consider it appropriate to refer the schedule/calendar of activities for session of B.Ed. Programme, which has been recommended by the Committee, constituted under orders of this court, which read ad infra:-

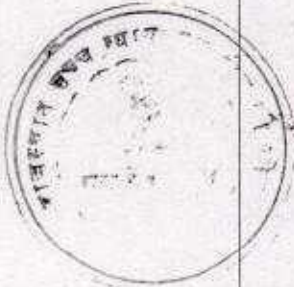
S. No.	Activity	Action to be taken by	Deadline (up to/by)
1	<p>. Taking decision regarding policy for granting NOC (for new institutions/ additional courses/ additional intake/ shifting of premises/closure etc) for teacher education colleges/courses. This will be the basis of recommendations/ NOC of State Govt. as required in the sub-regulation 5 of regulation 7 of NCTE Regulations, 2014.</p> <p>. Communicating policy to NCTE/ affiliating universities and uploading policy decision on website of Higher Education Department for benefit of investors,</p> <p>. If a decision to impose ban on any course is to be taken then the ban will not apply on pending applications with NCTE/NRC-NCTE. However, no new applications to be invited by NCTE/ NRC-NCTE.</p> <p>. NCTE/NRC-NCTE not to allow change in location/type of college in later years if the State recommendation is given for exclusive area or specific nature of colleges (e.g. If State Govt. has allowed opening of colleges in a tehsil deprived of teacher-education college it should not be allowed to shift its premises to locations where ban is imposed; if only women college has</p>	Department of Higher Education	31 st Jan (X year) (for applications to be invited by NCTE from 1 st March for next session as per regulation 5(5) of Regulations, 2014)



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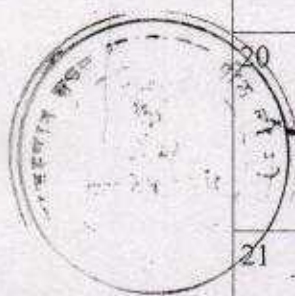
	been recommended then it should not be allowed to change to co-ed college)		
2	Invitations by NCTE/NRC-NCTE for inviting online applications for new colleges/new courses/increase in seats as per the regulation 5(5) of NCTE Regulations, 2014. For the State of Rajasthan, applications to be invited only in compliance of policy of the State Govt.	NCTE/NRC-NCTE	1 st March to 31 st May as per the regulation 5(5) of NCTE Regulations, 2014
	Applications to apply for NOC of affiliating body (State university) as per provisions of regulation 5(3) of Regulations, 2014		Without late fee: 15 th May or 15 days prior to last date of applying (whichever is later) With late fee: 7 days prior to last date of applying to NCTE
	Issuance of NOC by affiliating universities, according to policy of the State Govt. subject to conditions of fulfillment of conditions of affiliation.	Affiliating Universities	31 st May (last date of filing applications)
	Simultaneous processing of applications by NRC-NCTE as per regulation 7 of NCTE Regulations, 2014	NRC-NCTE	
3	Applicants to apply to State Govt. on a prescribed format with requisite fee, if any, other annexure including proof of submitting application to NRC-NCTE. Prescribed format of application shall be made available on website of Department of College Education/ Higher Education portal and shall include fields to ascertain whether the applicant fulfills conditions mentioned in the State Government's policy.	Sponsoring bodies/ Institution	Without late fee: 30 th June or within one month of last date of receiving applications by NCTE. With late fee: 15 th July (or within 45 days of last date of receiving applications by NCTE).
4	NRC-NCTE to communicate with State Govt. for its recommendations on new applications (as per Regulation 7(5 & 6))	NRC-NCTE	30 th June
5	State Govt. to give its recommendations on the basis of its policy on applications sent by the NRC-NCTE (no inspection to be carried out by State Govt. for verification of infrastructure/ qualification of teachers which is to be verified by VT of NCTE as per regulations 7 & 8 of Regulations, 2014)	State Govt.	30 th September
6	Appointment of Nodal agency/ Coordinating agency (university) for	Department of Higher	15 th Dec



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	issued by State Govt. earlier, if not withdrawn by State Govt/NCTE; no renewal/extension of NOC to be issued by State)		
14	Conveying list of affiliated colleges (with no. of seats for each course) to admission agency & NRC-NCTE.	Affiliating universities	15 th May (X+1 Year)
15	Entrance test for B.Ed. Programmes	Admission agencies	15 th May (X+1 Year)
16	Declaration of results of entrance tests for B.Ed. Programmes	Admission agencies	25 th May (X+1 Year)
17	Affiliating universities to declare results of eligibility examinations	Affiliating universities	Prior to beginning of counselling
18	Last date of Counselling	Admission agencies	30 July (X+1 Year)
19	Commencement of Academic Session for teacher education programmes	Admission agencies & affiliating universities	01 August (X+1 Year)
20	End of Academic session (to ensure 200 teaching days as per the NCTE Regulations, 2014; No. of Teaching days for various months for session 2016-17 are given in annexure-1)	Affiliating universities	07.05.2018 (X+2 Year)
21	Completion of annual examination	Affiliating universities	30 th May (X+2 Year)
22	Declaration of result of annual examination	Affiliating universities	07 th July (X+2 Year)



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Along with annual calendar of activities for session of B.Ed.

Programme, placed for our perusal, teaching days in Academic Session 2016-17 has been enclosed as Annexure-1 and it would be appropriate to quote the Teaching days in Academic Session 2016-17, which reads ad infra:-

“Teaching days in Session 2016-17 (Annexure-1)

S.No.	Month	Days in month	Sundays and other holidays	Teaching days	Cumulative teaching days from 01.08.2016
1	July 2016	31	5+1	25	
2	August	31	4+3	24	24

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necessary compliance and to place the schedule & teaching days, as indicated, on their respective websites for necessary information to all.

Office to proceed.

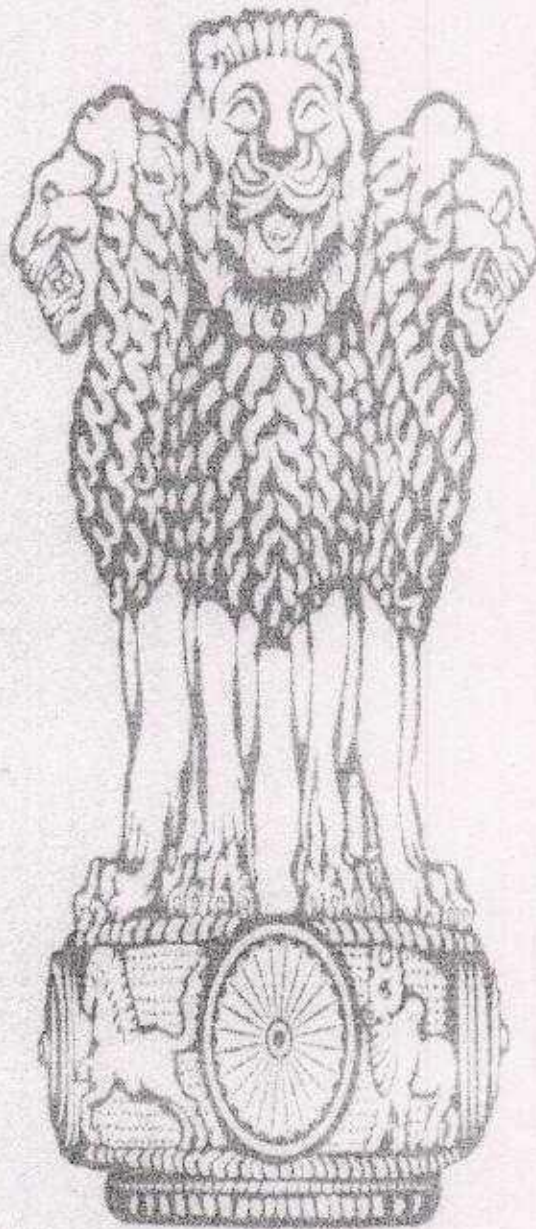
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(JAINENDRA KUMAR RANKA),J.

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(AJAY RASTOGI),J.

Solanki DS, P.S.



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Date

Copy forward to Northern Regional Committee,
National Council for Teachers Education
through its Regional Director, Fourth Floor,
Jawahar Nidhi-II, 120 Building, Bhowani
Sixth May, Ambekkar Circle Jipur 302005

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