

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 40 OF 2021

PACIFIC ACADEMY OF HIGHER EDUCATION AND
RESEARCH UNIVERSITY UDAIPUR

Petitioner(s)

VERSUS

NATIONAL COUNCIL FOR TEACHER EDUCATION

Respondent(s)

O R D E R

Mr. Sanjay Sharawat, learned counsel appearing for the petitioner, has informed us that there is no question of counselling in his client's case, as his client is an unaided institution, which admits students on its own. Having perused the writ petition and the annexures thereto, it is clear that he is right in stating that the recognition that was granted for the academic year 2021-2022, was granted on 23rd-24th and 31st December, 2020, much later than the application that was made, and due to this delay of the authorities, recognition could not be granted for the academic year 2020-2021. In any case, we have been informed by the learned counsel that even so far as aided institutions are concerned, counselling continues at least until 18th of January, 2021. This being the case, we direct the authorities to grant recognition for the academic year 2020-2021 within a period of one week from today. The petitioner-institution may then admit 100 students within one week thereafter.

In view of the above, the writ petition is disposed of.

Pending interlocutory application(s), if any, is/are disposed of.

.....J.
[ROHINTON FALI NARIMAN]

.....J.
[NAVIN SINHA]

.....J.
[K.M. JOSEPH]

New Delhi;
January 27, 2021.

4.	NRCA PP201 616032	PACIFIC COLLEGE OF TEACHER'S EDUCATION, VILLAGE - DEBARI, STREET ROAD- AIRPORT ROAD, TALUKA- GIRWA, TOWN CITY- DEBARI, DISTRICT- UDAIPUR, STATE- RAJASTHAN, PIN CODE- 313003	BA. B. ED/B. SC. B.ED.	The WRC noted that as per the decision of WRC in its 324 th meeting held on 23-24 and 31 st December, 2020, recognition to the institution was granted under clause 7 (16) of NCTE Regulations 2014 for running B.A.B.Ed (one unit) and B.Sc.B.Ed (one unit) 4-year integrated programme from the academic session 2021-2022. Aggrieved by the above decision of
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WRC, the institution approached the Hon'ble Supreme Court in W.P. (C) No. 40/2021 dated 27.01.2021 and the Hon'ble Supreme Court had passed an order as under:-

"Learned counsel appearing for the petitioner, has informed us that there is no question of counseling in his client's case, as his client is an unaided institution, which admits students on its own. Having perused the writ petition(s) and the annexures thereto, it is clear that he is right in stating that the recognition that was granted for the academic year 2021-22 was granted on 23rd, 24th and 31st December, 2020 December, 2020 much later than the application that was made, and due to this delay of the authorities, recognition could not be granted for the academic year 2020-21. In any case, we have been informed by the learned counsel that even so far as aided institutions are concerned, counseling continues at least until 18th of January 2021.

"This being the case, we direct the authorities to grant recognition for the academic year 2020-21 within a period of one week from today. The petitioner - institution may then admit 100 students within one week thereafter.

The matter was discussed and it was revealed that a similar kind of directions were issued by the Hon'ble Supreme Court/High Court of MP in WP NO. 5559/2015 & the clarification was sought by WRC from NCTE - Hqrs. The NCTE Hqrs vide letter No. 64-183/2014/NCTE/Legal/3300 dated 03rd September 2015 had directed to RCs to comply with the directions of the Hon'ble Court.

Accordingly, as per the directions of the Hon'ble Supreme Court of India,

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			<p>the WRC is required to relax the cut off date as fixed by Hon'ble Supreme Court earlier in (2013) 2 SCC 617 (Maa Vaishno Devi Mahila Mahavidyalaya vs. State of U.P. &Ors.) and decided to issue the revised recognition order to the institution under clause 7 (16) of NCTE Regulations 2014 for running B.A.B.Ed (one unit) B.Sc.B.Ed (one unit) 4 year integrated programme from the academic session 2020-2021.</p> <p>The WRC further decided that the affiliating body be directed to ensure that minimum working days as specified in clause 2.2 of Appendix 04 of NCTE Regulations 2014 are fulfilled along with staff profile as per NCTE norms.</p>
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