



2024:DHC:4245



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5415/2023**

**INDIRA GANDHI TEACHERS
TRAINING COLLEGE**

..... Petitioner

Through: **Mr. Kunal Chatterji, Advocate.**

versus

**NATIONAL COUNCIL FOR TEACHER
EDUCATION & ANR.**

..... Respondent

Through: **Mr. Akhilesh. K. Srivastava,
Standing Counsel with Mr.
Manoj Kumar, Advocates.**

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

JUDGMENT (ORAL)

21.05.2024

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1. The petitioner is aggrieved by order dated 10 April 2023 passed by the Appellate Committee of the National Council for Teachers Education (NCTE), rejecting an appeal preferred by the petitioner against order dated 26 April 2017 of the Eastern Regional Committee (ERC) of the NCTE.

2. The ERC, *vide* its order dated 26 April 2017, permitted the petitioner to add one B. Ed. course to the earlier B.L.Ed. course which was being provided by it, with an initial intake of 50 students. In its appeal the petitioner's contention was that it was entitled to an intake of at least 4 B. Ed. units. The appeal has been dismissed by the Appellate Committee of the NCTE by the impugned order dated 10

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April 2023.

3. The prayer clause in this writ petition reads as under:

- (i) Issue a writ of mandamus setting aside the Order dated 10.04.2023 and further grant the petitioner institute recognition of B.Ed Courses for the maximum intake as set up in the NCTE Regulation,2014;
- (ii) Issue a writ of mandamus alternatively directing the respondents to open their online portal in terms of decision of this Hon'ble Court in Mehta Teacher Training College Vs. National Council for Teacher Education & Anr (2022 SCC OnLine Del 2573);
- (iii) Issue a writ of certiorari or any other appropriate writ, order or direction to the respondent NCTE to open it portal and accept and process their applications for the next academic session;
- (iv) Pass any other for further order or orders which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interest of justice.

4. Mr. Srivastava, learned counsel for the NCTE submits that, though prayers (ii) and (iii) in the writ petition can be disposed of by directing the NCTE to open its portal, as has been directed in other similar matters, the petitioner would still not be entitled to any relief, in view of the decision of the NCTE in its 55th General Body Meeting held on 14 July 2022, not to process any applications which were pending before the Regional Committees on that date. This decision was taken on the basis of the National Education Policy (NEP 2020) and the conscious decision that, in the wake of NEP 2020, applications would be entertained only from multidisciplinary institutions (MDIs).

5. The decision of the 55th General Body Meeting of the NCTE

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was assailed before this Court in a batch of writ petitions which stands dismissed by this Court *vide* judgment dated 22 April 2024¹, passed in a batch of writ petitions.

6. Though an LPA has been preferred against the said judgment, which had come up for hearing yesterday, it is understood that no interim orders have been passed.

7. Mr. Srivastava, is therefore right in his contention that, even if the petitioner were permitted to apply for an additional intake of three units, the said application could not be processed in view of the decision in the 55th General Body Meeting held on 14 July 2022. There is also substance in his contention that, even if the portal is opened, the petitioner would obtain no relief in view of the decision taken in the 55th GB Meeting of the NCTE.

8. However, Mr. Chatterji, at this juncture, draws my attention to another order passed on 7 May 2024 by another Division Bench of this Court in LPA 507/2022 (*NCTE v. Mehta Teacher Training College*) and connected cases, in facts which are similar to those in the present case. Paras 2 to 4 of the said order read thus:

“2. We are told that Mr Balbir Singh, learned senior counsel, engaged in the matter on behalf of the appellants, is on his legs in another Court.

3. Given the fact that these matters have been hanging fire for quite some time, the appellants/NCTE are directed to open its portal so that the respondents can submit their applications for seeking recognition concerning teacher education courses they intend to offer.



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4. Although the applications will be processed, no final decision will be taken on the applications preferred by the respondents till the disposal of the appeals.”

9. In view of the order dated 7 May 2024 passed by the co-ordinate Bench in ***Mehta Teacher Training College***, this writ petition is disposed of in the following terms:

(i) The NCTE shall open its portal from 24 May 2024 and keep it open till 31 May 2024 in accordance with Regulation 5 of the National Council for Teachers Education (Recognition Norms and Procedure) Regulations 2014.

(ii) The petitioner, if so advised, is permitted to submit an application for induction of three additional units in the B.Ed. Course.

(iii) The said application shall be considered, and a decision be taken with respect to the application as expeditiously as possible, and communicated to the petitioner.

(iv) Should the petitioner continue to be aggrieved by the said decision, the petitioner’s rights in that regard shall remain reserved.

10. It is made clear that this order is being passed only to maintain parity with the order dated 7 May 2024 of the Division Bench in ***Mehta Teacher Training College***.

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11. This court is not expressing any opinion on whether the petitioner is entitled to the additional intake of the three units in the B.Ed. Course.

12. It would be for the ERC to take a decision in that regard, keeping all factors in mind. The Court is also not expressing any opinion on the extent to which the decision of the NCTE in its 55th General Body Meeting, and the judgment of this Court in *Pt. Prasadi Lal Kakaji Teacher Training College* would affect the claim of the petitioner.

13. All these matters are left open for the consideration by the ERC which, after taking them into consideration, would act accordingly.

14. The writ petition is disposed of in the aforesaid terms.

C. HARI SHANKAR, J.

MAY 21, 2024/K

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