

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16594 of 2019

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Aligarh Muslim University Kishanganj Centre, 360, Registrar AMU Aligarh
360, Chakla, Kishanganj, Bihar through its Registrar, RaashidNehal (M) aged
about 52 yrs, S/o Md. Rafiuuzzaman A/116/2 Road No. A5 Ainagar Colony
Anisasbad, Patna, Bihar 80000.

... .. Petitioner/s

Versus

1. The National Council for Teachers Education through its Member Secretary Hans Bhawan, Wing II, I Bahadur Shah Zafar Marg, New Delhi.
2. The Regional Director, Eastern Regional Committee, National Council for Teachers Education, 15 Neelkanth Nagar, Nayapalli, Bhubaneshwar-751012.
3. The State of Bihar through Director Higher Education.
4. The Union of India, through the Joint Secretary Ministry of H.R.D., New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rashid Alam, Adv.
For the NCTE	:	Mr. Sunil Kumar Singh, Adv. Mr. Tanay Bhasker, Adv.
For the State	:	Mr. Madanjeet Kumar, GP-20

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

14 11-09-2025

Heard the parties.

2. The petitioner, an institution has approached this Court seeking a direction upon the respondent-National Council for Teachers Education (for short 'the NCTE') to consider the case of the petitioner's-institution for granting recognition/approval of B.Ed Course.

3. The challenge, in the present writ petition, is also



made to an order no.-ERC/218.7.4/APP2278/B.ED/2016/48807 dated 03.08.2016 passed by the Eastern Regional Committee, NCTE, whereby and whereunder, the NCTE has refused to recognize for conducting B.Ed course on the ground that CD is not on functional mode. The University is required to submit a fresh CD indicating whole area of Teachers Education Department, besides building plan and building completion certificate and to fulfill other requirement. The appeal preferred against the afore-noted order also came to be rejected by the NCTE vide order dated 18.04.2017 in Appeal No.APPL3327 of 2016.

4. Learned Advocate for the NCTE submitted that the Eastern Regional Committee in its 218th meeting held on 11/12-07-2016 considered the application of the petitioner along with the documents submitted and on being found that the institution does not fulfill the necessary requirement; the Committee refused to extend recognition for B.Ed programme to the petitioner under Section 14(3)(6) of NCTE Act, 1993. The appeal preferred by the petitioner also came to be rejected on 18.04.2017 after considering the documents available on records and oral arguments advanced during the hearing. It is the contention of the learned Advocate for the NCTE that the NCTE



Act, 1993 had been amended and was published in the Gazette of India on 11.01.2019, wherein Sub-section (I) of Section 14 was inserted that such institutions as may be specified by the Central Government or the State Government or the Union Territory, Administration has offered a course or training in teacher education on or after the appointed day till the academic year 2017-18 and to fulfill the conditions specified under clause (a) of Sub-section(3) shall be deemed to have been recognized by the Regional Committee. This amendment is applicable only for those institutions, which were earlier given recognition by the NCTE but not for institutions which are seeking fresh recognition.

5. On account of the aforesaid fact, it has been contended that the petitioner cannot get recognition from 2013 and under the new amended provisions, the petitioner has to apply afresh.

6. This Court having gone through the materials available on record as also the order passed by the NCTE, does not find any merit in the present writ petition. However, the petitioner shall be at liberty to file a fresh application showing fulfillment of all the requisite criteria for recognition in terms with the amended provision whenever application shall be



invited by the NCTE.

7. The writ petition stands closed with the aforesaid liberty.

(Harish Kumar, J)

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