



एनसीटीई अपीलीय प्राधिकरण में/ IN THE NCTE APPELLATE AUTHORITY

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)

जी-7 सेक्टर-10 द्वारका, नई दिल्ली-110075

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

दिनांक/ Date - 12.01.2026

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/  
APPEAL FILED UNDER SECTION 18 OF NCTE ACT

89-07/2026 Appeal/Emergent Meeting, 2026

APPLWRC202113908 /E-89291

Sardar Vallabh Bhai Patel Shikshak Prashikshan College, Survey No. 24/10, Chak 5, BHD, Bhadra, Nohar-Sirsa, Bypass, Hanumangarh, Rajasthan – 335501	<u>VS</u>	Western Regional Committee (erstwhile NRC), Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
<b>APPELLANT</b>		<b>RESPONDENT</b>

<b>Representative of Appellant</b>	<b>Mr. Ajay Sharma, Office Superintendent</b>
<b>Respondent by</b>	<b>Regional Director, WRC</b>
<b>Date of Hearing</b>	<b>07.01.2026</b>
<b>Date of Pronouncement</b>	<b>12.01.2026</b>

## आदेश/ ORDER

### **I. GROUNDS OF REFUSAL**

The appeal of **Sardar Vallabh Bhai Patel Shikshak Prashikshan College, Survey No. 24/10, Chak 5, BHD, Bhadra, Nohar-Sirsa, Bypass, Hanumangarh, Rajasthan – 335501** dated 20.01.2021 filed under Section 18 of NCTE Act, 1993 is against the Order no. F.No. NCTE/NRC/NRCAPP201615198/B.A.B.Ed./B.Sc.B.Ed.-4 Year Integrated/RJ/2017-2018/3 dated 28.04.2017 of the Northern Regional Committee, refusing the recognition for B.A.B.Ed./B.Sc.B.Ed. Programme on the grounds that “The institution has not submitted the reply of the SCN issued by the NRC within the stipulated time.”

### **II. SUBMISSIONS MADE BY APPELLANT: -**

Mr. Ajay Sharma, Office Superintendent of **Sardar Vallabh Bhai Patel Shikshak Prashikshan College, Survey No. 24/10, Chak 5, BHD, Bhadra, Nohar-Sirsa, Bypass, Hanumangarh, Rajasthan – 335501** appeared online to present the case of the appellant institution on 07.01.2026. In the appeal report, it is submitted that “Institute has not Received SCN issued by NRC and Delhi High Court passed order in favor of institute”.

### **III. OUTCOME OF THE CASE**

The Appeal Committee in its Emergent Meeting, 2026 held online on 7<sup>th</sup> January 2026 perused the Online Appeal Report and heard oral arguments advanced during the Meeting.

The Appeal Committee noted that the appellant institution had submitted an application to the Northern Regional Committee (now Western Regional Committee) for grant of recognition, seeking permission for running the B.A.B.Ed./B.Sc.B.Ed. Programme on 28.05.2016. The recognition of the institution for B.A.B.Ed./B.Sc.B.Ed. Programme was refused by the NRC (now WRC) vide order dated 28.04.2017.

The Appeal Committee perused the online Appeal Report and heard the oral submissions advanced on behalf of the appellant institution during the hearing held on 07.01.2026.

The Committee noted that the appellant institution had applied for recognition on 28.05.2016 and that the NRC (now WRC) refused recognition vide order dated 28.04.2017. Against the said refusal, the appellant institution approached the **Hon'ble High Court of Delhi at New Delhi** by filing **W.P.(C) 9273/2020**, wherein the Hon'ble Court vide order dated **02.12.2020** passed the following directions:

***“Learned counsel for the petitioner states that the application of the petitioner was rejected by the NRC in its meeting held on 16<sup>th</sup> to 24<sup>th</sup> of January, 2017 illegally holding the fact that relevant infrastructure was not available. After some arguments, he seeks to withdraw the writ petition with liberty to approach the concerned Appellate Authority.***

***Learned counsel for the respondent opposes the request stating that appeal would be barred by limitation. It would be for the petitioner to file an appropriate application for condonation of delay. In case an appeal is filed, the Appellate Authority may deal with the same as per law uninfluenced by any observation made by this Court. The petition is dismissed as withdrawn.***

***At this stage, learned counsel for the petitioner states that he has not received the copy of the rejection order. Let the respondent supply the copy of the rejection order to the petitioner within ten days.”***

Subsequently, the appellant institution filed **W.P.(C) 18938/2025** before the **Hon'ble High Court of Delhi at New Delhi**, which was disposed of vide order dated **17.12.2025** with the following directions:

***"2. Learned counsels for the respective parties make rival submissions on applicability of Minutes of 54th GBM to the present case. However, during the course of hearing, it is agreed that without prejudice to the respective rights and contentions in the writ petition, since the appeal filed by the Petitioner before the Appellate Committee on 20.01.2021 against order dated 28.04.2017 rejecting the application for grant of recognition to B.A.B.Ed./B.Sc.B.Ed. courses is pending consideration, the issue of refund of processing fee be also considered by the Appellate Committee.***

***3. Accordingly, without entering into the merits of the case, this writ petition is disposed of directing the Appellate Committee to decide the appeal within three weeks from today including the issue of refund of processing fee deposited by the Petitioner, taking into consideration the Minutes of 54<sup>th</sup> GBM (Emergent) held on 27.04.2022. A reasoned and speaking order will be passed by the Appellate Committee and communicated to the Petitioner within one week from the date of decision. In the event of any surviving or further grievance, Petitioner will be at liberty to take recourse to legal remedies."***

The Appeal Committee noted that the appeal against the NRC (now WRC) order dated 28.04.2017 was filed on 20.01.2021, after an inordinate delay of approximately three years, six months and twenty-three days. The appellant institution has failed to furnish any satisfactory or legally acceptable explanation constituting "sufficient cause" for such extraordinary delay. As observed by the Hon'ble High Court itself, the issue of limitation and condonation of delay was left open to be decided by the Appellate Authority strictly in accordance with law. The doctrine of delay and laches is therefore squarely attracted, rendering the appeal barred by limitation.

The Committee further noted that, as per records of the Appeal Division, the appellant institution has not submitted the hard copy of the appeal application along with the requisite supporting documents, as mandatorily required under the NCTE (Third Amendment) Rules, 2011. Non-submission of the hard copy is a substantive procedural lapse affecting the maintainability of the appeal.

With regard to the issue of refund of processing fee, the Committee examined the decision of the General Body taken in its 54<sup>th</sup> Emergent Meeting held on 27.04.2022, which reads as under:

***“...ii. The Norms and Standards prescribed in Appendix 13 of NCTE Regulations for 4-year integrated B.Sc.B.Ed./B.A.B.Ed. programme has been omitted by the NCTE Regulations 2021. Therefore, the application pending before the RCs for the said course shall not be processed further. Hence, all such pending applications before RCs at any stage of processing may be returned along with the processing fee in original to the concerned institution. ...”***

The Appeal Committee observed that the aforesaid decision is expressly confined to applications pending before the Regional Committees at any stage of processing. In the present case, the appellant's application had already culminated in a final refusal order dated 28.04.2017. Accordingly, the appellant institution does not fall within the ambit of the said General Body decision and is not entitled to refund of the processing fee.

The Appeal Committee further noted that the appellant has failed to place any contemporaneous or credible material to establish that the reply to the Show Cause Notice was submitted within the stipulated time or was duly received by the NRC (now WRC). The foundational deficiency recorded in the impugned order thus continues to subsist.

Noting the submission made in the online Appeal Report and oral arguments advanced during the online hearing, Appeal Committee of the Council holds that the appeal is barred by limitation, vitiated by procedural non-compliance, and devoid of merit and is therefore not maintainable under Section 18 of the NCTE Act, 1993. The NRC (now WRC) was justified in refusing the recognition and decided that the instant appeal deserves to be dismissed and therefore, the impugned order dated 28.04.2017 issued by NRC (now WRC) is confirmed.

IV. **DECISION:** -

After perusal of the online Appeal Report and oral submissions advanced during the online hearing, the Appeal Committee holds that the appeal is barred by limitation, vitiated by procedural non-compliance, and devoid of merit. Accordingly, the appeal is dismissed, and the impugned order dated 28.04.2017 issued by the Northern Regional Committee (now Western Regional Committee) refusing recognition to the appellant institution is hereby confirmed.

उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।/ The above decision is being communicated on behalf of the Appeal Committee.

उप सचिव (अपील) / Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Sardar Vallabh Bhai Patel Shikshak Prashikshan College, Survey No. 24/10, Chak 5, BHD, Bhadra, Nohar-Sirsa, Bypass, Hanumangarh, Rajasthan – 335501.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Education Secretary, Higher Education Department, Block-4, Dr. S. Radhakrishnan Shiksha Sankul, Jawahar Lal Nehru Marg, Jaipur, Rajasthan-302015.