

**PROCEEDINGS OF 276th (EMERGENT) MEETING OF THE
ERC-NCTE HELD ON 26th August, 2019**

The 276th (**Emergent**) meeting of the Eastern Regional Committee (ERC), National Council for Teacher Education (NCTE) was convened on 26th August, 2019 **through online mode**, to decide on emergent agenda items related to legal matter, wherein the Chairperson and Members as listed below were participated online in the said Emergent meeting.

Prof. Kshiti Bhusan Das	-	Chairperson
Prof. Nongmaithem Rajmuhon Singh	-	Member
Prof. Subhas Chandra Roy	-	Member
Prof. Kumar Moti	-	Member
Prof. Nilima Bhagabati	-	Member
Prof. Vanlalhrui	-	State Representative of Mizoram
Ms. J. Ch. Momin	-	State Representative of Meghalaya
Dr. Shanti Ram Adhikari	-	State Representative of Sikkim
Dr. K. Hukato SWU	-	State Representative of Nagaland
Mr. Joram Muthu	-	State Representative of Arunachal Pradesh
Prof. Deva Kumar Dutta	-	State Representative of Assam
Mr. Pradeep Kumar Yadav	-	Regional Director (I/c), ERC & Convener

With the permission of Chairperson, Mr. Pradeep Kumar Yadav (Convener) presented the Agenda through online mode before the Committee for its due consideration and appropriate decision and the Committee took decision on each agenda item in light of instructions, guidelines received from NCTE Hqrs. as well as NCTE Act, Rules & Regulations framed time to time and observations/comments of members participated through online mode.

Sl. No.	Item No.	Content
ER-276.2		[Court Case]
1.	276.2.1	Panagarh Primary Teachers Training Institute, Plot No.-2230/4417, Street No.-PTTI Street, Vill.- Panagarh, P.O.-Panagarh Bazar, Tehsil/Taluka - Trilokchandrapur Gram Panchayat, Town/City-Panagarh, Dist.-Bardhaman, West Bengal-713148 (B.Ed.) (Private) (University of Burdwan) (Code No.ERCAPP4165)
Recognition was granted for B.Ed. course with an intake of 50 (One basic unit) from the academic session 2020-2021 vide ERC's order dated 10.04.2019.		
Being aggrieved with the decision of ERC, the institution filed W.P.(C) No. 619 of 2019 before the Hon'ble Supreme Court of India. The Hon'ble Supreme Court disposed of the matter on 06.08.2019 with a direction inter alia:		
<i>“the writ petition is disposed of with a direction to the Eastern Regional Committee of NCTE to consider the petitioner's request for recognition within one week. In case the NCTE decides to grant recognition, in that event, the respondent-University of Burdwan shall consider the desirability of writ petition (civil) No. 619/2019 allocating the candidates for admission to the petitioner-College from amongst those who had applied online before the cut-off date of 30th June, 2019 and are waitlisted being in excess of the seats sanctioned in the recognised 'Self-Financed B.Ed Colleges'. The University shall do the needful within one week from the date of recognition, if so granted, by the NCTE.</i>		
The Committee considered the order of the Hon'ble Supreme Court of India and decided as under:s		
Formal permission order under clause 7(16) of the NCTE Regulation, 2014 for B.Ed. programme with an intake 50 (one basic unit) from the academic session 2019-2020 be issued to the institution and all concerned.		

2.	276.2.2	<p>Mahatma Buddha Teachers Training College, Plot No.- 1775, Vill.- Dhrub Nagar, Panchmile, P.O.- Kamaldah, Tehsil/Taluka- Bathnaha, Town/City- Sitamarhi, Dist.- Sitamarhi, Bihar- 843322 (B.Ed.) (Private) (Babasaheb Bhimrao Ambedkar Bihar University) (Code No.ERCAPP587)</p>
<p>Recognition was granted for B.Ed. course with an intake of 100 from the academic session 2012-2013 vide ERC's order dated 31.08.2012, followed by revised order dated 13.05.2015 from the academic session 2015-2016 as per NCTE Regulations, 2014.</p> <p>Being aggrieved with non-disbursement of salary from the institution, one faculty viz. Mr. Nandeshwar Lal Das had filed CWJC No.5256 of 2015 in the Hon'ble High Court of Patna. The Hon'ble Court disposed of the matter on 21.07.2016 with a direction inter alia:</p> <p><i>“The Court will not get into the authenticity or correctness of the allegations or evidence keeping in mind that the responsibility is being thrust upon the said respondents in this regard.</i></p> <p><i>If such process is initiated by the petitioner, the authorities have a duty to take a decision preferably within three months thereafter after giving due opportunity of hearing to the institution in question.”</i></p> <p>The ERC in its 256th meeting held on 30th - 31st May, 2018 considered the matter and accordingly, letter dated 12.06.2018 was issued to the institution inter alia copy to Mr. Nanderswar Lal Das to submit reply within 21 days. Due to non-receipt of reply, another letter issued to the institution on 12.06.2018.</p> <p>The petitioner filed contempt petition bearing MJC No.780 of 2017 for implementation of the order dated 21.07.2016 and the Hon'ble High Court of Patna passed an interim order on 06.08.2019 with the following direction:</p> <p><i>“Accordingly, let the Regional Director, NCTE (opposite party No. 7) appear before the Court to explain such conduct when the matter be listed under the heading 'for orders' on 30th August, 2019.</i></p> <p><i>It is made clear that if the decision of NCTE in terms of the order dated 21.07.2016 directing for taking decision in the matter based on the evidence before it as furnished by the petitioner, is not brought on record on the next day, the Court may not show any indulgence to the officer(s) concerned.”</i></p> <p>The institution submitted replies dated 09.08.2019 and 24.08.2019 along with supportive documentary evidences in compliance of Hon'ble Court's direction inter alia email dated 17.08.2019 received from the petitioner Mr. Nandeshwar Lal Das, which are considered by the Committee and observed as under:</p> <p>(i) In compliance of order passed in CWJC No.5256 of 2015 by the Hon'ble High Court of Patna, the institution was called telephonically on 24.08.2019 to produce all relevant documents/evidences before the Regional Director, ERC. The representatives of the institution appeared in person along with documentary evidences on 26.08.2019 at 11:00 A.M. in the office of ERC, NCTE, Bhubaneswar.</p> <p>(ii) After perusal of documents furnished by the institution, the same are found to be in order.</p> <p>In view of the above, the Committee decided as under: The petitioner be informed that the order of Hon'ble High Court of Patna is complied with a copy endorsed to the affiliating body as well as the institution.</p>		