



एनसीटीई अपीलिय 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 - 29.08.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-21/E-333050/2025 Appeal/10th Meeting, 2025
APPLNRC202414767

College of Applied Education and Health Sciences, A-122, Gangotri Colony, Roorkee Road, Meerut, Uttar Pradesh-250001	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075
APPELLANT		RESPONDENT

Representative of Appellant	Dr. Lalit Kumar, Coordinator Academics
Respondent by	Regional Director, NRC
Date of Hearing	08.08.2025
Date of Pronouncement	29.08.2025

आदेश/ ORDER

I. GROUNDS OF WITHDRAWAL

The appeal College of Applied Education and Health Sciences, A-122, Gangotri Colony, Roorkee Road, Meerut, Uttar Pradesh-250001 dated 22.03.2024 filed under Section 18 of NCTE Act, 1993 is against the **F.No.NRC/NCTE/NRCAPP-5180-D.El.Ed./398th Meeting/2023/221906** dated 16.05.2023 of the Northern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that “(i) As per decision of NRC in its 288th Meeting held on 5th to 7th September 2018, the recognition of B.Ed. course was withdrawn on the basis of complaint 26.09.2017 received from the Secretary, Meerut Development Authority clearly stated that the documents dated 02/07/2008 & 22/04/2009 submitted by institution were not issued by the Meerut Development Authority. (ii) It is observed that the D.El.Ed. programme was also granted recognition with annual intake of 50 students on the same land and building on 10.04.2015.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Lalit Kumar, Coordinator Academics of College of Applied Education and Health Sciences, A-122, Gangotri Colony, Roorkee Road, Meerut, Uttar Pradesh-250001 appeared online to present the case of the appellant institution on 08.08.2025. In the appeal report, it is submitted that “(i) For the purpose of imparting education particularly in rural areas, a society named “AAS SOCIETY” was formed and got registered under the Societies Registration Act on 23.02.1999. A true copy of the society registration certificate dated 23.03.2019 is annexed as ANNEXURE “1”. (ii) The said society then desired to start teacher training courses for which recognition is required to be obtained from the NCTE. The NCTE has prescribed norms and standards which are required to be fulfilled before becoming eligible to grant of recognition. Accordingly, the society passed a resolution and formed the Appellant college in the name of “COLLEGE OF APPLIED EDUCATION & HEALTHSCIENCES”. The said society purchased land/building from time to time situated in Gangotri Colony, Roorkee Road, Tehsil

Sardhana, District Meerut, U.P. in the name of the Appellant college. (iii) On the basis of the abovementioned property purchased, the Appellant submitted an application with the NRC for seeking recognition for starting D.El.Ed. course. It is submitted that the land purchased by virtue of the registration deed was sufficient for getting recognition for D.El.Ed. course as per the norms and standards of the NCTE. (iv) Since the land use of plots of lands purchased by the Appellant as stated above were agricultural, the Appellant had to obtain requisite certificate from the concerned authority for change of land use from agricultural to non-agricultural and in Uttar Pradesh the same is granted under section 143 of the U.P. Zamindari Abolition and Land Reforms Act, 1950. The Appellant thus submitted application with the concerned authority under the said Act. The application was processed, and the land conversion certificate was granted to the Appellant in respect of all the plots on 29.04.2005 and 15.12.2014. True copies of change of land use certificates dated 29.04.2005 and 15.12.2014 are annexed herewith and marked as ANNEXURE "2". (v) During scrutiny of the application submitted by the Appellant for D.El.Ed. course, the NRC required the Appellant to submit approved building plan and Building Completion Certificate [BCC] of the premises in which recognition was sought. The Appellant had already submitted a proposal for sanction of building plan in the office of Meerut Development Authority [MDA]. Vide letters dated 08.06.2005 the MDA required the Appellant to deposit a sum of Rs.1,34,142/- towards fee for sanction of building plans. The Appellant made total payment and vide receipt no 058890 dated 27.07.2005 True copies of letter dated 08.06.2005 are annexed as ANNEXURE "3". (vi) The Appellant made the entire payment of Rs.1,34,142/- [Rupees One lakh Thirty-Four thousand one hundred forty-two only] within the time granted by the MDA for the purpose of sanction of building plan and towards development charges. Annexed as ANNEXURE "4". (vii) As desired by the NRC the Appellant got the BCC prepared by the registered architect and got attested from the MDA and submitted with NRC. (viii) After being satisfied with the application submitted by the Appellant along with all related documents including land documents the NRC got an inspection conducted to ascertain the infrastructural and instructional facilities. The report so prepared was submitted and considered by the NRC and upon finding that the Appellant satisfies all the requirements prescribed under NCTE Act and Regulations, NRC granted recognition to the Appellant

vide recognition order dated 10.04.2015 for D.El.Ed. course from academic session 2015-16. is annexed as ANNEXURE "5". (ix) The Appellant was shocked to receive a show cause notice dated 23.02.2021 issued by the NRC under section 17 of the NCTE Act, 1993 and withdraw the recognition of D.El.Ed. course without considering the reply furnished by the appellant and facts. (x) Further, appellant institution challenged the said withdrawal order by Writ-C No.- 7188/2024 at Honourable High Court, Allahabad. Whereas Honourable High Court directed the institution to file an appeal in this matter. Therefor we request to the authority concerned to look into the matter deeply and justice with the institution and its students. GROUNDS A. It is submitted the society sponsoring the Appellant institution was itself formed and registered on 23.02.1999 it had purchased plots of lands, land conversions certificates were issued by Authority on 29.04.2005 and 15.12.2014 building completion certificate was got prepared on NCTE formats. The Appellant made payment of Rs.1,34,142/- [Rupees One lakh Thirty-Four thousand one hundred forty-two only] to MDA for sanction of building plan in the year 2005 which was approved on 08.06.2005 by MDA itself. In view of the above dates the reference made in the show cause notice to letter dated 23.02.2021 issued by MDA informing the Building Completion Certificate dated 02.07.2008 and 22.04.2009 submitted by the institution for grant of recognition are fabricated ex facie appears to be absurd and exhibits complete non application of mind. In view of the above the MDA did not initiate any complaint in view of the fact for the same cause of action and dispute. If any the interim order dated 28.03.2012 passed by Hon'ble High Court, Allahabad in First Appeal No. 152/2012, which has been subsequently transferred to the court of district judge, Meerut. However, the said order is still operative upon the parties, more specifically upon the MDA being party to the proceedings. The action taken on behalf of the Respondent Authority is in teeth of the interim order dated 28.03.2012 passed by the Division Bench of this Hon'ble Court in First Appeal No. 152 of 2012, in as much as it is a dispute inter-se between the petitioner and the Meerut Development Authority which in no manner pertains to any contravention of the provision of the NCTE Act by the petitioner institution. The impugned order is liable to be quashed as the same is ex facie illegal and absurd. Annexed as ANNEXURE "11". B. The impugned order passed by NRC is violative of the principles of natural justice as the same is unreasoned and non-speaking decision. Apart from stating that reply of the

Appellant has been considered, the order is bereft of any discussion much less even a cryptic mention of anything stated by the Appellant in his detailed and exhaustive reply. The obligation to pass a speaking order has been recognized as third important facet of the principle of Natural Justice by authoritative judicial pronouncements. C. The NRC did not afford any opportunity of oral hearing to Appellant before passing the final order resulting into denial of effective opportunity of hearing. It is settled legal position that before passing penal order like withdrawal of licenses/recognitions etc. the Authority must give opportunity of effective hearing to concerned person. The order of NRC is liable to be set aside for the reason that oral hearing was not provided to Appellant before passing final order.”

III. OUTCOME OF THE CASE: -

The Appeal Committee in its 10th Meeting, 2025 held online on 8th August 2025 took up this Appeal and perused the Appeal Report, documents available on the records and heard oral arguments advanced during the Meeting.

The Appeal Committee noted that the appellant institution was granted recognition for D.El.Ed. course of two-years duration with an annual intake of 50 students vide order dated 10.04.2015. The recognition of the institution for D.El.Ed. programmed was withdrawn by the NRC vide order dated 16.05.2023.

The Appeal Committee noted that the petitioner institution had preferred a **Writ-C No. 7188 of 2024** before the **Hon’ble High Court of Judicature at Allahabad** against the Withdrawal Order dated **16.05.2023**. The Hon’ble Court vide order dated **05.03.2024** directed as under: -

“In view of the availability of an alternative remedy to the petitioners, it is not a fit case for consideration under Article 226 of the Constitution of India, at this stage.

However, it is directed that in case, the petitioners file an appeal within one month from today, the same shall be decided on merits expeditiously.

With the aforesaid direction, the writ petition is disposed of.”

The instant matter was placed in its 6th Meeting, 2024 held on 10.04.2024 and 7th Meeting, 2024 held on 14.05.2024. The Appeal Committee observed that the appellant

institution has not submitted the requisite documents. The Appeal Committee in order to consider the case of the appellant institution on merit, decided to ask the appellant institution to submit the required documents. The instant matter was again placed in its 8th Meeting, 2024 held on 06.06.2024. The Appeal Committee after perusing the documents submitted by the institution decided to seek clarification NRC, NCTE on the following grounds, so that the decision of the Appeal Committee become authenticated:-

- (i) The institution has submitted a Court order dt. 28.03.2012 and 05.04.2012 in first Appeal no. 152/2012 regarding maintaining the status quo on the property in dispute. The NRC is required to clarify on the same and the status of Land documents submitted by the appellant institution before the Appeal Committee.

The instant matter was placed in its 13th Meeting, 2024 held on 18.11.2024. The Appeal Committee noted that the institution has submitted a Court order dt. 28.03.2012 and 05.04.2012 in first Appeal no. 152/2012 regarding maintaining the status quo on the property in dispute. The Appeal Committee in order to consider the case of the appellant institution on merits, decided to ask the appellant institution to submit the following clarification/documents alongwith affidavit before the Appeal Committee: -

- (i) **The institution is required to submit the copy of documents/ orders clarifying the current status of the parties to the suit for which the Hon'ble High Court of Allahabad vide its order dated 28.03.2012 (modified subsequently on 05.04.2012 relating to mistake in the order) passed in First Appeal No. 152/2012 has directed the parties to maintain status quo on the property in dispute.**

The Appeal Committee in its 1st Meeting, 2025 held on 09.01.2025 perused the records and considered the documents submitted alongwith the Appeal Report in compliance to the withdrawal order and it observed that there is a case pending before the competent court of law and the matter pertains to land which was the reason for withdrawal and as, such the Appeal Committee decided that till the disposal of the court case filed by the appellant institution, the instant appeal be kept in abeyance.

The appellant institution vide letter dated 12.07.2025 submitted a copy of order dated 08.07.2025 passed by Hon'ble High Court of Judicature at Allahabad. The operative part of the order is as under: -

- “...5. Taking into consideration, the submissions of the learned counsel for the petitioners and contents made in the petition and if hearing has already been concluded as stated by the learned counsel for the petitioner during arguments, the respondents are hereby directed to pronounce the order within four weeks from today.***
- 6. With the aforesaid observations, the writ petition stands disposed off.”***

The matter was placed before the 10th Meeting of the Appeal Committee held on 08.08.2025. The Committee noted that the issue pertaining to property is sub judice; however, in compliance with the order dated 08.07.2025 passed by the Hon'ble High Court of Judicature at Allahabad, which directed that “if hearing has already been concluded as stated by the learned counsel for the petitioner during arguments, the respondents are hereby directed to pronounce the order within four weeks from today”, the Appeal Committee proceeded to pronounce its order.

The Committee took note of the submissions made by the appellant in the Appeal Report, particularly that the letter dated 26.09.2017 issued by the Meerut Development Authority (MDA), which alleged that the documents dated 02.07.2008 and 22.04.2009 submitted by the institution were fabricated, was ex facie untenable, demonstrated non-application of mind, and that MDA itself did not initiate any complaint on the same cause of action. The appellant further submitted that the interim order dated 28.03.2012, passed by the Hon'ble High Court, Allahabad in First Appeal No. 152/2012 (later transferred to the Court of District Judge, Meerut), continues to operate and is binding upon the parties, including MDA. It was argued that the action taken by the Respondent Authority is contrary to the said interim order.

The Committee observed that the appellant's submissions clearly reflect that there exists a dispute inter se between the appellant institution and the Meerut Development

Authority. The Committee further noted that the Northern Regional Committee (NRC) had withdrawn the recognition of the appellant institution for the D.El.Ed. course vide order dated 16.05.2023, on the basis of a complaint dated 26.09.2017 received from the Secretary, MDA, categorically stating that documents dated 02.07.2008 and 22.04.2009 submitted by the institution were not issued by MDA.

The Committee also noted that NRC's withdrawal was based on documentary confirmation from the MDA, establishing that the documents relied upon by the institution were not genuine and such falsification constitutes a material violation of the NCTE Act, 1993 and the Regulations framed thereunder. Furthermore, the recognition earlier granted to the D.El.Ed. programme on the same land and building further substantiates the irregularities in the matter.

The Committee further observed that the Hon'ble High Court, Allahabad, by order dated 28.03.2012 (as modified on 05.04.2012 to rectify an error) in First Appeal No. 152/2012, directed the parties to maintain status quo with respect to the disputed property. Notwithstanding this, the appellant institution was afforded adequate opportunity to produce valid and authenticated land documents before NRC and, subsequently, before the Appeal Committee to rebut the findings. However, the institution failed to place any credible evidence or establish lawful ownership of the disputed land and building.

The Committee found that the withdrawal order dated 16.05.2023 passed by NRC was made after following due process of law, and no procedural infirmity or substantive ground has been demonstrated to justify interference.

In view of the above, and having found no credible justification, compliance, or valid rebuttal by the appellant institution, the Appeal Committee holds that the withdrawal of recognition by NRC was legally tenable and fully warranted. Accordingly, the instant appeal is rejected, and the impugned withdrawal order dated 16.05.2023 issued by NRC stands confirmed. However, this decision shall remain subject to the final outcome of the pending court proceedings, as the matter remains sub judice before the Hon'ble Court.

IV. DECISION: -

After perusal of the Appeal Report, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the NRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 16.05.2023 issued by NRC is confirmed. However, this decision shall remain subject to the final outcome of the pending court proceedings, as the matter remains sub judice before the Hon'ble Court.

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, College of Applied Education and Health Sciences, A-122, Gangotri Colony, Roorkee Road, Meerut, Uttar Pradesh-250001.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. The Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Education Secretary, Department of Higher Education, Govt. of Uttar Pradesh, Room No. 03, Naveen Bhawan, U.P. Secretariat, Lucknow, Uttar Pradesh-226001.