



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
F.No. 89-82/E-350779/2024 Appeal/1st Meeting, 2025
APPLERC202414840

Govt. B.T. College, Plot No. 105, 106, 156, Village - Goalpara, Street/Road-Matia Road, Taluka/Mandal-Balijana, Post Office-Baladmari, District- Goalpara, Assam - 783101.	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector - 10, Dwarka, New Delhi - 110075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Sheikh Hazarat Ali Ahmed, Principal I/c
Respondent by	Regional Director, ERC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

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आदेश/ ORDER

I. GROUND OF WITHDRAWAL

The appeal of Govt. B.T. College, Plot No. 105, 106, 156, Village - Goalpara, Street/Road-Matia Road, Taluka/Mandal-Balijana, Post Office-Baladmari, District-Goalpara, Assam – 783101 dated 13.11.2024 filed under Section 18 of NCTE Act, 1993 is against the order no. F.No.ER-271.14.2/(AS-S/N-12/99) B.Ed./2019/61729 dt. 16.10.2019 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). Show Cause Notice u/s 17(1) were issued on 27.11.2018 & 18.01.2019 respectively. (ii). Building Plan is not submitted. (iii). Building Completion Certificate is not in accordance with NCTE prescribed proforma and not signed by Govt. Engineer. (iv). As per the submitted list (not in NCTE prescribed proforma), out of total 15 faculties, 11 are on part time basis and 04 on full time basis and the list is not approved by Registrar of affiliating University. (v). As per NCTE Regulations, 2014. (1 Principal+15 Lecturers) on full-time basis required for 100 intake of B.Ed. course.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Sheikh Hazarat Ali Ahmed, Principal I/c of Govt. B.T. College, Plot No. 105, 106, 156, Village - Goalpara, Street/Road-Matia Road, Taluka/Mandal-Balijana, Post Office-Baladmari, District- Goalpara, Assam – 783101 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that “(i). Government of assam has taken initiative and fulfilled the required number of faculties. (ii). The concerned authority has given the Building Completion Certificate and Site Plan.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 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 B.Ed. Course of with an annual intake of 70 students from the academic session 2000-2001 vide order dated 20.07.2000, followed by revised order dated 31.05.2015 with an intake of 100 (two basic units) from the academic session 2015-2016. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 16.10.2019.

The instant matter placed before the Appeal Committee in its 1st Meeting, 2025 held on 09.01.2025 and during the online hearing the Committee noted that the Appellant Institution in addition to the explanation mentioned in appeal report submitted the following documents with a claim to have rectified the shortcomings pointed out in the impugned order dated 16.10.2019: -

- (i) A copy of faculty list (1+16) members dt. 09.07.2024 approved by the Superintendent of Affiliation & Registration Branch, Gauhati University.
- (ii) A copy of Building Plan alongwith copies of Building Completion Certificate approved by the Executive Engineer, P.W.D.

The Appeal Committee noted that there is delay in filing of appeal, and during the hearing of appeal, the institution has explained the delay. The same is due to acquiring building completion certificate, site plan and recruitment of staff. Institution has prayed to condone the delay on the basis of submission made by institution, the Committee decided to condone the delay, as such delay in filing of appeal is hereby condoned.

The Appeal Committee noted that the document submitted in appeal viz a viz the grounds mentioned in the impugned order dated 16.10.2019, required to be verified and keeping in view, the Hon'ble High Court of Delhi Judgment dated **23.02.2017** passed in **W.P(C). no. 3231/2016** titled "**Rambha College of Education V/s NCTE**" wherein the Hon'ble Court has directed the Appeal Committee to take into consideration the subsequent documents of the Appellant while disposing of the Appeal has to be taken on record.



The ERC is required to verify the documents submitted in appeal from the concerned affiliating University as per provisions of the NCTE Regulations, 2014, guidelines and amendments issued from time to time and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

“Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner.”

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

“Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed.”

In view of the afore-mentioned extracts of the court orders, the impugned order dated 16.10.2019 is set-aside as the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to verify documents, submitted in Appeal from the concerned affiliating University. The Appellant institution is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the


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ERC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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 to remand back the case to ERC with a direction to verify the documents submitted in Appeal from the concerned affiliating University. The Appellant institution is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the ERC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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, Govt. B.T. College, Plot No. 105, 106, 156, Village - Goalpara, Street/Road-Matia Road, Taluka/Mandal-Balijana, Post Office-Baladmari, District- Goalpara, Assam – 783101.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. The Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Higher Education Department, Assam Secretariat, Block 'C', 3rd floor, Secretariat Rd, Dispur, Guwahati, Assam-781006.



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

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi-110075

दिनांक/ Date - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
F.No. 89-85/E-350783/2024 Appeal/1st Meeting, 2025
APPLERC202414841

Baidyanath Shukla College of Education, Khasara no. 197, 64, 65, 74, Village - Jaganpura, Street/Road -Jaganpura Main Road, Taluka/Mandal-Lalganj, Post Office-Majhauri, District-Vaishali (Hajipur), Bihar-844123.	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Rajeev Ranjan, Secretary
Respondent by	Regional Director, ERC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

आदेश/ ORDER

I. GROUNDS OF REFUSAL

The appeal of **Baidyanath Shukla College of Education, Khasara no. 197, 64, 65, 74, Village - Jaganpura, Street/Road -Jaganpura Main Road, Taluka/Mandal-Lalganj, Post Office-Majhauri, District-Vaishali (Hajipur), Bihar-844123** dated 23.11.2024 filed under Section 18 of NCTE Act, 1993 is against the order no. **F.No.NCTE/ERC/2526202402071116/Bihar/2024/Rejc/116 dt. 21.11.2024** of the Eastern Regional Committee, refusing recognition for conducting ITEP Course on the grounds that "The institution is not running any college in the field of liberal arts, humanities, social sciences, commerce, or mathematics, therefore as per NCTE Regulations, 2014, the application of the institution does not fall in the category of multi-disciplinary institution. Moreover, in the application form also, the institution has stated that it is not a Muti Disciplinary institution. Hence, the application of the institution cannot be considered for transition into ITEP as per amended Regulations 2014 Gazetted on 26th October, 2021 and Public Notice dated 05.02.2024 and dt. 05.03.2024."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Rajeev Ranjan, Secretary from Baidyanath Shukla College of Education, Khasara no. 197, 64, 65, 74, Village - Jaganpura, Street/Road -Jaganpura Main Road, Taluka/Mandal-Lalganj, Post Office-Majhauri, District-Vaishali (Hajipur), Bihar-844123 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that "This with reference to your Show Cause Notice vide F.No.NCTE/ERC/2526202402071116/BIHAR/2024/SCN dated 20.06.2024. The college has already been submitted an affiliation letter vide 14/a.f.-31/2024-1565 dated 05.11.2024 issued from the Department of Higher Education, Government of Bihar imparting UG teaching in Arts, Science and Commerce faculty for the session 2025-2029. We have fulfilled the criteria of multi-Disciplinary institution in the field of liberal arts, Humanities, Social Sciences, Commerce or mathematics, i.e., therefore request you to consider our application for transition into ITEP as per amended Regulations 2014 Gazetted on 26th October 2021 and Public Notice dated 05.02.2024 and 05.03.2024."

Rajeev Ranjan

III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 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 had submitted the application to the Eastern Regional Committee for grant of recognition for seeking permission for running the ITEP Course on 29.02.2024. The recognition of the institution for ITEP programme was refused by the ERC vide order dated 21.11.2024.

The instant matter was placed in its 1st Meeting, 2025 held on 09.01.2025. The institution submitted an affiliation letter vide 14/a.f.-31/2024-1565 dated 05.11.2024 issued from the Department of Higher Education, Government of Bihar for imparting UG teaching in Arts, Science and Commerce faculty for the session 2025-2029. The Appeal Committee noted that the university also issued an affiliation letter No. B/3193 dated 28.11.2024 thus the institution fulfilled the criteria of multidisciplinary institution in the field of Liberal Arts, Humanities, Social Sciences, Commerce or Mathematics. The institution prima facie succeeds in presenting that they do not have any deficiency as they have submitted the justification and the documents which need to be re-examined by the ERC as per NCTE Regulations, 2021.

Noting the submission and verbal arguments advanced during the hearing, the Appeal Committee decided to remand back the case to ERC, NCTE with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action keeping in view of decision of Council (GB Meeting) and as per the NCTE Regulation, 2021, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal.



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 to remand back the case to ERC, NCTE with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action keeping in view of decision of Council (GB Meeting) and as per the NCTE Regulation, 2021, guidelines and amendments issued from time to time. The ERC is at liberty to verify the submitted documents from the concerned issuing authority. The Appellant is directed to forward to the ERC, the documents submitted in appeal within 15 days from the receipt of order of the Appeal.

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, Baidyanath Shukla College of Education, Khasara no. 197, 64, 65, 74, Village - Jaganpura, Street/Road-Jaganpura Main Road, Taluka/Mandal-Lalganj, Post Office-Majhauri, District-Vaishali (Hajipur), Bihar-844123.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. The Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Directorate of Higher Education of Bihar, Ground Floor, New Secretariat, Vikash Bhawan, Patna -800015, Bihar.



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-88/E-352002/2024 Appeal/1st Meeting, 2025
APPLSRC202414819

Acharya Deshbhushan College of Education, Survey no. 3/A, Village – Shamanewadi, Street/Road- Bedkihal Circle, Taluka/Mandal- Chikodi, District- Belgaum, Karnataka- 591214.	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Shriprasad Joshi, Administrative Officer
Respondent by	Regional Director, SRC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

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आदेश/ ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Acharya Deshbhushan College of Education, Survey no. 3/A, Village – Shamanewadi, Street/Road- Bedkihal Circle, Taluka/Mandal- Chikodi, District-Belgaum, Karnataka- 591214 dated 25.09.2024 filed under Section 18 of NCTE Act, 1993 is against the order no. F.SRC/NCTE/APSO2658/B.Ed./KA/2024/144730-144734 dated 09.04.2024 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that “ (i) The institution failed to submit reply to the Final Show Cause Notice dated 20.02.2023.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Shriprasad Joshi, Administrative Officer, Acharya Deshbhushan College of Education, Survey no. 3/A, Village – Shamanewadi, Street/Road- Bedkihal Circle, Taluka/Mandal- Chikodi, District-Belgaum, Karnataka- 591214 appeared to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that “The recognition granted to the institute was withdrawn only because the reply to Show Cause Notice was not issued by the institute. A reply was issued to the first show cause notice issued to the institute dt. 01.09.2022. The staff of the institute could not make out the difference that the earlier show cause notice dated 01.09.2022 and the final show cause Notice dated 20.02.2023 were separate notices. Thinking that both are same and for the reason that both are same and for the reason that a reply to show cause notice was issued, reply to the final show cause notice could not be issued through oversight and bonafide mistake. The documents sought for by the NCTE from the institute are available and are in order. Therefore, the withdrawal of recognition may kindly be recalled, and the recognition granted to the institute earlier be restored as it stood before.”

III. OUTCOME OF THE CASE: -

The Appeal Committee in its 1st Meeting, 2025 held online on 09th January, 2025 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 B.Ed. course vide order dt. 02.12.2004 for conducting B.Ed. course of one year duration with an annual intake of 100 students from the academic session 2004-2005. Thereafter, a revised provisional recognition order was issued to the institution on dt. 16.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 students (two units 50 students each) from the academic session 2015-16. Thereafter, a withdrawal order was issued to the institution vide order F.SRC/NCTE/APSO2658/B.Ed./KA/2024/ 144730-144734 dt. 09.04.2024.

The instant matter placed before the Appeal Committee in its 1st Meeting, 2025 held on 09.01.2025 and during the online hearing the Committee noted that the Appellant Institution in addition to the explanation mentioned in appeal report submitted the following documents with a claim to have rectified the shortcomings pointed out in the impugned order dated 09.04.2024: -

- (i) A copy of Faculty list of (1+15) members approved by the Registrar, Rani Channamma University, Belagavi as per provisions of NCTE Regulation, 2014.
- (ii) A copy of land documents alongwith building plan, building completion certificate, land use certificate, Non-encumbrance Certificate etc.
- (iii) A copy of Form 'A' alongwith copies FDRs of Rs. 5 Lakhs & Rs. 7 Lakhs towards Endowment fund & Reserve fund.

The Appeal Committee noted that the document submitted in appeal viz a viz the grounds mentioned in the impugned order dated 09.04.2024, required to be verified and keeping in view, the Hon'ble High Court of Delhi Judgment dated **23.02.2017** passed in **W.P(C). no. 3231/2016** titled "**Rambha College of Education V/s NCTE**" wherein the Hon'ble Court has directed the Appeal Committee to take into consideration the subsequent documents of the Appellant while disposing of the Appeal has to be taken on record.

The SRC is required to verify the documents submitted in appeal from the concerned affiliating University as per provisions of the NCTE Regulations, 2014, guidelines and amendments issued from time to time and decision taken accordingly.



Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

“Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner.”

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

“Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed.”

In view of the afore-mentioned extracts of the court orders, the impugned order dated 09.04.2024 is set-aside as the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to verify documents, submitted in Appeal from the concerned affiliating University. The Appellant institution is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the SRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.



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 to remand back the case to SRC with a direction to verify the documents submitted in Appeal from the concerned affiliating University. The Appellant institution is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the SRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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, Acharya Deshbhushan College of Education, Survey no. 3/A, Village – Shamanewadi, Street/Road- Bedkihal Circle, Taluka/Mandal- Chikodi, District- Belgaum, Karnataka- 591214.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. The Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Principal Secretary to Government, Higher Education Department, Government of Karnataka, Secretary Establishment, Higher Education Dept., Room No. 645 A, 2nd Gate, 6th Floor, M.S. Building, Bengaluru – 1, Karnataka.



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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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-94/E-352886/2024 Appeal/1st Meeting, 2025
APPLWRC202414857

Tagore B.Ed. College, Village-Goner, Street/Road-Sambhariya Road, Taluka/Mandal-Sanganer, District-Jaipur, Rajasthan-303905.	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Anurag Jangid, Representative
Respondent by	Regional Director, WRC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

आदेश / ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of **Tagore B.Ed. College, Village-Goner, Street/Road-Sambhariya Road, Taluka/Mandal-Sanganer, District-Jaipur, Rajasthan-303905** dated 21.12.2024 filed under Section 18 of NCTE Act, 1993 is against the order no. **F.No.NCTE/WRC/RJ-1246-B.Ed./399th Meeting/2024/224784 to 89 dt. 18.01.2024** of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The reply submitted by the institution was considered by WRC with all above facts and decided that the withdrawal order dated 11/07/2023 still stands on the following grounds: -
(i). The institution has not submitted teaching experience certificate in respect of Principal. (ii). Dr. Radha Gupta, appointed as Lecturer on 28.08.2019 does not have qualification of NET which is essential as per NCTE Regulations. (iii). As per the list submitted by the institution in respect of faculty, the institution has one Principal and 12 Lecturer, 01 Lecturer for Physical Education, 01 Lecture for Arts & Craft and 01 for Music which is less as per requirement of Appendix -4 of NCTE Regulations, 2014, required for 100 Students (Two units) of B.Ed. course.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Anurag Jangid, Representative of Tagore B.Ed. College, Village-Goner, Street/Road-Sambhariya Road, Taluka/Mandal-Sanganer, District-Jaipur, Rajasthan-303905 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that “It is most respectfully submitted that the decision of Withdrawal of Recognition is based on wrong and incorrect facts i.e., the institution has time and again complied with all the norms and regulations of NCTE Act. It is pertinent to mention that the recognition of the institution was withdrawn vide order dt. 18.01.2024 despite having submitted all the original documents. It is matter of record that the documents as mentioned in the Withdrawal order were never a part of Final Show Cause Notice as issued by the WRC. It is pertinent to mention that the experience certificate was duly submitted with the office regional committee as well as during the earlier round of appeal. The Appeal Committee duly noted the factum submitting the experience certificate. The copy of the Appeal order dt. 10.10.2023, be



perused for the same which is also being submitted for ready reference. (i). The documents with respect to experience and qualifications of the staff were never asked by the WRC in its Final Show Cause. The institution is herewith submitting all the documents with regard to qualifications and experience of the staff. Copy enclosed. It is submitted that Dr. Radha Gupta has Ph.D. Degree and per the norms and regulations the lecturer should have a NET or Ph.D. degree. In the present case the lecturer is duly having Ph.D. Degree. Furthermore, it is not out of place to mention that the staff list is duly approved by the affiliating body after verifying all the degrees and certificates of the candidates. And also, all the degrees and certificates were duly submitted in the office regional director which have not been considered and withdrawal order is passed in an arbitrary and mechanical manner. It is important to mention that the objections raised in the present withdrawal order dt. 18.01.2024, were nowhere mentioned in the Show Cause Notices so issued nor in the Appeal order dt. 10.10.2023, finds any mention of the deficiencies so pointed out. It is pertinent to mention that once the recognition of the institution is restored after setting aside of the Withdrawal order by the appeal committee, the institution ought to have been given show cause notice if any to seek clarification. Section 17 of the Act as well SOP duly mentions the factum of issuing 2 Show Cause Notices to the institution prior to withdrawal of recognition, whereas in the present case not even a single show cause has been issued. (ii). It is most respectfully submitted that as per Point 5 (Staff) of Appendix 4 (B.Ed. course), it is duly mentioned in sub-para 5.1 that there should be 1 Principal, 12 Lecturers (4 in Education & 8 Lecturers in Pedagogy) and 1 lecturer each for Physical Education, Arts and Music. The staff list as submitted by the institution is strictly in accordance with the norms and standards as laid by the Act and Regulations and the same is duly approved by the affiliating body. The institution herein once again submitting all the requisite documents for your kind perusal and necessary action. The original staff profile was duly submitted in hard form which has not been considered by the WRC. The proof of submission is enclosed herewith as well. Copy of Staff profile is also enclosed herewith it is pertinent to mention that due to wrong an arbitrary decision of WRC, the institution which is running successfully since 2008. The institution urges for reversing/setting aside the Withdrawal order as passed on the grounds mentioned above and requests to for an early action in this regard. The institution with folded hand and utmost respect prays that the Withdrawal order as passed by the WRC be set aside and quashed in the interest of justice as the WRC has failed to appreciate the correct facts and documents available on record. The institution has a good name in the vicinity and is imparting quality education since 2008. You are requested to kindly take a lenient view and restore the recognition granted to the institution with immediate effect.”



III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 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 B.Ed. Course with an annual intake of 100 students vide order dated 18.09.2008. The recognition of the institution was withdrawn by WRC vide order dated 04.04.2013, the institution filed an appeal against the withdrawal order dated 04.04.2013, the appellate authority remanded back the case vide its order dated 08.07.2014. Thereafter, a revised provisional recognition order was issued to the institution on dt. 21.07.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two basic unit). The recognition of the institution was again withdrawn in 2018. The same was remanded back vide order dated 07.06.2018. The recognition of the institution for B.Ed. programme was again withdrawn by the WRC vide order dated 11.07.2023. Thereafter, the institution again filed an Appeal before the Appeal Committee against the withdrawal order dt. 11.07.2023 and the same was remanded back by the Appeal Committee vide order dt. 10.10.2023.

"The instant matter again taken up by the Appellate Committee in the 11th Meeting, 2023 held on 27.09.2023 whereby the Appeal Committee noted that a clarification report from the WRC has been received.

Appeal Committee had taken into observation, the clarification report submitted by the WRC and noted that in the said matter, there is a management issue involved, which has to be sorted by the WRC in consultation with the Regulation Division of NCTE.

The Appeal Committee noted that the Appellant Institution in addition to the explanation mentioned in appeal report submitted the following documents with a claim to have rectified the shortcomings pointed out in the impugned withdrawal order dated 11.07.2023 and keeping in view, the Hon'ble High Court of Delhi Judgment dated 23.02.2017 passed in W.P(C). no. 3231/2016 titled "Rambha College of Education V/s NCTE" wherein the Hon'ble Court has directed the Appeal Committee to take into consideration the subsequent documents of the Appellant while disposing of the Appeal has to be taken on record.

- (i) *A copy of faculty list (1+15) members approved by the Registrar, University of Rajasthan, Jaipur as per provisions of NCTE Regulation, 2014.*
- (ii) *A copy of screen shot of website showing uploading the requisite documents on the website of the institution.*

The Appeal Committee further noted that as regard to the WRC objection that (i) the staff list is countersigned by Deputy Registrar (Aca) and signature of Registrar, University of Rajasthan reflected as 07.01.2021 showing modification of date (ii) letter of approval letter



issued by the affiliating university for selection/appointment of teaching staff as per staff list is not submitted. The institution contended that it is matter of record that the approval of the staff profile is done by the University and the internal mechanism adopted by the university being a State University cannot be questioned. The signatures or the procedure as followed ought to be clarified from the University itself, whereas the institution is not aware of any such procedure. The Appellant institution further submitted that the Staff list as submitted through email as well as hard form are same as received from the University. The institution further clarified about written letter of approval, the university does not give any such letter as a practice and the university may be directed or requested by NCTE for providing the same. Further the process and procedures adopted by the University in constituting the selection committee and documents thereof may be asked from the University, since they are the concerned authority for the same.

The Appeal Committee noted that the documents submitted by the institution with respect to points mentioned in the Withdrawal Order dated 11.07.2023 required to be verified by the WRC. The WRC is required to verify the faculty list submitted in appeal from the concerned Affiliating University and also to resolve ownership of management issue in consultation with the Regulation Division of NCTE as per provisions of the NCTE Regulations, 2014, guidelines and amendments issued from time to time and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

“Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner.”

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

“Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 11.07.2023 is set-aside as the Appellate Committee has decided to remand back the case to WRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to WRC with a direction to verify the faculty list submitted in appeal from the concerned Affiliating University and also to resolve ownership of management issue in consultation with the Regulation Division of NCTE. The Appellant institution is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the WRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time in terms of direction given herein above.

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 to remand back the case to WRC with a direction to verify the faculty list submitted in appeal from the concerned Affiliating University and also to resolve ownership of management

issue in consultation with the Regulation Division of NCTE. The Appellant institution is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the WRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time in terms of direction given herein above."

The Appall Committee noted that recognition of the institution was again withdrawn by the WRC vide order dt. 18.01.2024 on the following grounds: -

- (i) The institution has not submitted teaching experience certificate in respect of Principal.
- (ii) (Dr. Radha Gupta, appointed as Lecturer on 28.08.2019 does not have qualification of NET which is essential as per NCTE Regulations.
- (iii) (As per the list submitted by the institution in respect of faculty, the institution has one Principal and 12 Lecturer, 01 Lecturer for Physical Education, 01 Lecture for Arts & Craft and 01 for Music which is less as per requirement of Appendix -4 of NCTE Regulations, 2014, required for 100 Students (Two units) of B.Ed. course

The instant matter placed before the Appeal Committee in its 1st Meeting, 2025 held on 09.01.2025 and during the online hearing the Committee noted that the Appellant Institution in addition to the explanation mentioned in appeal report submitted the following documents with a claim to have rectified the shortcomings pointed out in the impugned order dated 18.01.2024: -

- (i) A copy of faculty list (1+15) members approved by the Registrar, University of Rajasthan, Jaipur alongwith copy of an experience certificate dt. 15.06.2019 of the Principal.

The Appeal Committee noted that the document submitted in appeal viz a viz the grounds mentioned in the impugned order dated 18.01.2024, required to be verified and keeping in view, the Hon'ble High Court of Delhi Judgment dated **23.02.2017** passed in **W.P(C). no. 3231/2016** titled "**Rambha College of Education V/s NCTE**" wherein the Hon'ble Court has directed the Appeal Committee to take into consideration the subsequent documents of the Appellant while disposing of the Appeal has to be taken on record.



The WRC is required to verify the documents submitted in appeal from the concerned affiliating University as per provisions of the NCTE Regulations, 2014, guidelines and amendments issued from time to time and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

“Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner.”

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

“Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed.”

In view of the afore-mentioned extracts of the court orders, the impugned order dated 18.01.2024 is set-aside as the Appellate Committee has decided to remand back the case to WRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to WRC with a direction to verify documents, submitted in Appeal from the concerned affiliating University. The Appellant institution is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the



same the WRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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 to remand back the case to WRC with a direction to verify the documents submitted in Appeal from the concerned affiliating University. The Appellant institution is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the WRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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, Tagore B.Ed. College, Village-Goner, Street/Road-Sambhariya Road, Taluka/Mandal-Sanganer, District-Jaipur, Rajasthan-303905.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. The Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Principal Secretary, Higher Education Department, C5MW+73J, Devmand Dhami, Post, Borda Tehsil Mitrapura, Madhapur, Rajasthan-322023.



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-230/E-193337/2021/Appeal/1st Meeting, 2025
APPLERC202113968

Mehtab Jamal B.Ed. College, Bonbahar, 184, Kayakuchi, B.B. Road, Barpeta, Assam – 781352.	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Suraj Jamal, Managing Trustee
Respondent by	Regional Director, ERC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

आदेश/ ORDER

I. GROUNDS OF REFUSAL

The appeal of **Mehtab Jamal B.Ed. College, Bonbahar, 184, Kayakuchi, B.B. Road, Barpeta, Assam – 781352** dated 08.03.2021 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. **ERC/247.12.25/ID-11263/B.Ed./2017/55557** dated 02.01.2018 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Course on certain grounds: - “(a) Show Cause Notice was issued on 14.02.2017 on the following grounds: (i). As per online application, the institution applied for Additional Intake in B.Ed. programme, but the institution has no prior recognition from the ERC, NCTE for B.Ed. programme. The statement is not correct. (ii). As the institution has applied for single course i.e., B.Ed. which comes under the standalone category and not permissible as per NCTE Regulations, 2014. (iii). The institution submitted Lease deed from Private party which is not accepted. (iv). Non-Encumbrance Certificate issued from Land Registering Authority is not submitted. (v). Building plan is not approved by Govt. Engineer. (vi). Building completion certificate issued from Govt. Engineer/Authority is not submitted. (vii). Change of land use certificate issued from Land Revenue/concerned Govt. Deptt. is not submitted. (viii). Fire safety certificate issued from competent Govt. authority is not submitted. (ix). Site plan issued from Land Revenue/concerned Govt. Department is not submitted. (x). Original affidavit on Rs.100/- no-judicial stamp paper in the prescribed format mentioning the details of land is not submitted. (b). Reply from the institution has not been received within the stipulated period, which is already over.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Suraj Jamal, Managing Trustee of Mehtab Jamal B.Ed. College, Bonbahar, 184, Kayakuchi, B.B. Road, Barpeta, Assam – 781352 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that “Due to shortage of time.”



III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 perused the Appeal Report, documents available on the records and heard oral arguments advanced during the Meeting.

The Appeal Committee noted that the appellent institution had applied for grant of recognition for B.Ed. course of two-year duration under section 14 of the NCTE Act, 1993 to the ERC, NCTE on 30.06.2016. The recognition of the institution for B.Ed. programme was refused by the ERC on 02.01.2018.

The Appeal Committee noted that the instant matter was placed in its 7th Meeting, 2022 held during 07th-08th October, 2022. The Appellate Committee vide order dated 19.10.2022 rejected the appeal of the appellent institution. The relevant portion of the said order is being reproduced hereunder:

*“Appeal Committee perused the relevant records and the documents submitted by appellent institution. Appeal Committee noted that the application of the institution was refused vide order dated 02.01.2018 for B.Ed. programme. The Appeal Committee further noted that the petitioner institution has filed a **Writ Petition (C)6612/2021** titled **Mehtab Jamal B.Ed. College v/s National Council of Teacher Education & Anr** before the **Hon’ble Gauhati High Court** against the impugned order dated 04.10.2021 passed by the Appellate Authority, NCTE whereby the refusal order dated 02.01.2018 passed by the ERC was under challenge. The Hon’ble High Court vide its order dated 31.08.2022 disposed of the instant petition with following directions:*

“On perusal of the impugned order dated 04.10.2021 passed by the appellate authority it is noticed that the petitioner had preferred an appeal on 08.03.2021 against the order of rejection dated 02.01.2018 passed by the Regional Director. Thus, the appeal filed by the petitioner is beyond the statutory period prescribed under the Act, namely, 60 days from the order of rejection passed by the authority. On perusal of the appeal report (Annexure-16) to the writ petition it is noticed that the petitioner had explained the reasons for delay in preferring the appeal before the appellate authority was due to the delay made by the Gauhati University in issuing permission/ affiliation for degree course which is mandatory requirement under the NCTE Act. Having noticed the explanations provided in the appeal report that one of the reasons for delay in not preferring the appeal within the stipulated period was the delay caused by the Gauhati University in providing permission/ affiliation for degree Course to the petitioner’s institution and also taking into account the explanation provided by the petitioner that in the intervening period there was outbreak of Covid-19 Pandemic which also contributed to the petitioner from not preferring the appeal before the appellate authority under the NCTE Act within the stipulated time; I am of the considered view that since the appeal filed by the petitioner has been rejected by the appellate authority solely on the ground of delay in preferring the appeal, ends of justice would be met if the respondent appellate authority under the NCTE Act is directed to



consider the appeal filed by the petitioner and dispose it of on its own merit in accordance with law.

Accordingly, while setting aside the impugned order dated 04.10.2021 (Annexure-18) passed by the Deputy Secretary under Section 18 of NCTE Act, 1993 the appellate authority is hereby directed to consider the appeal filed by the petitioner on its own merit in accordance with law as expeditiously as possible preferably within a period of 2 (two) months from the date of receipt of certified copy of this order along with a copy of the writ petition which shall be submitted by the petitioner before the appellate authority within a period of 2 (two) weeks from today. While disposing of the appeal filed by the petitioner, the petitioner shall also be given an opportunity of hearing.”

In compliance of Court Order dated 31.08.2022 passed by the Hon'ble High Court in **Writ Petition (C)6612/2021** titled **Mehtab Jamal B.Ed. College v/s National Council of Teacher Education & Anr**, the Appeal Committee noted that the main ground pertaining to refusal of recognition was that the appellant institution failed to submit a reply to the Show Cause Notice dated 14.02.2017.

Further, the Appeal Committee noted that the appellant institution in the appeal alongwith memorandum of appeal, has submitted the following documents:

- (i) No Objection Certificate dated 12.02.2021 issued by the Government of Assam, Elementary Education Department in respect of 4 years integrated Teacher Education Programme (B.A. B.Ed./ BSc B.Ed.).
- (ii) No Objection Certificate dated 29.06.2016 issued by the Affiliating Body, Gauhati University in respect of the B.Ed. Course.
- (iii) Letter dated 24.05.2019 granting permission/affiliation, issued by the Gauhati University.
- (iv) Trust Deed dated 03.03.2016.
- (v) Photocopy of Lease Land documents and other related documents.

The Committee noted that the application of the institution for B.Ed. programme was refused vide order dated 02.01.2018, and it has been observed by the Committee that since then the institution has not been granted recognition and in view of the following decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022 inter-alia considered the following Agenda(s): -

Agenda No [5]: Decision on application, irrespective of any course, which are not in line with NEP 2020:

The Council, after consideration of Agenda placed before the Council and detailed discussion and deliberation, as below, observed the following: -

- The NEP 2020 lays down that teacher education institutions will be gradually moved into multidisciplinary colleges and universities by 2030. By 2030, the minimal qualification for a person to become a teacher will be the 4 Year integrated B.Ed. degree.
- The 2 Year B.Ed. program will also be offered only for those who have already obtained Bachelor's Degrees in other specialized subjects and the 1 Year B.Ed. program for those who have completed the equivalent of 4 Year multidisciplinary Bachelor's Degrees or who have obtained a Master's degree in a specialty and wish to become a subject teacher in that specialty.

- As per provision of Section 12 of NCTE Act, 1993 it shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of Teacher Education.
- There are approximately 430 applications for various Teacher Education Programmes, other than Diploma level courses. pending at different stages in the RCs.
- NEP 2020 has brought about a paradigm shift in the Teacher Education Sector. Accordingly, NCTE is also revamping its various curricula of ITEP. 2 Year B.Ed., 1 Year B.Ed. and introducing new courses of 4 Year Physical Education and 4 Year Art Education in line with NEP 2020. These courses are also to be aligned to the various criteria laid down by UGC and in alignment with NHEQE. NCFSE and NCFTE However, the existing courses which are currently running are not in alignment with these various aspects e.g., Credit System. 4 Stages of School Education (5+3+3+4). Entry- exit policy, no hard separation etc. These changes in curricula would also necessitate changes in the norms, standards and regulations. For the reasons aforementioned, it is not feasible to process any pending applications.

In light of the above, the Council members unanimously decided the following:

- I. **At present, there are several institutions which have been recognised by the Regional Committees of NCTE wherein courses/ programme, other than diploma level courses, are running. An Expert Committee be constituted to devise the modalities for conversion of these recognised institutions into multidisciplinary institutions in line with NEP 2020.**
- II. **The applications pending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at any stage of processing be returned along with the processing fee to the concerned institution(s).**
- III. **In the cases where the applications are being processed/ reopened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review/appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble Court(s) for processing of application(s) in view of the decision of the Council has taken in II above.**

Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the ERC dated 02.01.2018 refusing recognition for B.Ed. programme of the institution is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 02.01.2018 of ERC is confirmed."



The Appeal Committee noted that the petitioner institution has filed a Writ Petition (C) No. 228/2023 in the Hon'ble High Court Gauhati High Court. The operative part of the order is as under:-

“13. On a perusal of the impugned order dated 19.10.2022 passed by the Appellate Authority, it is noticed that the Appellate Authority considered only the resolution taken by the 55th General Body Meeting with regard to Agenda No. 5 and, thereafter, rejected the appeal filed by the petitioner. However, what is to be noted is that the Appeal filed by the petitioner was against the order dated 02.01.2018 by which the application made by the petitioner for grant of recognition for conduct of B.Ed. programme online was rejected on the basis of the Show-Cause Notice issued on 14.02.2017 on 10 (ten) different grounds. Admittedly, the Appellate Authority did not consider the grounds taken by the petitioner in the Appeal filed by them. Therefore, without expressing any opinion on the merit of the case, the matter is remanded back to the Appellate Authority/respondent No. 3 to reasons for which the application of the petitioner by taking into consideration the reasons for which the application of the petitioner was rejected by the order dated 02.01.2018. Let such re-consideration of the appeal be made within a period of four weeks from the date of receipt of a certified copy of this Court's order. While disposing of the appeal, the Appellate Authority shall also give an opportunity of hearing to the petitioner.

14. The order dated 19.10.2022 passed by the Deputy Secretary (Appeal), NCTE is accordingly, set aside and quashed.

15. With the above observations and directions, the writ petition is disposed of.”

The instant matter was placed in its 12th Appeal Committee Meeting, 2024 held on 29.10.2024. The appellant institution did not appear online to present its case before Appellate Authority on 29.10.2024 and as such the Appeal Committee as per extant appeal rules decided to grant another (Second) opportunity to appellant institution to present its case before Appellate Authority.

The instant matter was placed in its 13th Meeting, 2024 held on 18.11.2024. The Appeal Committee noted that the appellant institution did not submit the requisite documents with respect to the deficiencies pointed out in the Refusal Order. 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 a duly notarized affidavit clearly explaining/representing about status of deficiency/shortcomings pointed out by the ERC in its Show Cause Notice dated 14.02.2017 as mentioned in impugned order dated 02.01.2018 alongwith authenticated copies of all required documents before the Appeal Committee to check veracity of figures & facts of the appellant institution claim that it has rectified the deficiencies/shortcomings as per provisions of the NCTE Regulations, 2014. The Affidavit shall further verify that the contents of all documents submitted are true and correct and declaration to the effect that necessary approvals have also been obtained from the competent authority in accordance with NCTE Regulations, 2014 under provisions of the NCTE Act, 1993. The deficiencies/shortcomings are as follows: -
- (a) As per online application, the institution applied for Additional Intake in B.Ed. programme, but the institution has no prior recognition from the ERC, NCTE for B.Ed. programme. The statement is not correct.
 - (b) As the institution has applied for single course i.e., B.Ed. which comes under the standalone category and not permissible as per NCTE Regulations, 2014.
 - (c) The institution submitted Lease deed from Private party which is not accepted.
 - (d) Non-Encumbrance Certificate issued from Land Registering Authority is not submitted.
 - (e) Building plan is not approved by Govt. Engineer.
 - (f) Building completion certificate issued from Govt. Engineer/Authority is not submitted.
 - (g) Change of land use certificate issued from Land Revenue/concerned Govt. Deptt. is not submitted.
 - (h) Fire safety certificate issued from competent Govt. authority is not submitted.
 - (i) Site plan issued from Land Revenue/concerned Govt. Department is not submitted.
 - (j) Original affidavit on Rs.100/- no-judicial stamp paper in the prescribed format mentioning the details of land is not submitted.
 - (k) Reply from the institution has not been received within the stipulated period, which is already over.
- (ii) The Appeal Committee also took note of Regulation 8 sub-clause (4) (i) of NCTE Regulation, 2014 quoted as under: -

“No institution shall be granted recognition under these regulations unless the Institution or Society sponsoring the institution is in possession of required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Government or Government institutions for a period of not less than thirty years. In cases where under relevant State or Union territory laws the maximum permissible lease period is less than thirty years, the State Government or Union territory administration law shall prevail and in any case no building shall be taken on lease for running any teacher training programme.”

The appellant institution is required to explain the status of land of the institution as per provisions of the NCTE Regulations, 2014.

In view of above, the Appeal Committee decided to grant another (3rd/Final) opportunity to the appellant institution with the direction to submit the aforesaid

documents alongwith affidavit on or before the next date of the Appeal Committee Meeting.

The instant matter was placed in its 1st Meeting, 2025 held on 09.01.2025. The Appeal Committee during the on-line hearing held on 09.01.2025 viz a viz the documents submitted by the Appellant alongwith Appeal report and submission made therein noted that the ERC had refused the recognition of the appellant institution vide order dated 02.01.2018 against which the appellant institution has preferred an appeal dated 08.03.2021.

The Appeal Committee in its 1st Meeting held on 09.01.2025 considered the documents submitted alongwith the Memorandum of Appeal as compliance of grounds of withdrawal order and observed that the appeal of the institution is still deficient on the following points: -

- (a) As per online application, the institution applied for Additional Intake in B.Ed. programme, but the institution has no prior recognition from the ERC, NCTE for B.Ed. programme. The statement is not correct.
- (b) As the institution has applied for single course i.e., B.Ed. which comes under the standalone category and not permissible as per NCTE Regulations, 2014.
- (c) The institution submitted Lease deed from Private party which is not accepted. Under provisions of the Regulation 8 sub-clause (4) (i) of NCTE Regulation, 2014 ***"No institution shall be granted recognition under these regulations unless the Institution or Society sponsoring the institution is in possession of required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Government or Government institutions for a period of not less than thirty years. In cases where under relevant State or Union territory laws the maximum permissible lease period is less than thirty years, the State Government or Union territory administration law shall prevail and in any case no building shall be taken on lease for running any teacher training programme."***
- (d) Other documents submitted by the institution regarding land & building cannot be accepted as the land of the institution is on Lease basis from Private Party.
- (e) In addition, as per the decision of the *General Body of the NCTE in its 55th meeting held on 14.07.2022* ***"The applications pending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at any stage of processing be returned along with the processing fee to the concerned institution(s)."***



Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the ERC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the order dated 02.01.2018 issued by ERC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the ERC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the order dated 02.01.2018 issued by ERC is 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, Mehtab Jamal B.Ed. College, Bonbahar, 184, Kayakuchi, B.B. Road, Barpeta, Assam – 781352.**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
3. **The Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Principal Secretary, Higher Education Department, Assam Secretariat, Block 'C', 3rd floor, Secretariat Rd, Dispur, Guwahati, Assam 781006.**



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-64/E-345931/2024 Appeal/1st Meeting, 2025
APPLWRC202414809

Kesarwani Mahavidyalaya, JDA Scheme no. 11, Phase - II, Shatabdipuram Vijay Nagar, Jabalpur, Madhya Pradesh-482002.	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector - 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Dr. Ashutosh Kumar Dubey, Principal
Respondent by	Regional Director, WRC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

Ashutosh Kumar Dubey

आदेश/ ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Kesarwani Mahavidyalaya, JDA Scheme no. 11, Phase - II, Shatabdipuram Vijay Nagar, Jabalpur, Madhya Pradesh- 482002 dated 10.08.2024 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. F. No. WRC/OAPW0162/213029/B.Ed./322nd/M.P/2020/212810 dated 17.12.2020 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on certain grounds that "1. The institution has not submitted the Land Use Certificate, Non-Encumbrance Certificate, Building Completion Certificate issued by the Competent Land Revenue Authority. 2. The institution has not submitted the latest staff profile duly approved by the affiliating body in the prescribed format."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Ashutosh Kumar Dubey, Principal of Kesarwani Mahavidyalaya, JDA Scheme no. 11, Phase - II, Shatabdipuram Vijay Nagar, Jabalpur, Madhya Pradesh- 482002 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that "For that there is provision that without making physical verification of the new premises, the Recognition cannot be withdrawn. Therefore, the impugned order withdrawal is absolutely arbitrary and illegal and is liable to be set aside."

III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 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 B.Ed. Course of one year duration with an annual intake of 100 students (two basic units of 50 students each) vide order dated 16.10.1998. Thereafter, the revised recognition order was issued to the institution vide order dated 31.05.2015 for B.Ed. programme of two years duration with an annual intake of 100 students (two basic units



of 50 students each) from the academic session 2015-2016. The recognition of the institution for B.Ed. programme was withdrawn by the WRC vide order dated 17.12.2020.

The petitioner institution filed a Writ Petition bearing no. 4623/2021 before the Hon'ble High Court of Madhya Pradesh and the Hon'ble High Court passed following order on **09.03.2021**. The direction/ operative part of the order has been reproduced as under: -

“Undisputably, against the said order, the petitioner has remedy of filing an appeal. Counsel for the petitioner has prayed for a limited direction to the Appellate Authority to decide the appeal within a time bound period.

Learned counsel for the respondents have no objection.

Having regard to the fact that an alternative efficacious remedy of appeal is available to the petitioner, we are not inclined to entertain the petition which is accordingly dismissed with liberty to the petitioner to avail the remedy of appeal.

If such an appeal is filed by the petitioner, the same will be considered and decided by the Appellate Authority as expeditiously as possible preferably within a period of four weeks from the date of filing of the appeal.

C.C. as per rules.”

The instant matter was placed in its 12th Appeal Committee Meeting, 2024 held on 29.10.2024. However, the appellant institution did not appear online to present its case before Appellate Authority on 29.10.2024 and as such, the Appeal Committee as per extant appeal rules decided to grant another (Second) opportunity to appellant institution to present its case before Appellate Authority.

The instant matter was placed in its 13th Meeting, 2024 held on 18.11.2024. The Appeal Committee also observed that the appellant institution did not submit the requisite documents with respect to the deficiencies pointed out in the Withdrawal Order. The Appeal Committee in order to consider the case of the appellant institution on merit, decided to grant another (3rd/Final) opportunity to the appellant institution and the institution was required to submit the documents mentioned therein.



The instant matter was placed before the Appeal Committee in its 1st Meeting, 2025 held on 09.01.2025 and during the online hearing, the Appeal Committee noted that the Appellant Institution in addition to the explanation mentioned in appeal report submitted:

- (i). A copy Land Use Certificate, Non-encumbrance certificate, building completion certificate etc.
- (ii) A copy of list of faculties approved by the Registrar, Rani Durgavati Vishwavidyalaya, Jabalpur, (M.P.) etc.

The Appeal Committee after perusal of withdrawal order dated 17.12.2020 noted that the institution had submitted an application for shifting of premises on 14.05.2019 with required documents and the recognition of the institution was withdrawn on the ground that "1. The institution has not submitted the Land Use Certificate, Non-Encumbrance Certificate, Building Completion Certificate issued by the Competent Land Revenue Authority. 2. The institution has not submitted the latest staff profile duly approved by the affiliating body in the prescribed format." The appellant institution during online hearing as well as in appeal report submitted that "...For that there is provision that without making physical verification of the new premises, the Recognition cannot be withdrawn. Therefore, the impugned order withdrawal is absolutely arbitrary and illegal and is liable to be set aside."

The Appeal Committee on perusal of the withdrawal order dated 17.12.2020 via a viz Appeal Report and other documents submitted by the appellant institution is of the view that in this scenario if the institution is not eligible for grant of permission for shifting of premises the said application may have been rejected and institution would have been communicated about the same. If the institution fulfills all the criteria on the place where recognition was granted, then the withdrawal order is not sustainable in the eyes of law. The appellant institution should also be given opportunity to submit written representation on the specific points under proviso to Section 17 (1) of the NCTE Act.

The Appeal Committee noted that there is delay in filing of appeal, and during the hearing of appeal, the institution has explained the delay alongwith Affidavit. Institution has prayed to condone the delay and submitted that "2. That the impugned Withdrawal order was passed on 17.12.2020. However, since the earlier Chairman of Kesharwani

College viz. Dr. V.K. Gupta being of very old age was suffering from ailment and had been suffering from the disease “Parkinsons Elegenens Demetia memory Loss” and he was not fully conscious to the affairs of the College and did not remain fully vigilant to his obligation and responsibilities. For this reason, the appeal could not be filed by the institution in time. 3. However, it is worthwhile to mention that some letters were sent by the institution for permitting to file appeal. Such letters are dated 26.03.2021, 01.05.2023 and 18.07.2023. 4. However, there was delay of 3 years, 7 months and 24 days. Thus, the delay of 3 years, 7 months and 24 days occurred due to ailment of the old Chairman and appointment of new Chairman which consumed sufficient time and by that time there was delay of 3 years, 7 months and 24 days. However, this delay of 3 years, 7 months and 24 days was bonafide and not deliberate or intentional and therefore, the delay of 3 years, 7 months and 24 days deserves to be condoned. 5. In view of the aforesaid submissions, it is just and expedient in the ends of justice that this Hon’ble Appellate may kindly be pleased to condone the delay of 3 years, 7 months and 24 days. 6. An affidavit in support of this application explaining the reasons for delay in filing the instant appeal is filed herewith. (Certificates Enclosed)” In view of the above, the Committee accepted the submission made by the institution regarding the delay in filling of appeal and accordingly the Committee decided to condone the delay, as such delay in filing of appeal is hereby condoned.

The Appeal Committee after perusal of the Appeal Report, documents on record and oral arguments advanced during the online hearing, Appeal Committee concluded to remand back the case to WRC for revisiting the matter to examine the case of the institution in totality and also to check that the institution fulfill all the criteria of norms & standards for the land & building where the recognition was granted by the WRC as per applicable rules & regulations. The appellant institution should also be given opportunity to submit written representation on the specific points under proviso to Section 17 (1) of the NCTE Act and keeping in view, the Hon’ble High Court of Delhi Judgment dated 23.02.2017 passed in W.P(C). no. 3231/2016 titled “Rambha College of Education V/s NCTE” wherein the Hon’ble Court has directed the Appeal Committee to take into consideration the subsequent documents of the Appellant while disposing of the Appeal has to be taken on record.



The Appeal Committee noted that the institution has submitted detailed explanation alongwith documents with respect to points mentioned in the impugned order dated 17.12.2020. Hence, the Committee decided to remand back the matter to WRC, NCTE with the direction to revisit the case in totality and also to check that the institution fulfill all the criteria of norms & standards for the land & building where the recognition was granted by the WRC as per applicable rules & regulations and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

“Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner.”

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

“Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed.”

In view of the afore-mentioned extracts of the court orders, the impugned order dated 17.12.2020 is set-aside as the Appellate Committee has decided to remand back the case to WRC for revisiting the matter.



Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to set aside the impugned order dated 17.12.2020 to WRC, NCTE with the direction to revisit the case in totality and also to check that the institution fulfill all the criteria of norms & standards for the land & building where the recognition was granted by the WRC as per applicable rules & regulations and decision shall be taken accordingly. The Appellant institution is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the WRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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 to set aside the impugned order dated 17.12.2020 and remand back the case to WRC with a direction to revisit the case in totality and also to check that the institution fulfill all the criteria of norms & standards for the land & building where the recognition was granted by the WRC as per applicable rules & regulations and decision shall be taken accordingly. The Appellant institution is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the WRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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, Kesarwani Mahavidyalaya, JDA Scheme no. 11, Phase - II, Shatabdipuram Vijay Nagar, Jabalpur, Madhya Pradesh- 482002.**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
3. **The Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Department of Higher Education, 2nd floor, Annex-3, Vallabh Bhawan, Bhopal – 462004, Madhya Pradesh.**



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-73/E-344678/2024 Appeal/1st Meeting, 2025
APPLSRC201913360

Zion College of Physical Education, Survey No. 685/2, 685/3, Village - Kopparthy, Street/Road - R.S Road, Taluka/Mandal - Kadapa, District - Cuddapah, Andhra Pradesh-516001.	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector - 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Dr. K Roda Mercy, Correspondent & Principal (General Secretary)
Respondent by	Regional Director, SRC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

आदेश/ ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Zion College of Physical Education, Survey No. 685/2, 685/3, Village - Kopparthy, Street/Road - R.S Road, Taluka/Mandal - Kadapa, District - Cuddapah, Andhra Pradesh-516001 dated 04.09.2019 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APSO0098/B.P.Ed./AP/2019/106727 dated 10.07.2019 of the Southern Regional Committee, withdrawing the recognition for conducting B.P.Ed. Programme on the grounds that “ (i). LUC not submitted. (ii). EC not submitted. (iii). Latest faculty list duly approved by the competent authority not submitted. (iv). FDRs not submitted.

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. K Roda Mercy, Correspondent & Principal (General Secretary) of Zion College of Physical Education, Survey No. 685/2, 685/3, Village - Kopparthy, Street/Road - R.S Road, Taluka/Mandal - Kadapa, District - Cuddapah, Andhra Pradesh-516001 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that “(i). Submitted on 14.03.2019. (ii). Submitted on 14.03.2019. (iii). Submitted on 14.03.2019. (iv). Submitted on 14.03.2019.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 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 B.P.Ed. Course of one year duration with an annual intake of 100 students vide order dated 31.01.2008. After promulgation of NCTE Regulations, 2014 vide notification dt. 16.07.2002, the “Zion College of Physical Education, CSI Compound 2/35, R.S. Road, Cuddapah, Andhra Pradesh-516001” offering B.P.Ed. course was informed vide email/public notice to submit a duly notarized affidavit as an acceptance of the NCTE Regulations, 2014 by the institution. After the receipt of affidavit dt. 19.01.2015 from the

institution. Hence, the revised recognition order for B.P.Ed. programme of two years duration was issued to the institution vide dt. 26.05.2015 for conducting B.P.Ed. course of two years duration with an annual intake of 100 students from the academic session 2015-16. The recognition of the institution for B.P.Ed. programme was withdrawn by the SRC vide order dated 10.07.2019.

The instant matter was placed in its 13th Meeting, 2024 held on 18.11.2024. During the online hearing of the Appeal, the appellant institution informed the Appeal Committee that the recognition of B.P.Ed. course in our college is withdrawn by the SRC, NCTE without considering the submitted information. The Appeal Committee in order to consider the case of the appellant institution on merit, decided to grant another (Second) opportunity to the appellant institution and the institution was required to submit the documents mentioned therein.

The Appeal Committee noted that the appellant institution submitted on-line appeal on time. However, failed to submit hard copy of the Appeal Documents in time. The appellant institution submitted a written representation alongwith an Affidavit stated that **“The institution has submitted hardcopy of appeal report on 02.09.2024 which was sent to the SRC NCTE previously for online appeal on 04.09.20219. A proof of acknowledgement is herewith submitting.”** The Appeal Committee accepted the contention of the appellant institution and condone the delay.

The instant matter placed before the Appeal Committee in its 1st Meeting, 2025 held on 09.01.2025 and during the online hearing the Committee noted that the Appellant Institution in addition to the explanation mentioned in appeal report submitted the following documents with a claim to have rectified the shortcomings pointed out in the impugned order dated 10.07.2019: -

- (i) A copy of list of faculties approved by the Registrar, Yogi Vemana University, Kadapa as per provisions of NCTE Regulation, 2014 alongwith copy of Affiliation order dt. 13.03.2019 approved by the Registrar, Yogi Vemana University, Kadapa & copies of salary slips of faculties.
- (ii) A copy of land documents in regional language attached with English translated copy of Sale Deed dt. 09.01.2002, dt. 21.11.2002 dt. 14.02.2005 in favour of Kopperla Raja Ratnam, Secretary and Correspondent (Rayala Seema Navodaya



- Minority Educational Society) alongwith copy of building plan, building completion certificate etc.
- (iii) A copy of Non-Encumbrance Certificate dt. 18.09.2024, digitally signed by the Sub-Registrar, Kadapa Rural.
 - (iv) A copy of Form 'A' attached with copy of FDRs towards Endowment fund & Reserve fund.
 - (v) A copy of an order dt. 16.06.2021 for Conversion for Non-Agricultural Purpose) issued by Tahsildar, C.K. Dinne Mandal.

The Appeal Committee noted that the document submitted in appeal viz a viz the grounds mentioned in the impugned order dated 10.07.2019, required to be verified and keeping in view, the Hon'ble High Court of Delhi Judgment dated **23.02.2017** passed in **W.P(C). no. 3231/2016** titled "**Rambha College of Education V/s NCTE**" wherein the Hon'ble Court has directed the Appeal Committee to take into consideration the subsequent documents of the Appellant while disposing of the Appeal has to be taken on record.

The SRC is required to verify the documents submitted in appeal from the concerned affiliating University as per provisions of the NCTE Regulations, 2014, guidelines and amendments issued from time to time and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

"Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner."

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

"Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore,



entitled to the benefits of recognition until a fresh withdrawal order is passed.”

In view of the afore-mentioned extracts of the court orders, the impugned order dated 10.07.2019 is set-aside as the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to verify documents, submitted in Appeal from the concerned affiliating University. The Appellant institution is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the SRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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 to remand back the case to SRC with a direction to verify the documents submitted in Appeal from the concerned affiliating University. The Appellant institution is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the SRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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, Zion College of Physical Education, Survey No. 685/2, 685/3, Village - Kopparthy, Street/Road - R.S Road, Taluka/Mandal - Kadapa, District - Cuddapah, Andhra Pradesh-516001.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. The Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Andhra Pradesh State Council of Higher Education, 3rd, 4th and 5th floors, Neeladri Towers, Sri Ram Nagar, 6th Battalion Road, Atmakur(V), Mangalagiri(M), Guntur-522503, Andhra Pradesh.



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-67/E-347291/2024 Appeal/1st Meeting, 2025
APPLWRC202414818

Vasantrao Naik Shikshanshastra Mahavidyalaya, Survey no. 853, Village - Kolhapur, Street/Road - Gargoti Road, Taluka/Mandal - Karveer, District - Kolhapur, Maharashtra-416007.	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
APPELLANT		RESPONDENT

Representative of Appellant	Shri Tanaji Virupaksha Swami, Chairman
Respondent by	Regional Director, WRC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

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आदेश/ ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of **Vasantrao Naik Shikshanshastra Mahavidyalaya, Survey no. 853, Village - Kolhapur, Street/Road - Gargoti Road, Taluka/Mandal - Karveer, District - Kolhapur, Maharashtra-416007** dated 28.09.2024 filed under Section 18 of NCTE Act, 1993 is against the Order no. **WRC/APW00035/12302/B.Ed./406th/225455-60** dated **03.09.2024** of the Western Regional Committee, withdrawing the recognition for conducting B.Ed. Programme on the grounds that “(i) Faculty viz. Smt. Kumbhar Shubhangi Balaso mentioned at sl.no.8 of submitted faculty list is not qualified as she does not possess 55% marks in PG as per NCTE Regulations, 2014. (ii) Required number two faculties for Perspectives in Education as required under NCTE norms 2014 have not been appointed. (iii) The institution was granted recognition for B.Ed. course by NCTE vide order dated 26.02.2004, whereas date of appointment of faculties at sl.no.2 (Dr. Patil Manisha Suhas), MINUTES OF 406th MEETING OF WRC HELD ON 24th -26th JULY, 2024 19 | P a g e sl.no.3 (Shri Chafodikar Dhananjay Joti) was made prior to submission of application, hence the same are not considerable. (iv) Faculty viz. Dr. Todkar Sanjay Pandurang appointed as Assistant Professor for Performing Arts is not approved by the affiliating body. (v) Submitted faculty list is not in prescribed format and date of approval of Registrar, Shivaji University is not reflected. (vi) Selection of faculty and its appointment made after following laid down procedure on the recommendation of affiliating university along with its approval letter is not attached.”

II. SUBMISSIONS MADE BY APPELLANT: -

Shri Tanaji Virupaksha Swami, Chairman of Vasantrao Naik Shikshanshastra Mahavidyalaya, Survey no. 853, Village - Kolhapur, Street/Road - Gargoti Road, Taluka/Mandal - Karveer, District - Kolhapur, Maharashtra-416007 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that “1. Qualification of Smt. Kumbhar Shubhangi Balaso B.Sc. – 64.16 First Class M.Sc. 53.40 Second Class B.Ed. – 60.71 First Class M.Ed. – 69.15 First Class SET-Qualified UGC has passed regulation on Minimum Qualification for Appointment of

teacher on 30th June 2010. The State of Maharashtra has passed GR on 15.02.2011 and implemented the said UGC Regulation in Maharashtra. Further, the Shivaji University has also implemented said Regulation of UGC by order dated 28/03/2011. Hence, the Regulation passed by UGC is in force for concerning the qualification on Para 4.4.7 (A) (II) of the UGC Regulation provides qualification of teacher appointed for B.Ed. course which is as under – 1. A master's degree in science/Mathematics/Arts with 50 Marks 2. M.Ed. with at least 55 Marks and 3. Any other stipulation passed by the UGC/Any such affiliating Bodies/State Government from time to time for the position of Principal and Lecturers shall be mandatory. In the light of this provision Smt. Kumbhar Shubhangi Balaso is well qualified to appoint as an Assistant Professor. The Shivaji University has granted approval to the appointment as eligible. Hence, the objection raised to the WRC, NCTE is without any force and without considering the legal provisions. 2. Revised number of two faculties for Perspective in Education – On 25th September 2019 the Shivaji University issued revised approval for post in appellate college. This approval clearly shows that there are two posts for perspective in education in Hindi and Marathi method. Shri Chafodikar Dhananjay Joti is working as an Assistant Professor in Hindi method and Smt. Patil Urmila Rajesh is working as an Assistant Professor in Marathi Method. These appointments are indicated in the staff profile which is counter signed by the Registrar Shivaji University and also submitted to WRC, NCTE but not considered it properly. Hence, the objection raised regarding appointment of the teachers for perspective in Education is false mischievous and improper and without force. 3. Appointment of faculties prior to submission of application. Previously the said college was conducted by Shri. Shahu Chatrapati Shikshan Sanstha, Dasara Chowk, Kolhapur. As per the order passed by the Hon. High Court Bombay in Writ Petition No. 1798/2002 and 748/2003. The Management of this College is transferred from Shri. Shahu Chatrapati Shikshan Sanstha to Shikshanshastra Adhayapak Shikshan Sanstha in the academic year 2003-2004. The faculty working in the old management is absorbed in New Management Shri. Chafodikar 3. Dhananjay Joti and Smt. Manisha Suhas Patil are also absorbed. But this position is not considered by WRC, NCTE. It is pertinent to note that said Shri. Chafodikar Dhananjay Joti working from 01/07/1996 and Smt. Patil Manisha Suhas is working from 15/11/1995. Appointment for both these teachers are approved by the Shivaji University,

Kolhapur. It is also important to say that eh NCTE and WRC, NCTE also considered these teachers since 2003 without raising any objection about their appointments. Hence the objection raised by WRC, NCTE regarding the appointments of these teachers are wrong and mischievous and without considering the old facts. 4. Objection regarding approval of Shri. Sanjay Pandurang Todkar – The objection raised by WRC, NCTE regarding approval of Shri. Sanjay Pandurang Todkar is wrong and mischievous. The Shivaji University granted approval to the appointment of said teacher. The Staff profile filed by the petitioners with WRC, NCTE, countersigned by Registrar, Shivaji University, Kolhapur, also indicated this position. Hence objection raised by WRC, NCTE is without any force and also falls and mischievous. 5. Objection raised at point number V and VI are wrong. The faculty list is ell in format and countersigned by the affiliating university. The covering letter of the said staff profile i.e., faculty list contained the date, but this date is not seen by the WRC, NCTE. Further, the documents of approval itself proves that the appointments of these teachers are made after following due procedure laid down. Hence, all the objection raised by the WRC, NCTE are wrong. All these objections are raised by the WRC, NCTE are without considering the documents and record submitted by the Petitioner. The withdrawal of the order is nothing, but it shows a malice mind regarding the petitioner. 6. All these objections are raised by the WRC, NCTE are without considering the documents and record submitted by the Appellate institution. The withdrawal of the order is nothing, but it shows a malice mind regarding the institution. 1. The institution again and again demanded/requested to grant one basic unit of 50 students from starting of new pattern of two years B.Ed. course. The institution college is conducting only one unit of 50 students from starting of new pattern of two years B.Ed. course. The institution college is conducting only one unit of 50 students but on the other hand the WRC, NCTE issued approval of two basic units and not reduced till today. Though the institution requested and provided all documents relating to it. 2. Last but not least there is a provision of 7 point 'C' in the qualification of teacher which is – if the candidate acquire degree in first class and post graduate degree in second class he qualified to appoint as a teacher/Assistant Professor as per 7 point 'C' rules. 3. After considering the all establishment i.e., faculty, building, library and all other amenities, the Shivaji University granted permanent affiliation to the Appellate College., National

Assessment and Accreditation Council (NACC) granted all these objections are raised by the WRC, NCTE are without considering the documents and record submitted by the Appellate Institution. The withdrawal of the order is nothing, but it shows a malice mind regarding the institution. 4. The institution again and again demanded/requested to grant one basic unit of 50 students from starting of new pattern of two years B.Ed. course. The institution college is conducting only one unit of 50 students but on the other hand the WRC, NCTE issued approval of two basic units and not reduced till today. Though the institution requested and provided all documents relating to it. 5. Last but not least there is a provision of 7 point 'C' in the qualification of teacher which is – if the candidate acquire degree in first class and Post Graduate Degree in second class he qualified to appoint as a teacher /Assistant Professor as per 7 point 'C' Rules. 6. After considering the all establishment i.e., faculty, building, library and all other amenities, the Shivaji University g granted permanent affiliation to the Appellate College., National Assessment and Accreditation Council (NACC) granted Accreditation in second cycle 'B' Grade in March, 2024. The WRC, NCTE has not approached and visited the college and also not considered all facts. Without considering the facts. Without considering the facts and rules and without giving proper opportunity to heard the institution. The WRC, NCTE issued withdrawal order, as soon as the matter pending before High Court Bombay is disposed. Hence the intention of WRC, NCTE is not proper, but malice. Further it is a very important to say the now admission process is going on. 27 Students are admitted. But unfortunately, this withdrawal order affects admission of the institution. To avoid the adverse effect the stay to the withdrawal order is essential. So please grant stay order to impugned order passed by the WRC, NCTE without giving any opportunity to heard and without considering any documents submitted to the institution with proposal. 1. The nature of objection and quantum of awarded punishment of withdrawal is major. It seems the malice mind of WRC, NCTE to look toward the institution. This is nothing but action with revenge by angry mind due to filing a petition by the institution before the Bombay High Court. The Appellant therefore pray that – A) The Appellate Authority NCTE be pleased to quash and set aside the impugned withdrawal order dated 3rd September 2024 passed by the WRC, NCTE. B) Pending the hearing and final disposal of this appeal, this appellate authority be pleased to grant stay/ad interim stay to the impugned order passed



by the WRC, NCTE. C) The Appellate Authority NCTE to be pleased to grant permanent recognition to the applicant institution. D) The Appellate Authority NCTE be pleased to grant approval to one unit of 50 students except two units of 50 students as again and again prayed by the institution.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 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 B.Ed. course on dated 07.07.2003. After promulgation of NCTE Regulations, 2014, the institution by consented to come under new Regulations vide a notarized affidavit dt. 08.01.2015. A Revised Provisional Recognition Order was issued to the institution on 26.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 students (two units of 50 students each). The recognition of the institution for B.Ed. programme was withdrawn by the WRC vide order dated 03.09.2024.

The instant matter was placed before the Appeal Committee in its 13th Meeting, 2024 held on 18.11.2024. The Appeal Committee after perusing the documents and relevant records submitted by the institution. The Appeal Committee in order to consider the case of the appellant institution on merits, decided to ask the appellant institution to submit certain documents.

In view of above, the Committee decided to grant another (3rd/Final) opportunity to the appellant institution with the direction to submit the aforesaid documents before the Appeal Committee on or before the next date of the Appeal Committee Meeting.



The instant matter was placed in its 1st Meeting, 2025 held on 09.01.2025. The Appeal Committee considered the documents submitted alongwith the Appeal Report as compliance of grounds of withdrawal order and observed that the appeal of the institution is still deficient on the following points: -

- (i) Faculty viz. Smt. Kumbhar Shubhangi Balaso is not qualified as she does not possess 55% marks in post-Graduation as required under Appendix 4 of NCTE Regulations, 2014.
- (ii) Required number two faculties for Perspectives in Education as required under NCTE norms 2014 have not been appointed as Mr. C. Dhananjay and Ms. Patil Urmila Rajesh were appointed against the post of Assistant Professors of Hindi and Marathi respectively. Accordingly, the institution failed in appointing two faculty for Perspective of Education which is essentially required under Appendix 4 of NCTE Regulations, 2014.
- (iii) The institution was required to submit the formal approval letter issued by the concerned University / Affiliating Body approving the faculty for **B.Ed.** programme, but the institution failed in submission of the same.
- (iv) Submitted faculty list is not in prescribed format and also the date of approval of Registrar, Shivaji University has not been mentioned with his signature. Further, the signature with date of approval of the Registrar have not been affixed on each page of proforma of faculty.
- (v) In addition, the Committee noted that the institution was issued Revised Recognition order (RPRO) for two units of 50 students each (100 students) to the institution on 26.05.2015. However, the institution submitted a list of 9 faculty members which is clear violation of the directions contained in the RPRO dated 26.05.2015. The institution during the appeal proceedings has submitted that it is running only one unit of 50 students which is not permissible.
- (vi) The Appeal Committee further noted that the institution has also failed to submit **“A copy of the proceedings regarding selection of all the faculty members by the selection committee duly constituted and approved by the competent authority of the affiliating University/body”** as sought by the Appeal Committee in its 13th Meeting, 2024 held on 18.11.2024.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the WRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 03.09.2024 issued by WRC is confirmed.



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 WRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 03.09.2024 issued by WRC is 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, Vasantnao Naik Shikshanshastra Mahavidyalaya, Survey no. 853, Village - Kolhapur, Street/Road - Gargoti Road, Taluka/Mandal - Karveer, District - Kolhapur, Maharashtra-416007.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. The Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Principal Secretary, Directorate of Higher Education, Elphiston Technical School premises, 3, Mahapalika Marg, Dhobi Talao, Chhatrapati Shivaji Terminus Area, Fort, Maharashtra-400001, Mumbai.



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-56/E-323377/2024/Appeal/1st Meeting, 2025
APPLNRC202314682

Nagarik Degree College, Khata No. 1180, 1202, Village - Semari, Janghai Road, Taluka/Mandal - Machhalishar, District -Jaunpur, Uttar Pradesh - 212401.	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector - 10, Dwarka, New Delhi - 110075.
APPELLANT		RESPONDENT

Representative of Appellant	Prof. Ravi Kumar Mishra, Professor & Head (Sociology)
Respondent by	Regional Director, NRC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

आदेश/ ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of **Nagarik Degree College, Khata No. 1180, 1202, Village - Semari, Janghai Road, Taluka/Mandal - Machhalishar, District -Jaunpur, Uttar Pradesh – 212401** dated 15.09.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.NRC/NCTE/UP-269-B.Ed./403rd (Online Mode) meeting/2023/222607** dated 25.07.2023 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution not submitted reply of Final Show Cause Notice dated 16.06.2023 till date grounds mentioned as under: - (i) Whether the institution has submitted affidavit to NRC for issuance of Revised Recognition order. If yes, please submit proof of the same and if not, then furnish reasons of non-submission of the affidavit to NRC. (ii) The institution has to submit whether they had submitted compliance with the conditions prescribed under Regulations, 2014 (Enhanced FDRs, Revised staff profile, additional built-up area etc.) for consideration and decision of the Committee without issuance of revised recognition order and after submission of affidavit from the list attached. (iii) If the institution does not fall in any of above two categories, then institution is required to inform NRC about their status in respect of revised recognition order compliance matters.”

II. SUBMISSIONS MADE BY APPELLANT: -

Prof. Ravi Kumar Mishra, Professor & Head (Sociology) of Nagarik Degree College, Khata No. 1180, 1202, Village - Semari, Janghai Road, Taluka/Mandal - Machhalishar, District -Jaunpur, Uttar Pradesh – 212401 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that “Dear sir, this is an explanation with reference to your letter no. F.No.nrc/ncte/up-269-B.Ed./403rd (Online mode) meeting/2023/222608 dated 25.07.2023. The institution has submitted a letter of demand for one unit on 02.06.2015 with affidavit and all other necessary documents. Letter no. was ref. no. 1039/B.Ed..suchna/2014-15 dated 02.06.2015 with reference to your letter no. FNRC-NCTE item no. 107 of 325 virtual



meeting/2020/210876-211237 dated 19.01.2021 it is to inform you that my institution has sent a clarification with all necessary documents on 25.01.2023 through email and registered post. The letter no. was 1341/B.Ed. suchna /2022-23. Further it is to inform you that in reply to your Final Show Cause Notice no. (F. No. NRC/NCTE/UP-269/399 (Blended mode) Meeting 2023/222104-222105 dated 16.06.2023 my institution has sent all the necessary clarifications with required documents. Therefore, it is our humble request to take into consideration the above facts do justice by taking back the withdrawal order and by allotting one unit of B.Ed. course to the institution. regards, Principal.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 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 B.Ed. Course of one year duration with an annual intake of 60 students vide order dated 24.07.2000. After promulgation of NCTE Regulations, 2014, the institution has not consented to come under the Regulations 2014 and affidavit in this regard was also not submitted by the institution. Hence, revised recognition order for B.Ed. two years duration was not issued to the institution. The recognition of the institution for B.Ed. programme was withdrawn by the NRC vide order dated 25.07.2023.

The instant matter was placed before the Appeal Committee in its 11th Meeting, 2024 held on 19.09.2024 and 13th Meeting, 2024 held on 18.11.2024. The Appeal Committee wherein the Appeal Committee decided to grant another opportunity for submission of certain documents.

The instant matter again placed in its 1st Meeting, 2025 held on 09.01.2025. The Appeal Committee after perusing the documents submitted by the appellant Institution noted that the institution is a Govt. aided institution and in compliance of NCTE Regulations, 2014 it has duly submitted the affidavit dated 02.06.2015 to the NCTE. The


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appellant institution in addition to the explanation mentioned in appeal report submitted a list of faculty alongwith salary disbursement details.

The Appeal Committee observed that this is a RPRO case for B.Ed. programme and recognition was granted to the institution on 24.07.2000. The Appeal Committee also noted that the NRC withdrawn the recognition of the institution on 25.07.2023 and failed to take due necessary action within reasonable time, if the institution was deficient and non-compliant of NCTE Regulations, 2014, NRC should have taken due action against the institution at that point to time.

The Appeal Committee also noted that the appellant institution has submitted requisite documents regarding deficiency pointed out which required to be examined and verified by the NRC. The institution further contended that it is recognized institution running since 2000 running B.Ed. programme without any difficulties and continued to have affiliation for running B.Ed. programme until withdrawal of recognition.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to NRC for revisiting the matter. The Appellant institution is directed to forward to the NRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the NRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

The Appeal Committee noted that the document submitted in appeal *viz a viz* the grounds mentioned in the impugned order dated 25.07.2023, required to be verified and keeping in view, the Hon'ble High Court of Delhi Judgment dated **23.02.2017** passed in **W.P(C). no. 3231/2016** titled "**Rambha College of Education V/s NCTE**" wherein the Hon'ble Court has directed the Appeal Committee to take into consideration the subsequent documents of the Appellant while disposing of the Appeal has to be taken on record.



The NRC is required to verify the documents submitted in appeal from the concerned affiliating University/authority as per provisions of the NCTE Regulations, 2014, guidelines and amendments issued from time to time and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

“Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned order is clearly spelt out so that the institution is not compelled to approach the Court in this manner.”

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

“Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed.”

In view of the afore-mentioned extracts of the court orders, the impugned order dated 25.07.2023 is set-aside as the Appellate Committee has decided to remand back the case to NRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to NRC with a direction to verify documents, submitted in Appeal from the concerned affiliating University/authority. The Appellant institution is directed to forward to the NRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after

receipt of the same the NRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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 to remand back the case to NRC with a direction to verify the documents submitted in Appeal from the concerned affiliating University/ authority. The Appellant institution is directed to forward to the NRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the NRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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, Nagarik Degree College, Khata No. 1180, 1202, Village - Semari, Janghai Road, Taluka/Mandal - Machhalishar, District -Jaunpur, Uttar Pradesh – 212401.
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 Principal Secretary, Department of Higher Education & Member Secretary, Uttar Pradesh State Council of Higher Education, 6th Floor, 619, Indira Bhawan, Ashok Marg, Lucknow, Uttar Pradesh-226001.



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-58/E-344677/2024 Appeal/1st Meeting, 2025
APPLNRC202314703

Shri Ganesh Rai Post Graduate College, Khasara No. 2, Village - Khujjhi, Street/Road - 233, National Highway, Post Office - SGRD College Dobhi Jaunpur, Uttar Pradesh-222149.	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector - 10, Dwarka, New Delhi - 110075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Rajendra Kumar Jaiswal, Assistant Professor
Respondent by	Regional Director, NRC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

आदेश/ ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Shri Ganesh Rai Post Graduate College, Khasara No. 2, Village - Khujjhi, Street/Road - 233, National Highway, Post Office - SGRD College Dobhi Jaunpur, Uttar Pradesh-222149** dated 04.10.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No. NRC/NCTE/UP-173-B.Ed./405th (Online Mode) Meeting/2023/222847** dated 08.08.2023 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "(i) The institution has submitted a representation dated 04.07.2023 without any documentary evidence. (ii) The institution failed to prove that the institution had complied the conditions prescribed under Regulations, 2014 by submitting an affidavit within the prescribed time limit as a willingness in the year 2015."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Rajendra Kumar Jaiswal, Assistant Professor of Shri Ganesh Rai Post Graduate College, Khasara No. 2, Village - Khujjhi, Street/Road - 233, National Highway, Post Office - SGRD College Dobhi Jaunpur, Uttar Pradesh-222149 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that "Previously institute has not taken the positive notices."

III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 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 B.Ed. Course of one year duration with an annual intake of 60 students vide order dated 24.07.2000. The recognition of the institution for B.Ed. programme was withdrawn by the NRC vide order dated 08.08.2023.



The instant matter was placed before the Appeal Committee in its 11th Meeting, 2024 held on 19.09.2024 and 13th Meeting, 2024 held on 18.11.2024. The Appeal Committee wherein the Appeal Committee decided to grant another opportunity for submission of certain documents.

The instant matter again placed in its 1st Meeting, 2025 held on 09.01.2025. The Appeal Committee after perusing the documents submitted by the appellant Institution noted that the institution had duly submitted the affidavit for compliance of the norms of new NCTE Regulation, 2014 vide letter dated 02.06.2015 for conducting B.Ed. programme. The appellant institution in addition to the explanation mentioned in appeal report submitted a list of faculty alongwith salary disbursement details.

The Appeal Committee observed that this is a RPRO case for B.Ed. programme and recognition was granted to the institution on 18.02.1998. The Appeal Committee also noted that the NRC withdrawn the recognition of the institution on 08.08.2023 and failed to take a due necessary action within reasonable time, if the institution was deficient and non-compliant of NCTE Regulations, 2014, NRC should have taken due action against the institution at that point to time. The NRC, NCTE should have taken opinion from the Regulation Division of the NCTE wherein so many years has been passed and the recognition of the institution is continuing considering the concern and welfare of the students.

The Appeal Committee also noted that the appellant institution has submitted requisite documents regarding deficiency pointed out which required to be examined and verified by the NRC. The institution further contended that, and it is recognized institution running since 1998 running B.Ed. programme without any difficulties and continued to have affiliation for running B.Ed. programme until withdrawal of recognition.

The Appeal Committee noted that the document submitted in appeal viz a viz the grounds mentioned in the impugned order dated 08.08.2023, required to be verified and keeping in view, the Hon'ble High Court of Delhi Judgment dated **23.02.2017** passed in **W.P(C). no. 3231/2016** titled "**Rambha College of Education V/s NCTE**" wherein the

Hon'ble Court has directed the Appeal Committee to take into consideration the subsequent documents of the Appellant while disposing of the Appeal has to be taken on record.

The NRC is required to verify the documents submitted in appeal from the concerned affiliating University/authority as per provisions of the NCTE Regulations, 2014, guidelines and amendments issued from time to time and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

“Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner.”

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

“Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed.”

In view of the afore-mentioned extracts of the court orders, the impugned order dated 08.08.2023 is set-aside as the Appellate Committee has decided to remand back the case to NRC for revisiting the matter.



Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to NRC with a direction to verify documents, submitted in Appeal from the concerned affiliating University/ authority. The Appellant institution is directed to forward to the NRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the NRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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 to remand back the case to NRC with a direction to verify the documents submitted in Appeal from the concerned affiliating University/ authority. The Appellant institution is directed to forward to the NRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the NRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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, Shri Ganesh Rai Post Graduate College, Khasara No. 2, Village - Khujji, Street/Road - 233, National Highway, Post Office - SGRD College Dobhi Jaunpur, Uttar Pradesh-222149.
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 Principal Secretary, Department of Higher Education & Member Secretary, Uttar Pradesh State Council of Higher Education, 6th Floor, 619, Indira Bhawan, Ashok Marg, Lucknow, Uttar Pradesh-226001.



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-61/E-345036/2024 Appeal/1st Meeting, 2025
APPLERC202314812

B.Ed. College Sarisha, Plot No. 1304, Village - Mollarthesh, Street/Road -Diamond Harbour, Taluka/Mandal - Hashimnagar, District - South 24-Pargana, West Bengal - 743513.	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Dr. Abdul Rashid, Principal
Respondent by	Regional Director, ERC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

आदेश/ ORDER

I. GROUNDS OF REFUSAL

The appeal of **B.Ed. College Sarisha, Plot No. 1304, Village - Mollarthesh, Street/Road -Diamond Harbour, Taluka/Mandal - Hashimnagar, District - South 24-Pargana, West Bengal – 743513** dated 31.08.2024 filed under Section 18 of NCTE Act, 1993 is against the Order No **ERC/7-84.8.23/2008/10488** dated 14.03.2008 of the Eastern Regional Committee, refused the recognition for conducting B.Ed. Course on the grounds that “(i) No reply to letter dt. 24.07.2007 in regard to affidavit on Rs. 100/- stamp paper attested by notary in prescribed format submitted. (ii) Website is not yet launched as per Regulations.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Abdul Rashid, Principal of B.Ed. College Sarisha, Plot No. 1304, Village - Mollarthesh, Street/Road -Diamond Harbour, Taluka/Mandal - Hashimnagar, District - South 24-Pargana, West Bengal – 743513 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that “That the Application of the Appellant was rejected by the Eastern Regional Committee vide its meeting dated 22-23 February 2008, intimated vide letter/order dated 14.03.2008, in ignorance of the proceedings before the NCMEI, then there was not occasion for sending the letter dated 06.10.2008, for inspection of the institution and granting time for setting up of the website. The NCTE has failed to mention whether the letter dated 14.03.2008 and in consonance with the order of NCMEI dated 11.03.2008. That the Appellant institution is a Government Aided minority institution. That the Appellant institution got affiliation from the University of Calcutta on 27.06.2003. That the Appellant institution purchased 70 cents of land and the revenue records are till date in the name of the Appellant institution. There is building available.”



III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 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 had applied for grant of recognition for B.Ed. course of one year duration under section 14 of the NCTE Act, 1993 to the ERC, NCTE on 31.12.2003. The recognition of the institution for B.Ed. programme was refused by the ERC on 14.03.2008.

The instant matter was placed in its 11th Meeting, 2024 & 13th Meeting, 2024 held on 19.09.2024 & 18.11.2024 respectively. The appellant institution did not appear online to present its case before Appellate Authority on 19.09.2024 & 18.11.2024 and the Appeal Committee in order to consider the case of the appellant institution on merit, decided to grant another (Second) & (3rd/Final) opportunity to the appellant institution.

The instant matter placed in its 1st Meeting, 2025 held on 09.01.2025. The Appeal Committee during the on-line hearing held on 09.01.2025 *viz a viz* the documents submitted by the Appellant alongwith Appeal report and submission made therein noted that the ERC has refused the recognition of the appellant institution vide order dated 14.03.2008 against which the appellant institution has preferred an appeal dated 31.08.2024. The Appeal Committee observed that the Appeal suffers from enormous delay of **16 years & 3 months** which is unreasonable and without any proper justification. The appellant institution has also failed to show any sufficient cause for the enormous delay. Hence, as per the extant Rules & Regulation of the NCTE, the Appeal Committee decided not to condone delay without any reasonable cause. As such, it is a fit case for non-admission of the Appeal on ground of delay and laches.

Noting and submission and verbal arguments advanced during the online hearing, the Appeal Committee of the Council decided that the present Appeal deserves to be dismissed and refusal order dated 14.03.2008 issued by ERC is confirmed.



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 present Appeal be dismissed, and refusal order dated 14.03.2008 issued by ERC is 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, B.Ed. College Sarisha, Plot No. 1304, Village - Mollarthesh, Street/Road -Diamond Harbour, Taluka/Mandal - Hashimnagar, District - South 24-Pargana, West Bengal – 743513.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. The Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Principal Secretary Department of Higher Education, Govt. of West Bengal, Bikash Bhavan, Salt Lake City, (5th, 6th, 8th, 10th Floor) Kolkata – 700091, West Bengal.



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-55/E-343446/2024/Appeal/1st Meeting, 2025
APPLWRC202414807

BD Memorial Kalyan Sansthan, Plot No. 15, Village - Niwaru, Street/Road - Niwaru Road, Taluka/Mandal - Jhotwara, District - Jaipur, Rajasthan - 302012.	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector - 10, Dwarka, New Delhi - 110075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Sumit Kumar Budania, Secretary
Respondent by	Regional Director, WRC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

आदेश/ ORDER

I. GROUND OF REFUSAL

The appeal of **BD Memorial Kalyan Sansthan, Plot No. 15, Village - Niwaru, Street/Road - Niwaru Road, Taluka/Mandal - Jhotwara, District - Jaipur, Rajasthan – 302012** dated 03.08.2024 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.NCTE/WRC/2526202402081118/Rajasthan/2024/Rejc/118** dated 13.07.2024 of the Western Regional Committee, refusing recognition for conducting ITEP Course on the grounds that “As per the details provided by the institution on the transition portal, the institution is not recognized for 4-year Integrated B.A.B.Ed./B.Sc.B.Ed. course by NCTE. As per the details provided by the institution on the transition portal, the name of the institution mentioned in the recognition order for 4-year Integrated B.A.B.Ed./B.Sc.B.Ed. course (as applicable) by NCTE does not match with the name mentioned in the transition application.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Sumit Kumar Budania, Secretary of BD Memorial Kalyan Sansthan, Plot No. 15, Village - Niwaru, Street/Road - Niwaru Road, Taluka/Mandal - Jhotwara, District - Jaipur, Rajasthan – 302012 appeared online to present the case of the appellant institution on 09.01.2025. In the appeal report, it is submitted that “We have been running our 4-year B.A. B.Ed./B.Sc. B.Ed. integrated college since 2017 by the name of BD Memorial Kalyan Sansthan. During the filing of the transition portal due to a clerical mistake our name got entered as BD Memorial Kalyan Sansthan (BA. B.Ed./B.Sc. B.Ed. College). We state that we wish to run our college with the original name of BD Memorial Kalyan Sansthan and not the incorrect name. We are attaching an affidavit/undertaking regarding the same along with first recognition order of NCTE and latest affiliation order of Rajasthan university by the correct name. We request you to kindly consider our appeal. Thanks, and regards.”



III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 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 had submitted an application to the Western Regional Committee for grant of recognition for seeking permission for running the ITEP Course on 05.03.2024. The recognition of the institution for ITEP programme was refused by the WRC vide order dated 13.07.2024.

The instant matter placed in its 10th Meeting, 2024 held on 14.08.2024. The appellant institution along with its appeal report has submitted a copy of Recognition Order dt. 29.04.2017 for B.A. B.Ed./B.Sc. B.Ed. course with annual intake of 100 students (Two basic units) from the academic session 2017-2018. However, the WRC has refused the institution for transition from 4-years integrated programme to Integrated Teacher Education vide order dt. 13.07.2024. The Appeal Committee in order to consider the case of the appellant institution on merit, decided to ask the WRC and the institution to submit their report/reply.

The instant matter was placed in its 11th Meeting, 2024 held on 19.09.2024. The appellant institution did not appear online to present its case before Appellate Authority on 19.09.2024 and as such the Appeal Committee as per extant appeal rules decided to grant another (3rd/Final) opportunity to appellant institution to present its case before Appellate Authority.

The instant matter placed in its 13th Meeting, 2024 held on 18.11.2024. The appellant institution did not appear online to present its case before Appellate Authority on 18.11.2024 and as such the Appeal Committee decided to grant another (last/final) opportunity to the appellant institution and the institution was required to submit the documents mentioned therein.



The instant matter placed in its 1st Meeting, 2025 held on 09.01.2025. The Appeal Committed noted that the institution vide letter dated 31.12.2024 submitted its reply. The Appeal Committee after perusing the documents and oral argument advanced during the hearing, the Committee noted that a recognition order vide order No. File No. NRC/NCTE/NRCAPP-10617/B.A.B.Ed./B.Sc.B.Ed./269th Meeting (Part-1)/2017 dt. 29.04.2017 was issued by the WRC, NCTE. The University of Rajasthan, Jaipur has granted the affiliation to the institution.

The Appeal Committee in its 1st Meeting, 2025 observed that the institution during the Appeal hearing informed the Committee that the institution inadvertently instead of **B.D. Memorial Kalyan Sansthan** had applied for ITEP course in the name of **B.D. Memorial Kalyan Sansthan (B.A. B.Ed. B.Sc. B.Ed. College)**. The institution has also submitted an affidavit stating the detailed reasons thereof and requested that the institution be granted to the NCTE in the name of **B.D. Memorial Kalyan Sansthan.**

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to WRC **with a direction to revisit the matter and verify the authenticity of the recognition order from the records of WRC, Affiliating body, and if a recognition order has been issued by the WRC, NCTE to the Institution for running B.A. B.Ed./B.Sc. B.Ed. programme then appropriate action shall be taken by the WRC as per provisions of the NCTE Regulations.** The Appellant institution is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the WRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.



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 to remand back the case to WRC with a direction to revisit the matter and verify the authenticity of the recognition order from the records of WRC, Affiliating body, and if a recognition order has been issued by the WRC, NCTE to the Institution for running B.A. B.Ed./B.Sc. B.Ed. programme then appropriate action shall be taken by the WRC as per provisions of the NCTE Regulations. The Appellant institution is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the WRC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.

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, BD Memorial Kalyan Sansthan, Plot No. 15, Village - Niwaru, Street/Road - Niwaru Road, Taluka/Mandal - Jhotwara, District - Jaipur, Rajasthan – 302012.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. The Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Principal Secretary, Higher Education Department, C5MW+73J, Devmand Dhani Post Borda Tehsil, Mitrapura, Madhapur, Rajasthan 322023.



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 - 31.01.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
File No. 89-52/E-293446/2023 Appeal/1st Meeting, 2025
APPLERC202314564

Sri Ramkrishna College of Education, 23/309, 26, 26/307, Bikrampur, Lakshmisagar Road, Simlapal, Bankura, West Bengal-722151.	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	No one appeared
Respondent by	Regional Director, ERC
Date of Hearing	09.01.2025
Date of Pronouncement	31.01.2025

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आदेश/ ORDER

I. GROUNDINGS OF WITHDRAWAL

The appeal of **Sri Ramkrishna College of Education, 23/309, 26, 26/307, Bikrampur, Bikrampur Lakshmisagar Road, Simlapal, Bankura, West Bengal-722151** dated 16.02.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-316.16/NCTE/ERCAPP97/2012/B.Ed./WB/2022/67049** dated 27.12.2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution has submitted its reply dated 15.11.2022 in response to the Final Show Cause Notice dated 19.10.2022 which is still deficient on the following grounds: (i). Only the photographs submitted by the institution cannot establish that the science lab, computer lab, sports room and Multipurpose Hall have been created with sufficient nos. of equipment/apparatus/furniture and are appropriate to run the programme. (ii). The institution has placed flexi board mentioning the institution’s name and address instead of permanent board. (iii). The entire milieu of the college and its building shown in the video CD of the institution is not conducive for an educational institution. (iv). The entire building shown in the video CD of the institution is in shabby condition and is not appropriate to run Teacher Education course. (v). Video CD of this institution and other institution namely Sarada Institute of Teacher Education, Plot No.-RS23/290, Street No. N/A, Vill. -Bikrampur, P.O.-Bikrampur, Tehsil/Taluka-N/A, Town/City-Bankura, Dist.-Bankura, West Bengal-722151 reveals that both the buildings are same and one. The institution has misled NCTE by carrying out inspection of both institution in the same building.”

II. SUBMISSIONS MADE BY APPELLANT: -

No one from **Sri Ramkrishna College of Education, 23/309, 26, 26/307, Bikrampur, Bikrampur Lakshmisagar Road, Simlapal, Bankura, West Bengal-722151** appeared online to present the case of the appellant institution on 09.01.2025. In the appeal memoranda it is submitted that: “(i). The inspection team had duly conducted videography of the institution wherein the institution is having science lab, computer lab, sports room and multipurpose hall with required equipment/apparatus/furniture based on this. The recognition order was issued on

07.09.2020 subsequently the affiliating body has issued the affiliation order. The photograph and copy of the bills are attached. (ii). The board displayed during inspection was made flex to look attractive which was placed above the permanent inscribed details of the institute. Presently the inscribed details of the institution are displayed which is made ready reference with enclosed photograph. (iii). The building of the institute is well furnished and as per norms of NCTE, the environment of the building is fully educational. The photograph of the building attached herewith. (iv). The building of the institution is fully equipped as per norms of NCTE and was verified by the VT members of NCTE vide ERC order dated 7th September 2020. Order copy of ERC, NCTE is enclosed. (v). The building of Sri Ramakrishna College of Education was constructed as per the norms of NCTE and is located on plot no. 23/309, 26, 26/307 which clearly is different from the plot no quoted in the withdrawal order. No other institute is running for utilizing this building for any other purpose. This institute is conducting the B.Ed. programme in this building and the built-up area is 1554.64 sq.mts. therefore, there is no question of Sarda Institute of Teacher Education using the same building. The land deed of Sri Ramakrishna College of Education is enclosed herewith.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 1st Meeting, 2025 held online on 9th January, 2025 perused the Appeal Report, documents available on the records during the Meeting.

The Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 50 students vide order dated 31.05.2015. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 27.12.2022.

The instant matter was placed in 4th Meeting of Appellate Committee held on 29.03.2023, whereby the Appeal Committee has decided to grant 2nd Opportunity to the institution. The operative part of the decision is as under: -

“The Appeal Committee noted the documents submitted alongwith its appeal memoranda and submission made during online appeal hearing on 29th March 2023. The Appeal Committee observed that merely submission of photographs and other



document without any documentary evidence issued by the competent Govt. authority may not be considered as a substantial document for claim of the appellant institution to consider the appeal, particularly where ground of withdrawal of recognition are related with mandatory infrastructural facilities. Hence the Appeal Committee decided that the appellant institution is required to submit the following documents duly authenticated/verified by the competent authority of the concerned State Govt. so that the decision of the Appeal Committee become authenticated: -

- (i) The institution is required to submit a certificate issued by the local Revenue Officer (Tehsildar/SDM) certifying that the institution is the owner and in possession of land & building for running the B.Ed. programme from the address given in the recognition order since 31.5.2015 to till date.**
- (ii) Further the institution shall submit latest Building Completion Certificate (BCC) issued by the competent govt. engineer alongwith an Affidavit on Rs.100/- stamp paper stating therein that institution is the owner and in possession of said land and building.**
- (iii) In addition, since the institution prior to withdrawal of the recognition was a recognised institution, an affidavit containing details of approved & appointed faculty with their account number showing that the salary is being paid through bank for last 6 months duly supported by list of faculties approved by the affiliating body and bank statement is required to be submitted.**

In view of above, the Committee decided to grant another (Second) opportunity to the appellant institution with the direction to submit the aforesaid documents on or before next date of the Appeal Committee Meeting.”

The Appeal Committee perused the relevant records and the documents submitted by appellant institution in the Memoranda of Appeal, documents on record and oral arguments advanced during the online hearing on 12th May 2023. The Committee noted that in case of Sri Ramkrishna College of Education, one of the grounds of withdrawal of recognition was that **“video CD of this institution and other institution namely Sarda Institute of Teacher Education, Plot No.- RS23/290, Street No. N/A, Vill. _ Bikrampur, P.O.- Bikrampur, Tehsil/Taluka-N/A, Town/City-Bankura, Dist.-Bankura, West Bengal-722151 reveals that both the buildings are same and one. The institution has misled NCTE by carrying out inspection of both institution in the same building.”** The Committee further noted that in the case of Sarda Institute of Teacher Education one of the ground of withdrawal of recognition was that **“Video CD of this institution and other institution namely Sri Ramkrishna College of Education, Plot No. 548, Vill-Belun, P.O- Ashudkola, Tehsil/Taluka-Goghat, Town/City- Bengai, District-Hooghly, State-West Bengal, Pin Code- 712611 reveals that both the buildings are same and one. The institution has misled NCTE by carrying out inspection of both institutions in the same building.”**



The Appeal Committee noted that in both the case 2 (two) different Video CD has been submitted which need re-verification by the Visiting Team.


The Committee further noted that the appellant during the Appeal has submitted a **Memo No- 630/sim/23** dated 12.05.2023 issued by the Revenue Officer, Block Land & Land Reforms Office, Simlapal, Bankura, wherein the following has been certified: -

“This is to certify that Sri Ramkrishna College of Education, Vill+PO - Bikrampur, PS- Simlapal, Dist- Bankura, Pin-722151 is situated at its own land (Mouja - Katjuria, J.L., No- 60, Plot No-23/309, 26/307, & 26) The institution is the owner of land and building for running the B.Ed. programme since 2020. This institution has been successfully running from the above-mentioned address.”

The Appeal Committee in the light of the submission made by the appellant Institution during on-line hearing held on 12.05.2023 pass the following orders: -

- (i) **Inspection under Section 13 of the NCTE Act, 1993 shall be conducted by the Eastern Regional Committee (ERC), NCTE as per laid down procedure specifically verifying the following: -**
- (a) The infrastructure and instructional facilities available with the institution as per provisions of the NCTE Regulations, 2014
 - (b) The Appellant Institution is the owner of the land and building having full possession on it, as claimed by Appellant.
 - (c) Whether the building of the institution has been constructed as per National Building Code and the same is fully safe and structurally sound having load bearing capacity as per the Code/ Standards, to run the teacher training course.
 - (d) Whether safeguard against fire hazard has been provided in all parts of the building
 - (e) Whether the institution's campus, building, furniture etc. is barrier free/accessible.
 - (f) Building Completion Certificate mentioning total Land area and built-up area
 - (g) Whether any other institute is also running in the same premises or not.

The Appeal Committee further directed the Eastern Regional Committee (ERC), NCTE that on being receipt of the report of the Visiting Team, the same shall be examined by the ERC, and furnish a report as to whether the institution is fulfilling the norms and



standards as per provisions of the NCTE Regulations or not, to enable the Appeal Committee to take appropriate decision in the matter.

Noting the submission and verbal arguments advanced during the hearing, the Appeal Committee decided to keep the matter pending until the Report is submitted by the Eastern Regional Committee (ERC) as it is very necessary to ascertain whether institution is having infrastructure & instructional facilities viz-a-viz fulfilling the norms & standards as per provisions of the NCTE Regulations, 2014. Thus, it may not be advisable to remand back the case for the reasons that it will have an adverse effect on the quality of education and fate of students.

The Appeal Committee in its 1st Meeting, 2025 held on 09.01.2025 perused the relevant records which was received from the ERC in compliance to the earlier Appellate order of the Committee and accordingly, after perusal of the V.T. Report, the Appeal Committee observed that the appellant institution is still deficient on the following points:

- (i) Institution building is not Barrier free. To reach on upper floor only staircase is available, no ramp or lift for differentially able person.
- (ii) Library in pathetic condition. No book shelves display. Looks like library not in use for long time. No library staff and supporting staff for library were present.
- (iii) Playground in very bad shape. Land shown as play ground is not fit for any sports or any other general activities.
- (iv) Principal and Teachers were not available. Their record for salary and appointment was not available. They are paid salary in case as chairman of Institute informed.
- (v) Infrastructure for class rooms, labs, multi-purpose hall is sufficient.
- (vi) In computer lab, internet facility and no of computer in lab were not available (some 4 to 5 computers were visible during inspection)
- (vii) Toilet and drinking water facility looks not in good condition.
- (viii) Overall building condition and campus environment not conducive for Teachers Education Courses.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the ERC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the withdrawal order dated 27.12.2022 issued by ERC is confirmed.



IV. DECISION: -

After perusal of the Appeal Report, documents on record, the Appeal Committee of the Council concluded that the ERC was justified in withdrawing the recognition and it decided that the instant appeal be dismissed and therefore, the withdrawal order dated 27.12.2022 issued by ERC is 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, Sri Ramkrishna College of Education, 23/309, 26, 26/307, Bikrampur, Bikrampur Lakshmisagar Road, Simlapal, Bankura, West Bengal-722151.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. The Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Principal Secretary, Department of Higher Education, Govt. of West Bengal, Bikash Bhavan, Salt Lake City, (5th,6th,8th,10th Floor) Kolkata - 700 091, West Bengal.