



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 - 18/07/2024

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/  
APPEAL FILED UNDER SECTION 18 OF NCTE ACT  
File No. 89-15/E-329848/2024/Appeal/8<sup>th</sup> Meeting, 2024  
APPLSRC202314650

Smt. Mannaru Yasodamma Memorial B.Ed. College, Sy. No. 458/1, 458/3, Addanki Road, Dasri Post, Kandukur Revenue, Prakasam, Andhra Pradesh-523247.	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
<b>APPELLANT</b>		<b>RESPONDENT</b>

<b>Representative of Appellant</b>	<b>Mr. N. Ramanjaneyulu, Director</b>
<b>Respondent by</b>	<b>Regional Director, SRC</b>
<b>Date of Hearing</b>	<b>06.06.2024</b>
<b>Date of Pronouncement</b>	<b>18.07.2024</b>

## आदेश/ ORDER

### **I. GROUND OF WITHDRAWAL**

The appeal of **Smt. Mannaru Yasodamma Memorial B.Ed. College, Sy. No. 458/1, 458/3, Addanki Road, Dasri Post, Kandukur Revenue, Prakasam, Andhra Pradesh-523247** dated 07.08.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRC/NCTE/APS01313/B.Ed./AP/2023/142309-142313** dated 08.06.2023 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i) The institution has submitted faculty list in which lecturer at S.No. 2,3,4,5,8,9,10,12 & 13 does not have NET/Ph.D. as per NCTE (Recognition Norms & Procedure) (Amendment) Regulations, 2017 dated 29.05.2017 notified on 09.06.2017. (ii) Further, the institution has failed to submit copies of certificates of academic & professional educational qualification viz. B.Ed. M.Ed., NET, Ph.D etc. and experience certificate of the Principal. (iii) The institution failed to submit proof of uploaded information of the Website of the institution as required under clause 7(14)(i), 8(14) and 10(3) of the NCTE Regulations, 2014. (iv) The institution has not submitted certified copy of Land Documents. (v) The institution has not submitted Land Use Certificate. (vi) The institution has submitted photocopy of Building Plan but not readable. (vii) The institution has submitted photocopy of Site Plan but not readable. (viii) The institution has submitted Building Completion Certificate but not in prescribed format as per NCTE Regulation 2014.”

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

**Mr. N. Ramanjaneyulu, Director of Smt. Mannaru Yasodamma Memorial B.Ed. College, Sy. No. 458/1, 458/3, Addanki Road, Dasri Post, Kandukur Revenue, Prakasam, Andhra Pradesh-523247** appeared online to present the case of the appellant institution on 06.06.2024. In the appeal report, it is submitted that “(i) Approved qualified staff list submitted. (ii) Submitted copies of Certificates and Experience Certificate of the staff. (iii) Submitted proof of uploaded information of the website of the institution. (iv) Submitted certified copy of Land Documents. (v) Submitted Land Use

  
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Certificate. (vi) Blueprint of the building plan submitted. (vii) Blueprint of the site plan submitted. (viii) Building Completion Certificate in prescribed format submitted.”

### III. OUTCOME OF THE CASE

**The Appeal Committee in its 8<sup>th</sup> Meeting, 2024 held online on 6<sup>th</sup> June, 2024 perused the relevant records and the documents submitted by appellant institution in the Appeal Report, documents on record and oral arguments advanced during the meeting.**

The Appeal Committee noted that the appellant institution was granted recognition for conducting Secondary (B.Ed.) Course of one-year duration with an annual intake of 100 students vide order dated 13.10.2003 from the academic session 2003-2004. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 13.01.2015 for its willingness for adherence of provisions of new Regulations. Further, the permission was hereby accorded by SRC to the institution to shift its premises to the new location/building at Smt. Mannaru Yasodamma Memorial B.Ed. College, Survey no. 458/1 & 458/3, Addanki Road, 14<sup>th</sup> Block Darsi Prakasam District, Andhra Pradesh-523247 and the revised provisional recognition order was issued to the institution on dt. 29.05.2015 for conducting B.Ed. programme of two years duration with an annual intake of 100 students each for two basic units from the academic session 2015-2016. Further, an order dated 07.10.2016 was issued to the institution for granting recognition to the institution for running B.Ed. course of two years duration with an intake of 100 students (two units of 50 students each) from the academic session 2016-2017. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 08.06.2023.

The Appeal Committee noted that the petitioner institution had preferred a **W.P. No. 4588 of 2024** before the **Hon'ble High Court of Andhra Pradesh at Amaravati** against the Withdrawal Order dated **08.06.2023**. The Hon'ble Court vide its order dated **26.02.2024** directed as under: -

***“There shall be an interim direction, directing the 2nd respondent to permit the petitioner institution to participate in the web counseling conducted for AP Ed-CET-2023, without referring to the impugned withdrawal orders dated 23.05.2023, in view***

*of the fact that an appeal has been preferred by the petitioner against the said withdrawal orders dated 23.05.2023, which is pending for adjudication before the 3rd respondent.*

*Post the matter after four (4) weeks.”*

The instant matter was placed before the Appeal Committee in its 5<sup>th</sup> Meeting, 2024 held on 27.03.2024, the Appeal Committee noted that the Appellant Institution did not appear online to present its case before Appeal Committee 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 Appeal Committee.

The instant matter was placed before the Appeal Committee in its 6<sup>th</sup> Meeting, 2024 held on 10.04.2024. The Appeal Committee observed that the appellant institution has not submitted the requisite documents. The Appeal Committee in order to consider the case of the appellant institution on merit, decided to grant another (3<sup>rd</sup>/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 7<sup>th</sup> Meeting, 2024 held on 14.05.2024. The Appeal Committee noted that the institution in its email dt. 09.05.2024 had stated that the representative will join the meeting and will defend the appeal of the institution. However, it was noticed that despite the said email the institution did not appear to represent the instant appeal. In the light of natural justice, the Appeal Committee decided to grant one more opportunity i.e., (Last/final opportunity) to the Appellant Institution.

The instant matter placed before the Appeal Committee in its 8<sup>th</sup> Meeting, 2024 held on 06.06.2024 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 08.06.2023: -

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- (i) A copy of faculty list (1+15) members approved by the Registrar, Andhra Kesari University, Andhra Pradesh alongwith approval letter of concerned affiliating University & copy of the proceedings regarding selection of all the faculty members.
- (ii) A copy of an Affidavit on Rs. 100/- Non-Judicial Stamp paper mentioning the name, designation, account number and salary paid of each of the faculty appointed for B.Ed. programme along with the salary statements for three months duly verified by the State Bank of India.
- (iii) A copy of screen shot of website showing uploading the requisite documents on the website of the institution.
- (iv) A copy of an affidavit stating about status of land & building available with the institution.
- (v) A copy of land documents, land use certificate, building plan & building completion certificate etc.

The Appeal Committee noted that the institution has submitted documents with respect to points mentioned in the impugned order dated 08.06.2023 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.

The Appeal Committee noted that the document submitted in appeal viz a viz the grounds mentioned in the impugned order dated 08.06.2023, required to be verified. **The SRC is required to verify the faculty list etc. 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 08.06.2023 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 the faculty list etc. submitted in Appeal from the concerned affiliating University/authority. 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.

*Arjits*



**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 faculty list etc. submitted in Appeal from the concerned affiliating University/authority. 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, Smt. Mannaru Yasodamma Memorial B.Ed. College, Sy. No. 458/1, 458/3, Addanki Road, Dasri Post, Kandukur Revenue, Prakasam, Andhra Pradesh-523247**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. 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.



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 - 18/07/2024

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/  
APPEAL FILED UNDER SECTION 18 OF NCTE ACT  
File No. 89-19/E-331353/2024/Appeal/8<sup>th</sup> Meeting, 2024  
APPLWRC202314701

Late Pundlikrao Tirpude College of Education, Khasra No. 276/1, Khedepar Road, Sawari (Murmadi), Lakhani, Bhandara, Maharashtra- 441804.	<b><u>Vs</u></b>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
<b>APPELLANT</b>		<b>RESPONDENT</b>

<b>Representative of Appellant</b>	<b>Mr. Dhananjay P. Tirpude, Secretary</b>
<b>Respondent by</b>	<b>Regional Director, WRC</b>
<b>Date of Hearing</b>	06.06.2024
<b>Date of Pronouncement</b>	18.07.2024



## आदेश / ORDER

### I. GROUND OF WITHDRAWAL

The appeal of **Late Pundlikrao Tirpude College of Education, Khasra No. 276/1, Khedepar Road, Sawari (Murmadi), Lakhani, Bhandara, Maharashtra-441804** dated 03.10.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. F. No. NCTE/ WRC/ APW04613/ 123565/ B.ED/ 375<sup>th</sup>/ M.H/ 2022/ 221179 dated 15.12.2022 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i) Recognition was granted for B.Ed. course vide order dated 01.03.2008. (ii) Revised order was issued dated 31.05.2015 in pursuance of NCTE Regulations, 2014. (iii) Show Cause Notice dated 03.04.2017 was issued in the matter of compliance of conditions of revised recognition order. (iv) No reply submitted in response to show cause notice. (v) Performance Appraisal Report for the academic session 2020-2021 has not been submitted by the institution. (vi) Final Show Cause Notice u/s 17 of NCTE Act, 1993 was issued dated 29.09.2022. (vii) No reply submitted by the institution in response to final show cause notice.”

### II. SUBMISSIONS MADE BY APPELLANT: -

**Mr. Dhananjay P. Tirpude, Secretary of Late Pundlikrao Tirpude College of Education, Khasra No. 276/1, Khedepar Road, Sawari (Murmadi), Lakhani, Bhandara, Maharashtra-441804** appeared online to present the case of the appellant institution on 06.06.2024. In the appeal report, it is submitted that “(i) It is most respectfully submitted that the institution has duly complied with the directions of the WRC meeting whereby withdrawal order was issued to the institution after the court order was submitted by the institution. All the original documents are being submitted herewith for perusal and consideration. The documents are attached herewith for ready reference. (ii) It is most respectfully submitted that the institution has duly complied with the directions of the WRC meeting whereby withdrawal order was issued to the institution after the court order was submitted by the institution. All the original documents are being submitted herewith for perusal and consideration. The documents are attached herewith for ready reference. (iii)



Due to the death of the president of Jivan Shikshan Sanstha Lakhani due to prolonged illness, the college could not reply but documents are attached herewith for we are ready reference.”

### III. OUTCOME OF THE CASE

The Appeal Committee in its 8<sup>th</sup> Meeting, 2024 held online on 6<sup>th</sup> June, 2024 perused the relevant records and the documents submitted by appellant institution in the Appeal Report, documents on record and 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 intake of 100 vide order dated 01.03.2008 from the academic session 2008-2009. After promulgation of NCTE Regulations, 2014 a Revised Provisional Recognition Order was issued to the institution on dt. 31.05.2015 for conducting 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 15.12.2022.

The petitioner institution had preferred a W.P. (C) No. 12711/2023 & CM APPL. 50176/2023 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble Court vide order dated 26.09.2023 directed as under: -

***“...5. Having considered the fact that the petitioner has not approached the Appellate Authority, this court at this stage, grants liberty to the petitioner to withdraw the instant writ petition and grants him further liberty to file an appeal within a period of seven days before the concerned Appellate Authority.***

***6. Needless to state that, if such an appeal is filed by the petitioner within seven days, let the same be decided as expeditiously as possible and not beyond four weeks from the date of receipt of the copy of the appeal.***

***7. Let the Appellate Authority to also consider the reasons given by the petitioner for filing the appeal beyond statutory limitation and to pass appropriate order on that aspect as well.***

***8. Accordingly, the petition is disposed of as withdrawn along with pending application.”***



The instant matter was placed before the Appeal Committee in its 5<sup>th</sup> Meeting, 2024 held on 27.03.2024. The Appeal Committee observed that the appellant institution has not submitted 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 (Second) opportunity to the appellant institution and the institution was required to submit the documents mentioned therein.

The instant matter was again placed before the Appeal Committee in its 6<sup>th</sup> Meeting, 2024 held on 10.04.2024. The Appeal Committee observed that the appellant institution has not submitted the requisite documents. The Appeal Committee in order to consider the case of the appellant institution on merit, decided to grant another (3<sup>rd</sup>/Final) opportunity to the appellant institution and the institution was required to submit the documents mentioned therein.

The instant matter again placed before the Appeal Committee in its 7<sup>th</sup> Meeting, 2024 held on 14.05.2024. During the online hearing the appellant institution inform the Appeal Committee that the institution was not being run by the institution since 2016. The Appeal Committee in order to consider the case of the appellant institution on merit, decided to ask the appellant institution to submit the following documents alongwith affidavits so that the decision of the Appeal Committee become authenticated: -

- (i) ***A copy of latest affiliation order by the concerned Affiliating University.***
- (ii) ***Whether the Performance Appraisal Report was submitted by the institution for the academic session 2020-21, if yes, the copy of the said shall be submitted.***
- (iii) ***The institution is required to submit the approval letter of the concerned University/Affiliating Body approving the faculty along with the latest faculty list for B.Ed. programme approved by the Registrar of the affiliating body as per the prescribed Format.***
- (iv) ***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.***
- (v) ***An Affidavit on Rs. 100/- Non-Judicial Stamp paper clearly mentioning the name, designation, account number and salary paid of each of the faculty appointed for B.Ed. programme and also stating therein that the faculty are being paid salary through cheque/RTGS/NEFT. The Affidavit should be***



*supported with the salary statements for three months duly verified by the bank officials.*

- (vi) *The institution is required to submit proof of uploaded information of the Website of the institution as required under clause 7(14)(i), 8(14) and 10(3) of the NCTE Regulations, 2014.*

*In view of above, the Committee decided to grant 3<sup>rd</sup>/Final opportunity to the appellant institution with the direction to submit the aforesaid documents on or before next date of the Appeal Committee Meeting.”*

The instant matter placed in its 8<sup>th</sup> Meeting, 2024 held on 06.06.2024. The Appeal Committee after perusing the documents submitted by the Appellant Institution vide letter dated 22.04.2024 & 30.05.2024 in response to the Notice dt. 22.05.2024, and verbal arguments advanced during the hearing observed that the Appellant Institution has failed to comply with the directions of the Appeal Committee and still lacking on the following documents: -

- (i) The institution has failed to submit the approval letter of the concerned University/Affiliating Body approving the faculty along with the latest faculty list for B.Ed. programme approved by the Registrar of the affiliating body as per the prescribed Format with a copy of 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.
- (ii) The institution failed to submit a proof that the faculty are being paid salary through cheque/RTGS/NEFT supported with the salary statements for three months duly verified by the bank officials alongwith an Affidavit.

Moreover, the institution also informed the Appeal Committee during the online hearing that the institution is not having any affiliation since 2022 and it has not submitted mandatory Performance Appraisal Report (PAR)

In view of above, 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 15.12.2022 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 15.12.2022 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, Late Pundlikrao Tirpude College of Education, Khasra No. 276/1, Khedepar Road, Sawari (Murmadi), Lakhani, Bhandara, Maharashtra-441804.**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Principal Secretary, Directorate of Higher Education, Maharashtra State, 411, Fourth Floor, Mantralaya Annex, Madam Cama Road, Nariman Point, Mumbai – 400032.