



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 - 16.04.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-48/E-356408/2025 Appeal/3rd Meeting, 2025
APPLERC202514898

Sibsagar College, Plot No. Potta No. 177 Dag No. 67/79, Village - Joysagar, Street/Road- Joysagar Tank Road, Taluka/Mandal - Amguri, District-Sibsagar, Assam-785665.	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Dr. Tridip Mahanta, Academic Registrar
Respondent by	Regional Director, ERC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश/ ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Sibsagar College, Plot No. Potta No. 177 Dag No. 67/79, Village - Joysagar, Street/Road- Joysagar Tank Road, Taluka/Mandal - Amguri, District- Sibsaagar, Assam-785665** dated 08.02.2025 filed under Section 18 of NCTE Act, 1993 is against the Order No **F.No.NCTE/ERC/2526202405203217/ASSAM/2024/REJC/1460** dated 29.01.2025 of the Eastern Regional Committee, refusing recognition for conducting ITEP course on the grounds that "(i). Evidence to establish that the SIBSAGAR COLLEGE is converted to university. (ii). In support of land documents, the institution has uploaded a Certificate from Circle Officer stating that the land is on lease basis in the name of institution. The institution is required to submit the document to establish the period of lease by the State Government. (iii). The institution has uploaded the Fire Safety Certificate for only 1850.15 sqm, which is not even sufficient for ITEP Programme."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Tridip Mahanta, Academic Registrar of Sibsaagar College, Plot No. Potta No. 177 Dag No. 67/79, Village - Joysagar, Street/Road- Joysagar Tank Road, Taluka/Mandal - Amguri, District-Sibsaagar, Assam-785665 appeared online to present the case of the appellant institution on 07.03.2025. In the appeal report, it is submitted that "Explanation of Sibsaagar College against NCTE ERC's rejection/refusal order dated 29-01-2025 1. The rejection ground is not substantive. 2. While submitting our reply to final show cause notice, we submitted all three required documents well ahead of the last date i.e. 04-12-2024 for our case - (a) evidence to establish that Sibsaagar College is converted to Sibsaagar University, (b) evidence from the Govt of Assam that Sibsaagar College is having more than 30 years of lease of the land under possession, (c) fire safety certificate of total area of 2586.8 sqm. 3. Not finding the uploaded documents of Sibsaagar College by NCTE ERC in its meeting is a technical flaw of NCTE ERC itself in which Sibsaagar College does not have any role to play. Moreover, Sibsaagar College, in its application portal, has found all three required documents being uploaded. 4. Additionally, in case of non-submission of uploaded documents, there should have been warning

signal/sign in the portal itself, which was not there. Furthermore, there was no provision in NCTE application portal to send acknowledgement after submission. Even, there was no edit option in the portal to enable an applicant HEI to submit documents again at least before the last date.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March, 2025 took up this Appeal and perused the Appeal Report, documents available on the records and heard oral arguments advanced during the Meeting.

The Appeal Committee noted that the appellant institution had submitted an application to the Eastern Regional Committee for grant of recognition for seeking permission for running the ITEP Course on 20.05.2024. The recognition of the institution was refused by the ERC vide order dt. 29.01.2025.

The instant matter was placed in its 3rd Meeting, 2025 held on 07.03.2025 and during the online hearing the Appeal Committee took note of the explanation and submissions of the institution and accordingly, the Appeal Committee observed the appellant institution has submitted the evidence (a) to establish that Sibsagar College is converted to Sibsagar University, (b) evidence from the Govt of Assam that Sibsagar College is having more than 30 years of lease of the land under possession, (c) fire safety certificate of total area of 2586.8 sqm.

Noting the submission and verbal arguments advanced during the hearing, the Appeal Committee decided to remand back the case after setting aside the order dt. 29.01.2025 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 as per applicable Rules & Regulation of the NCTE 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 after setting aside the order dt. 29.01.2025 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 as per applicable Rules & Regulation of the NCTE 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.

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, Sibsagar College, Plot No. Potta No. 177 Dag No. 67/79, Village-Joysagar, Street/Road- Joysagar Tank Road, Taluka/Mandal - Amguri, District-Sibsagar, Assam-785665.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. 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

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

दिनांक/ Date - 16.04.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-52/E-357646/2025 Appeal/3rd Meeting, 2025
APPLSRC202514931

Sathyabama Institute of Science and Technology, Plot No. 1, Village - Sholinganallur, Street/Road- Jeppiaar Nagar, Rajiv Gandhi Salai, District - Chennai, Tamilnadu-600119.	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Dr. S S Rao, Registrar
Respondent by	Regional Director, SRC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश / ORDER

I. GROUND OF REFUSAL

The appeal of **Sathyabama Institute of Science and Technology, Plot No. 1, Village - Sholinganallur, Street/Road- Jeppiaar Nagar, Rajiv Gandhi Salai, District - Chennai, Tamilnadu-600119** dated 20.02.2025 filed under Section 18 of NCTE Act, 1993 on the basis of the decision of the SRC taken in its 449th meeting rejecting the application of the institution for ITEP programme on the ground that “**Regarding land documents, the institution has uploaded the lease deed from Private party, which I is not acceptable as per clause 8(4) (i) of NCTE Regulations, 2014. The other documents related to land viz. Mutation, NEC, CLU, Building Plan, Building Completion Certificate are not acceptable as the land is on private lease basis.**”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. S S Rao, Registrar of Sathyabama Institute of Science and Technology, Plot No. 1, Village - Sholinganallur, Street/Road- Jeppiaar Nagar, Rajiv Gandhi Salai, District - Chennai, Tamilnadu-600119 appeared online to present the case of the appellant institution on 07.03.2025. In the appeal report, it is submitted that “(i). The land is registered in the name of "Sathyabama institute of science and technology trust" and the same is attached. (ii). Mutation certificate in the name of "Sathyabama institute of science and technology trust" is attached. (iii). Building completion certificate in the name of "Sathyabama institute of science and technology trust" is attached. (iv). Building plan for the proposed ITEP programme building is attached. (v). Encumbrance certificate is attached. (vi). Translated version of land use certificate is attached.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March, 2025 took up this Appeal and perused the Appeal Report, documents available on the records and heard oral arguments advanced during the Meeting.

The Appeal Committee noted that the appellant institution had submitted an application to the Southern Regional Committee for grant of recognition for seeking permission for running the ITEP course.

The instant matter was placed in its 3rd Meeting, 2025 held on 07.03.2025. The Appel Committee perused the appeal Report, documents submitted and heard submissions advanced by the institution. The Appeal Committee observed that the institution has filed the instant Appeal against the decision of the SRC taken in its 449th meeting rejecting the application of the institution for ITEP programme on the ground that **“Regarding land documents, the institution has uploaded the lease deed from Private party, which I is not acceptable as per clause 8(4) (i) of NCTE Regulations, 2014. The other documents related to land viz. Mutation, NEC, CLU, Building Plan, Building Completion Certificate are not acceptable as the land is on private lease basis.”**

The Appeal Committee noted that the Appellant institution has submitted before the Appellate Authority that the land is registered in the name of **Sathyabama Institute of Science and Technology Trust** by way of gift deed dt. 22.11.2022. Moreover, Mutation Certificate, Building Completion Certificate, Building Plan, Encumbrance Certificate and Land Use Certificate has been attached with the Appeal Records establishing that the same pertains to the said institution.

In view of the above submissions and documents made available on records, the Appeal Committee is of the view that there is a strength in the submissions of the institution and as such, the Appeal Committee is of the view that the instant Appeal deserves to be allowed after setting aside the decision taken by the SRC in its 3rd Meeting, 2025 held on 07.03.2025 in respect of the appellant institution.

Noting the submission and verbal arguments advanced during the hearing, the Appeal Committee decided to remand back the case 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 as per applicable Rules & Regulation of the NCTE issued from time to time. The Appellant is directed to forward to the SRC, 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 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 as per applicable Rules & Regulation of the NCTE issued from time to time. The Appellant is directed to forward to the SRC, 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, Sathyabama Institute of Science and Technology, Plot No. 1, Village - Sholinganallur, Street/Road- Jeppiaar Nagar, Rajiv Gandhi Salai, District - Chennai, Tamilnadu-600119.**
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 Principal Secretary to Government, Higher Education Department, Govt. of Tamil Nadu, Fort St. George, Chennai, Tamilnadu-600009.**



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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 - 16.04.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-68/E-358098/2025 Appeal/3rd Meeting, 2025
APPLNRC202514956

Central Institute of Higher Tibetan Studies, M.127/1, Mavaiya, Sarnath, Varanasi, Uttar Pradesh-221007	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075
APPELLANT		RESPONDENT

Representative of Appellant	Dr. Sunita Chandra, Registrar
Respondent by	Regional Director, NRC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश / ORDER

I. GROUNDS OF REFUSAL

The appeal of **Central Institute of Higher Tibetan Studies, M.127/1, Mavaiya, Sarnath, Varanasi, Uttar Pradesh-221007** dated 04.03.2025 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.NCTE/NRC/2526202402291905/UTTAR PRADESH/2024/REJC/1855** dated 04.03.2025 of the Northern Regional Committee, refusing recognition for conducting ITEP Course on the grounds that "As per Public notice dated 05.05.2024 issued by NCTE, the applications were invited for transition from institutions which have been granted recognition by NCTE to run the 4 Year Integrated Programme (B.A.B.Ed. / B.Sc.B.Ed.), under omitted Appendix 13 as per NCTE Regulations 2014. In the Public Notice, it was clearly mentioned that if any institution which is not recognised by NCTE applies for transition, the application shall be out rightly rejected, and any fee paid by such institution shall be forfeited. The institution is not recognized by NRC-NCTE for 4 Year Integrated Programme (B.A.B.Ed. / B.Sc.B.Ed.) programme, therefore, the application of the institution is not eligible for processing for transition into ITEP. In view of the above, the Committee decided that the application submitted by the institution for transition into ITEP course be rejected."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Sunita Chandra, Registrar of Central Institute of Higher Tibetan Studies, M.127/1, Mavaiya, Sarnath, Varanasi, Uttar Pradesh-221007 appeared online to present the case of the appellant institution on 07.03.2025. In the appeal report, it is submitted that "vide letter no. NRC/NCTE INNOVATIVE -C.U.T.S./217TH MEETING/56444 dated 08/08/2013 the recognition for running the B.A.B.Ed./B.Sc.B.Ed 4 year integrated course WAS already communicated to the university. This was in compliance to the decision taken by NRC in its 217th meeting held on July 26-29, 2013. This ORDER was GRANTED on the basis of the full satisfaction of the committee in regard to fulfilment of the requirements under the provisions of NCTE Act, rules and relevant regulations including the standards and norms for the Shastri cum Shikha shasri course B.A.B.Ed./ B.Sc.B.Ed. (innovative course) program such as institution facilities,

infrastructural facilities, library, accommodation, financial resources, laboratory, etc. for running the program. Further this is also to inform that the refusal order dated 11th January 2025 was issued directly without giving an opportunity of hearing to the institute.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March 2025 took up this Appeal and perused the Appeal Report, documents available on the records and heard oral arguments advanced during the Meeting.

The Appeal Committee noted that the appellant institution had submitted an application to the Northern Regional Committee for grant of recognition for seeking permission for running the ITEP Course on 05.03.2024. The recognition of the institution was refused by the NRC vide order dt. 11.01.2025.

The instant matter was placed in its 3rd Meeting, 2025 held on 07.03.2025 and during the online hearing the Appeal Committee noted the explanation and submissions of the institution. The Appeal Committee is of the view that there is a strength in the submissions of the institution that the institution is already running Shastri cum Shiksha Shastri B.A. B.Ed. / B.Sc. B.Ed. (Innovative Course) with an annual intake of 25 students since 09.06.2012 in the name of Central University Tibetan Studies vide NRC recognition order dt. 08.08.2013.

In view of the above submissions and documents made available on records, the Appeal Committee is of the view that there is a strength in the submissions of the institution and as such, the Appeal Committee is of the view that the instant Appeal deserves to be allowed after setting aside the order dt. 11.01.2025 passed by NRC, NCTE.

Hence, the Appeal Committee decided to remand back the instant matter to the NRC, NCTE after setting aside the order dt. 11.01.2025 with a direction to decide afresh, the Application of the institution on the basis of the documents submitted.

Noting the submission and verbal arguments advanced during the hearing, the Appeal Committee decided to remand back the case after setting aside the order dt. 11.01.2025 to NRC, 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 as per applicable Rules & Regulation of the NCTE issued from time to time. The Appellant is directed to forward to the NRC, 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 after setting aside the order dt. 11.01.2025 to NRC, 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 as per applicable Rules & Regulation of the NCTE issued from time to time. The Appellant is directed to forward to the NRC, 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, Central Institute of Higher Tibetan Studies, M.127/1, Mavaiya, Sarnath, Varanasi, Uttar Pradesh-221007.**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
3. **Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The 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 - 16.04.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-74/E-358100/2025 Appeal/3rd Meeting, 2025
APPLSRC202514941

Holy Cross College (Autonomous), F7/27/23, Post Box No. 318, Teppakulam Post, Madurai Road, Trichy East, Truchirapali, Tamilnadu-620002	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075
APPELLANT		RESPONDENT

Representative of Appellant	Ms. T. Lucia Agnes Beena, Assistant Professor & Head
Respondent by	Regional Director, SRC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश / ORDER

I. GROUND OF REFUSAL

The appeal of Holy Cross College (Autonomous), F7/27/23, Post Box No. 318, Teppakulam Post, Madurai Road, Trichy East, Truchirapali, Tamilnadu-620002 dated 26.02.2025 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No.NCTE/SRC/2526202405072661/TAMIL NADU/2024/REJC/966 dated 27.12.2024 of the Southern Regional Committee, refusing recognition for conducting ITEP Course on the grounds that "The First Show Notice was issued to the institution vide dated 04.08.2024 with a direction to submit reply within 21 days. The Final Show Cause Notice was issued to the institution vide dated 15.10.2024 with a direction to submit reply within 15 days. The institution has not replied nor uploaded any documentary proof in respect of the Final Show Cause Notice issued on 15.10.2024 and the stipulated time period is over."

II. SUBMISSIONS MADE BY APPELLANT: -

Ms. T. Lucia Agnes Beena, Assistant Professor & Head of Holy Cross College (Autonomous), F7/27/23, Post Box No. 318, Teppakulam Post, Madurai Road, Trichy East, Truchirapali, Tamilnadu-620002 appeared online to present the case of the appellant institution on 07.03.2025. In the appeal report, it is submitted that "Now we are making an appeal to consider our application for approval of integrated B.Ed. in Holy Cross College (Autonomous), Tiruchirappalli, which is a multidisciplinary College."

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March 2025 took up this Appel and perused the Appeal Report, documents available on the records and heard oral arguments advanced during the Meeting.

The Appeal Committee noted that the appellant institution had submitted an application to the Southern Regional Committee for grant of recognition for seeking permission for running the ITEP Course on 13.05.2024. The recognition of the institution was refused by the SRC vide order dt. 27.12.2024.

The instant matter was placed before the Appeal Committee in its 3rd Meeting, 2025 held on 07.03.2025. The Appel Committee perused the Appeal Report, documents submitted and heard submissions advanced by the institution. The Appeal Committee observed that the institution has filed the instant Appeal against the Refusal order dt. 27.12.2024 on the ground that the institution has not replied to the first Show Cuse Notice dt. 04.08.2024 and has not uploaded documentary proof for offering Multi-disciplinary programmes within 21 days. Final Show Cause Notice dt. 15.10.2024 with a direction to submit reply within 15 days which was not replied by the institution within stipulated time. Hence, Refusal order was passed by SRC, NCTE.

The Appeal Committee has observed that the institution has claimed that it has filed all the necessary documents to establish that it meets the criteria of being a "Multi-disciplinary Institution". However, due to bonafide mistake on the part of the institution, it could not mention on the portal that it was Multi-disciplinary Institution. While going through the documents, it transpired that the Holy Cross College (Autonomous), Tamilnadu is offering several courses i.e., Under-Graduate, Post-Graduate, M. Phill, Ph.D., Research programme, Certificate course and post-graduate diploma courses.

In view of the above submissions and documents made available on records, the Appeal Committee is of the view that there is a strength in the submissions of the institution and as such, the Appeal Committee is of the view that the instant Appeal deserves to be allowed after setting aside the order dt. 27.12.2024 passed by SRC, NCTE.

Hence, the Appeal Committee decided to remand back the instant matter to the SRC, NCTE after setting aside the order dt. 27.12.2024 with a direction to decide afresh, the Application of the institution on the basis of the documents submitted.

Noting the submission and verbal arguments advanced during the hearing, the Appeal Committee decided to remand back the case after setting aside the order dt. 27.12.2024 to SRC, 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 as per applicable Rules & Regulation of the NCTE issued from time to time. The Appellant is directed to forward to the SRC, 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 after setting aside the order dt. 27.12.2024 to SRC, 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 as per applicable Rules & Regulation of the NCTE issued from time to time. The Appellant is directed to forward to the SRC, 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, Holy Cross College (Autonomous), F7/27/23, Post Box No. 318, Teppakulam Post, Madurai Road, Trichy East, Truchirapali, Tamilnadu-620002.**
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 Principal Secretary to Government, Higher Education Department, Govt. of Tamil Nadu, Fort St. George, Chennai, Tamilnadu-600009.**



एनसीटीई अपीलुीय प्रलधलकरण डें/ IN THE NCTE APPELLATE AUTHORITY

राष्ट्रीय अध्यापक शलक्षा परलषद (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दलल्ली-110075

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

दलनांक/ Date - 16.04.2025

एनसीटीई अधलनलरड की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-91/E-352163/2024 Appeal/3rd Meeting, 2025
APPLSRC202414813

Sri Sadguru Bandayappa Swamy B.Ed. College, H.No. 1-1/c, 542/1, Bichkunda, Banswada Road, Nizamabad, Telangana-503306	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Pundlik Rao Patel, Administrative Officer
Respondent by	Regional Director, SRC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश / ORDER

I. GROUNDS OF REFUSAL

The appeal of **Sri Sadguru Bandayappa Swamy B.Ed. College, H.No. 1-1/c, 542/1, Bichkunda, Banswada Road, Nizamabad, Telangana-503306** dated 31.08.2024 filed under Section 18 of NCTE Act, 1993 is against the order no. **F.SRC/NCTE/SRCAPP0355/B.Ed./436th Mtg./TS/2024/145285-145288** dt. 14.08.2024 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "(i). The institution has submitted faculty list of 1 Principal+10 Faculty for Lecturers + 1 Faculty Physical Director + 1 Faculty for Performing Arts +1 Faculty for Fine Arts total 14 faculty members against 16, which is not sufficient to run B.Ed. (2 units) programme. (ii). The institution has submitted a list of faculty list in which date of approval and date of joining is mentioned but not approved by affiliating body and not in prescribed format as per the NCTE Regulation. (iii). The institution has submitted a copy of Building plan in which Multipurpose Hall size is not mentioned."

II. SUBMISSIONS MADE BY APPELLANT

Mr. Pundlik Rao Patel, Administrative Officer of Maxwell College of Education, 554, Rajpora Road, Pulwama, Jammu & Kashmir-192301 appeared online to present the case of the appellant institution on 07.03.2025. In the appeal report, it is submitted that "1. Sri Sadguru Bandayappa Swamy B.Ed. College has updated the staff 15+1 as per NCTE norms through Selection Committee constituted by the affiliating body (Telangana University). 2. Sri Sadguru Bandayappa Swamy B.Ed. College has updated the staff 15+1 as per NCTE norms through Selection Committee constituted by the affiliating body (Telangana University) copy enclosed with staff details and date of approval and date of joining as per the NCTE Regulation for your kind verification. 3. Sri Sadguru Bandayappa Swamy B.Ed. College has updated building plan with rooms dimensions of multipurpose hall. I am here with submitting notarized copy of Building Plan, Completion Certificate."

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March 2025 took up this Appeal and perused the Appeal Report, documents available on the records and heard oral arguments advanced during the Meeting.

The Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course of one year duration with an annual intake of 100 students from the academic session 2002-2003 vide order dated 28.02.2003, Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 16.01.2015 for its willingness for adherence of provisions of new Regulations. 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) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 14.08.2024.

The Appeal Committee noted that the instant matter was placed in its 1st Meeting, 2025 held on 09.01.2025 whereby the Appeal Committee decided to grant another (second) opportunity to the institution and the appellate institution was required to submit the documents mentioned therein.

The instant matter was placed in its 3rd Meeting, 2025 held on 07.03.2025. The Appeal Committee noted that the institution has updated the staff 15+1 as per NCTE norms through Selection Committee constituted by the affiliating body (Telangana University). In addition the Appellant institution has also submitted a copy of Building plan with dimension of Multipurpose Hall.

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 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 14.08.2024 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, Sri Sadguru Bandayappa Swamy B.Ed. College, H.No. 1-1/c, 542/1, Bichkunda, Banswada Road, Nizamabad, Telangana-503306.
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 Principal Secretary to Government, Department of Higher Education, Govt. of Telangana, 3rd Floor, Telangana Secretariat, Hyderabad, Telangana – 500022.



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 - 16.04.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-1/E-353177/2025 Appeal/3rd Meeting, 2025
APPLSRC202414859

Noor D.Ed. College, 61/A, Noor Colony Near Horticulture Center, Hyderabad Road Bidar, Karnataka-585401	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Sameer Khan, Lecturer
Respondent by	Regional Director, SRC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश/ ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Noor D.Ed. College, 61/A, Noor Colony Near Horticulture Center, Hyderabad Road Bidar, Karnataka-585401** dated 22.12.2024 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F. SRC / NCTE / APSO2292 / Elementary (D.Ed.) / 414th Mtg. / KA / 2022 / (139780-139784)** dated 25.01.2023 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "The institution failed to submit reply to the Final Show Cause Notice dated 14.09.2022. Further it is also observed that the institution has not filled Performance Appraisal Report (PAR)."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Sameer Khan, Lecturer of Noor D.Ed. College, 61/A, Noor Colony Near Horticulture Center, Hyderabad Road Bidar, Karnataka-585401 appeared online to present the case of the appellant institution on 07.03.2025. In the appeal report, it is submitted that "We humbly submit that our institution has not receive the Final Show Cause Notice. Our institution is having all the facilities and documents as per NCTE norms. We are submitting herewith the certified copy of land documents, approved building plan, Building Completion Certificate, Land Use Certificate, Non-Encumbrance Certificate, Form 'A' for FDRs for Rs. 12 Lakhs and approved staff list for kind consideration of the appeal committee and also, we have filled Performance Appraisal Report (PAR) for the academic year 2021-22 & 2022-23. We humbly request the Appeal Committee to kindly grant recognition for our D.El.Ed. course which is already running from past 19 years and oblige."

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March 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 Elementary (D.Ed.) Course of two and half year's duration with an annual intake of 50 students vide order dated 03.01.2006 from the academic session 2005-2006. The recognition of the institution for D.El.Ed. programme was withdrawn by the SRC vide order dated 25.01.2023.

The Appeal Committee noted that the instant matter was placed in its 1st Meeting, 2025 held on 09.01.2025 whereby the Appeal Committee decided to grant another (second) opportunity to the institution and the appellate institution was required to submit the documents mentioned therein.

The instant matter was placed in its 3rd Meeting, 2025 held on 07.03.2025. The Appeal Committee observed that the institution has filed the instant Appeal on 22.12.2024. The institution submitted that it has never received the Final Show Cause Notice dt. 14.09.2022. The institution has submitted all the necessary documents alongwith Affidavit to establish that it meets all the requirements of NCTE. Moreover, the institution has also filled the Performance Appraisal Report (PAR) as well.

In view of the above submissions and documents made available on records, the Appeal Committee is of the view that there is a strength in the submissions of the institution and as such, the Appeal Committee is of the view that the instant Appeal deserves to be allowed after setting aside the order dt. 25.01.2023 passed by SRC, NCTE.

Hence, the Appeal Committee decided to remand back the instant matter to the SRC, NCTE after setting aside the order dt. 25.01.2023 with a direction to decide afresh, the Application of the institution on the basis of the documents submitted.

The Appeal Committee noted that the document submitted in appeal viz a viz the grounds mentioned in the impugned order dated 25.01.2023, 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 SRC is required to verify the documents submitted in appeal from the concerned affiliating body 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 25.01.2023 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 documents, submitted in Appeal from the concerned affiliating body. 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 body. 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, Noor D.Ed. College, 61/A, Noor Colony Near Horticulture Center, Hyderabad Road Bidar, Karnataka-585401.
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 Principal Secretary to Government, Higher Education Department, Govt. of Karnataka, Secretary Establishment, Higher Education Dept., Room No. 645 A, 2nd Gate, 6th Floor, M.S.Building, Bengaluru – 1, Karnataka.



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 - 16.04.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-77/E-350013/2024 Appeal/3rd Meeting, 2025
APPLSRC202414829

Jasmine D.Ed. College, 150/5/b and 150/4/b/a, Kamthana Road, Bidar, Karnataka-585403	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Sharad Chandra Biradar, Administrator
Respondent by	Regional Director, SRC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश/ ORDER

I. GROUND OFS WITHDRAWAL

The appeal of **Jasmine D.Ed. College, 150/5/b and 150/4/b/a, Kamthana Road, Bidar, Karnataka-585403** dated 07.11.2024 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F. SRC / NCTE / APSO6096 / Elementary (D.Ed.) /414th Mtg. / KA / 2022 / 140240** dated 27.01.2023 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that “(i). The institution failed to submit reply to the Final Show Cause Notice dated 13.09.2022. (ii). Further, it is also observed that the institution has not filled Performance Appraisal Report (PAR).”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Sharad Chandra Biradar, Administrator of Jasmine D.Ed. College, 150/5/b and 150/4/b/a, Kamthana Road, Bidar, Karnataka-585403 appeared online to present the case of the submitted that “We humbly submit that our institution has not received the Final show Cause Notice. The Hon’ble High Court of Karnataka in W.P.201232 of 2024 has made order that reserving liberty to the petitioner to approach the appropriate authority. Hon’ble Court has also noted about appeal to be filed by the institution. Our institution is having all the facilities and documents as per NCTE Norms. We are submitting herewith the certified copy of land documents, approved building plan, building completion certificate, land use certificate, Non-Encumbrance Certificate, Form ‘A’ for FDRs for Rs. 12 lakhs and approved staff list for kind consideration of the Appeal Committee. We humbly request the Appeal Committee to kindly grant recognition for our D.El.Ed. course which is already running from past 17 years and oblige.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March 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 Elementary (D.Ed.) Course of two years duration with an annual intake of 50 students

vide order dated 12.07.2007. The recognition of the institution for D.El.Ed. programme was withdrawn by the SRC vide order dated 27.01.2023.

The petitioner institution filed a Writ Petition bearing no. 201232 of 2024 before the Hon'ble High Court of Karnataka and the Hon'ble High Court vide order dt. 16.05.2024 dismissed the Writ Petition of the institution on the count of alternative remedy under Section 18 of the NCTE Act, 1993 with observing as under: -

“...5. For the reason that the petitioner is having an alternative efficacious remedy, the writ petition is hereby dismissed without going into the merits of the case, reserving liberty to the petitioner to approach the appropriate authority in the manner known to law, if it is so advised. However, keeping in view the interest of the innocent students who have been admitted by the petitioner, they are permitted to appear in the ensuing examination for First yea D.Ed. course scheduled from 27.05.2024, which shall be subject to the result of the appeal that the petitioner may prefer. In the even the petitioner fails to succeed in the appeal and the admission of its students are nullified, the students shall have the liberty to proceed against the petitioner to recover the damages for the injuries suffered by them.

6. The respondents shall permit the students of the petitioner-Institution as mentioned in Annexures-E and E1 to the writ petition to appear in the examination after collecting all the necessary fees and if they are found otherwise eligible.”

The Appeal Committee noted that the instant matter was placed in its 13th Meeting, 2024 held on 18.11.2024. The appellant institution along with its appeal report submitted and presented before the Appeal Committee that the institution is having all necessary documents as required i.e., land documents, building plan, building completion certificate, land use certificate, Form 'A', non-encumbrance certificate, staff list etc.

The Appeal Committee observed that the appellant institution has arrayed SRC, NCTE also as a respondent in the above said case. As such, the stand of the SRC in the writ petition needs to be looked in to, before taking the final decision over the matter. Hence, the Appeal Committee sought the stand of the SRC taken in the said case. However no response has been received from the SRC.

The instant matter was placed in its 3rd Meeting, 2025 held on 07.03.2025. The Appeal Committee perused the relevant records and heard the oral submissions made

by the institution whereby the institution has claimed that it has not received Final Show Cause Notice. However, the writ petition bearing no. 201234 of 2024 was filed by the institution before the Hon'ble High Court of Karnataka, Kalaburagi Bench arraying the SRC, NCTE as Respondent No. 1 whereby the Hon'ble High Court dismissed vide order dt. 16.05.2024, the writ petition with reserving liberty to the petitioner institution to approach the appropriate authority as per law, if it is so advised.

The Appeal Committee observed that the institution has filed the instant Appeal on 22.12.2024. The institution submitted that it has never received the Final Show Cause Notice dt. 13.09.2022. The institution has submitted all the necessary documents alongwith Affidavit to establish that it meets all the requirements of NCTE.

In view of the above submissions and documents made available on records, the Appeal Committee is of the view that there is a strength in the submissions of the institution and as such, the Appeal Committee is of the view that the instant Appeal deserves to be allowed after setting aside the order dt. 27.01.2023 passed by SRC, NCTE.

Hence, the Appeal Committee decided to remand back the instant matter to the SRC, NCTE after setting aside the order dt. 27.01.2023 with a direction to decide afresh, the Application of the institution on the basis of the documents submitted.

The Appeal Committee noted that the document submitted in appeal viz a viz the grounds mentioned in the impugned order dated 27.01.2023, 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 SRC is required to verify the documents submitted in appeal from the concerned affiliating body 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 27.01.2023 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 SRC with a direction to verify documents, submitted in Appeal from the concerned affiliating body. 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 body. 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, Jasmine D.Ed. College, 150/5/b and 150/4/b/a, Kamthana Road, Bidar, Karnataka-585403.**
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 Principal Secretary to Government, Higher Education Department, Govt. of Karnataka, Secretary Establishment, Higher Education Dept., Room No. 645 A, 2nd Gate, 6th Floor, M.S.Building, Bengaluru – 1,Karnataka.**



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 - 16.04.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-71/E-348866/2024 Appeal/3rd Meeting, 2025
APPLSRC202414824

Muslim College of Education, 98/57, Thiruvithancode, Azhagiyamandapam, New Street, Kalkulam, Kanyakumari, Tamil Nadu-629174	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Pramod V.S., Principal
Respondent by	Regional Director, SRC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश / ORDER

I. GROUNDS OF REFUSAL

The appeal of **Muslim College of Education, 98/57, Thiruvithancode, Azhagiyamandapam, New Street, Kalkulam, Kanyakumari, Tamil Nadu-629174** dated 18.10.2024 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F. No. NCTE / SRC / 2526202402271794 / TAMIL NADU / 2024 / REJC / 1744** dated 23.09.2024 of the Southern Regional Committee, Refused the recognition for conducting ITEP Programme on the grounds that "The institution has not replied to the Show Cause Notice dated 08.05.2024 and Final Show Cause Notice dated 04.07.2024 and also not submitted the required documents for supporting the minimum eligibility criteria of being a "Multi-disciplinary institution" as per the appendix 15 of the National Council for Teacher Education (Recognition, norms and procedure) Amendment Regulations, 2021 published in the Gazette of India on 22.10.2021, Hence, the institution is not eligible for transition to the 4 Year integrated Teacher Education Programme (ITEP). As per the Public Notice F.No. NCTE-Reg1022/16-2023-Reg.Sec-HQ dated 5th February, 2024, transition from the 4-year integrated programme (B.A. B.Ed./B.Sc. B.Ed.) to Integrated Teacher Education Programme (ITEP) prescribed in NCTE (Amendment) Regulations, 2021, shall be permitted only in the multidisciplinary institutions. Further it is stated in the public notice dated 5.2.2024 that, the institutions shall be allowed to admit students up to the academic year 2024-2025. No fresh admissions shall be made in this course thereafter. The 4-year integrated B.Sc. B.Ed./B.A. B.Ed. programme under the omitted Appendix-13 shall be discontinued from the academic session 2025-2026. In view of the above observations, the Committee decided to Reject the application of the institution for transition from B.Sc.B.Ed./B.A.B.Ed. to 4-year ITEP programme."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Pramod V.S., Principal of Muslim College of Education, 98/57, Thiruvithancode, Azhagiyamandapam, New Street, Kalkulam, Kanyakumari, Tamil Nadu-629174 appeared online to present the case of the appellant institution on 07.03.2025. In the appeal report, it is submitted that "The institution got First Show Cause

Notice on 08.05.2024 stating that the institution has not submitted the required documents to prove it as a multi-disciplinary institution. The institution submitted its response to SRC, NCTE via email, as the submission portal was unavailable. The institution has made numerous attempts to contact NCTE in order to activate the portal however, there has been no positive response. Finally, an individual from the NCTE, SRC advised us to send an email to src@ncte-india.org. The institution responded to two Show Cause Notices via email at src@ncte-india.org.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March 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 Southern 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 SRC vide order dated 23.09.2024.

The instant matter was placed in its 13th Meeting, 2024 held on 18.11.2024. The Appeal Committee perused the relevant records/documents submitted by the Appellant institution before the Appeal Committee. The Appeal Committee in order to consider the case of the appellant institution on merits, after observing that the Appellant institution did not submit the required information on the portal, decided to ask the appellant institution to submit the certain documents mentioned therein.

The Appeal Committee noted that the instant matter was placed in its 1st Meeting, 2025 held on 09.01.2025 The Appeal Committee noted that the appellant institution has not submitted the documents as sought by the Appeal Committee in its 13th Meeting, 2024 held on 18.11.2024. The Appeal Committee decided to grant another (3rd/Final) opportunity to the institution and the appellate institution was required to submit the documents mentioned therein.

The instant matter was placed in its 3rd Meeting, 2025 held on 07.03.2025. The Appeal Committee has observed that the institution has claimed that it has filed all the necessary documents to establish that it meets the criteria of being a "Multi-disciplinary Institution". While going through the documents, it transpired that the appellant institution is offering several courses. The Registrar of the TNTEU University vide letter dated 22.02.2025 also informed that the institution operates as a multi-disciplinary institution inside the same campus affiliated with TNTEU.

In view of the above submissions and documents made available on records, the Appeal Committee is of the view that there is a strength in the submissions of the institution and as such, the Appeal Committee is of the view that the instant Appeal deserves to be allowed after setting aside the order dt. 23.09.2024 passed by SRC, NCTE.

Hence, the Appeal Committee decided to remand back the instant matter to the SRC, NCTE after setting aside the order dt. 23.09.2024 with a direction to decide afresh, the Application of the institution on the basis of the documents submitted.

Noting the submission and verbal arguments advanced during the hearing, the Appeal Committee decided to remand back the case after setting aside the order dt. 23.09.2024 to SRC, 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 as per applicable Rules & Regulation of the NCTE issued from time to time. The Appellant is directed to forward to the SRC, 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 after setting aside the order dt. 23.09.2024 to SRC, 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 as per applicable Rules & Regulation of the NCTE issued from time to time. The

Appellant is directed to forward to the SRC, 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, Muslim College of Education, 98/57, Thiruvithancode, Azhagiyamandapam, New Street, Kalkulam, Kanyakumari, Tamil Nadu-629174.**
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 Principal Secretary to Government, Higher Education Department, Govt. of Tamil Nadu, Fort St. George, Chennai, Tamilnadu-600009.



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 - 16.04.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-86/E-351353/2024 Appeal/3rd Meeting, 2025
APPLSRC202414844

Sri Vivekananda D.P.Ed College, 18/1, 213/4, 196/2, 197/3, 446/2, 11- 387, Podili, Prakasam, Andhra Pradesh-523240	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Syed Rafiq Ahamed, Member of Society
Respondent by	Regional Director, SRC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश/ ORDER

I. GROUNDS OF ORDER

The appeal of **Sri Vivekananda D.P.Ed College, 18/1, 213/4, 196/2, 197/3, 446/2, 11-387, Podili, Prakasam, Andhra Pradesh-523240** dated 30.11.2024 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F. No. SRC / NCTE / SRCAPP15020 / D.P.Ed. /444th Mtg./AP/2024/145515** dated 20.11.2024 of the Southern Regional Committee, rejecting the request for continuation order for conducting D.P.Ed. course on the grounds that "In compliance of the Court order in WP No. 121 of 2024 dated 05.02.2024 of Hon'ble High Court of Andhra Pradesh, the committee discussed the matter in its 443rd SRC Meeting held on 19th & 20th September 2024 and observed that the Hon'ble Court has directed SRC to consider representations made by the Institute dated 13.12.2023 & 21.06.2023. Thus, SRC Committee in its 443rd meeting decided to seek the representations dated as above from the Institution along with the evidence of their submission. Accordingly, a letter was issued to the Institution on 08.10.2024. The matter was taken up again after receiving the reply and the committee observed that despite the direction of Hon'ble Court and request of SRC for submission of the representation dated 13.12.2023 & 21.06.2023, the Institution has failed to submit the representation dt. 21.06.2023. The Committee considered the submitted representation dated 13.12.2023 by the Institution and decided that the request for continuation order is hereby rejected."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Syed Rafiq Ahamed, Member of Society of Sri Vivekananda D.P.Ed College, 18/1, 213/4, 196/2, 197/3, 446/2, 11-387, Podili, Prakasam, Andhra Pradesh-523240 appeared online to present the case of the submitted that "We humbly submit that a request was made to SRC, NCTE through our letter dated 21.06.2023 with request to extent continuation of recognition for our D.P.Ed. Programme (Postal Receipt Enclosed). In view of non-response from the SRC office we sent another representation with the similar request on dated 13.12.2023 (postal receipt enclosed). Even then in absence of any action from the office the management is constrained to approach the Hon'ble High Court of Andhra Pradesh. Hon'ble High Court is kind enough to direct the office of the

SRC, NCTE to consider our representations. Along with the Hon'ble Court orders we sent the copies of two representations along with the postal receipts were sent to office of the SRC, NCTE (Postal Receipts and mail acknowledgement enclosed). It is evident from the above that the representations made by the management are with the office of the SRC, NCTE. Further SRC vide its letter no. F.No. SRC/NCTE/SRCAPP15020/ D.P.Ed./443rd Mtg./AP/2024/145493 dated 08.10.2024 received on 11.10.2024 (received copy acknowledgement enclosed) directed the management to sent the two representations made by us however without waiting for the stipulated time 15 days, the committee which met on dated 15th & 16th October, 2024 in its 444th meeting decided to withdraw the recognition. It is humbly submitted that our institution almost a decade old and successfully functioning achieving good results. Therefore, in view of the local needs, students' future and the survival of the teaching and non-teaching staff working with the institution favourable decision is highly solicited."

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March 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 conducting D.P.Ed. programme of two-years duration with two units of 50 students each vide order dated 02.05.2016. The recognition of the institution was withdrawn by SRC vide order dt. 21.03.2023. Thereafter, the institution had filed a W.P. No. 121 of 2024 in the Hon'ble High Court of Andhra Pradesh at Amaravati, vide order dt. 05.02.2024. The matter was placed in the 444th Meeting of SRC held on 15th – 16th October, 2024 and the SRC decided that the request for continuation order is rejected and withdrawal order dt. 21.03.2023 issued by SRC stands vide letter dated 20.11.2024.

The Appeal Committee noted that the instant matter was placed before the Appeal Committee in its 1st Meeting, 2025 held on 09.01.2025, the Appeal Committee decided to seek clarification from the Regional Director, SRC regarding the following: -

- (i) The appellant institution along with its appeal report submitted “We humbly submit that a request was made to SRC, NCTE through our letter dated 21.06.2023 with request to extent continuation of recognition for our D.P.Ed. Programme (Postal Receipt Enclosed). In view of non-response from the SRC office we sent another representation with the similar request on dated 13.12.2023 (postal receipt enclosed). Even then in absence of any action from the office the management is constrained to approach the Hon’ble High Court of Andhra Pradesh. Hon’ble High Court is kind enough to direct the office of the SRC, NCTE to consider our representations. Along with the Hon’ble Court orders we sent the copies of two representations along with the postal receipts were sent to office of the SRC, NCTE (Postal Receipts and mail acknowledgement enclosed). It is evident from the above that the representations made by the management are with the office of the SRC, NCTE. Further SRC vide its letter no. F.No. SRC/NCTE/SRCAPP15020/D.P.Ed./443rd Mtg./AP/2024/145493 dated 08.10.2024 received on 11.10.2024 (received copy acknowledgement enclosed) directed the management to sent the two representations made by us however without waiting for the stipulated time 15 days, the committee which met on dated 15th & 16th October, 2024 in its 444th meeting decided to withdrawn the recognition. It is humbly submitted that our institution almost a decade old and successfully functioning achieving good results. Therefore, in view of the local needs, students’ future and the survival of the teaching and non-teaching staff working with the institution favourable decision is highly solicited.”

The Appeal Committee observed earlier that without waiting for the stipulated time of 15 days granted to the appellant institution, the SRC, NCTE decided to withdraw the recognition. As such, the stand of the SRC in the writ petition was required to be looked into, before taking the final decision over the matter. Hence, the Appeal Committee sought the stand of the SRC taken in the said case, and the appeal was kept in abeyance till the stand in the said case is received from the Regional Director, SRC, NCTE. However the SRC not submitted any reply to the Appeal Committee.

The instant matter was placed in its 3rd Meeting, 2025 held on 07.03.2025. The Appeal Committee in order to consider the case of the appellant institution on merits, observed that there is a strength in the submissions of the appellant institution with regard to the submission of the representations with SRC alongwith postal receipts established that the institution has submitted the representations within 15 days and the SRC without waiting for 15 days decided in its 444th meeting held between 15th-16th October 2024 decided to reject the request of the institution for continuation order and vide order dated 20.11.2024 confirmed the withdrawal order dated 21.03.2023.

In view of the above facts and circumstances of the case, the appeal committee is of the view that the impugned order dated 20.11.2024 deserves to be set aside which confirmed the withdrawal order dated 21.03.2023 and the appeal of the institution deserves to be allowed and as such remanded back to the Southern Regional Committee, NCTE with a direction to revisit the matter after going through the submissions and considering the representations submitted alongwith documents of the institution to consider the matter afresh as per NCTE Act, Rules & Regulations as applicable.

The Appeal Committee noted that the document submitted in appeal viz a viz the grounds mentioned in the impugned order dated 20.11.2024 deserves to be set aside which confirmed the withdrawal order dated 21.03.2023, 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 SRC is required to verify the documents submitted in appeal from the concerned affiliating body 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, impugned order dated 20.11.2024 deserves to be set aside which confirmed the withdrawal order dated 21.03.2023 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 documents, submitted in Appeal from the concerned affiliating body. 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 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, Sri Vivekananda D.P.Ed College, 18/1, 213/4, 196/2, 197/3, 446/2, 11-387, Podili, Prakasam, Andhra Pradesh-523240.**
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, Govt. of Andhra Pradesh, 3rd, 4th and 5th floors, Neeladri Towers, Sri Ram Nagar, 6th Battalion Road Atmakur(V), Mangalagiri(M), Guntur, Andhra Pradesh-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 - 16.04.2025

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-83/E-350889/2024 Appeal/3rd Meeting, 2025
APPLSRC202414842

Sree Dattha Brindavan Institute of Teacher Education, 54, 54/A, Kavurampally Shivar, Singaram X Road, Narayanpet, Mahbubnagar, Telangana-509210	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075
APPELLANT		RESPONDENT

Representative of Appellant	Representative of the Institution
Respondent by	Regional Director, SRC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश/ ORDER

I. GROUND OF REFUSAL

The appeal of **Sree Dattha Brindavan Institute of Teacher Education, 54, 54/A, Kavurampally Shivar, Singaram X Road, Narayanpet, Mahbubnagar, Telangana-509210** dated 23.11.2024 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F. No. NCTE / SRC / 2526202402231702 / TELANGANA / 2024 / REJC / 1652** dated 23.09.2024 of the Southern Regional Committee, refusing recognition for conducting ITEP Course on the grounds that "The institution has not replied to the Show Cause Notice dated 08.05.2024 and Final Show Cause Notice dated 04.07.2024 and also not submitted the required documents for supporting the minimum eligibility criteria of being a "Multi-disciplinary institution" as per the appendix 15 of the National Council for Teacher Education (Recognition, norms and procedure) Amendment Regulations, 2021 published in the Gazette of India on 22.10.2021, Hence, the institution is not eligible for transition to the 4 Year integrated Teacher Education Programme (ITEP). As per the Public Notice F.No.NCTE-Reg1022/16-2023-Reg.Sec-HQ dated 5th February, 2024, transition from the 4-year integrated programme (B.A.B.Ed./B.Sc.B.Ed.) to Integrated Teacher Education Programme (ITEP) prescribed in NCTE (Amendment) Regulations, 2021, shall be permitted only in the multidisciplinary institutions. Further it is stated in the public notice dated 5.2.2024 that, the institutions shall be allowed to admit students up to the academic year 2024-2025. No fresh admissions shall be made in this course thereafter. The 4-year integrated B.Sc.B.Ed./B.A.B.Ed. programme under the omitted Appendix-13 shall be discontinued from the academic session 2025-2026. In view of the above observations, the Committee decided to Reject the application of the institution for transition from B.Sc.B.Ed./B.A.B.Ed to 4 year ITEP programme."

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Sree Dattha Brindavan Institute of Teacher Education, 54, 54/A, Kavurampally Shivar, Singaram X Road, Narayanpet, Mahbubnagar, Telangana-509210** appeared online to present the case of the appellant institution on 07.03.2025. In the appeal report, it is submitted that "We submitted the written information

pertaining to Multi-Disciplinary Institution and Approval for Transition to the 4-Year Integrated Teacher Education Programme (ITEP) from the A.Y. 2025-26 AGAINST THE FIRST SHOW CAUSE NOTICE ISSUED AFTER PRELIMINARY SCRUTINY ON 08.05.2024 THROUGH EMAIL ON 15.05.2024 AND BY INDIA POST ON 18.05.2024.”

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March 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 Southern Regional Committee for grant of recognition for seeking permission for running the ITEP Course on 01.03.2024. The recognition of the institution for ITEP programme was refused by the SRC vide order dated 23.09.2024.

The Appeal Committee noted that the instant matter was placed in its 1st Meeting, 2025 held on 09.01.2025 whereby the Appeal Committee decided to grant another (second) opportunity to the institution and the appellate institution was required to submit the documents mentioned therein. Apart from the above, the Appeal Committee sought clarification earlier from the Regulation Division of NCTE. However, the appeal committee observed that no such clarification has been placed on record. Since, the instant matter was kept in abeyance till the said clarification is received by the Regulation Division of NCTE.

The Appeal Committee noted that the documents sought for from the appellant institution has been placed on record whereby the institution submitted that the society established a degree college offering B.A. and B.Sc. courses from the academic year 2006-2007. After obtaining permission from the Government of Andhra Pradesh and got affiliated to Osmania University. It obtained recognition to establish a college of education in the same premises after obtaining recognition from SRC, NCTE in the year 2007. The B.Ed. programme is also affiliated to Osmania University which subsequently shifted to Palamuru University based on geographical location. Further, it has been informed that

earlier B.Ed. programme was one year duration which was changed to two years duration by SRC, NCTE. The society applied for the recognition to start B.A.B.Ed./B.Sc.B.Ed. (4-year ITEP) from SRC, NCTE which accorded recognition in the year 2019. Subsequently, the Government of Telangana permitted it to run the course from the academic year 2021-2022. The same are also affiliated to Palamuru University, Mahabub Nagar. As such, the institution is offering B.A. and B.Sc. (3 years programme), B.Ed. (two years programme) and B.A.B.Ed./B.Sc.B.Ed. (4-year ITEP) in the same campus, under the same society and institution.

The Appeal Committee after going through the submissions of the institution and found strength in the submissions made before the Appeal Committee regarding Multidisciplinary institution and as such, the Appeal Committee is of the view that the impugned order dated 23.09.2024 deserves to be set aside and the appeal of the institution deserves to be remanded back to the Southern Regional Committee, NCTE with a direction to revisit the matter after going through the submissions and documents of the institution to consider the application afresh treating the institution as Multidisciplinary institution as per NCTE Act, Rules & Regulations as applicable.

Noting the submission and verbal arguments advanced during the hearing, the Appeal Committee decided to remand back the case after setting aside the order dt. 23.09.2025 to SRC, 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 as per applicable Rules & Regulation of the NCTE issued from time to time. The Appellant is directed to forward to the SRC, 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 after setting aside the order dt. 23.09.2025 to SRC, 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 as per applicable Rules & Regulation of the NCTE issued from time to time. The

Appellant is directed to forward to the SRC, 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, Sree Dattha Brindavan Institute of Teacher Education, 54, 54/A, Kavurampally Shivar, Singaram X Road, Narayanpet, Mahbubnagar, Telangana-509210.**
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 Principal Secretary to Government, Department of Higher Education, Govt. of Telangana, 3rd Floor, Telangana Secretariat, Hyderabad, Telangana – 500022.



एनसीटीई अपीलुय प्रलधलकरण डें/ IN THE NCTE APPELLATE AUTHORITY

राष्ट्रीय अध्यापक शलक्षा परलषद (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दलल्ली-110075

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

दलनांक/ Date - 16.04.2025

एनसीटीई अधलनलड की धारा 18 के तहत दायर अपील/
APPEAL FILED UNDER SECTION 18 OF NCTE ACT
89-93/E-352809/2024 Appeal/3rd Meeting, 2025
APPLSRC202414858

Karnataka D.Ed. College, 28-35 KHB Colony, Basvakalyan, Bidar, Karnataka-585327	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Mohammad Anuf, Administrator
Respondent by	Regional Director, SRC
Date of Hearing	07.03.2025
Date of Pronouncement	16.04.2025

आदेश / ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Karnataka D.Ed. College, 28-35 KHB Colony, Basvakalyan, Bidar, Karnataka-585327** dated 22.12.2024 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F. SRC / NCTE / APSO1777 / Elementary (D.Ed.) / 414th Mtg. / KA / 2022 / 140465** dated 31.01.2023 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "The institution failed to submit reply to the Final Show Cause Notice dated 14.09.2022. Further it is also observed that the institution has not filled Performance Appraisal Report (PAR)."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Mohammad Anuf, Administrator of Karnataka D.Ed. College, 28-35 KHB Colony, Basvakalyan, Bidar, Karnataka-585327 appeared online to present the case of the appellant institution on 07.03.2025. In the appeal report, it is submitted that "we humbly submit that our institution has not receive the final show cause notice. The Hon'ble high court of Karnataka in w.p.201234 of 2024 has made order that reserving liberty to the petitioner to approach the appropriate authority. Hon'ble court has also noted about appeal to be filed by the institution. Our institution is having all the facilities and documents as per NCTE norms. We are submitting herewith the certified copy of land documents, approved building plan, building completion certificate, land use certificate, non-encumbrance certificate, Form A for FDRs for Rs.12 lakhs and approved staff list for kind consideration of the appeal committee and also, we have filled performance appraisal report(par) for the academic year 2021-22& 2022-23. We humbly request the appeal committee to kindly grant recognition for our D.El.Ed. course which is already running from past 19 years and oblige."

III. OUTCOME OF THE CASE

The Appeal Committee in its 3rd Meeting, 2025 held online on 07th March 2025 took up this Appeal and perused the Appeal Report, documents available on the records and heard oral arguments advanced during the Meeting.

The Appeal Committee noted that the appellant institution was granted recognition for Elementary (D.Ed.) Course of two and half years duration with an annual intake of 50 students from the academic session 2005-2006 vide order dated 17.06.2005. The recognition of the institution for Elementary (D.Ed.) course was withdrawn by the SRC vide order dated 31.01.2023.

The Appeal Committee noted that the instant matter was placed in its 1st Meeting, 2025 held on 09.01.2025 whereby the Appeal Committee decided to grant another (second) opportunity to the institution and the appellate institution was required to submit the documents mentioned therein.

The instant matter was placed in its 3rd Meeting, 2025 held on 07.03.2025. The Appeal Committee perused the relevant records and heard the oral submissions made by the institution whereby the institution has claimed that it has not received Show Cause Notice. However, the writ petition bearing no. 201234 of 2024 was filed by the institution before the Hon'ble High Court of Karnataka, Kalaburagi Bench arraying the SRC, NCTE as Respondent No. 1 whereby the Hon'ble High Court dismissed vide order dt. 16.05.2024, the writ petition with reserving liberty to the petitioner institution to approach the appropriate authority as per law, if it is so advised.

The Appeal Committee observed that the institution has filed the instant Appeal on 22.12.2024. The institution submitted that it has never received the Final Show Cause Notice dt 14.09.2022 which was issued by SRC, NCTE on the ground it withdrew recognition of D.El.Ed. course for not submitting reply. The institution has submitted all the necessary documents alongwith Affidavit to establish that it meets all the requirements of NCTE. Moreover, the institution has also filled the Performance Appraisal Report (PAR) as well.

In view of the above submissions and documents made available on records, the Appeal Committee is of the view that there is a strength in the submissions of the institution and as such, the Appeal Committee is of the view that the instant Appeal deserves to be allowed after setting aside the order dt. 31.01.2023 passed by SRC, NCTE.

Hence, the Appeal Committee decided to remand back the instant matter to the SRC, NCTE after setting aside the order dt. 31.01.2023 with a direction to decide afresh, the Application of the institution on the basis of the documents submitted.

The Appeal Committee noted that the document submitted in appeal viz a viz the grounds mentioned in the impugned order dated 31.01.2023, 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 SRC is required to verify the documents submitted in appeal from the concerned affiliating body 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 31.01.2023 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 documents, submitted in Appeal from the concerned affiliating body. 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, Karnataka D.Ed. College, 28-35 KHB Colony, Basvakalyan, Bidar, Karnataka-585327.**
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 Principal Secretary to Government, Higher Education Department, Govt. of Karnataka, Secretary Establishment, Higher Education Dept., Room No. 645 A, 2nd Gate, 6th Floor, M.S.Building, Bengaluru – 1,Karnataka.