



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-56/E-233379/2022 Appeal/4th Meeting, 2022
APPLWRC202114105**

Late Nirdhanrao Patil Waghaye Adhyapak Mahavidyalaya Lakhani/Gadegaon, N.H. 06, Opp. of basmati rice mill lakhani / gadegaon, 191/1 Lkhani N.H. 06 Lakhani, Bhandara, Maharashtra-441804 <u>APPELLANT</u>	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Mr. Ajit A. Shringarpure (Co-Ordinator)
Respondent by	Regional Director, WRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of Late Nirdhanrao Patil Waghaye Adhyapak Mahavidyalaya Lakhani/Gadegaon, N.H. 06, Opp. of basmati rice mill lakhani / gadegaon, 191/1 Lkhani N.H. 06 Lakhani, Bhandara, Maharashtra-441804 dated 27/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No. WRC/ APW01806/123257/322/ 2020/ 213079 dated 20.12.2020. of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution has not shifted the institution in its own premises till date. The institution has not submitted the reply of the Show Cause Notice till date.”

II. SUBMISSIONS MADE BY APPELLANT:-

Mr. Ajit A. Shringarpure (Co-Ordinator), Late Nirdhanrao Patil Waghaye Adhyapak Mahavidyalaya Lakhani/Gadegaon, N.H. 06, Opp. of basmati rice mill lakhani / gadegaon, 191/1 Lkhani N.H. 06 Lakhani, Bhandara, Maharashtra-441804 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal Memoranda it is submitted that "The institution already shifted its own premises, but information does not send to regional office. The Show Cause Notice belated received by institute & then suffering from pandemic Covid 19 period so we not submitted reply of your Show Cause Notice."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the petitioner institution has filed a **Writ Petition (C) No. 14107/2021** in the **Hon'ble High Court of Delhi at New Delhi** against the **impugned Withdrawal Order No. F.No. WRC/ APW01806/123257/322/ 2020/ 213079** dated **20.12.2020** issued by **WRC**. And Hon'ble Court vide order dated **10.12.2021** directed as under:

"Issue notice. Ms. Kartika Sharma, learned counsel, accepts notice on behalf of the respondents. The petition is taken up for disposal with the consent of learned counsel for the parties. The petitioner was granted recognition for its B.Ed. course by the Western Regional Committee ["WRC"] of the National Council for Teacher Education ["NCTE"] on 27.06.2005. The revised recognition order was issued on 21.08.2015, pursuant to the notification of the NCTE (Recognition Norms and Procedure) Regulations, 2014. The petitioner's recognition was, however, withdrawn by an order of the WRC on 20.12.2020. Against the withdrawal order, the petitioner has filed an appeal before the Appellate Committee of the NCTE under Section 18 of the NCTE Act. 1993, which remains pending. The impugned order of WRC withdrawing the petitioner's recognition was issued on 20.12.2020. It is not disputed that it was communicated to the petitioner only during the academic session 2020-21. Consequently, by the application of the aforesaid proviso, it would take effect only from the end of academic session 2021-22. In view of the above, there is no impediment to the petitioner participating in the counselling and admitting students for the academic session 2021-2022. The NCTE is directed to reflect the status of the petitioner as a recognised institution for the year 2021-22 on its website. The NCTE is also directed to communicate the same to the petitioner's affiliating

university, and the concerned State Government within one week from today. The Appellate Committee of the NCTE may also endeavour to dispose of the petitioner's appeal as expeditiously as possible and practicable and will in any event do so not later than 03.03.2022".

2. The Appeal committee noted that the appellant Institution was granted recognition for conducting B.Ed. Course vide order dated 20.12.2005 in a rented premise with a condition to shift to own premises within three years from the date of recognition. The Appeal Committee noted that the appellant institution had never applied to WRC for shifting of premises in its own building to comply the condition of grant of recognition in 2005. The appellant was given an opportunity to submit its written representation in the shape of Show Cause Notice on 06.10.2020 which was not replied in a given time resulting in the impugned withdrawal order came into operation.

3. Appeal Committee noted that Clause 8(9) NCTE Regulations, 2014 stipulates that "*In case of change of premises, prior approval of the Regional Committee concerned shall be necessary, which may be accorded after due inspection of the institution at the new site. Application for change of premises, in the specified format alongwith the processing fee and other relevant documents shall be submitted by the institution online to the Regional Office for prior approval of change of premises. The change may be permitted to a site which, if applied initially, would have qualified for establishment of an institution as per specified norms of Council. The change shall be displayed on website thereafter*". In the Appeal Memoranda the appellant institution has stated that the institution had shifted to his own premises but the information for shifting of premises did not send to WRC which is violation of said Regulation. As per the Regulation, Institution is required to apply to concerned Regional Committee and take prior approval for shifting to new premises.

Notting the submission and oral arguments of the appellant during hearing, the Appeal committee observes that the appellant institution had shifted his college to new premises without obtaining prior permission of WRC, which is not allowed under the prevailing Regulation, 2014. In these circumstances, the Appeal Committee is of the opinion that WRC was justified in withdrawing recognition of B.Ed. course. Hence the appeal of the appellant is rejected, and order of withdrawal issued by WRC confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the WRC was justifying in withdrawing recognition. Hence, the instant appeal deserves to be rejected and impugned order of WRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Late Nirdhanrao Patil Waghaye Adhyapak Mahavidyalaya Lakhani/Gadegaon, N.H. 06, Opp. of basmati rice mill Lakhani / Gadegaon, 191/1 Lakhani N.H. 06 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 Secretary, Education (looking after Teacher Education) Government of Maharashtra.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-94/E-249360/2022 Appeal/4th Meeting, 2022
APPLWRC202214328**

Vivekanand Girls T.T. College, 1657/1529, Village-Palpur, Harsoli Road Kotkasim, Alwar Rajasthan-301702 <u>APPELLANT</u>	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. Narpal Singh Yadav (Secretary)
Respondent by	Regional Director, WRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND'S OF REFUSAL

The appeal of **Vivekanand Girls T.T. College, 1657/1529, Village, Palpur, Harsoli Road Kotkasim, Alwar Rajasthan-301702** dated 27/03/2022 filed under Section 18 of NCTE Act, 1993 against the Order No. F.NO. NRCAPP3884/346th/2021/218652 dated 11.12.2021. of the Western Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "The original file of the Institution alongwith other related documents were carefully considered and examined by WRC in the light of NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the Committee observed as under: -

- The institution has not submitted reply to Show Cause Notice dated 06.09.2021 withing stipulated time.

In view of the above, the Committee decided that application of the institution be refused u/s 14/15 (3) (b) of the NCTE Act for D.El.Ed. programme.”

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Narpal Singh Yadav (Secretary), Vivekanand Girls T.T. College, 1657/1529, Village-Palpur, Harsoli Road Kotkasim, Alwar Rajasthan-301702 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal Memoranda it is submitted. “That NCTE, New Delhi had issued a public notice on 27.11.2012 through which application for grant of recognition for various Teacher Education course had been invited from all stake holders in which no ban for D.El.Ed. course was imposed in the State of Rajasthan. Copy of public notice is annexed and marked as Annexure-4. 2. That this institution has applied online for grant of recognition of D.El.Ed. course (02 units) to NCTE from 2013-14 on 25.12.2012. the hard copy was submitted in the office of NRC, NCTE, Jaipur on 31.12.2012. Copy of receipt letter, challan for processing fees and online application is annexed and marked as Annexure-5. 3. That NRC, NCTE had returned the application for grant of recognition of D.El.Ed. (02 units) submitted by this institution vide letter 07.06.2013. Copy of returning letter is annexed and marked as Annexure-6. 4. That being aggrieved from the action of NRC, NCTE, this institution has filed a S.B. Civil Writ No. 4950/2016 in the Hon’ble High Court of Rajasthan, Jaipur. Hon’ble Court had passed an order on 23.04.2016 in which court had directed the petitioner to move an application before NRC, NCTE for grant of recognition of D.El.Ed. course (02 units) and directed to NRC, NCTE to decide the recognition application in accordance with Regulations 2014. Copy of order of Hon’ble High Court is annexed and marked as Annexure-7. 5. That in compliance to the order of Hon’ble High Court of Rajasthan dated 23.04.2016 this institution has submitted the required documents and processing fees in the office of NRC, NCTE on 26.05.2016. Copy of receipt letter is annexed and marked as Annexure-8. 6. That instead of processing the application of this institution for granting recognition for D.El.Ed. course (02 units), NRC, NCTE had again returned the application of this institution for grant of recognition of D.El.Ed. course (02 units) on 15.03.2017 on arbitrary, unjustified, illegal, and unconstitutional basis. Copy of returning letter is annexed and marked as Annexure-9. 7. That being aggrieved from the order of NRC, NCTE, this institution has filed a S.B. Civil Writ Petition No. 17842/2018 in Hon’ble High Court of Rajasthan, Jaipur. Hon’ble High Court has passed an order on 10.08.2018 and directed to petitioner to file an appeal u/s 18 of NCTE Act. 1993 and Appellate Authority is directed to dispose the appeal filed by the petitioner within 03 months. Copy of the order of Hon’ble High Court is annexed and marked as Annexure-10. 8.

That in compliance to the order of Hon'ble Court, this institution had submitted an Appeal u/s 18 of NCTE Act, 1993 to the Appeal Authority, NCTE, New Delhi. Appellate Authority had accepted the Appeal of the Institution and directed to NRC, NCTE for taking further action as per NCTE, Regulations 2014 and in accordance with the decisions of the Appellate Authority in similar cases. Copy of Appeal Order dated 31.10.2018 is annexed and marked as Annexure-11. 9. That in compliance to the order of Appellate Authority dated 31.10.2018, this institution had submitted required documents along with copy of Appeal Order to NRC, NCTE on 05.11.2018. Copy of receipt letter is annexed and marked as Annexure-12. 10. That the matter of recognition of D.El.Ed. course of this institution was considered by the NRC, NCTE in its 299th Meeting (held from 1-5 April 2019) vide item no. 61. NRC, NCTE had pointed out certain deficiencies. Copy of the minutes is annexed and marked as Annexure-13. 11. That this institution had submitted all required documents to NRC, NCTE on 03.05.2019 in compliance to the removal of the deficiencies pointed out by the NRC, NCTE. Copy of receipt letter is annexed and marked as Annexure-14. 12. That the matter of recognition of D.El.Ed. course of this institution was considered by the WRC, NCTE in its 319th Meeting (held from 20-21 October 2020) vide item no. 7. WRC, NCTE had pointed out certain deficiencies. Copy of the minutes is annexed and marked as Annexure-15. 13. That this institution had submitted all required documents to WRC, NCTE on 06.11.2020. in compliance to the removal of the deficiencies pointed out by the WRC, NCTE. Copy of receipt letter is annexed and marked as Annexure-16. 14. That the matter of recognition of D.El.Ed. course of this institution was considered by the WRC, NCTE in its 339th Meeting (held from 28-30 July 2021) vide item no. 01. WRC, NCTE had pointed out certain deficiencies. Copy of the minutes is annexed and marked as Annexure-17. 15. That this institution had submitted all required documents to WRC, NCTE on 13.08.2021 through speed post in compliance to the removal of the deficiencies pointed out by the WRC, NCTE. Copy of receipt letter is annexed and marked as Annexure-18. 16. That the reply submitted by this institution on 13.08.2021 through speed post was delivered to WRC, NCTE office on 23.08.2021. Copy of delivery report of Post Office is annexed and marked as Annexure-19. Thus, it is very clear from the documents that this institution had submitted the reply of show cause notice to WRC, NCTE with in stipulated time, which was delivered to WRC, NCTE on 23.08.2021. WRC, NCTE had not considered the reply of this institution and rejected the application of this institution on the ground that institution had not submitted the reply of Show Cause Notice within stipulated time. Rejection of the application of this institution for grant of recognition for D.El.Ed. course (02 units) by the WRC, NCTE is on purely illegal, unlawful, unjustified, and unconstitutional basis against the provisions of NCTE Act and Regulations."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the petitioner institution has filed a **Writ Petition (C) No. 1628/2022** in the **Hon'ble High Court of Delhi at New Delhi** against the **impugned Refusal Order No. F.NO. NRCAPP3884/346th/2021/218652** dated **11.12.2021** issued by WRC. And Hon'ble Court vide order dated **23.03.2022** directed as under:

"The petitioner has approached this Court assailing the refusal order dated 11.12.2021 passed by respondent no. 2 primarily on the ground that had not submitted any reply to the Show Cause Notice dated 06.09.2021. Learned counsel for the petitioner submits that a reply to the said Show Cause Notice was duly submitted through speed post and therefore, the finding arrived at by the respondent no. 2 is wholly perverse. He therefore prays that the interim order be set aside, and the matter be remanded back to respondent no. 2 for reconsideration on merits. On the other hand, Mr. Govind Manoharan learned counsel for the respondents, who, appears on advance notice vehemently opposes the petition on the ground of maintainability. He submits that the petitioner ought to avail the statutory remedy of appeal available to it under Section 18 of the NCTE Act. In the light of this plea, learned counsel for petitioner after some arguments submits that instead of pressing the present petition, the petitioner would be satisfied if it is granted two weeks' time to file an appeal before respondent no. 1 with a direction to said respondent to decide the same in a time bound manner. The court is granting only 8 weeks' time to the respondent no. 1 to decide the appeal as against the 90 days' time prescribed in the regulations only after noticing the fact that this is the third time when the petitioner has been compelled to approach this Court on account of repeated Show Cause Notices having been issued by respondent no. 2."

The Appeal Committee noted that the impugned refusal order was issued on the ground of not submitting reply to final show cause notice issued on 6.9.2021 whereas the appellant in the appeal alongwith memoranda of appeal has stated that the reply to said show cause notice was submitted by its letter dated 13.8.2021 sent through Speed Post, based on the decision taken in 339th WRC's meeting held on 28th to 30th July, 2021. As an evidence of having sent the reply/letter, a Speed Post Receipt placed on the face of the letter and its delivery report of Department of Post India has been enclosed with the Memoranda of Appeal.

In view of the above submission, the Appeal Committee interimly decided to seek clarification from WRC as to whether the letter dated 13.8.2021 as a reply to SCN dated 6.9.2021

was received or not enabling the Appeal Committee to dispose of the instant Appeal within the prescribed time limits. A copy of said letter dated 13.8.2021 alongwith Speed Post Receipt and delivery report may be forwarded to WRC for reference and further necessary action in the matter in a time bound manner.

In these circumstances, the Appeal Committee decided to reserve its final decision on the appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from WRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from WRC.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Vivekanand Girls T.T. College, 1657/1529, Village-Palpur, Harsoli Road Kotkasim, Alwar Rajasthan-301702**
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 Secretary, Education (looking after Teacher Education) Government of Rajasthan.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-248/E-196690/2021 Appeal/4th Meeting, 2022
APPLERC202114106**

Chandradev Narain College, Rampurasli, 216, Karnavi, Sahebganj, Muzaffarpur, Bihar – 843125 <u>APPELLANT</u>	<u>Vs</u>	Eastern Regional Committee, Plot No. G- 7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Suman Kuman Jha (HOD)
Respondent by	Regional Director, ERC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Chandradev Narain College, Rampurasli, 216, Karnavi, Sahebganj, Muzaffarpur, Bihar – 843125** dated 28/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. ER-295.13/ERCAPP1704/B.Ed./ 2021/64438 (Minutes Based) dated 03/09/2021. of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The original file along with other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and non-submission of reply in response to final show cause notice were carefully considered by the ERC and following observations were made: -

The ERC decided to withdraw the recognition of B.Ed. course w.e.f. session 2021-22.”

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Suman Kuman Jha (HOD), Chandradev Narain College, Rampurasli, 216, Karnavi, Sahebganj, Muzaffarpur, Bihar – 843125 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal Memoranda it is submitted that “The ERC by its order dated 03.03.2014 granted recognition to the institute for conducting B.Ed. Course with annual intake of 100 students from the academic session 2014-15. After notification of NCTE Regulations, 2014, the ERC issued the revised recognition order date 23.05.2015 for two basic units (100 seats) of B.Ed. Course. The ERC issued a show cause notice dated 20.04.2018 to our institute on five specific grounds and we by our letter No. PR/B.Ed./23 dated 05.05.2018 submitted pointwise reply to the said show cause notice. Along with the reply, we submitted following documents:- a. Approved faculty list by the concerned affiliating body. b. Approved building plan by the concerned competent authority c. Affidavit against completion of building by the concerned competent authority. d. FDR of Rs. 12,00,000/- (Twelve Lakh) as per NCTE Regulations, 2014. e. A print of Website updates of the institution f. A copy of Letter No. 62/17 dated 11.05.2017 against submission of all details of the Director, NCTE, Delhi. Our aforesaid reply dated 05.05.2018 was dispatched to the Regional Director, ERC by speed-post dated 06.05.2018. A copy of letter dated 05.05.2018 alongwith speed post receipt is attached as Annexure – 1. The documentary evidence regarding compliance mentioned at (a) to (f) in our reply dated 05.05.2018 will be produced at the time of hearing of the appeal by the appellate committee. It is submitted that after submission of the aforesaid reply dated 05.05.2018, our institution which is a constituent college, has not received any show cause notice from the ERC. Further, ERC in its decision taken in 295th Meeting held on 21st August, 2021 has neither considered our reply nor given any reason whatsoever in support of its decision to take drastic action of withdrawal of recognition of our institution. 2. It is submitted that 2nd proviso of Section 17 of NCTE Act, 1993, provides as under regarding the effective date of coming into force of a withdrawal order: - “provided further that the order withdrawing or refusing recognition passed by the Regional Committee shall come into force only with effect from the end of the academic session next following the date of communication of such order.” Further, Section 17(2) of NCTE Act, 1993 specifically mandates that every withdrawal order passed by Regional Committee under Section 17(1) “shall be published in the Official Gazette for general information.” It is submitted that ERC vide its decision taken in 295th Meeting held on 21st August 2021 has withdrawn recognition of B.Ed. course of our institution w.e.f. academic session 2021-22 itself particularly when our institution is in the midst of the counselling and admission process for the present

academic year 2021-22. The aforesaid decision of ERC to withdraw recognition of B.Ed. Course from the present academic year 2021-22 is contrary to the provision contained in 2nd proviso to section 17(1) of NCTE Act, 1993. As per the said provision, the withdrawal can be effective only from the end of the academic session next following the date of communication of such order. Further, the withdrawal order has also not been published on Official Gazette as mandated under Section 17(2) of NCTE Act, 1993.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the recognition for the appellant institution to run B.Ed. course with an annual intake of 100 seats was granted by SRC vide order dated 03.03.2014 and a revised recognition order for 100 students (Two basic units) was issued on 23.05.2015 with certain conditions to comply within given time period.

Appeal Committee noted that consequent to non-compliance of conditions contained in Revised Recognition Order the appellant was given reasonable opportunities in the shape of two Show Cause Notices i.e. First Show Cause Notice and Final Show Cause Notice issued on 20.04.2018 and 08.10.2020, respectively, to submit its written representation to rectify the shortcomings.

The Appeal Committee further noted that the appellant institution vide letter of ERC No. ERC/ERCAPP1704/B.Ed./2020/62219 dated 01.02.2020 was asked to submit a duplicate copy of the reply dated 08.05.2018 (correct date: 05.05.2018) against the First Show Cause Notice issued on 20.04.2018, as claimed to have submitted to Regional Director, ERC through speed post by the appellant institution in his explanation of memoranda of appeal.

Appeal Committee further noted that the Final Show Cause Notice dated 08.10.2020 reported to have not received by the appellant. It has not been received UNDELIVERED in the ERC office from the Postal Authority. Hence, the claim of non-receipt of said show cause notice by the appellant is not sustainable.

Appeal Committee further noted that in compliance with the order dated 01.4.2022 passed by Hon'ble High Court of Delhi in Writ Petition (C) No. 5501 and CMAPPL-16375-76/2022, the ERC vide its letter dated 02.04.2022 was permitted the appellant institution to participate in the counselling of fresh students for two years course only for the academic session 2022-23 which will end in the year 2024. Hence, the objection raised in the explanation that the withdrawal of

recognition from academic session 2021-22 is not in consonance with proviso (2) of Section-17 of NCTE Act has been nullified.

Appeal Committee further noted that the appellant has submitted a copy of letter/reply dated 05.05.2018 only without its encloser. The Xerox copy of Speed Post receipt affixed on the face of the letter dated 05.05.2018 is not legible.

In view of the above, the Appeal Committee observes that the appellant institution has failed to submit reply to any of the Show Cause Notices/Letter. If the appellant has submitted reply to SCN dated 20.04.2018, as claimed, then they should have submitted duplicate copy of the same to ERC as asked for and, in the Appeal, too alongwith memoranda of Appeal to justify their claim.

Notting the submission and verbal arguments advanced during the hearing, the Appeal Committee is of the view that the ERC was justified in withdrawing the recognition of the institution and therefore decided to reject the instant appeal and confirm the impugned withdrawal order issued by ERC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the ERC was justified in withdrawing the recognition of the institution and therefore decided to reject the instant appeal and confirm the impugned withdrawal order issued by ERC.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Chandradev Narain College, Rampurasli, 216, Karnavi, Sahebganj, Muzaffarpur, Bihar – 843125**
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, Education (looking after Teacher Education) Government of Bihar.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-259/E-198040/2021 Appeal/4th Meeting, 2022
APPLSRC202114112**

Sana College of Education, Bhairidevarkoppa, 366/1, 366/2, 1 to 9, Navanagar, P.B. Road, Hubballi, Dharwad, Karnataka – 580025 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Mr. Ashraf Ali Bashir Ahamed (Managing Trustee)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Sana College of Education, Bhairidevarkoppa, 366/1, 366/2, 1 to 9, Navanagar, P.B. Road, Hubballi, Dharwad, Karnataka** dated 01/09/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APS01730/B.Ed./{KA}/2021/128362 dated 24.08.2021 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that “The institute submitted a certificate dt. 27.10.2020 issued by the Managing Trustee of the Managing trust of the College which mentions that the 3rd Floor is under construction and the corporation does not issue part Completion Certificate. FDR of Rs. 4 Lakhs has been matured. Part of Land (Plot no. 366/15) is mortgaged to SBI, Hubballi. Six faculty are not qualified with NET as required under NCTE Regulations; hence the faculty strength and

qualification did not find as stipulated under NCTE Regulations. The Website of the institute is not updated with the information prescribed under para 8(6), 8(14) and 10(3) of NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT:-

Mr. Ashraf Ali Bashir Ahamed (Managing Trustee), Sana College of Education, Bhairidevarkoppa, 366/1, 366/2, 1 to 9, Navanagar, P.B. Road, Hubballi, Dharwad, Karnataka – 580025 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal Memoranda it is submitted that “The institute is submitting an affidavit regarding clarification of this 3rd floor it’s not for B.Ed. course total build up area is 39.941sq.ft. and multipurpose hall is 2150sq.ft. FDR Rs. 400000/- FDR and form a is enclosed. Latest NEC is enclosed no land is mortgage. Latest staff list is enclosed with competent authority approved as per NCTE latest norms. Website of the institute screenshot enclosed.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal committee noted that the appellant institution was granted recognition for B.Ed. Course with 100 seats vide order dated 21.12.2005 and in accordance with the Affidavit giving willingness to comply with the NCTE Regulation, 2014, a revised provisional Recognition Order was issued on 16.05.2015 for two basic units of 50 students each.

The Appeal committee noted that the appellant institution was given two opportunities in the shape of Show Cause Notices to submit its written representation to rectify the existing shortcomings. Despite giving ample opportunity, the appellant could not submit the required documents for rectifying the existing short comings, resulting in the impugned withdrawal order issued.

The Appeal Committee noted that the appellant institution in the Appeal alongwith memoranda of appeal has submitted the documents related to the grounds of withdrawal order and claimed to have cured such deficiencies:

The Appeal Committee observes that the appellant institution is still deficient on the following grounds:

- a) The Building Completion Certificate of entire building issued by the Govt. Competent Authority not submitted as the part BCC is not allowed. As per NCTE Regulation, 2014 building should be complete in all respects.

- b) Latest NEC not submitted. The submitted NEC was upto 28.11.2019 and the part of Land has been mortgaged to SBI Hubballi. No dues Certificate from the concerned Bank was required to submit.
- c) Some of the faculty is not qualified as required under NCTE Regulation, 2014 and amendments etc.

Notting the submissions and verbal arguments advanced during the hearing, Appeal Committee is of the view that the SRC was justified in withdrawing recognitions and therefore decided to reject the instant appeal and confirm the withdrawal order issued by SRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing recognitions and therefore decided to reject the instant appeal and confirm the withdrawal order issued by SRC

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Sana College of Education, Bhairidevarkoppa, 366/1, 366/2, 1 to 9, Navanagar, P.B. Road, Hubballi, Dharwad, Karnataka – 580025**
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, Education (looking after Teacher Education) Government of Karnataka.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-277/E-199625/2021 Appeal/4th Meeting, 2022
APPLNRC202114132**

Savita Devi Mahavidyalaya, Mohiuddinpur Delhi Meerut Road, Meerut, Uttar Pradesh- 250205 <u>APPELLANT</u>	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Mr. Sanjay Verma (Chairman)
Respondent by	Regional Director, NRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND'S OF WITHDRAWAL

The appeal of **Savita Devi Mahavidyalaya, Mohiuddinpur Delhi Meerut Road, Meerut, Uttar Pradesh-250205** dated 18/09/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. 322nd (Virtual) Meeting dated 07.12.2020. of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds. "The original file of the Institution along with related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, were carefully considered by the NRC and the Committee made following observations: - The Institution has not submitted reply of two consecutive show cause notices issued on 27.03.2018 and subsequently on 09.10.2021 and Committee decided as under: - The recognition of B.Ed. & its Additional Intake and M.Ed. courses to be withdrawn from the academic session 2021-2022. Hence, NRC decided to withdraw the recognition of B.Ed. & and its additional

intake and M.Ed. courses under Section-17 of the NCTE Act, 1993 from the end of the academic session next following the date of communication of withdrawal order i.e., 2021-2022, A detailed withdrawal order be issued to the institution for respective courses.”

II. SUBMISSIONS MADE BY APPELLANT:-

Mr. Sanjay Verma (Chairman), Savita Devi Mahavidyalaya, Mohiuddinpur Delhi Meerut Road, Meerut, Uttar Pradesh-250205 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal Memoranda it is submitted that “1. It is submitted that the show cause notice dated 27.03.2018 (as referred in the decision taken by NRC to withdraw the recognition of B.Ed. Course), was never received by the institution. Thus, the institution is not aware about the said show cause notice at all. In fact, in the 2nd show cause notice dated: 09.10.2020 also, there is no reference whatsoever of the earlier show cause notice dated 27.03.2018. Further, as per the SOP notified by the NCTE, the proforma of 2nd show cause notice under Section- 17 is given in “Annexure-E” and as per the said proforma, in case the Regional Committee is issuing 2nd Show Cause Notice under Section 17, then “SECOND SHOW CAUSE NOTICE U/S 17” has to be specifically/mandatorily mentioned at the top of such show cause. A bare perusal of the show cause notice dated 09.10.2020. shows that the said show cause notice neither contains any reference to the alleged earlier show cause notice dated 27.03.2018 nor there is any mention of “SECOND SHOW CAUSE NOTICE U/S 17” at the top of the said show cause notice. Therefore, the allegation of non-submission of reply to the alleged 1st show cause notice dated 27.03.2018. is incorrect and therefore, the same cannot be taken as the basis of withdrawal of recognition. So far as the show cause notice dated 09.10.2020 is concerned, the institution vide its letter dated 11.11.2020 submitted pointwise reply to the said show cause notice alongwith all relevant documents. Subsequently, when the institution learnt about the decision being taken by the NRC in its meeting held on 07.12.2020 on the basis that the reply to the show cause notice was not received, the representative of the institution rushed to the NCTE and submitted a copy of the said reply dated 11.11.2020 alongwith all relevant documents by hand again on 09.12.2020. A copy of the reply dated 11.11.2020 is enclosed as ANNEXURE-1 and the institution will also produce the pointwise compliance in respect of the said show cause notice dated 09.10.2020. at the time of hearing of the appeal. It is submitted that 2nd provision of Section 17 of NCTE Act, 1993, provides as under regarding the effective date of coming into force of a withdrawal under: - “provided further that the order withdrawing or refusing recognition passed by the Regional Committee shall come into force only with effect from the end of the academic session next following the date of communication of

such order.” Further, Section 17(2) of NCTE Act, 1993 specifically mandates that every withdrawal under passed by regional committee under Section 17 (1) “shall be published in the Official Gazette for general information.” It is submitted that NRC vide its decision taken in 322nd (Virtual) Meeting held on 7th December, 2020 has withdrawn recognition of B.Ed. course of our institution, starting as under:- “Hence, NRC decided to withdraw the recognition of B.Ed. & its Addition Intake and M.Ed. courses under section 17 of the NCTE Act,1993 from the end of the academic session next following the date of communication of withdrawal order i.e. 2021-2022, A detailed withdrawal order be issued to the institution for respective courses.” The aforesaid decision of NRC to withdraw recognition of B.Ed. Course from the present academic year 2021-22 is contrary to the provision contained in 2nd proviso to section 17 (1) of NCTE Act, 1993. As per the said provision, the withdrawal can be effective only from the end of the academic session next following the date of communication of such order i.e., w.e.f. the end of the present academic session 2021-22. Further, the withdrawal order has also not been published on Official Gazette as mandated under Section 17 (2) of NCTE Act, 1993.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition of the appellant institution was withdrawn on the basis of not submitting reply to Show Cause Notices issued on 27.03.2018 and 09.10.2021 whereas the appellant in the memoranda of appeal has explained that they had submitted reply by letter dated 11.11.2020 to first show notice issued on 27.03.2018. The appellant has further stated that the said reply was submitted to **NRC BY Hand** on 09.12.2020.

Appeal Committee noted that only a copy of letter dated 11.11.2020 duly affixed a Stamp of NRC office with receiving date as 09.12.2020 on the face of the letter is found to be enclosed with the memoranda of appeal without enclosures.

In view of the above submission, the Appeal Committee interimly decided to seek clarification from NRC as to whether the letter dated 11.11.2020 as a reply to SCN dated 27.03.2018 was received or not enabling the Appeal Committee to dispose of the instant Appeal within the prescribed time limits. A copy of said letter dated 11.11.2020 is forwarded to NRC for reference and further necessary action in the matter in a time bound manner.

In these circumstances, the Appeal Committee decided to reserve its final decision on instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Savita Devi Mahavidyalaya, Mohiuddinpur Delhi Meerut Road, Meerut, Uttar Pradesh-250205
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, Education (looking after Teacher Education) Government of Uttar Pradesh.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-282/E-202923/2021 Appeal/4th Meeting, 2022
APPLNRC202114142**

Shri Ram College of Education, Chaubara, National Highway Road, Gajraula Jyotiba Phule Nagar, Uttar Pradesh <u>APPELLANT</u>	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. P.K. Sharma (Director)
Respondent by	Regional Director, NRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Shri Ram College of Education, Chaubara, National Highway Road, Gajraula Jyotiba Phule Nagar, Uttar Pradesh** dated 26/09/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No **NRC/NCTE/UP-1838/338th Meeting/2021/215063** dated 29.07.2021 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Teaching faculty document and affidavit, Salary Bank Statement, FDRs and Form 'A', college website, BCC in not submitted."

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II. SUBMISSIONS MADE BY APPELLANT:-

Sh. P.K. Sharma (Director), Shri Ram College of Education, Chaubara, National Highway Road, Gajraula Jyotiba Phule Nagar, Uttar Pradesh appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that “Institution has submitted the documents reply in NRC office on 03.03.2021 but NCTE is not satisfied the reply of institution we have sufficient academic staff 10+1 they are working in college at present they are fully approve by university norms. They have new BCC and new updated website of college. We have also form ‘A’ and FDRs the above document an explanation by represented of college date of appeal.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted recognition for 100 seats on 01.09.2006 and after promulgation of 2014 Regulation, a revised recognition with an annual intake 2 units of 50 students each was granted vide NRC order dated 02.05.2015. The Appeal Committee noted that the appellant institution was given two opportunities in the shape of Show Cause Notices issued on 09.10.2020 and 20.01.2021 to submit its written representation for rectifying the shortcomings.

Appeal Committee noted that the appellant with the memoranda of Appeal has submitted the following documents in the Appeal.

- a) List of faculty (1+ 7) members' duly approved by the Registrar of the Affiliating Body on 17.02.2021 alongwith individual approval on stamp paper.
- b) Copies of FDRs and Form ‘A’ issued by Punjab National Bank.

Appeal Committee noted that despite giving reasonable opportunities to submit its written representation to rectify the shortcoming, the appellant institution is still deficient on the grounds of not submitting a) Bank statement of last six months as a proof of having paid salary to the staff through bank; b) Faculty is short for 100 seats (two units of 50 students each) and some of the faculty is not qualified as per Regulation and amendments notified from time to time; c) Copy of BCC approved by competent Authority not submitted.

Notting the submission and oral arguments advanced during the hearing by the appellants, the Appeal Committee reached the conclusion that the NRC was justified in withdrawing recognition of the institutions and therefore, the instant appeal deserves to be rejected and order of withdrawal issued by NRC is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the NRC was justified in withdrawing recognition of the institutions and therefore, the instant appeal deserves to be rejected and order of withdrawal issued by NRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Shri Ram College of Education, Chaubara, National Highway Road, Gajraula Jyotiba Phule Nagar, Uttar Pradesh
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, Education (looking after Teacher Education) Government of Uttar Pradesh.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-297/E-211697/2021 Appeal/4th Meeting, 2022
APPLWRC202114159**

Women Teachers Training College, Veer Durga Das Nagar, Pali Rajasthan Pali-306401 <u>APPELLANT</u>	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Bhupendra (Secretary)
Respondent by	Regional Director, WRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OFS OF WITHDRAWAL

The appeal of **Women Teachers Training College, Veer Durga Das Nagar, Pali Rajasthan Pali-306401** dated 11/10/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. WRC/NCTE/RJ-623/B.Ed./321st /2020/216977 dated 14.08.2021 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “This is a RPRO case and same was remanded back by the Appellate Authority. The WRC noted that as per the order of the Appellate authority the institution was required to submit their reply to show Cause Notice within 15 days, however, till date the institution has not submitted the reply to WRC. In view of the above, the Committee decided that the decision for withdrawal taken by WRC and intimated to the institution vide dated 14 December ,2020 stands.”

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Bhupendra (Secretary), Women Teachers Training College, Veer Durga Das Nagar, Pali Rajasthan Pali-306401 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that “It is submitted that at the time when the Appellate Authority of NCTE passed the appeal order dated 02.06.2021 and even thereafter, during the period of ‘June & ‘July 2021, there was a strict lockdown imposed in the state of Rajasthan and the educational institutions were closed due to administrative orders issued by the Government. It is submitted that Government of Rajasthan vide its order dated 23.05.2021 notified the guidelines for implementation of lockdown. Thereafter, Government of Rajasthan issued various guidelines regarding imposition of lockdown and imposition of restrictions vide its orders dated 31.05.2021, 07.06.2021, 15.06.2021, 26.06.2021, 10.07.2021 & 16.07.2021. It is submitted that during the aforesaid period of ‘June 2021, ‘July 2021 and ‘August 2021, all the educational institutions were directed to remain closed and thus, even the appellant institution was not opened in view of strict Government directives. Finally, the Government of Rajasthan vide its order dated 12.08.2021 issued guidelines for commencement of educational activities in the universities/ colleges/ schools etc. In the State of Rajasthan and as per the said directive, the colleges were permitted to commence the educational activities with 50 capacities from 01.09.2021 with various conditions mentioned therein. A copy of orders/guidelines issued by Government of Rajasthan regarding imposition of lockdown will be produced at the time of hearing of the appeal. 2. That it is relevant to state that the Hon’ble Supreme Court of India vide its orders dated 23.03.2020 passed in SMW © No. 3/2020 titled as “In Re: Cognizance for Extension of Limitation”, ordered as under:-“ This Court has taken Suo Motu cognizance of the situation arising out of the challenge faced by the country on account of Covid-19 Virus and resultant difficulties that may be faced by litigants across the country in filing their petitions/applications/suits/ appeals/all other proceedings within the period of limitation prescribed under the general law of limitation or under Special Laws (both Central and/or State). To obviate such difficulties and to ensure that lawyers/litigants do not have to come physically to file such proceedings in respective Courts/Tribunals across the country including this Court, it is hereby ordered that a period of limitation in all such proceedings, irrespective of the limitation prescribed under the general law or Special Laws whether condonable or not shall stand extended w.e.f. 15th March 2020 till further orders to be passed by this Court in present proceedings. We are exercising this power under Article 142 read with Article 141 of the Constitution of India and declare that this order is a binding order within the meaning of Article 141 on all Courts/Tribunals and authorities.

This order may be brought to the notice of all High Courts for being communicated to all subordinate Courts/ Tribunals within their respective jurisdiction." A copy of order date 23.03.2020 passed by Hon'ble Supreme Court of India in Suo Moto Writ Petition © No. 3/2020 is annexed herewith and being marked as Annexure-1 3. Subsequently, the Hon'ble Supreme Court of India vide its order dated 27.04.2021 taking note of the continuance of Covid-19 pandemic passed the direction restoring the order dated 23.03.2021 and in continuance of the earlier order dated 08.03.2021 directed that the period of limitation, as prescribed under any general or special laws in respect of all judicial or quasi-judicial proceeding whether condonable or not, shall stand extended till further orders. The Hon'ble Supreme Court of India vide its aforesaid order dated 27.04.2021 further directed as under: - "We have passed this order in exercise of our powers under Article 142 read with Article 141 of the Constitution of India. Hence it shall be a binding order within the meaning of Article 141 on off courts/ Tribunals and Authorities. "A copy of orders date 08.03.2021 and 27.04.2021 passed by Hon'ble Supreme Court of India in Suo Moto Writ Petition © no. 3/2020 are annexed herewith and being marked as Annexure -2 4. It is submitted that despite the aforesaid constraints being faced by the Appellant institution and the non-functioning of the institutions due to lockdown, the Secretary of the institution vide his letter dated 11.06.2021, submitted the following documents to the WRC by courier. College Building Map - Building Plan - Building Completion Certificate - Land Possession, CLU, and Non-Encumbrance Certificate. All the documents submitted by the institute through the aforesaid letter (in terms of direction of appeal committee) alongwith all other documents showing compliance shall be produced at the time of hearing of the appeal. A copy of letter dated 11.06.2021 of the Secretary of the appellant institution along with Courier Receipt is annexed herewith and being marked as Annexure -3 5. It is further submitted that the Regional Committee vide its order dated 08.11.2006 had granted recognition to the appellant institution to run the B.Ed. Course on its "own land & building" and there was no condition whatsoever mentioned in the recognition order regarding shifting of the institution in its own building within a period of three from the date of issue of the recognition order. In fact, the ground mentioned in the earlier withdrawal order dated 14.12.2020 is contrary to records of the Regional Committee and factually incorrect. Not only that, the Appeal Committee itself taking note of the factual position of the matter had passed an earlier order dated 02.06.2021 observing as under:- " And Whereas Appeal Committee noted that impugned order of withdrawal dated 14.12.2020 is on the ground that appellant institution has not submitted reply to the Show Cause Notice dated 27.09.2020 which was issued for the reason that institution was granted recognition in rented premises and has not shifted to its own premises. Appellant in its appeal memoranda has stated that institution is running in its own premises since the very

beginning and has also replied to the Show Cause Notice (S.C.N) dated 27.09.2020. As evidence of having submitted reply to the Show Cause Notice the appellant has furnished copy of the speed post receipt dated 20.11.2020 and track report which indicates delivery of article on 29.10.2020.”

6. It is further submitted that assuming the Regional Committee did not receive the letter dated 11.06.2021 dispatched by the appellant institution, therefore, the Regional Committee ought to have either issued a fresh show cause notice under Section 17 of NCTE Act or sought further information /clarification from the institution. However, the Regional Committee, without issuing any fresh show cause notice and without seeking any information/clarification from the institution and without initiating any fresh proceeding under Section 17, decided to confirm the earlier withdrawal order dated 14.12.2020 which in terms of law Laid down by Hon’ble Delhi High Court in (i) Order dated 08.4.2021 in W.P.(C) No. 4382/2021 titled Shri Vaishnav College of Education Vs. NCTE & Anr. And (ii) Order dated 30.07.2021 in W.P.(C) No. 7260/2021 titled Arihant College & Anr. Vs NCTE & Anr. And various other orders passed by Hon’ble Court from time to time, already stood set aside in terms of remand order dated 02.06.2021 passed by Appellate Authority. In view of the above and particularly keeping in view the fact that the appellant institution is an old institution running from 2006 i.e., from last 15 years and fulfils off norms & standards laid down by NCTE, therefrom, it is prayed that the withdrawal order dated 11/14.08.2021 issued by WRC is quashed & set aside and the recognition of our institution for B.Ed. course with two basic units (100 seats) is restored & continued.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution has enclosed with memoranda of Appeal, a copy of Appellate Order dated 02.06.2021 remanding back the case Appeal dated 12.02.2021 filed by Smt. **RUKMA DEVI MAHILA SHIKSHAK PRASHIKSHAN MAHAVIDYALAYA, VEER DUGADAS NAGAR, PALI, RAJASTHAN** against the Order No. WRC/NCTE/RJ-623/B.Ed./321st/2020/212692 dated 14.12.2020 of WRC withdrawing recognition for conducting B.Ed. Course. In the said Appellate Order, the appellant was asked to send again a copy of the reply to WRC within 15 days for consideration.

The Appeal Committee has noted that the instant online appeal (APPLWRC202114159 dated 11.10.2021) is filed in the name of **WOMEN TEACHERS TRAINING COLLEGE, PLOT NO. 537, VEER DURGA DAS NAGAR, PALI, RAJASTHAN** against the order of WRC No. WRC/NCTE/RJ-623/B.Ed./321st/2020/216977 dated 14.08.2021.

The Appeal Committee observes that the appellant with the memoranda of Appeal has enclosed a copy of withdrawal order dated 14.08.2021 and other related documents which are not in the name of **WOMEN TEACHERS TRAINING COLLEGE** as mentioned in the online Appeal Report.

Appeal Committee noted that Sub- Section-3 & Section 18 of NCTE Act, 1993 stipulates that a copy of *"Every appeal made under this Section shall be made in such form and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed."*

In view of the above, the Appeal Committee observes that the instant appeal filed by **WOMEN TEACHERS TRAINING COLLEGE**, is not a valid appeal.

Hence the Appeal Committee decided not to accept the appeal of the appellant and declared it infructuous; It appears, that the appellant institution has changed the name of the institution without prior permission of WRC which is a violation of NCTE Regulation, 2014.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded not to accept the appeal of the appellant and declared it infructuous; It appears, that the appellant institution has changed the name of the institution without prior permission of WRC which is a violation of NCTE Regulation, 2014.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Women Teachers Training College, Veer Durga Das Nagar, Pali Rajasthan Pali-306401
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 Secretary, Education (looking after Teacher Education) Government of Rajasthan.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-301/E-214850/2021 Appeal/4th Meeting, 2022
APPLSRC202114166**

Koviloor Andavar College of Physical Education and Sports Science, Koviloor, Managiri, Sivaganga, Tamilnadu- 630307 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. G. Ravindran (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Koviloor Andavar College of Physical Education and Sports Science, Koviloor, Managiri, Sivaganga, Tamilnadu- 630307** dated 13/10/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APS09258/M.P.Ed./{TN}/2021/12844 dated 28.08.2021. of the Southern Regional Committee, withdrawing recognition for conducting M.P.Ed. Course on the grounds that "The NOC dated 08.09.2007 was issued by the Higher Education Department, Govt. of Tamil Nadu was issued with the condition to remove the High-Tension Voltage Track passing through the proposed lands for the safety of student. The institute is required to submit a certificate for removal of the same. The FDRs for Endowment and Reserve Fund is being maintained for one year only instead of five years as required under NCTE Regulations. The building plan of the institution is neither approved not legible. The Multipurpose Hall Size is not

sufficient. The institution has not submitted the latest staff list approved by the affiliating University for all the existing programmes.”

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. G. Ravindran (Principal), Koviloor Andavar College of Physical Education and Sports Science, Koviloor, Managiri, Sivaganga, Tamilnadu- 630307 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal Memoranda it is submitted that “The Show Cause Notices issued from time to time by SRC had no mention of the High-Tension Voltage Track passing through the proposed lands. Therefore, this reason of withdrawal came first time in our notice. However, the High-Tension Voltage Track passing through the proposed lands had been removed the Land Usage certificate was got issued by the President, Koviloor Panchayat vide their letter dated 21-01-2008. Copy attached. Moreover, we are enclosing a copy of the fresh certificate dated 28-07-2021 issued by the President, Koviloor Panchayat as material proof that that this deficiency does not exist at all. A new certificate furnishing the details regarding non existing of the high-tension voltage track dated 27-08-2021 is enclosed. The FDRs of Endowment and Reserve Fund have been got prepared initially for a period of Five years. The same were due for renewal and the bank itself made an auto revival for a period of one year. The same FDR is continuing, and no loan has been obtained from these FDRs. The same FDRs have been now maintained for five years duration as per the NCTE directions. Copy of the FDRs of Five years duration is attached. Our college got recognition in 2007. The Building Plans were duly approved by the competent authority. During the course of compliance to the revised recognition order we have extended Build up area as per the Building Plan submitted. However, the approval was in Tamil Language (Regional Language). The translation of the approval was done in English, and it was duly signed by Notary Public and attested by the college principal in a legible form, is attached as a material proof (Annexure-7). We have a sufficient separate Multipurpose Hall with dais and with RCC roofing to accommodate more than two hundred students. And we have a very vast free area around the multipurpose hall with compound wall to conduct various sports events like Silambam, Karate, Yoga, Play Festivals, Medical Camps, Playing Kabbadi & Kho-Kho on mats etc. Approved plan of the Multipurpose Hall is attached as a material proof (Annexure-8). The latest staff approval from Tamil Nadu Physical Education and Sports University could not be obtained due to the pandemic situation during that period. However, we have obtained latest list of faculties for B.P.Ed. and M.P.Ed., Programmes duly approved by affiliating body i.e., Tamil Nadu Physical Education and Sports University. The approved faculty list is attached. (Annesure-9 A, B &C).”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition to the appellant institution for M.P.Ed. course with an annual intake of 30 students was granted by SRC on 22.8.2008 from the academic session 2008-09.

The Appeal Committee further noted that the appellant vide Appellate Order dated 19.11.2020 was directed to submit the documents as furnished in the appeal to SRC in the stipulated for consideration. In the event of not complying the direction contained in the appellate order, a final show cause notice after considering its reply was issued to the appellant on 12.4.2021 on certain grounds.

The Appeal Committee noted that the required details of approved faculty in the prescribed format comprises of name, designation, academic & professional qualification, teaching experience and date of appointment in the college etc. duly countersigned by the competent authority in the affiliating body has not been submitted. The building plan is not legible. The details of FDRs such as FDR number and status of joint name mentioned in Form 'A' and that of photocopy of Deposit Confirmation Renewal Advice issued by Bank of India do not match.

Noting the submission and oral arguments advanced during hearing by the appellant, the Appeal Committee observes that the appellant institution is still found to be deficient on the above grounds. Hence, the Committee is of the view that the SRC was justified in withdrawing recognition of the appellant and therefore, the instant appeal deserved to be rejected and the impugned withdrawal order is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the instant appeal deserved to be rejected and the impugned withdrawal order is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Koviloor Andavar College of Physical Education and Sports Science, Koviloor, Managiri, Sivaganga, Tamilnadu- 630307
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, Education (looking after Teacher Education) Government of Tamilnadu.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**F. No. 89-310/E-221243/2021 Appeal/4th Meeting, 2022
APPLSRC202114177**

Smt. Addepalli Mahalakshmi Devi Teacher Training Institute (D.ED) Rajahmundry, 46-13-14 danavaipeta near gandh Park Rajahmundry east Godavari, Andhra pradesh- 533103 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Mr. Addepalli Sridhar Lakshman (Secretary & Correspondent)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Smt. Addepalli Mahalakshmi Devi Teacher Training Institute (D.ED) Rajahmundry, 46-13-14 danavaipeta near gandh Park Rajahmundry east Godavari, Andhra pradesh-533103** dated 28.10.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NCTE-Reg1018/119/2021-Regulation Section-SRC/AP/128711 dated 05.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that *"The committee perused the letter dt. 25.03.2021 issued by the School Education Department, Govt. of Andhra Pradesh establishing the violation made by 417 TEIs (list enclosed as Annexure 'A' t this minutes). These TEIs have made admissions into D.El.Ed. course during*

2018-19 on their own without adhering the rules and regulations. Therefore, the Govt. of Andhra Pradesh in this instant letter recommended SRC, NCTE to de-recognize these TEIs henceforth. The Committee discussed the issue in detail and decided to direct the Regional Director that instead of sending individual Show Cause Notice to all the 417 TELs to save time particularly in the context of COVID-19 pandemic, all the TEIs to be recognized be uploaded on SRC, NCTE's website alongwith the 13 points schedule asking the managements to furnish the information top the points included in the 13 point schedule within 21 days either online or by post treating it as a Show Cause Notice. Accordingly, Process the withdrawal of recognition as desired by the Govt. of Andhra Pradesh. The committee discussed the matter pertaining to the withdrawal of recognition to the TEIs offering D.El.Ed. programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TEIs who have failed to respond to the notice (published on the NCTE website) and also sent to the TEIs through e-mail."

II. SUBMISSIONS MADE BY APPELLANT:-

Mr. Addepalli Sridhar Lakshman (Secretary & Correspondent), Smt. Addepalli Mahalakshmi Devi Teacher Training Institute (D.ED) Rajahmundry, 46-13-14 danavaipeta near gandh Park Rajahmundry east Godavari, Andhra pradesh-533103 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal it is submitted that "Explanation: We would like to bring to your kind notice that our D.Ed., college was established in the year 2007 with intake of 50 students. The convener, DEECET 2018 filled 31 seats through counselling out of 40 seats through counselling in the category "A" (convenor quota.) Though 9 seats were left over under convenor quota, we did not admit any students strictly following the rules and regulations Government of Andhra Pradesh in category "A". So, there is no violation of rules and regulations of the NCTE nor Government of Andhra Pradesh. Copy enclosed. "Whereas the following academic years government of Andhra Pradesh has given permission to fill the left-over seats of category "B" with or without DEECET. Vide proceedings as follows. 1. R.C.No. 338/A(B)/SCERT 2018 dated 25-03-2019. 2. Government of Andhra Pradesh School Education (Prog.II) Department Memo. No. 494694/Prog.II/A1/2017 dated 22-08-2017 3. Government of Andhra Pradesh Education (PE-Prog-II) Department Memo No. 17867/PE-Prog.II/A1/2009-1 dated 19-11-2009. 4. Pros of the Director of School Education, Andhra Pradesh Education (SE-TRG) Department in Memo. No.12422/Trg/A1/2008 dated 14-08-2008. 6. Proceedings of the Director of School Education, Andhra Pradesh, Hyderabad L.Dis.No. 873/N1-3/Spot/2008 dated 29-09-2008.

Hence, non-availability of DEECET 2018 candidates, we have admitted 9 students without DEECET under category 'B'. It may not come under violation of rules and regulations of admission, as these are treated as management quota and also this is no violation under rules and regulation, under section 17(1) of NCTE Act. Moreover, in all common tests in the state of Andhra Pradesh (EAMCET (Engineering, Agriculture, Pharmacy etc.), ICET (MBA, MCA) LAW CET (Law) and EDCET (B.Ed.) left over seats of the category 'B' in all professional colleges are being filled with or without CET qualified students. Hence there is no violation by us in Category "A" seats, the action can be dropped against us, and our recognition be continued. Director of School Education, Govt. of Andhra Pradesh are estopped to take action against us, as it is category B seats, which are usually approved. The NCTE can't withdraw recognition to us Under section 17(1), when there is no violation of any rules of NCTE act. Hence, we request for benevolence and condone the error, which can be ignored, as it is, if any deviations, it is Govt. of AP admissions rules were no violations at all."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution and noted that main ground of withdrawal of recognition to conduct D.El.Ed. programme emerged from a letter dated 25.03.2021 issued by the School Education Department, Government of Andhra Pradesh is that a number of institution including the appellant institution without adhering to the rules and regulations have made admissions in D.El.Ed. course during 2018-19. The School Education Department of Govt. of Andhra Pradesh taking the matter as violation of rules relating to admission of students in D.El.Ed. course recommended to NCTE to de-recognise such institutions.

2. Appeal Committee noted that School Education Department of the State Government is the affiliating body so far as admissions to the course and examinations are concerned, the role of affiliating body and its recommendations are very important. It is therefore, binding on the institutions conducting D.El.Ed. programme to adhere to the norms and standards laid down by State Government in matter of admission, examination, appointment of faculty and payment of salary as per standards and pay scale approved by the state government.

3. Appeal Committee noted that institutions conducting D.El.Ed. programme should stay turned with the instructions issued by State Government from time to time in matter relating to admissions and examinations and in case there is a controversy the same shall be resolved

amicably. The recommendations of State Government who is an important stake holder cannot be ignored. Till the appellant institution gets a clearance from the affiliating body, the impugned order of withdrawal dated 05.10.2021 stays confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to confirm the impugned order of withdrawal dated 05.10.2021.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Smt. Addepalli Mahalakshmi Devi Teacher Training Institute (D.ED) Rajahmundry, 46-13-14 danavaipeta near gandh Park Rajahmundry east Godavari, Andhra pradesh-533103**
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, Education (looking after Teacher Education) Government of Andhra Pradesh.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-31/E-232223/2022 Appeal/4th Meeting, 2022
APPLNRC202114220**

Ram Singh Mahavidyalaya, Plot No. 232 233 Kh and 232D Bhagya Nagar, Kutupur Laigoan, Bhongoan, Mainpuri Uttar Pradesh-206302 <u>APPELLANT</u>	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Mr. Gajraj Singh (Deputy Manager)
Respondent by	Regional Director, NRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND S OF WITHDRAWAL

The appeal of Ram Singh Mahavidyalaya, Plot No. 232 233 Kh. and 232D Bhagya Nagar, Kutupur Laigoan, Bhongoan, Mainpuri Uttar Pradesh-206302 dated 14/12/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/NRCAPP-7879/337th Meeting/2021/214581-86 dated 16.07.2021 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution is deficient on supplying the latest approved and signed faculty list. The institution has to supply to six-month bank statement and account number of each faculty. Copies of valid fixed deposit in the joint operation mode. Download copies from the website and the hyperlink. Building Completion Certificate signed from the competent authority.

II. SUBMISSIONS MADE BY APPELLANT:-

Mr. Gajraj Singh (Deputy Manager), Ram Singh Mahavidyalaya, Plot No. 232 233 Kh and 232D Bhagya Nagar, Kutupur Laigoan, Bhongoan, Mainpuri Uttar Pradesh-206302 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that "That the appellant / institution is well established institution and is having adequate facilities for conducting B.Ed. course. The institution is also having its own website. [Copies of List of facilities and screen shot of website are annexed with appeal memorandum as Annexure-8 (Colly)]. The bank statement of six-month and account number of each faculty has been attached with appeal memorandum. That it is also pertinent to mention here that in compliance of the NCTE Regulations, 2014 the appellant / institution has submitted FDRs of Rs. 5+3+412 lakh. It is important to note that as per NCTE Regulation, 2009, the FDR Nos. 683388 and 683390 of Rs. 5 lakhs and Rs. 3 lakhs respectively had already been deposited to the respondent on 24.02.2014. After completion of maturity period, FDRs have been renewed on your instructions and FDR Nos. 40336014301 and Nos. 40336014301 of Rs. 5 lakhs and Rs. 3 lakhs respectively have been prepared on 11.08.2021. Moreover, the FDR No. 35831304834 dated 13.06.2016 is already deposited in the office of the respondent. Thus, the FDRs of Rs. 5+3+412 lakh are deposited in the office of respondent. [Copies of Affidavit, FDRs, Form A and details of account are annexed with Appeal Memorandum as annexure-7 (Colly)]. That the Appellant / Institution is well established institution and is having adequate facilities for conducting B.Ed. course. The institution is also having its own website. [Copies of list of facilities and screen shot of website are annexed with Appeal Memorandum as annexure-8 (Colly)]. That the appellant is having adequate financial resources, accommodation, land, library, and laboratory as prescribed in the norms and standards and fulfils all such other conditions relating to infrastructural facilities as required for proper functioning of the institution for the purpose of teacher education course. [Copies of land documents and Building Completion Certificate on the non-judicial stamp paper of Rs. 100 are annexed with appeal memorandum as annexure-6 (Colly)]."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that Hon'ble Supreme Court of India Civil Original Jurisdiction Miscellaneous Application No. **665 of 2021** in SMW(C) No. **3 of 2020** vide Order dated **23.09.2021** directed as under:

In computing the period of limitation for any suit, appeal, application or proceeding, the period from 15.03.2020 till 02.10.2021 shall stand excluded. Consequently, the balance period of limitation remaining as on 15.03.2021, if any, shall become available with effect from 03.10.2021. In cases where the limitation would have expired during the period between 15.03.2020 till 02.10.2021, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 03.10.2021. In the event the actual balance period of limitation remaining, with effect from 03.10.2021, is greater than 90 days, that longer period shall apply. The period from 15.03.2020 till 02.10.2021 shall also stand excluded in computing the periods prescribed under Sections 23 (4) and 29A of the Arbitration and Conciliation Act, 1996, Section 12A of the Commercial Courts Act, 2015 and provisos (b) and (c) of Section 138 of the Negotiable Instruments Act, 1881 and any other laws, which prescribe period(s) of limitation for instituting proceedings, outer limits (within which the court or tribunal can condone delay) and termination of proceedings. The Government of India shall amend the guidelines for containment zones, to state. "Regulated movement will be allowed for medical emergencies, provision of essential goods and services, and other necessary functions, such as, time bound applications, including for legal purposes, and educational and job-related requirements."

Appeal Committee noted that the recognition of the appellant institution was withdrawn on the grounds of not submitting reply to First Show Cause Notice dated 04.11.2020 and Final Show Cause Notice dated 22.01.2021 issued on certain grounds such as List of approved faculty, disbursement of salary, valid FDRs and Form 'A', website and Building Completion Certificate.

The representative of appellant institution who attended the hearing on 26.04.2022 has informed that they had not received any of the Show Cause Notices. It is further, stated in the Memoranda of Appeal that they even did not receive copy of impugned withdrawal order dated 16.07.2021 issued in compliance with the decision of 337th NRC (Virtual) Meeting held on 8th to 9th July, 2021.

In view of the above, the Appeal Committee interinely decided that the clarification from NRC may be sought on the point as to whether the aforementioned Show Cause Notices including the withdrawal order were issued or not. If issued, the proof of dispatch with delivery reports etc. need to be provided to Appeal Committee as expeditiously as possible, so that the instant appeal may be disposed of within the prescribed time limit.

Appeal Committee also decided to reserve its final decision on the instant appeal and defer the matter to the next Appeal Committee meeting till receipt of above clarification from NRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the instant appeal and defer the matter to the next Appeal Committee meeting till receipt of above clarification from NRC.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Ram Singh Mahavidyalaya, Plot No. 232 233 Kh. and 232D Bhagya Nagar, Kutupur Laigoan, Bhongoan, Mainpuri Uttar Pradesh-206302
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, Education (looking after Teacher Education) Government of Uttar Pradesh.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-33/E-239085/2022 Appeal/4th Meeting, 2022
APPLERC202214257**

Nalanda Open University, 3rd floor, Bisco Maun Bhawan, West Gandhi Maidan, 220 Bank Road, Gandhi maidan Road, Patna Sadar, Patna Bihar-800001 <u>APPELLANT</u>	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Prof. Sanjay Kumar (Pro Vice-Chancellor)
Respondent by	Regional Director, ERC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Nalanda Open University, 3rd floor, Bisco Maun Bhawan, West Gandhi Maidan, 220 Bank Road, Gandhi maidan Road, Patna Sadar, Patna Bihar-800001** dated 22.01.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No F.No. ER-244.17.04/ (BR-SO/N-8/ 2004) /B.Ed. (ODL Mode)/2017/54783 dated 23.10.2017 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed.-ODL Course on the grounds that “The recognition of Nalanda Open University was withdrawn because the inspection did not take place in absence of permanent VC and Pro-VC.”

II. SUBMISSIONS MADE BY APPELLANT:-

Prof. Sanjay Kumar (Pro Vice-Chancellor), Nalanda Open University, 3rd floor, Bisco Maun Bhawan, West Gandhi Maidan, 220 Bank Road, Gandhi Maidan Road, Patna Sadar, Patna Bihar-800001 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal it is submitted that “The Covid 19 pandemic as well as the unavailability of regular vice-chancellor, pro-vice chancellor and registrar were the major reasons which caused delay in the inspection procedure. However, the appointment to regular VC, Pro-VC at The University has made the situation very much stable. UGC has already permitted Nalanda Open University to conduct B.Ed. programs till 2023. Your kind permission will be an opportunity for the students to get enrolled in B.Ed. course. Hence, we humbly request to please do needful to reinstate the B.Ed. program at Nalanda Open University.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that impugned withdrawal order dated 23.10.2017 was issued after rendering reasonable opportunity to the appellant in the shape of Show Cause Notice on 13.07.2013. for submitting written representation to provide required documents. Appellant was also informed of the provisions and guidelines for submitting appeal within a period of 60 days from the date of issue of impugned withdrawal order. The appellant has preferred a delayed appeal by more than 4 years against the impugned withdrawal order.

2. Appeal Committee noted that according to Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under the above-mentioned Sections of the Act may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor; provided such an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfied the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

3. Appeal Committee observed that the reasons adduced in the Appeal Memoranda by the appellant for preferring delayed appeal after the expiry of stipulated period are not convincing. Hence, the Appeal Committee decided not to condone the unjustifiable and inordinate delay of more than 4 years.

4. Appeal Committee further noted that the recognition for B.Ed. (OLD) was withdrawn on the grounds of not allowing the Visiting Team to get the inspection done on the scheduled date and time stating the reason of non-availability of Permanent VC and Pro-VC in the University due to spread of Covid-19 Pandemic. The reasons given in the explanation for not allowing the visiting team to conduct inspection are not convincing and satisfactory. If the University was really willing to get the inspection done, then anyone in the University could have been deputed to coordinate with the Visiting Team and get the assigned task completed as scheduled by ERC.

5. Notting the submission and oral arguments advanced during hearing by the appellant. Appeal Committee is of the view that the instant appeal is devoid on merit also and to conclude that the ERC was justified in withdrawing recognition of B.Ed. (OLD) Course and therefore the impugned withdrawal order deserved to be confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the instant appeal is devoid on merit also and to conclude that the ERC was justified in withdrawing recognition of B.Ed. (OLD) Course and therefore the impugned withdrawal order deserved to be confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Nalanda Open University, 3rd floor, Bisco Maun Bhawan, West Gandhi Maidan, 220 Bank Road, Gandhi Maidan Road, Patna Sadar, Patna Bihar-800001
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, Education (looking after Teacher Education) Government of Bihar.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-35/E-239089/2022 Appeal/4th Meeting, 2022
APPLSRC202214259**

Nadar Mahajan Sangam S. Vellaichamy Nadar College of Education, Nagamalai, Madurai, Tamilnadu-625019 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. S. Ravi (Director)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Nadar Mahajan Sangam S. Vellaichamy Nadar College of Education, Nagamalai, Madurai, Tamilnadu-625019** dated 24/01/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS01491/B.Ed./{TN}/2021/129717 dated 30.12.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution was informed about the deficiency in faculty that 2 lectures do not have NET /Ph.D. and % of marks in PG Degree of Mr. V. MOHANRAJ is less than 55%. The institution with its reply submitted copy of letter dated 29.07.2021 alongwith proforma issued and signed by the Registrar, TTEU regarding approval of 2 faculty. The institution did not submit the approval letter in respect of third faculty namely Mr. MARISELVAM. The institution did not submit latest and consolidated approval of faculty issued by the affiliating University. The institution did

not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014. The institution submitted a copy of Encumbrance Certificate wherein the nature of land is shown as "Housing" and "Agricultural" which is not permissible under rules. The institution submitted a copy of building plan but the same is not legible. Further, the discrepancy regarding area of multipurpose hall is not removed. In the earlier submitted BCC only first floor with constructed area of 15995 square feet was shown. The latest BCC submitted by the institution shows the ground, first and second floor with constructed area of 256195 square feet. Further, the Land Continuity Certificate submitted by the institution shows the total built-up area of building as 15995 square feet. The institution submitted contradictory documents regarding built-up area. The institution did not submit an Affidavit on Rs. 100/- stamp paper regarding land details. The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014."

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. S. Ravi (Director), Nadar Mahajan Sangam S. Vellaichamy Nadar College of Education, Nagamalai, Madurai, Tamilnadu-625019 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal me it is submitted that "That the SRC vide its order dated 30.12.2021 has withdrawn our recognition of our college observing deficiencies which were already clarified / ratified by our institution. A copy of withdrawal order dated 30.12.2021 of SRC is enclosed as Annexure 1. 2. That in order to appreciate various contentions and averments being raised hereinafter by the Appellant, it is necessary to state the following few relevant facts in brief. 3. That the SRC NCTE vide its order dated 003.02.2007 granted recognition to the appellant institution for running the B.Ed. course in the appellant institution with annual intake 100 students. Further, revised recognition order dated 11.03.2015 with intake of 100 students, was issued to appellant institution. A True Copy of Recognition Order and Revised Order is being annexed herewith as Annexure 2 Colly. 4. That it is submitted that firstly the SRC issued a Show Cause Notice dated 08.06.2021 and accordingly the institution responded to the reply dated 19.06.2021 is being annexed herewith as Annexure 3 and True Copy of the Reply dated 19.06.2021 is being annexed herewith as Annexure 4 5. That it is submitted that the SRC failed to consider the reply submitted by the institution. 6. That it is submitted that the SRC issued a Final Show Cause Notice dated 02.08.2021 and accordingly the institution responded and replied based upon the minutes dated 31.07.2021. A True Copy of the Show Cause Notice dated 02.08.2021 is being annexed herewith as Annexure 5 and A True Copy of reply dated 31.07.2021 is being annexed herewith as

Annexure 6. 7. That it is submitted that despite the submission of all the documents, the SRC decided to withdraw the recognition observing the following deficiencies. 9. It is submitted that institution is herein submitting the following documents to show the fact that the above deficiencies pointed out by the SRC are not correct. 1. True copy of complete faculty list approved by Tamil Nadu Teachers Education University. 2. Proof of distribution of salary to faculty and non-teaching staff through bank account. 3. Encumbrance certificate where in the nature of the land is shown as dry land. 4. Building plan approved by the competent authority with the highlighted portion showing the multipurpose hall. 5. Building Completion Certificate signed by the competent authority. 6. Land Continuity Certificate and Land Use Certificate. 7. Affidavit on Rs. 100/- stamp paper regarding land details. 8. Screen Shot of the first page of the website of the Institution, uploaded with required with required information. True copy of the complete faculty list approves by the University, proof of the salary to faculty and non-teaching staff through bank account, Encumbrance Certificate, Building Completion Certificate, Land Continuity Certificates, Land Use Certificate, Affidavit on Rs. 100/- stamp paper regarding land details and screen shot of the website of the institution are being annexed herewith as Annexure 7 Colly 9. That it is submitted that though appellant institution vide its reply letters submitted the desired documents to the SRC as asked by them vide Show Cause Notices, however, the SRC rejected the appeal of the Appellant institution. 10. That now the appellant institution is again enclosing with its appeal, the documents which were desired by the SRC through Show Cause Notices and submitted by the petitioner institution with its replies to the SRC. 11. That it is submitted that withdrawal order issued by the SRC is totally devoid of merit and is not as per statutory provisions, as mandated under NCTE Act, 1993. 12. That it is submitted that the petitioner institution does not lack infrastructural and instructional facilities required as per the NCTE norms. 13. That it appears that SRC proceeded in arbitrary manner without considering the documents properly. 14. That it is submitted that thus, the withdrawal order dated 30.12.2021 of SRC is not maintainable and the appeal committee is requested to revert the decision taken by SRC and direct the SRC to restore the recognition of Appellant institution thereby granting an opportunity to the appellant institution to submit documents desired by the SRC.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted recognition for B.Ed. course with annual intake of 100 seats on 03.02.2007 and after submitting Affidavit regarding adherence of NCTE Regulation, 2014 a revised provisional recognition order for 100 students (two units) was issued by SRC on 11.03.2014 with certain condition to submit the required documents as per Regulation, 2014.

The Appeal Committee noted that the appellant institution was given an ample opportunity in the Shape of issue of Show Cause Notice and Final Show Cause Notice issued on 08.06.2021 and 02.08.2021, respectively to submit its written representation for rectifying the shortcomings in given time period.

The Appeal Committee noted that the impugned withdrawal order came into operation due to not making the deficiencies good and submitting the required documents in stipulated time period despite giving the reasonable opportunities.

The Appeal Committee further noted that the appellant institution has submitted list of approved faculty, proof of having paid the monthly salary to teaching and non-teaching staff through ECS mode, NEC, BCC, CLU, Affidavit regarding Land & Built-up Area of the college, printout of Homepage of college website and photocopy of Building Plan in the Appeal alongwith memoranda of appeal for consideration.

Appeal Committee after considering the above documents observed that the appellant institution is still deficient on the part of having unqualified faculty for Physical Education and appointment of faculty for Fine Arts and Visual Arts on part-time basis; b) Photocopy of Building Plan is not legible; c) The total Built-up area indicated in BCC and that of Affidavit does not match, which creates confusion as to which built-up area is correct and d) No substantial proof regarding discrepancy arising out of submitting Land Continuity Certificate and that of BCC about total built-up area is submitted which convince that the said objection has been removed.

Notting the submission and verbal arguments advanced during the hearing, Appeal Committee reached the conclusion that the SRC was justified in withdrawing the recognition of B.Ed. Course and therefore the instant appeal deserves to be rejected and impugned withdrawal order confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition of B.Ed. Course and therefore the instant appeal deserves to be rejected and impugned withdrawal order confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Nadar Mahajan Sangam S. Vellaichamy Nadar College of Education, Nagamalai, Madurai, Tamilnadu-625019**
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, Education (looking after Teacher Education) Government of Tamilnadu.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-36/E-239350/2022 Appeal/4th Meeting, 2022
APPLSRC202214265**

M.V.M Chellamuthu Alagu Rathinam College of Education, 633/3a, Chettinayakanpatty Village, Collectorate Dindigul, Tamilnadu-624004 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. A. Vences Cyril (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND OF WITHDRAWAL

The appeal of **M.V.M Chellamuthu Alagu Rathinam College of Education, 633/3a, Chettinayakanpatty Village, Collectorate Dindigul, Tamilnadu-624004** dated 29/01/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APS08484/B.Ed./{TN}/2021/129833** dated 07.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was issued a Final Show Cause Notice on 06.12.2019. The institution failed to submit reply of the Final Show Cause Notice (FSCN).”

1. “The Institution is required to submit certified copy of land documents issued by concerned Tehsildar/Revenue Officer. (If the same are in Regional Language the

institution is also required to submit notarised copy of English version of Land Documents.)

- 2. The institution has not submitted a copy of Land Use Certificate. The institution is required to submit an attested/notarised copy of Land Use Certificate issued by Competent Authority.*
- 3. The institution has not submitted a copy of Non-Encumbrance Certificate issued by the Competent Authority. The institution is required to submit an attested/notarised copy of Non-Encumbrance Certificate issued by the Competent Authority.*
- 4. The institution has not submitted a copy of approved building plan. The institution is required to submit an attested/notarised copy of the approved Building Plan (if institution is running more than one Teacher Education programme, it shall be required to submit a n exclusive earmarked building plan for each of the recognised Teacher Education programme).*
- 5. An attested/notarised copy of site plan showing all the plot/Survey No. mentioned in the land documents in one location alongwith land area and built-up area.*
- 6. The institution has not submitted a copy of Building Completion Certificate. The institution is required to submit an attested/notarised copy of Building Completion Certificate issued by Competent Authority.*
- 7. The institution has not submitted Staff list as per the prescribed Format duly approved by Registrar of the affiliating body. The institution is required to submit Staff list duly approved by the Registrar of the affiliating body as per the prescribed Format.*
- 8. The institution has not submitted original FDRs to the SRC, NCTE. The institution is required to submit a "Form A" issued by the respective Bank Manager towards creation of FDRs of Rs. 7 lakh and 5 lakh, totalling Rs.12 lakh towards Endowments Fund & Reserve Fund into joint account for a duration of 5 years alongwith a copy of the FDRs.*
- 9. Details of Teacher Education programme (s) being run by the Institution in the same campus.*
- 10. Details of other programme (s) (if any) being run by the institution in the same campus.*
- 11. Details of total land & built-up area for all the recognised Teacher Education programme/other programme (if any) being run by the Institution in the same campus.*
- 12. Domain name of the website being run by the institution.*
- 13. The institution shall be required to submit an Affidavit clearly stating status about land & building and Management (Society/Trust) at the time of recognition and its present status."*

II. SUBMISSIONS MADE BY APPELLANT: -

Sh. A. Vences Cyril (Principal), M.V.M Chellamuthu Alagu Rathinam College of Education, 633/3a, Chettinayakkanpatty Village, Collectorate Dindigul, Tamilnadu-624004 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that "That the SRC in its 405th meeting dated 13th and 14th december,2021 has withdrawn the RECOGNITION of our college observing deficiencies which were already clarified/ratified by our institution. a copy of the minutes of the meeting of 405th of SRC NCTE dated 13th and 14th december,2021 is enclosed as encloser 1. 2.That in order to appreciate various contentions and averments being raised here in after by the Appellant, it is necessary to state the following few relevant facts in brief. 3. That SRC NCTE vide its order dated 15th November 2007 granted recognition to the appellant institution for running the B.Ed. course in the appellant institution with annual intake of 100 students. A True Copy of the Recognition Order is being enclosed as ENCLOSURE 2. 4. That it is submitted that firstly the SRC issued a Show Cause notice dated 08 March,2019 and accordingly the institution responded to the reply dated 28 March 2019. A True Copy of the Show cause Notice dated 08 March,2019 is being enclosed as ENCLOSURE 3 and A True Copy of the Reply dated 28 March 2019 is being enclosed as ENCLOSURE 4. 5. That it is submitted that the SRC failed to consider the reply submitted by the institution. 6. That it is submitted that the SRC issued a Final cause notice dated 05th November 2019 and accordingly the institution responded to the reply dated 22 November 2019. A True Copy of the Final Show cause Notice dated 05th November 2019 is being enclosed as ENCLOSURE 5 AND A True Copy of the Reply dated 22 November 2019 is being enclosed as ENCLOSURE 6. 7. That it is submitted that despite of the submission of all the documents the SRC decided to withdraw the recognition observing the following deficiencies: 1. The institution has not submitted a certified copy of land documents. 2. The institution has not submitted a copy of Land Use Certificate. 3. The institution has not submitted a copy of Non - Encumbrance Certificate 4. The institution has not submitted a copy of approved building plan. 5. An attested/notarised copy of site plan 6. The institution has not submitted a copy of Building Completion Certificate. 7. The institution is required to submit Staff list as per the prescribed Format. 8. The institution has not submitted original FDRs to the SRC, NCTE The institution is required to submit a "Form A" 9. Details of Teacher Education programme (s) being run by the Institution in the same campus 10. Details of other programme(s) (if any) being run by the institution in the same campus 11. Details of total land & built-up area for all the recognised Teacher Education programme/other programme 12. Domain name of the

website being run by the institution 13. The institution shall be required to submit an Affidavit 8. That it is submitted that institution is herein submitting the following documents to show the fact that the above deficiencies pointed out by the SRC are not correct. 1. Certified copy of the land documents issued by concerned authority 2. True copy of Land use certificate issued by Tahsildar 3. True copy of Non-Encumbrance certificate issued by competent authority 4. True copy of approved building plan 5. True copy of Site Plan 6. True copy of Building Completion Certificate 7. True copy of Approved staff list as per the prescribed format dully approved by the registrar of TNTEU, Chennai. 8. True copy of FDRs of 7 Lakhs and 5 Lakhs, Form A issued by the Manager, Central Bank of India, Dindigul Branch. 9. Details of Teacher education programmes being run by the institution in the same campus. 10. Details of the other programmes being run by the institution in the same campus 11. Details of Total land and built-up area for all the recognition teacher education programme run in the same campus. 12. Domain name of the website being the rule by the institution. 13. An affidavit with all necessary particulars. A Certified copy of the land documents issued by concerned authority, True copy of Land use certificate issued by Tahsildar, True copy of Non Encumbrance certificate issued by competent authority, True copy of approved building plan, True copy of Site Plan, True copy of Building Completion Certificate, True copy of Approved staff list as per the prescribed format dully approved by the registrar of TNTEU, Chennai, True copy of FDR's of 7 Lakhs and 5 Lakhs, Form-A issued by the Manager, Central Bank of India, Dindigul Branch, Details of Teacher education programmes being rum by the institution in the same campus, Details of the other programmes being run by the institution in the same campus, Details of Total land and built up area for all the recognition teacher education programme run in the same campus, Domain name of the website being the rule by the institution, An affidavit with all necessary particulars are being enclosed herewith as ENCLOSURE 7 COLLY. 9. That it is submitted that though appellant institution vide its reply letters submitted the desired documents to the SRC as asked by them vide show cause notices, however, the SRC rejected the appeal of the Appellant institution. 10. That now the appellant institution is again enclosing with its appeal, the documents which were desired by the SRC through show cause notices and submitted by the petitioner institution with its replies to the SRC. 11. That it is submitted that the decision taken by the SRC to issue withdrawal order is totally devoid of merit and is not as per statutory provisions, as mandated under NCTE Act, 1993. 12. That it is submitted that the petitioner institution does not lack instructional facilities required as per the NCTE norms. 13. That it appears that SRC proceeded in arbitrary manner without considering the documents properly. 14. That is submitted that thus, the decision taken by the SRC to issue the withdrawal order as per the 405th meeting of SRC held on 13th and 14th December, 2021 is not maintainable and the appeal committee is requested to revert

the decision taken by SRC and direct the SRC to restore the recognition of Appellant institution thereby granting an opportunity to the appellant institution to submit documents desired by the SRC. 15. That there has been a delay on the part of the institution in filing the appeal is because of the lockdown due to the pandemic covid-19. Kindly condone the delay and excuse us for late submission.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the recognition of the appellant institution was withdrawn by SRC vide impugned withdrawal order dated 07.01.2022 on the ground of non-submitting reply to Final Show Cause Notice dated 06.12.2019 whereas the appellant has explained in the memoranda of Appeal that they had submitted reply to said FSCN by letter dated 22.11.2019 addressed to Regional Director SRC Dwarka, sent through Speed Post. As an evidence of having sent reply to said Show Cause Notice, the appellant has furnished a copy of the Speed Post receipt dated 22.11.2019 in the appeal alongwith memoranda of Appeal.

In view of the above submission, the Appeal Committee interinely decided to seek clarification from SRO as to whether the aforementioned reply was received in SRO or not. A copy of letter dated 22.11.2019 alongwith Speed Post Receipt dated 22.11.2019 may be forwarded to SRO for verification. The SRO may be requested to furnish the information in a time bound manner so that the instant appeal may be disposed of within the prescribed time limit.

Appeal Committee further decides to defer the matter to the ensuing Appeal Committee Meeting and reserves its Final decision on the instant appeal till the clarification is received from SRO.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to defer the matter to the ensuing Appeal Committee Meeting and reserves its Final decision on the instant appeal till the clarification is received from SRO.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, M.V.M Chellamuthu Alagu Rathinam College of Education, 633/3a, Chettinayakkanpatty Village, Collectorate Dindigul, Tamilnadu-624004
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, Education (looking after Teacher Education) Government of Tamilnadu.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-37/E-239353/2022 Appeal/4th Meeting, 2022
APPLWRC202214256**

Guardian College of Education, 1/11 Nibm, Main Kondhawa Road, Haveli, Pune Maharashtra -411048 <u>APPELLANT</u>	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Alka Lal (Director)
Respondent by	Regional Director, WRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Guardian College of Education, 1/11 Nibm, Main Kondhawa Road, Haveli, Pune Maharashtra -411048** dated 10/12/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No.WRC/APW04539/123554/2017/183344 dated 10.04.2017. of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “At that time according to new pattern of B.Ed. Course of 2015 we could not get the additional teachers required for 100 seats (2 unit) students intake and 2 years course, so we reduced our intake of 100 seats (2 Unit) to 50 seats (1 Unit) for one academic year 2016-17 vide letter dated 13/02/2017 & 24/03/2017.”

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Alka Lal (Director), Guardian College of Education, 1/11 Nibm, Main Kondhawa Road, Haveli, Pune Maharashtra - 411048 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal Memoranda it is submitted that "Ref. to Recognition Order No. WRC/APWO4539/123564/2015/144907 dated 31.05.2015. At that time according to new pattern of B.Ed. Course of 2015 we could not get the additional teachers required for 100 seats (2units) students intake and 2 years course, so we reduced our intake of 100 seats (2 unit) to 50 seats (1Unit) for one academic year 2016-17 vide letter dated 13.02.2017 & 24.03.2017. Now that there has been a growing demand from the students and we have duly complied with NCTE norms in order to be eligible for the sanction of annual intake of 100 students (following are the required documents___ (All name of the teachers (16), Librarian (1) & Principal (1) Infrastructure & the library). We request you to revalidate our order No. WRC/APWO4539/123564/2015/144907 dated 31.05.2015. for annual intake of 100 seats. We assure that we strictly abide by all your norms rules & regulations and cater to the needs of the students seeking admission to the B.Ed. degree course in our college. We hope and trust that you will kindly accede to our request and allow us to have an intake of 2 units (i.e., 100 students) with effect from June 2022."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that initially the recognition for B.Ed. Course with an annual intake of 100 seats was granted to appellant institution vide WRC order dated 09.01.2008 and after giving willingness in Affidavit for adherence of NCTE Regulation, 2014 a revised recognition order for 100 students (two basic units) was issued on 31.05.2015.

Appeal Committee further noted that on the request of appellant dated 13.02.2017 and 24.03.2017, the WRC reduced the annual intake of 100 seats (2 units) to 50 seats (one unit) from academic session 2017-18 vide order dated 10.04.2017.

Appeal Committee noted that the instant appeal against the impugned order dated 17.04.2017 has been filed by the appellant with an intention to increase the intake from 50 students (one unit) to 100 students (two units) again to restore recognition with same intake which was initially granted in 2008 and revised recognition in 2015. The Appellate Authority is not empowered to enhance or reduce the intake as the power vests with concerned Regional Committee of NCTE to grant or refuse the recognition u/s 14/15 of NCTE Act. 1993. Accordingly,

the appellant should request to WRC for enhancement of seats or apply afresh as and when the applications are invited by NCTE.

Noting the submission and verbal arguments advanced during hearing, the Appeal Committee observes that the WRC was justifying in reducing the intake. Hence the appeal deserves to be rejected, and therefore, the impugned order of WRC is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council observes that the WRC was justifying in reducing the intake. Hence the appeal deserves to be rejected, and therefore, the impugned order of WRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Guardian College of Education, 1/11 Nibm, Main Kondhawa Road, Haveli, Pune Maharashtra - 411048
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 Secretary, Education (looking after Teacher Education) Government of Maharashtra.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-38/E-235284/2022 Appeal/4th Meeting, 2022
APPLSRC202214260**

R.M.P – C.S.I. -P.S.K. Rajaratnam Memorial College of Education, Santhankulam, Thoothukudi, Tamilnadu-628704 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. J. Jebaselvi (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of R.M.P – C.S.I. -P.S.K. Rajaratnam Memorial College of Education, Santhankulam, Thoothukudi, Tamilnadu-628704 dated 26.01.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No APSO4922 406TH Mtg. of SRC 2022 (Minutes Based) dated 19.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The land is neither in the name of Institution nor Society. The size of Seminar / Auditorium/ Multipurpose Hall is only 31.0X30.6 square feet (948.6 square feet) which do not fulfil the minimum requirement laid down under clause 6(ii)(b) of Appendix 4 of NCTE Regulations, 2014. The institution submitted BCC wherein the roofing at ground floor is shown as MT Roof which do not fulfil the requirement of clause 8(7) of NCTE Regulations 2014. The institution did not submit latest approval of the faculty issued by the affiliating University as it only

had submitted approvals accorded during 2016 and 2017. Further, strength of faculty is not sufficient as required under Appendix 4 of NCTE Regulations, 2014. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014 and as directed to be submitted vide Final Show Cause Notice dated 08.10.2021. The institution did not submit details of administrative and professional staff required under clause 5.3 of Appendix NCTE Regulations, 2014. The website of the institution is not uploaded with the information required under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014. The institution did not submit Non-Encumbrance Certificate issued by the competent authority. The institution submitted BCC but the same is not approved by the competent authority.”

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. J. Jebaselvi (Principal), R.M.P – C.S.I. -P.S.K. Rajaratnam Memorial College of Education, Santhankulam, Thoothukudi, Tamilnadu-628704 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that “Submitted Land Document Clarified. Building Plan is submitted. Building Completion Certificate submitted. Latest approval faculty issued by the affiliating University submitted. Institution submitted proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014. Institution submits details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014. The institution is uploaded website. Institution submitted non-Encumbrance Certificate issued by the competent authority. Building Completion Certificate submitted.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 seats vide order dated 08.11.2006 and after promulgation of NCTE Regulations, 2014 giving thereby willingness in an affidavit for its adherence, a revised recognition order was issued on 20.05.2015 for 100 students (2 units).

Appeal Committee noted that the recognition of the appellant was withdrawn on the basis of the certain deficiencies still found to be existed as enumerated in the said impugned withdrawal order.

The Appeal Committee further noted that the appellant institution by letter dated 31.01.2022 alongwith the memoranda of appeal has submitted the following documents, claiming to have complied with the shortcomings of withdrawal order in the appeal: -

- a) Certified copy of Land Documents No. 2206/1948, 2205/1948, 1730/1957, 1491/1953, 1159/1977, 336/1949, 2106/1948 in Regional Language and its translated copies of English version.
- b) NEC, BCC, CLU, Building Plan, Site Plan showing the extended Multipurpose Hall approved by Asst. Engineer (RD) Panchayat Union Santhankulam, Tamilnadu.
- c) List of latest faculty approved by Registrar Tamilnadu Teachers Education University alongwith a copy of letter dated 29.12.2021 conversing the approval of the staff list by Affiliating Body.
- d) Notarised copy of the Account Statement for the period from November 2021 to Jan, 2022 showing the salary being paid to teaching and non-teaching staff through online/ECS mode.
- e) Downloaded copy of appellant institution website.
- f) Copy of Form 'A' dated 18.12.2021 issued by State Bank of India, Tuticorin, Tamilnadu, alongwith copies of FDRs for Rs. 5 lakhs, 3 lakhs, 2 lakhs and 2 lakhs.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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 15/12/2020, 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."

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC 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 the NCTE Regulation, 2014, guidelines and amendments 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. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC 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 the NCTE Regulation, 2014, guidelines and amendments 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. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, R.M.P – C.S.I. -P.S.K. Rajaratnam Memorial College of Education, Santhankulam, Thoothukudi, Tamilnadu-628704
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, Education (looking after Teacher Education) Government of Tamilnadu.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-39/E-240290/2022 Appeal/4th Meeting, 2022
APPLSRC202214272**

Sathyasai B.Ed. College, Rajaji Street, Kamaraj Nagar, Avadi, Chennai, Tamilnadu-600071 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh./Ms. T. Kanimozhi (Administrative Council Member)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Sathyasai B.Ed. College, Rajaji Street, Kamaraj Nagar, Avadi, Chennai, Tamilnadu-600071** dated 03/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No APSO8367 406TH Mtg. of SRC 2022(Minutes Based dated 19.01.2022. of the Southern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that "The institution vide Final Show Cause Notice dated 30.11.2021 was informed to submit the latest approval of faculty (for B.Ed., M.Ed. and B.Sc. B.Ed. courses) issued by the affiliating University but the institution has submitted that old approval of faculty issued by the University in 2017, 2018 and 2019. Accordingly, the institution failed in submission of latest approval of faculty. The building plan submitted by the institution is neither approved nor legible. The institution submitted the BCC wherein the built-up area for B.Ed., B.Sc. B.Ed. and M.Ed. have been shown as 2039.68 sq.mtrs.,

(Signature)

2146.7 sq.mtrs. and 483.97 sq.mtrs. respectively. The built-up area 483.97 sq.mtrs. is not sufficient as stipulated under clause 7.1 of Appendix-5 of NCTE Regulation, 2017. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulation, 2014. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix-4 of the NCTE Regulation, 2014. The website of the institution is not uploaded with information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Sh./Ms. T. Kanimozhi (Administrative Council Member), Sathyasai B.Ed. College, Rajaji Street, Kamaraj Nagar, Avadi, Chennai, Tamilnadu-600071 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal Memoranda it is submitted that “That the SRC vide its order dated Minutes of 406th Meeting of the SRC held on 19th January 2022 has withdrawn our recognition of our college observing deficiencies which were already clarified / ratified by our institution. Since we have not yet received Withdrawal order till date, Minutes of 406th Meeting of the SRC held on 19th January 2022 of SRC is annexed as Annexure 1. 2. That in order to appreciate various contentions and averments being raised hereinafter by the Appellant, it is necessary to state the following few relevant facts in brief. 3. That the SRC NCTE vide its order date 17.12.2007 granted recognition to the appellant institution for running the B.Ed. course in the appellant institution with annual intake of 100 students, vide its order dated 29.08.2018 granted recognition to the appellant institution for running the M.Ed. course in the appellant institution with annual intake of 50 students and vide its order dated 02.05.2017 granted recognition to the appellant institution for running the B.Sc. B.Ed. course in the appellant institution with annual intake of 100 students. Further, a revised recognition order dated 30.04.2015 for running the B.Ed. Course with intake of 100 students, was issued to the appellant institution. A True Copy of the Recognition Orders and Revised Order are being annexed herewith as Annexure 2 Colly. 4. That it is submitted that firstly the SRC issued a Show Cause Notice dated 08.06.2021 and accordingly the institution responded to the reply dated 19.06.2021. True Copy of the Show Cause Notice dated 08.06.2021 is being annexed herewith as Annexure 3 and True Copy of the reply dated 19.06.2021 is being annexed herewith as Annexure-4. 5. That it is submitted that the SRC failed to consider the reply submitted by the institution. 6. That it is submitted that the SRC issued a Final Show Cause Notice dated 30.11.2021 and accordingly the

institution responded to the reply dated 08.12.2021. True Copy of the Show Cause Notice dated 30.11.2021 is being annexed herewith as Annexure 5 and A True Copy of the reply dated 08.12.2021, is being annexed herewith as Annexure 6. 7. That it is submitted that despite the submission of all the documents, the SRC decided to withdraw the recognition observing the following deficiencies: 1. The latest approval of faculty (for B.Ed. M.Ed. and B.Sc. B.Ed. courses) issued by the affiliating University are not submitted. 2. The building plan submitted by the institution is neither approved nor legible. 3. The built-up area is not sufficient as per the BCC. 4. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account. 5. The institution did not submit details of administrative and professional staff. 6. The website of the institution is not uploaded with the information required. 8. That it is submitted that institution is herein submitting the following documents to show the fact that the above deficiencies pointed out by the SRC are not correct. 1. Latest complete faculty list approved by the affiliating University. 2. Building plan approved by the competent authority. 3. The Building Completion Certificate showing the build-up area of 4670.35 square meter for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area used for 2523.65 square meters and for B.Sc. B.Ed. programme the build up area is 2146.70 square meters the building plan and the BCC reveal that the total construction area is 4670.35 square meters for running B.Ed., M.Ed. and B.Sc. B.Ed. programme. 4. Proof of disbursement of salary to faculty and non-teaching staff through bank account. 5. Details of Administrative and professional staff. 6. Screenshot of the website of the institution uploaded with necessary information. True copy of latest complete faculty list approved by the affiliating University, building plan approved by the competent authority. The Building Completion Certificate showing the built-up area of 4670.35 square meters for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The build-up area for B.Ed. plus M.Ed. programme as 2523.65 square meters and for B.Sc. B.Ed. programme the built-up area as 2146.70 square meters are highlighted. The building plan and the BCC reveal that the total construction area is 4670.35 square meters for running B.Ed., M.Ed. and B.Sc. B.Ed. programme, proof of disbursement of salary to faculty and non-teaching staff through bank account, Details of Administrative and professional staff and Screenshot of the website of the institution uploaded with necessary information are annexed herewith as Annexure 7 Colly 9. That it is submitted that though appellant institution vides its reply letters submitted the desired documents to the SRC as asked by them vide Show Cause Notices, however, the SRC rejected the appeal of the Appellant institution. 10. That now the appellant institution is again enclosing with its appeal, the documents which were desired by the SRC through Show Cause Notices and submitted by the petitioner institution with its replies to the SRC. 11. That it is

submitted that withdrawal order issued by the SRC is totally devoid of merit and is not as per statutory provisions, as mandated under NCTE Act, 1993. 12. That it is submitted that the petitioner institution does not lack infrastructural and instructional facilities required as per the NCTE norms. 13. That it appears that SRC proceeded in arbitrary manner without considering the documents properly. 14. That it is submitted that thus, the withdrawal order dated Minutes of 406th Meeting of SRC held on 19th January 2022 of SRC is not maintainable and the appeal committee is requested to revert the decision taken by SRC and direct the SRC to restore the recognition of Appellant institution thereby granting an opportunity to the appellant institution to submit documents desired by the SRC."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the recognition to the appellant institution with an annual intake of 100 seats was granted on 09.01.2008 and after promulgation of NCTE Regulation, 2014 giving thereby willingness in an affidavit for its adherence a revised provisional recognition order for 100 students (two units) was issued on 13.01.2015.

The Appeal Committee further noted that the appellant was given reasonable opportunities in shape of Show Cause Notices issued on 26.4.2019 and 30.11.2021 to submit its written representation for rectifying the shortcomings in given time period.

The Appeal Committee noted that the impugned withdrawal order came into operation due to not rectifying the deficiencies despite giving ample opportunities.

Appeal Committee noted that submitted salary details of M.Ed. Teaching staff for the month of December, 2021 does not match with the list of faculty (10 members) approved by the Registrar (I/C) of Tamilnadu Teachers Education University on 12.01.2022. The name of Dr. M. Marieswari and Mrs. E. Prasanna do not reflect in the said salary statement issued by Chief Manager, Indian Bank, Avadi Branch. Hence contradictory statement submitted by the appellant is not acceptable. There must be possibility that they have not been appointed resulting in Short of faculty for M.Ed. course. Also the salary statement of Teaching staff from the month of December, 2021 is not signed by the Competent Authority in the bank through which the salary being paid.

Appeal Committee noted that the appellant institution has submitted a print-out of Home page of its website only which does not establish that the required information under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014 are uploaded on the website for all stake

holders or not. Copies as an proof of having uploaded and availability of essential information's under the said clauses were required to be submitted. The website is not properly mentioned and hyperlinked with NCTE on its Regional Committee concerned.

Appeal Committee noted that the appellant institution has submitted a photocopy of Building Plan in the appeal which is neither legible nor approved by the Competent Authority.

Appeal Committee noted that the appellant is still found to be deficient on the above grounds and has not rectified these short comings.

Noting the submission and oral arguments advanced during the hearing by the appellant, the Appeal Committee observes that the SRC was justified in withdrawing recognition and therefore decided to reject the instant appeal of the appellant and confirmed the order of withdrawal issued by SRC

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council observes that the SRC was justified in withdrawing recognition and therefore decided to reject the instant appeal of the appellant and confirmed the order of withdrawal issued by SRC.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Sathyasai B.Ed. College, Rajaji Street, Kamaraj Nagar, Avadi, Chennai, Tamilnadu-600071
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, Education (looking after Teacher Education) Government of Tamilnadu.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**F. No. 89-40/E-240465/2022 Appeal/4th Meeting, 2022
APPLWRC202214266**

Trilok Singh TT College, Plot No. 444 & 445, Laxmangarh, Hisar Road, Rajgarh, Sikar, Rajasthan-332311 <u>APPELLANT</u>	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. Bhupendra Singh (President)
Respondent by	Regional Director, WRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF REFUSAL

The appeal of **Trilok Singh TT College, Plot No. 444 & 445, Laxmangarh, Hisar Road, Rajgarh, Sikar, Rajasthan-332311** dated 26.01.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No.RJ.../346th/2021/218674/RJ-1876 dated 13.12.2021 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that “WRC’s decision taken by WRC in its 346th meeting held between 25th to 27th November 2021 to refuse recognition under section 14/15 of NCTE Act 2014 dated 13.12.2021 of its application for D.El.Ed. course. Society has insufficient land “NOC of the affiliating body has not been submitted. The institution has not submitted any proof / evidence to prove that it is a composite institution as per clause 2(b) of NCTE Regulations, 2014. The institution has not submitted the certified copy of the registered land documents duly certified by the Registrar Sub-Registrar of the District.”

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Bhupendra Singh (President), Trilok Singh TT College, Plot No. 444 & 445, Laxmangarh, Hisar Road, Rajgarh, Sikar, Rajasthan-332311 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that “Appeal of TRILOK SINGH SHIKSHAN AVAM ANUSANDAN SANSTHAN LAXMANGARH SIKAR, Rajasthan-332311 (Code no old-RJ) against the WRC’s decision taken by WRC in its 346th meeting held between 25th to 27th November 2021 to refuse recognition under section 14/15 of NCTE Act 2014 dated 13.12.2021 of its Application for D.El.Ed. course. Sl. No. Refusal Grounds Explanation of Appellant with supporting documentary evidence. 1. The petitioner society has insufficient land for running B.P.Ed and D.El.Ed. courses. The Society has sufficient land to run the B.P.Ed and D.El.Ed. courses. The society has total 6.55 Acre land (26531 SQM) Detail as given below: - KHASRA No. 129/1 0.2824 HECT (2824 SQM) KHASRA NO. 129/1 0.3647 HECT (3647 SQM) KHASRA NO. 1316 0.99 HECT (9900 SQM) KHASRA No. 1271 0.508 HECT (5080 SQM) KHASRA NO. 2323, 2325, 2329 0.508 HECT (5080 SQM) Total Land 6.55 acre (26531 SQM) as per NCTE Act 2014 for B.P.Ed. course minimum land requirement 5 acre and for D.El.Ed. course minimum land requirement 2500 SQM. D.El.Ed./B.Ed./ course minimum land requirement 3000 SQM. So D.El.Ed, B.Ed. & B.P.Ed. total land requirement as per NCTE act 2014 is 3000 SQM 5 Acre but society has 6.55 acre (26531 SQM). We request the Appellate Authority to consider the above submissions generously to provide us an opportunity to impart education to the poor people of our vicinity who come from economically and educationally backward masse.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the application of the appellant institution submitted for grant of D.El.Ed. course on 31.12.2012 was processed by NRC as per direction of the Hon’ble Hight Court of Rajasthan at Jaipur passed in W.P. No. 18943/2018 and issued a Show Cause Notice dated 25.04.2019 on certain grounds.

Appeal Committee further noted that the appellant again filed a W.P. No. 740/2021 in the Hon’ble High Court of Delhi at New Delhi and in compliance with the directions of the Hon’ble

High Court of Delhi, passed in the said writ petition, the WRC in its 333rd Meeting held on 02.03.2021 decided to issue Show Cause Notice on the ground that the Land is insufficient for running B.P.Ed. and D.El.Ed. course. The formal Show Cause Notice did not issue by WRC.

Appeal Committee further noted that the reply to said Show Cause Notice submitted by the appellant on minutes basis by its letter dated 09.03.2021 was considered by WRC in its 346th Meeting and WRC decided to refuse the application of appellant institution on the ground of having insufficient land for running B.P.Ed. and D.El.Ed. Course. Consequently the impugned Refusal order come into operation.

The Appeal Committee noted that as per Appendix- 7 of NCTE Regulation, 2014, the required land area is 5 to 8 Acre for B.P.Ed. Course and 2500 sq. mtrs. for D.El.Ed. Course. The Appellant institution in the appeal has claimed that they have sufficient land i.e. 6.55 Acre for running both the Courses as the minimum required land for B.P.Ed. course is 5 Acre. The Appellant has submitted Notarised copy of land documents (Sale Deed) issued by Sub-Registrar, Laxmangarh, Sikar in the Appeal alongwith memoranda of Appeal to consider and render justice to the institution.

Noting the submission and oral arguments advanced during hearing, the appeal Committee is of the view that the appeal of the appellant is accepted and the case deserves to be remand back to WRC with a direction to consider the documents submitted in the appeal and take appropriate action as per NCTE Regulation, 2014 and guidelines/amendments issued from time to time. The appellant institution is directed to send a set of documents submitted in appeal to WRC within 15 days from the dated of receipt of Appellate Order. The WRC is at a Liberty to verify the submitted documents from the concerned issuing Authority.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the appeal of the appellant is accepted and the case deserves to be remand back to WRC with a direction to consider the documents submitted in the appeal and take appropriate action as per NCTE Regulation, 2014 and guidelines/amendments issued from time to time. The appellant institution is directed to send a set of documents submitted in appeal to WRC within 15 days from the dated of receipt of Appellate Order. The WRC is at a Liberty to verify the submitted documents from the concerned issuing Authority.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Trilok Singh TT College, Plot No. 444 & 445, Laxmangarh, Hisar Road, Rajgarh, Sikar, Rajasthan-332311
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 Secretary, Education (looking after Teacher Education) Government of Rajasthan.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-41/E-240467/2022 Appeal/4th Meeting, 2022
APPLWRC202214267**

Trilok Singh TT College, Plot No. 444 & 445, Laxmangarh, Hisar Road, Rajgarh, Sikar, Rajasthan-332311	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
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Representative of Appellant	Sh. Bhupendra Singh (President)
Respondent by	Regional Director, WRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF REFUSAL

The appeal of **Trilok Singh TT College, Plot No. 444 & 445, Laxmangarh, Hisar Road, Rajgarh, Sikar, Rajasthan-332311** dated 26/01/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No.RJ.../346th/2021/218672/RJ-1876 dated 13.12.2021 of the Western Regional Committee, refusing recognition for conducting B.P.Ed. Course on the grounds that “The petitioner society has insufficient land for running B.P.Ed. and D.El.Ed. courses. As per NCTE Regulations, 08 Acres of Land was required as per the prevailing Regulations. Hence, the land is insufficient.”

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Bhupendra Singh (President), Trilok Singh TT College, Plot No. 444 & 445, Laxmangarh, Hisar Road, Rajgarh, Sikar, Rajasthan-332311 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal it is submitted that “The Society has sufficient land to run the B.P.Ed. and D.El.Ed. courses. The society has total 6.55-acre land (26531 SQM) Detail as given below: - KHASRA No. 129/1 0.2824 HECT (2824 SQM) KHASRA NO. 129/1 0.3647 HECT (3647 SQM) KHASRA No. 1316 0.99 HECT (9900 SQM) KHASRA No. 1271 0.508 HECT (5080 SQM) KHASRA No. 2323,2325,2329 0.508 HECT (5080 SQM) as per NCTE act 2014 for B.P.Ed. course minimum land requirement 5 Acre and for D.El.Ed. course minimum land requirement 2500 SQM. D.El.Ed. / B.Ed./ course minimum land requirement 3000 SQM. So, D.El.Ed., B.Ed. & B.P. Ed total land requirement as per NCTE act 2014 is 3000 SQM and 5 Acre but the society has 6.55 Acre (26531 SQM).”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the application of the appellant institution submitted for grant of D.El.Ed. course on 31.12.2012 was processed by NRC as per direction of the Hon'ble High Court of Rajasthan at Jaipur passed in W.P. No. 18943/2018 and issued a Show Cause Notice dated 25.04.2019 on certain grounds.

Appeal Committee further noted that the appellant again filed a W.P. No. 740/2021 in the Hon'ble High Court of Delhi at New Delhi and in compliance with the directions of the Hon'ble High Court of Delhi, passed in the said writ petition, the WRC in its 333rd Meeting held on 02.03.2021 decided to issue Show Cause Notice on the ground that the Land is insufficient for running B.P.Ed. and D.El.Ed. course. The formal Show Cause Notice did not issue by WRC.

Appeal Committee further noted that the reply to said Show Cause Notice submitted by the appellant on minutes basis by its letter dated 09.03.2021 was considered by WRC in its 346th Meeting and WRC decided to refuse the application of appellant institution on the ground of having insufficient land for running B.P.Ed. and D.El.Ed. Course. Consequently, the impugned Refusal order come into operation.

The Appeal Committee noted that as per Appendix- 7 of NCTE Regulation, 2014, the required land area is 5 to 8 Acre for B.P.Ed. Course and 2500 sq. mtrs. for D.El.Ed. Course. The Appellant institution in the appeal has claimed that they have sufficient land i.e. 6.55 Acre for

running both the Courses as the minimum required land for B.P.Ed. course is 5 Acre. The Appellant has submitted Notarised copy of land documents (Sale Deed) issued by Sub-Registrar, Laxmangarh, Sikar in the Appeal alongwith memoranda of Appeal to consider and render justice to the institution.

Noting the submission and oral arguments advanced during hearing, the appeal Committee is of the view that the appeal of the appellant is accepted and the case deserves to be remand back to WRC with a direction to consider the documents submitted in the appeal and take appropriate action as per NCTE Regulation, 2014 and guidelines/amendments issued from time to time. The appellant institution is directed to send a set of documents submitted in appeal to WRC within 15 days from the dated of receipt of Appellate Order. The WRC is at a Liberty to verify the submitted documents from the concerned issuing Authority.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the appeal of the appellant is accepted and the case deserves to be remand back to WRC with a direction to consider the documents submitted in the appeal and take appropriate action as per NCTE Regulation, 2014 and guidelines/amendments issued from time to time. The appellant institution is directed to send a set of documents submitted in appeal to WRC within 15 days from the dated of receipt of Appellate Order. The WRC is at a Liberty to verify the submitted documents from the concerned issuing Authority.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

- 1. The Principal, Trilok Singh TT College, Plot No. 444 & 445, Laxmangarh, Hisar Road, Rajgarh, Sikar, Rajasthan-332311**
- 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 Secretary, Education (looking after Teacher Education) Government of Rajasthan.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-42/E-240547/2022 Appeal/4th Meeting, 2022
APPLSRC202214269**

Dr. Rajalakshmi College of Education, 681 Palavedu Village, Avadi Thiruvallur, Tamilnadu-600055 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. Rakesh Chand (Admin Council Member)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Dr. Rajalakshmi College of Education, 681 Palavedu Village, Avadi Thiruvallur, Tamilnadu-600055** dated 02/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No APSO4657 405TH Mtg. of SRC 2022 (Minutes Based) dated 13.12.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was directed to submit the proof/bank statement showing disbursement of salary through bank account as required under clause 10(2) of NRCTE Regulation, 2014 as the Visiting Team Report dated 24.10.2016 establishes the disbursement of salary through cash. The institution only submitted the details of disbursement of salary under the signature of its chairman only. The institution did not submit the bank statement of each faculty showing

disbursement of salary through bank account. The institution submitted a copy of extract of newspaper dated 31.10.2021 regarding advertisement for filling up the posts in the institution. This establishes that the institution has not appointed the sufficient faculty as required under Appendix-4 of NCTE Regulation, 2014. The institution submitted the proforma of faculty approved by the Registrar, TTEU on 21.12.2017. the institution did not submit latest approval of faculty issued by the affiliating University. The Visiting Team Report date 24.10.2016 highlighted the deficiency regarding (i) furniture in the college need to be strengthened and (ii) Equipment's in the various labs need to be strengthened. The institution in its reply only mentioned that "the institution has enough infrastructure and facilities as per the norms." The institution did not submit any proof / documents establishing the removal of deficiency. As per the building plan submitted by the institution the multipurpose hall is not available. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix-4 of NCTE Regulations, 2014 for B.Ed. course. The website of the institution is not uploaded with the information required under clauses 7(14) (i), 8(14) and 10(3) of NCTE Regulation, 2014."

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Rakesh Chand (Administrative Council Member), Dr. Rajalakshmi College of Education, 681 Palavedu Village, Avadi Thiruvallur, Tamilnadu-600055 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal it is submitted that "That the SRC vide its Minutes of 405th Meeting of the SRC held on 13 & 14 December 2021 has withdrawn our recognition of our college observing deficiencies which were already clarified / ratified by our institution. Since we have not yet received withdrawal order till date, Minutes of 405th Meeting of the SRC held on 13 & 14 December 2021 of SRC is enclosed as Enclosure 1. 2. That in order to appreciate various contentions and averments being raised hereinafter by the Appellant, it is necessary to state the following few relevant facts in brief. 3. That the SRC NCTE vide its order dated 01.12.2009 granted recognition to the appellant institution for running the B.Ed. course in the appellant institution with annual intake of 100 students. Further, a revised recognition order dated 17.03.2015 with intake of 100 students was issued to the appellant institution. A True Copy of the Recognition Order and Revised Order are being enclosed herewith as enclosure 2 Colly. 4. That it is submitted that firstly the SRC issued a Show Cause Notice dated 08.06.2021 and accordingly the institution responded to the reply dated 19.06.2021. True Copy of the Show Cause Notice dated 08.06.2021 is being enclosed herewith as enclosure 3 and True Copy of the reply dated 19.06.2021 is being enclosed herewith as enclosure- 4. 5. That it is

submitted that the SRC failed to consider the reply submitted by the institution. 6. That it is submitted that the SRC issued a Final Show Cause Notice dated 03.11.2021 and accordingly the institution responded to the reply dated 08.11.2021. True Copy of the Show Cause Notice dated 03.11.2021 is being enclosed herewith as enclosure 5 and A True Copy of the reply dated 08.11.2021, is being enclosed herewith as enclosure. That it is submitted that despite the submission of all the documents, the SRC decided to withdraw the recognition observing the following deficiencies: The institution was directed to submit the proof / bank statement showing disbursement of salary through bank account. The institution has not appointed the sufficient faculty as required. The institution did not submit latest approval of faculty issued by the affiliating University. 4. Deficiency regarding (i) furniture in the college need to be strengthened and (ii) Equipment's in the various labs need to be strengthened. As per the building plan, submitted by the institution the multipurpose hall is not available. The institution did not submit details of administrative and professional staff. The website of the institution is not uploaded with the information required. That it is submitted that institution is herein submitting the following documents to show the fact that the above deficiencies pointed out by the SRC are not correct. The proof / bank statement showing disbursement of salary through bank account to teaching faculty, Administrative and professional staff. List of faculties newly appointed to fulfill the vacant position with approval from the affiliating University. Latest approval of all faculty issued by the affiliating University. Proof / document establishing strengthening furniture in the college and equipment in the various labs. Approved building plan showing newly constructed multipurpose hall. 6. Screenshot of the website uploaded with the information required. True Copy of the proof / bank statement showing disbursement of salary through bank account to teaching faculty, Administrative and Professional staff. List of faculties newly appointed to fulfill the vacant position with approval from the affiliating University. Latest approval of all faculty issued by the affiliating University. Proof / document establishing strengthening furniture in the college and equipment in the various labs. Approved building plan showing newly constructed multipurpose hall and screenshot of the website uploaded with the information required are enclosed herewith as Enclosure Colly. That it is submitted that though appellant institution vides its reply letters submitted the desired documents to the SRC as asked by them vide Show Cause Notices, however, the SRC rejected the appeal of the Appellant institution. That now the appellant institution is again enclosing with its appeal, the documents which were desired by the SRC through Show Cause Notices and submitted by the petitioner institution with its replies to the SRC. That it is submitted that withdrawal order issued by the SRC is totally devoid of merit and is not as per statutory provisions, as mandated under NCTE Act, 1993. That it is submitted that the

petitioner institution does not lack infrastructural and instructional facilities required as per the NCTE norms. That it appears that SRC proceeded in arbitrary manner without considering the documents properly. That it is submitted that thus, the withdrawal order dated: Minutes of 405th Meeting of the SRC is not maintainable and the appeal committee is requested to revert the decision taken by SRC and direct the SRC to restore the recognition of Appellant institution thereby granting an opportunity to the appellant institution to submit documents desired by the SRC. Due to pandemic COVID-19 unable to file the appeal on time. Kindly condone the delay and we seek apologies for late submission.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution vide SRC order dated 01.12.2009 was granted recognition for B.Ed. course with an annual intake of 100 seats and after promulgation of NCTE Regulation, 2014 giving thereby its willingness by an affidavit for its adherence the revised provisional recognition order was issued on 17.03.2015 for 100 students (two units) for the academic session 2015-16.

The Appeal Committee noted that the appellant institution was given reasonable opportunity in the shape of Show Cause Notices issued on certain grounds on 02.08.2021 and 03.11.2021, respectively to submit their written representations to make the so called deficiencies good in the given time.

Appeal Committee further noted that the appellant institution in the appeal alongwith memoranda of appeal has submitted the following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order

- a. Salary Disbursement Certificate issued by Indian Ban Avadi Chennai vide letter dated 05.12.2021.
- b. List of faculty members (1+15) approved by Registrar of Affiliating Body vide dated 12.01.2022
- c. 8 faculty for Non-Teaching Staff (Administrative and Professional Staff)
- d. Photographs of Infrastructure and Facilities of Multipurpose Hall, Lab Equipment's, Furniture, Classrooms and Library.
- e. Printout of website screenshot.
- f. Notarized Building Plan.

Appeal Committee observed from the submitted documents that the details of disbursement of salary to the Teaching staff (16 members) in the month of December, 2021 forwarded by a letter dated 05.12.2021 issued by Sh. Ravi Ranjan Singh, Chief Manager, Indian Bank, Avadi Branch is not counter signed by the concerned authority/ Bank whereas the list of Non-Teaching staff is signed by him, some of the faculty is not qualified as per NCTE Regulation, 2014 and guidelines/amendment from time to time. The website of the appellant institution is still not properly maintained and the required information under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014.

Noting the submission and oral arguments advanced during the hearing by the appellant, the Appeal Committee observes that the appellant is still found to be deficient on the above points and reached the conclusion that the SRC was justified in withdrawing the recognition and therefore the instant appeal deserves to be rejected and impugned withdrawal order of SRC is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council observes that the appellant is still found to be deficient on the above points and reached the conclusion that the SRC was justified in withdrawing the recognition and therefore the instant appeal deserves to be rejected and impugned withdrawal order of SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Dr. Rajalakshmi College of Education, 681 Palavedu Village, Avadi Thiruvallur, Tamilnadu-600055
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, Education (looking after Teacher Education) Government of Tamilnadu.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-43/E-240549/2022 Appeal/4th Meeting, 2022
APPLSRC202214271**

Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
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Representative of Appellant	Sh./Ms. T. Kanimozhi (Administrative Council Member)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071** dated 03/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. APSO8367 406TH Meeting of the SRC 2022 (Minutes Based) dated 19.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution vide Final Show Cause Notice dated 30.11.2021 was informed to submit the latest approval of faculty (for B.Ed., M.Ed. and B.Sc. B.Ed. courses) issued by the affiliating University but the institution has submitted that old approval of faculty issued by the University in 2017, 2018 and 2019. Accordingly, the institution failed in submission of latest approval of faculty. The building plan submitted by the institution is neither approved nor legible.

The institution submitted the BCC wherein the built-up area for B.Ed., B.Sc. B.Ed. and M.Ed. have been shown as 2039.68 sq.mtrs., 2146.7 sq.mtrs. and 483.97 sq.mtrs. respectively. The built-up area 483.97 sq.mtrs. is not sufficient as stipulated under clause 7.1 of Appendix-5 of NCTE Regulation, 2017. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulation, 2014. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix-4 of the NCTE Regulation, 2014. The website of the institution is not uploaded with information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014.”

II. SUBMISSIONS MADE BY APPELLANT:-

Sh./Ms. T. Kanimozhi (Administrative Council Member), Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that “That the SRC vide its order dated Minutes of 406th Meeting of the SRC held on 19th January 2022 has withdrawn our recognition of our college observing deficiencies which were already clarified / ratified by our institution. Since we have not yet received withdrawal order till date, Minutes of 406th Meeting of the SRC held on 19th January 2022 of SRC is annexed as Enclosure 1. 2. That in order to appreciate various contentions and averments being raised hereinafter by the Appellant, it is necessary to state the following few relevant facts in brief. 3. That the SRC NCTE vide its order dated 17.12.2007 granted recognition to the appellant institution for running the B.Ed. course in the appellant institution with annual intake of 100 students, vide its order dated 29.08.2018 granted recognition to the appellant institution for running the M.Ed. course in the appellant institution with annual intake of 50 students and vide its order dated 02.05.2017 granted recognition to the appellant institution with annual intake of 100 students. Further, a revised recognition order dated 30.04.2015 for running the B.Ed. course with intake of 100 students, was issued to the appellant institution. A True Copy of the Recognition orders and Revised order are being annexed herewith as Annexure 2 Colly. 4. That it is submitted that firstly the SRC issued a Show Cause notice dated 08.06.2021 and accordingly the institution responded to reply dated 19.06.2021. True Copy of the Show Cause Notice dated 08.06.2021 is being annexed herewith as Annexure 3 and True Copy of the Reply dated 19.06.2021 is being annexed herewith as Annexure-4 5. That it is submitted that the SRC failed to consider the reply submitted by the institution. 6. That it is submitted that the SRC issued a Final Show Cause notice dated 30.11.2021 is being annexed herewith as Annexure 5 and 08.12.2021, is being annexed herewith as Annexure 6. 7.

That it is submitted that despite the submission of all the documents, the SRC decided to withdraw the recognition observing the following deficiencies: 1. The latest approval of faculty (for B.Ed., M.Ed., and B.Sc. B.Ed. courses) issued by the affiliating University are not submitted. 2. The building plan submitted by the institution is neither approved nor legible. 3. The buildup area is not sufficient as per the BCC. 4. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account. 5. The institution did not submit details of administrative and professional staff. 6. The website of the institution is not uploaded with the information required.

8. That it is submitted that institution is herein submitting the following documents to show the fact that the above deficiencies pointed out by the SRC are not correct. 1. Latest complete faculty list approved by the affiliating University. 2. Building plan approved by the competent authority. 3. The Building Completion Certificate showing the built-up area of 4670.35 square meters for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area of 4670.35 square meters. for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area used for B.Ed. plus M.Ed. programme is 2523.65 square meters and for B.Sc. B.Ed. programme the built-up area is 2146.70 square meters. The building plan and the BCC reveal that the total construction area is 4670.35 square meters for running B.Ed., M.Ed., and B.Sc. B.Ed. programme. 4. Proof of disbursement of salary to faculty and non-teaching staff through bank account. 5. Details of Administrative and professional staff. 6. Screenshot of the website of the institution uploaded with necessary information. True copy of latest complete faculty list approved by the affiliating University, building plan approved by the competent authority, The Building Completion Certificate showing the built-up area of 4670.35 square meters for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area for B.Ed. plus M.Ed. programme as 2523.65 square meters and for B.Sc. B.Ed. programme the built-up area as 2146.70 square meters are highlighted. The building plan and the BCC reveal that the total construction area is 4670.35 square meters for running B.Ed., M.Ed. and B.Sc. B.Ed. Programme, Proof of disbursement of salary to faculty and non-teaching staff through bank account, Details of Administrative and professional staff and screenshot of the website of the institution uploaded with necessary information are annexed herewith as Annexure 7 Colly 9.

9. That it is submitted that though appellant institution vide its reply letters submitted the desired documents to the SRC as asked by them vide show cause notices, however, the SRC rejected the appeal of the Appellant institution. 10. That now the appellant institution is again enclosing with its appeal, the documents which were desired by the SRC through Show Cause Notices and submitted by the petitioner institution with its replies to the SRC. 11. That it is submitted that withdrawal order issued by the SRC is totally devoid of merit and is not as per statutory provisions, as mandated under NCTE Act, 1993. 12. That it is submitted that

the petitioner institution does not lack infrastructural and instructional facilities required as per the NCTE norms. 13. That it appears that SRC proceeded in arbitrary manner without considering the documents properly. 14. That it is submitted that thus, the withdrawal order dated Minutes of 406th Meeting of the SRC held on 19th January 2022 of SRC is not maintainable and the appeal committee is requested to revert the decision taken by SRC and direct the SRC to restore the recognition of Appellant institution thereby granting an opportunity to the appellant institution to submit documents desired by the SRC.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 seats on 17.12.2007 and after promulgation of NCTE Regulation, 2014 giving thereby willingness in the Affidavit dated 23.01.2015 for its adherence, a revised recognition order was issued by SRC on dated 30.04.2015 with an annual intake of 100 students (two basic units each) for the academic session 2015-16.

Appeal Committee further noted that appellant institution was given reasonable opportunities in the shape of First Show Cause Notice and Final Show Cause Notice issued on 26.04.2019 and 30.11.2021, respectively to submit its written representation for rectifying the deficiencies pointed out in the said Show Cause Notices.

Appeal Committee further noted that the impugned withdrawal order came into operation due to non-curing the deficiencies despite giving on ample opportunities to the appellant as per laid down provisions.

Appeal Committee noted that the appellant has submitted documents related to the grounds of withdrawal in the appeal out of which the appellant still found to be deficient on the following grounds that submitted copy of print-out of Home page of its website only which does not establish that the required information under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014 are uploaded on the website for all stake holders or not. Copies as an proof of having uploaded and availability of essential information's under the said clauses were required to be submitted. The website is not properly mentioned and hyperlinked with NCTE on its Regional Committee concerned.

Appeal Committee noted that the appellant institution has submitted a photocopy of Building Plan in the appeal which is neither legible nor approved by the Competent Authority.

The Appeal Committee noted that name of teaching staff approved by Registrar (I/C), Tamilnadu Teachers Education University at Serial No. 15 and 16 do not reflect in the list of salary disbursement for the month of December, 2021 issued by Chief Manager, Indian Bank, Avadi Branch. Each page of enclosed list with letter dated 05.12.2021 issued by Sh. Ravi Ranjan Singh, Chief Manager, Indian Bank, Avadi. Bank is not signed by the Authority Concerned.

Noting the submission and oral arguments advanced during the hearing by the appellant, the Appeal Committee observes that the SRC was justified in withdrawing recognition and therefore decided to reject the instant appeal of the appellant and confirmed the order of withdrawal issued by SRC

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council observes that the SRC was justified in withdrawing recognition and therefore decided to reject the instant appeal of the appellant and confirmed the order of withdrawal issued by SRC.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071
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, Education (looking after Teacher Education) Government of Tamilnadu.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-44/E-240551/2022 Appeal/4th Meeting, 2022
APPLSRC202214273**

Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh./Ms. T. Kanimozhi (Administrative Council Member)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071** dated 03.02.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. APSO8367 406TH Meeting of the SRC 2022 (Minutes Based) dated 19.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.A. B.Ed. & B.Sc. B.Ed. Course on the grounds that “The institution was issued a Final Show Cause Notice. The Institution has submitted its reply on date 03.11.2021. The committee observed the reply submitted by the institution and found the deficiencies. SRC vide its Minutes of 406th Meeting of the SRC held on 19th January 2022 has withdrawn our recognition observing deficiencies which were already clarified / ratified by our institution.”

II. SUBMISSIONS MADE BY APPELLANT:-

Sh./Ms. T. Kanimozhi (Administrative Council Member), Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that "SRC vide its order dated Minutes of 406th Meeting of the SRC held on 19th January 2022 has withdrawn our recognition of our college observing deficiencies which were already clarified / ratified by our institution. Since we have not yet received withdrawal order till date, Minutes of 406th Meeting of the SRC held on 19th January 2022 of SRC is annexed as Enclosure 1. 2. That in order to appreciate various contentions and averments being raised hereinafter by the Appellant, it is necessary to state the following few relevant facts in brief. 3. That the SRC NCTE vide its order dated 17.12.2007 granted recognition to the appellant institution for running the B.Ed. course in the appellant institution with annual intake of 100 students, vide its order dated 29.08.2018 granted recognition to the appellant institution for running the M.Ed. course in the appellant institution with annual intake of 50 students and vide its order dated 02.05.2017 granted recognition to the appellant institution with annual intake of 100 students. Further, a revised recognition order dated 30.04.2015 for running the B.Ed. course with intake of 100 students, was issued to the appellant institution. A True Copy of the Recognition orders and Revised order are being annexed herewith as Annexure 2 Colly. 4. That it is submitted that firstly the SRC issued a Show Cause notice dated 08.06.2021 and accordingly the institution responded to reply dated 19.06.2021. True Copy of the Show Cause Notice dated 08.06.2021 is being annexed herewith as Annexure 3 and True Copy of the Reply dated 19.06.2021 is being annexed herewith as Annexure-4 5. That it is submitted that the SRC failed to consider the reply submitted by the institution. 6. That it is submitted that the SRC issued a Final Show Cause notice dated 30.11.2021 is being annexed herewith as Annexure 5 and 08.12.2021, is being annexed herewith as Annexure 6. 7. That it is submitted that despite the submission of all the documents, the SRC decided to withdraw the recognition observing the following deficiencies: 1. The latest approval of faculty (for B.Ed., M.Ed., and B.Sc. B.Ed. courses) issued by the affiliating University are not submitted. 2. The building plan submitted by the institution is neither approved nor legible. 3. The buildup area is not sufficient as per the BCC. 4. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account. 5. The institution did not submit details of administrative and professional staff. 6. The website of the institution is not uploaded with the information required. 8. That it is submitted that institution is herein submitting the following documents to show the fact

that the above deficiencies pointed out by the SRC are not correct. 1. Latest complete faculty list approved by the affiliating University. 2. Building plan approved by the competent authority. 3. The Building Completion Certificate showing the built-up area of 4670.35 square meters for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area of 4670.35 square meters. for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area used for B.Ed. plus M.Ed. programme is 2523.65 square meters and for B.Sc. B.Ed. programme the built-up area is 2146.70 square meters. The building plan and the BCC reveal that the total construction area is 4670.35 square meters for running B.Ed., M.Ed., and B.Sc. B.Ed. programme. 4. Proof of disbursement of salary to faculty and non-teaching staff through bank account. 5. Details of Administrative and professional staff. 6. Screenshot of the website of the institution uploaded with necessary information. True copy of latest complete faculty list approved by the affiliating University, building plan approved by the competent authority, The Building Completion Certificate showing the built-up area of 4670.35 square meters for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area for B.Ed. plus M.Ed. programme as 2523.65 square meters and for B.Sc. B.Ed. programme the built-up area as 2146.70 square meters are highlighted. The building plan and the BCC reveal that the total construction area is 4670.35 square meters for running B.Ed., M.Ed. and B.Sc. B.Ed. Programme, Proof of disbursement of salary to faculty and non-teaching staff through bank account, Details of Administrative and professional staff and screenshot of the website of the institution uploaded with necessary information are annexed herewith as Annexure 7 Colly 9. That it is submitted that though appellant institution vides its reply letters submitted the desired documents to the SRC as asked by them vide show cause notices, however, the SRC rejected the appeal of the Appellant institution. 10. That now the appellant institution is again enclosing with its appeal, the documents which were desired by the SRC through Show Cause Notices and submitted by the petitioner institution with its replies to the SRC. 11. That it is submitted that withdrawal order issued by the SRC is totally devoid of merit and is not as per statutory provisions, as mandated under NCTE Act, 1993. 12. That it is submitted that the petitioner institution does not lack infrastructural and instructional facilities required as per the NCTE norms. 13. That it appears that SRC proceeded in arbitrary manner without considering the documents properly. 14. That it is submitted that thus, the withdrawal order dated Minutes of 406th Meeting of the SRC held on 19th January 2022 of SRC is not maintainable and the appeal committee is requested to revert the decision taken by SRC and direct the SRC to restore the recognition of Appellant institution thereby granting an opportunity to the appellant institution to submit documents desired by the SRC.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted recognition for B.A. B.Ed. & B.Sc. B.Ed. Course with an annual intake of 100 seats on 02.05.2017 and after promulgation of NCTE Regulation, 2014 giving thereby willingness in the Affidavit dated 23.01.2015 for its adherence, a revised recognition order was issued by SRC on dated 30.04.2015 with an annual intake of 100 students (two basic units each) for the academic session 2015-16.

Appeal Committee further noted that appellant institution was given reasonable opportunities in the shape of First Show Cause Notice and Final Show Cause Notice issued on 26.04.2019 and 30.11.2021 respectively to submit its written representation for rectifying the deficiencies pointed out in the said Show Cause Notices.

Appeal Committee further noted that the impugned withdrawal order came into operation due to non-curing the deficiencies despite giving on ample opportunities, to the appellant as per laid down provisions.

Appeal Committee noted that the appellant has submitted documents related to the ground of withdrawal in the appeal out of which the appellant still found to be deficient on the grounds that submitted copy of print-out of Home page of its website only which does not establish that the required information under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014 are uploaded on the website for all stake holders or not. Copies as an proof of having uploaded and availability of essential information's under the said clauses were required to be submitted. The website is not properly mentioned and hyperlinked with NCTE on its Regional Committee concerned.

Appeal Committee noted that the appellant institution has submitted a photocopy of Building Plan in the appeal which is neither legible nor approved by the Competent Authority.

The Appeal Committee noted that name of teaching staff approved by Registrar (I/C), Tamilnadu Teachers Education University at Serial No. 15 and 16 do not reflect in the list of salary disbursement for the month of December, 2021 issued by Chief Manager, Indian Bank, Avadi Branch. Each page of enclosed list with letter dated 05.12.2021 issued by Sh. Ravi Ranjan Singh, Chief Manager, Indian Bank, Avadi. Bank is not signed by the Authority Concerned.

The Appeal Committee made available a copy of 54th General Body (Emergent) Meeting of NCTE held on 27th April, 2022 for reference and to comply with the decision taken on the agenda item No. 1 of the meeting. The operative part of the decision is as under:-

“The Norms and Standards prescribed in Appendix 13 of NCTE Regulations for 4 year integrated B.Sc.B.Ed./B.A.B.Ed. programme has been omitted by the NCTE Regulations 2021. Therefore, the application pending before the RCs for the said course shall not be processed further. Hence, all such pending applications before RCs at any stage of processing may be returned along with the processing fee in original to the concerned institution.

In the cases where the applications for 4-year Integrated B.Sc.B.Ed./B.A.B.Ed. programme have been processed/ re-opened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review / appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble High Court for processing of application for 4-year integrated B.Sc.B.Ed./B.A.B.Ed. programme, keeping in view the above decision taken by the General Body regarding pending applications of 4-year integrated B.Sc.B.Ed./B.A.B.Ed. programme.”

The Appeal Committee further noted that NCTE has issued a Notification dated 22.10.2021 published in the Gazette in India, Part III-Section 4 on 26th October, 2021 thereby inter-alia laying down the Norms & Standards for Integrated Teacher Education Programme (ITEP). The Appendix-13 to the NCTE Regulations, 2014 notified on 01.12.2014 in respect of 4-year Integrated B.Sc. B.Ed./B.A. B.Ed. programme has been omitted vide this notification dated 22.10.2021. As such, the Norms and Standard for 4-year Integrated B.Sc. B.Ed./B.A. B.Ed. programme no more exists as on date.

Noting the submission and oral arguments advanced during the hearing by the appellant, the Appeal Committee observes that the SRC was justified in withdrawing recognition and therefore decided to reject the instant appeal of the appellant and confirmed the order of withdrawal issued by SRC

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council observes that the SRC was justified in withdrawing recognition and therefore decided to reject the instant appeal of the appellant and confirmed the order of withdrawal issued by SRC.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071
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, Education (looking after Teacher Education) Government of Tamilnadu.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-45/E-240744/2022 Appeal/4th Meeting, 2022
APPLSRC202214270**

SSETS Chandragiri College of Education for Women (B.Ed.), Belagavi, CTS No. 10625, 10629 and 10630 Nehru Nagar, Shivabasav Nagar, Belagavi Karnataka-590010 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. A. L Patil (Administrator)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **SSETS Chandragiri College of Education for Women (B.Ed.), Belagavi, CTS No. 10625, 10629 and 10630 Nehru Nagar, Shivabasav Nagar, Belagavi Karnataka-590010** dated 27/01/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No.SRO/NCTE/APS02019/B.Ed./{KA}/2021/129840 dated 07.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was issued a Final Show Cause Notice on 31.08.2021. The institution failed to submit reply to the Final Show Cause Notice (FSCN)”.

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. A. L Patil (Administrator), SSETS Chandragiri College of Education for Women (B.Ed.), Belagavi, CTS No. 10625, 10629 and 10630 Nehru Nagar, Shivabasav Nagar, Belagavi Karnataka-590010 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that "Latest staff approval approved by the competent authority as per NCTE norms is enclosed. Bcc is notarized and enclosed. FDR of Rs. 5+7 lakh is renewed for 05 years. LUC in Kannada and English version with notarized and enclosed. Website Scree shot is enclosed with notarized. [<http://ssetchandragiribedcollegebgm.in/>] Affidavit of prescribed format with notary is enclosed. Latest building plan with approved by assistant executive engineer city corporation north zone-2, BELGAUM is notarized and enclosed."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution vide order dated 30.11.2004 was granted recognition with an annual intake of 10 seats and after promulgation of NCTE Regulation, 2014 giving thereby its willingness in Affidavit for adherence of its provisions, a revised provisional recognition order for 100 students (two units) with certain conditions was issued on 27.05.2015 for academic session 2015-16.

The Appeal Committee further noted that the appellant institution was given reasonable opportunities in the shape of Show Cause Notices issued on 08.11.2019 and 31.08.2021, respectively to submit its written representation for rectifying the deficiencies so existed.

The Appeal Committee further noted that the recognition of the appellant was withdrawn on the ground that the appellant has not submitted reply to the Final Show Cause Notice dated 31.08.2021 which was issued for non-compliance of fulfilling the requirements of NCTE Regulation, 2014 as communicated through the Provisional Revised Recognition order. The appellant in the submitted memoranda of Appeal and during hearing has neither contested this point of withdrawal and nor submitted any proof as to whether the reply to FSCN was submitted or not.

Noting the submission and oral arguments advanced during hearing, the Appeal Committee observes that the appellant institution has failed to submit reply to Final Show Cause Notice dated 31.08.2021. Hence, the SRC was justified in withdrawing recognition and therefore, the instant appeal deserves to be rejected and the order of withdrawal issued by SRC is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that that the appellant institution has failed to submit reply to Final Show Cause Notice dated 31.08.2021. Hence, the SRC was justified in withdrawing recognition and therefore, the instant appeal deserves to be rejected and the order of withdrawal issued by SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, SSETS Chandragiri College of Education for Women (B.Ed.), Belagavi, CTS No. 10625, 10629 and 10630 Nehru Nagar, Shivabasav Nagar, Belagavi Karnataka-590010
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, Education (looking after Teacher Education) Government of Karnataka.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-46/E-241083/2022 Appeal/4th Meeting, 2022
APPLSRC202214258**

Banjara Education College, Banjara Nagar 55/a, Solapur Road, Bijapur Karnataka-586103	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
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Representative of Appellant	Sh. Rajashekhar D. Chavan (Secretary)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Banjara Education College, Banjara Nagar 55/a, Solapur Road, Bijapur Karnataka-586103** dated 25/01/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. APSO9545 405th Mtg. of the SRC 2021 (Minutes Based) dated 13.12.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The Institution shown appointed 3 faculty after promulgation of NCTE Regulations dated 09.06.2017. The same is not having NET/Ph.D. as per NCTE (Regulation Norms & Procedure) (Amendment Regulations, 2017. The Institution did not appointed faculty for performing arts. The Institution has submitted English translated copy of Non-Encumbrance Certificate in which property type mentions as Agriculture. The Institution has submitted Building Completion Certificate which is not in prescribe format of NCTE Regulations. Site area and multipurpose hall

area is not mentioned in the building plan. Seal is in regional language, hence issuing authority is not clear. The Institution did not submit Land Use Certificate in prescribed format of NCTE Regulations.”

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Rajashekhar D. Chavan (Secretary), Banjara Education College, Banjara Nagar 55/a, Solapur Road, Bijapur Karnataka-586103 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that “Institution land document submitted to NCTE on time. Site plan was submitted on time to NCTE. The institution has submitted “We humbly submit that without the knowledge we had appointed these staff. Now we have replaced and appointed new three staff members with Ph.D. qualifications, Further, we have obtained fresh approval of staff from the Registrar Rani CHAANNAMMA UNIVERSITY, Belagavi on 11.01.2022. We are submitting herewith the complete staff list approved by the Registrar for kind consideration. We have appointed a faculty of Performing Arts with M.A (Music) qualification. The appointment has also been approved by the Registrar, Rani Channamma University. We are submitting herewith the approved staff list for kind consideration. We humbly submit that in the state of Karnataka, without conversion of land any Society / Trust cannot buy the land and the Registration will not be done by the Sub-Registrar office. Due to non-updating in the computer system, it has appeared as Agriculture. Now we have obtained fresh Non-Encumbrance Certificate wherein it has not been mentioned. We are submitting herewith the Original Non-Encumbrance Certificate with English Translation version with Notary attestation for kind consideration. We are submitting herewith the Building Completion Certificate in the prescribed format of NCTE for kind consideration. We humbly submit that our institution has obtained floor wise approval of the Building Plan from the Commissioner, BIJAPUR DEVELOPMENT AUTHORITY, In the state of Karnataka, the Seal of Government offices are put in regional language i.e., Kannada. Further, our institution is having land area of 5 ACRES 2 GUNTAS. Our institution is having a Multipurpose Hall with an area of 2647 square feet which is located on the Second Floor of the college Building. Now we have consolidated the Building Plan with all floors in a single plan and obtained approval from the BIJAPUR DEVELOPMENT AUTHORITY and the same is submitted herewith for kind consideration. We have obtained Land Use Certificate from the Tahsildar, VIJAYAPURA (Old Name: BIJAPUR) in the prescribed format. We are submitting herewith a copy of Land Use Certificate for kind consideration.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted

recognition with an annual intake of 100 seats vide SRC's order dated 08.07.2009 and after promulgation of NCTE's Regulation, 2014 and giving thereby willingness by Affidavit for adherence of its provisions, a Revised Provisional Recognition order for 100 students (two units) was issued on 15.05.2015.

The Appeal Committee further noted that the appellant institution was given reasonable opportunities in the shape of First Show Cause Notice and Final Show Cause Notice issued on 24.10.2019 and 16.10.2019, respectively to submit its written representation for rectifying the existed deficiencies by furnishing the required documents. Despite these opportunities, the appellant institution had failed to cure the short comings resulting in the impugned withdrawal order came into force.

The Appeal Committee further noted that the appellant institution by letter dated 25.01.2022 submitted in the appeal alongwith memoranda of appeal has furnished as required documents as a compliance of grounds of withdrawal i.e. i) Notarised Translated Copy of NEC (Pattern-16) issued by Government of Karnataka alongwith Regional Language; ii) BCC duly signed by Assistant Engineer, City Municipal Corporation, Vijayapur showing a built-up area 2189.50 sq.mtrs iii) Copy of CLU dated 28.12.2021 issued by Tahasildar, Vijayapur; iv) Copy of letter dated 11.01.2022 (Translated in English) alongwith Regional Language convincing the approval of latest faculty by Rani Channamma University, Belagavi alongwith a list of Faculty (16 member) in the Format duly signed by the Registrar, Rani Rani Channamma University, Belagavi and v) Copy of Building Plan, Consisting of Multipurpose Hall approved by Engineer/Municipality, Bijapur and Commissioner, Urban Department Authority Bijapur.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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 15/12/2020, 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."

Noting the submission and oral arguments advanced during hearing by the appellant, the Appeal Committee reached the conclusion that the instant appeal deserves to be accepted and decided to remand back the case to SRC with a direction to consider the documents submitted in appeal to be sent to them by the appellant and take further appropriate action as per the provisions of NCTE Regulation, 2014 and guidelines/ amendments issued from time to time. The appellant is directed to forward to the SRC the said documents submitted in appeal within 15 days from the receipt of orders on the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authorities.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the instant appeal deserves to be accepted and decided to remand back the case to SRC with a direction to consider the documents submitted in appeal to be sent to them by the appellant and take further appropriate action as per the provisions of NCTE Regulation, 2014 and guidelines/ amendments issued from time to time. The appellant is directed to forward to the SRC the said documents submitted in appeal within 15 days from the receipt of orders on the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authorities.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Banjara Education College, Banjara Nagar 55/a, Solapur Road, Bijapur Karnataka-586103
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, Education (looking after Teacher Education) Government of Karnataka.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-47/E-241084/2022 Appeal/4th Meeting, 2022
APPLSRC202214268**

Ayira Vaisya College of Education, 5/338 Sowkathali Street, Paramakudi, Ramanathapura, Tamilnadu-623707 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. V. Umamaheswari (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Ayira Vaisya College of Education, 5/338 Sowkathali Street, Paramakudi, Ramanathapura, Tamilnadu-623707** dated 02/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS09441/B.Ed./{TN}/2021/129712 dated 30.12.2021. of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The Institution was issued a Final Show Cause Notice on 31.08.2021. The Institution failed to submit reply to the Final Show Cause Notice (FSCN)."

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II. SUBMISSIONS MADE BY APPELLANT:-

Dr. V. Umamaheswari (Principal), Ayira Vaisya College of Education, 5/338 Sowkathali Street, Paramakudi, Ramanathapura, Tamilnadu-623707 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal Memoranda it is submitted that “We had sent the documents for Final Show Cause Notice by courier on 15.09.2021. But we have received the withdrawal order on 30.12.2021. Once again, we submit the queried documents of Final Show Cause Notice for withdrawal order through Online Appeal.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal committee noted that the recognition of the appellant institution for annual intake of 100 seats was granted vide order dated 21.10.2008 and after promulgation of NCTE Regulation, 2014 giving thereby the willingness by affidavit, a revised provisional Recognition order for 100 students (two units) was issued on 30.04.2015.

The Appeal Committee noted that the appellant institution was given reasonable opportunities in the Shape of First Show Cause Notice and Final Show Cause Notice issued on certain grounds on 16.09.2019 and Final Show Cause Notice on 31.08.2021 to submit its written representation for rectifying the so called short comings in the given time limit.

The Appeal Committee further noted that the recognition of the appellant was withdrawn on the grounds of not submitting reply to Final Show Cause Notice issued on 31.08.2021. The appellant in the memoranda of appeal has explained that “they had sent documents for Final Show Cause Notice by consider on 15.09.2021”. The evidence of having dispatched the consignment and its delivery at destination is neither available in the regulatory file of SRC nor submitted in the appeal by the appellant institution. Hence, the appellant has not justified its claim of having sent the reply /documents related to Final Show Cause Notice.

Noting the submission and oral arguments advanced during hearing by the appellant, the Appeal Committee observes that the SRC was justified in withdrawing recognition and decided that the instant appeal deserved to be rejected and therefore the impugned withdrawal order of SRC is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing recognition and decided that the instant appeal deserved to be rejected and therefore the impugned withdrawal order of SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Ayira Vaisya College of Education, 5/338 Sowkathali Street, Paramakudi, Ramanathapura, Tamilnadu-623707
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, Education (looking after Teacher Education) Government of Tamilnadu.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-48/E-241086/2022 Appeal/4th Meeting, 2022
APPLNRC202214255**

Sita Ram Arya Memorial College of Education, Village Bherian 106/18, Muklan Rajgarh Road, Hissar Haryana-125007 <u>APPELLANT</u>	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. S. V. Arya (President)
Respondent by	Regional Director, NRC
Date of Hearing	26/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF REFUSAL

The appeal of **Sita Ram Arya Memorial College of Education, Village Bherian 106/18, Muklan Rajgarh Road, Hissar Haryana-125007** dated 18/01/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. File.No.NRC/NCTE/NRCAPP-11563-B.A.B.Ed., B.Sc.B.Ed./351st (Virtual) Meeting/2021/ 216357 dated 22.11.2021 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed. & B.Sc. B.Ed. Course on the grounds that “LOI was issued on 02.03.2021. 2. Reply of LOI was not submitted by the institution. 3. Show Cause Notice was issued in August 2021 due to non-submission of reply of LOI. 4. The Institution vide Email dated 09.07.2021 has requested to grant 90 days more time for submission of reply of LOI. 5. The committed was of the opinion that enough time has been given to the institution to submit the reply

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of the LOI, but reply has not been received from the institution in compliance of the LOI which was issued on 02.03.2021.”

Hence, the Committee decided that the application is rejected, and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE, Act, 1993.

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. S. V. Arya (President), Sita Ram Arya Memorial College of Education, Village Bherian 106/18, Muklan Rajgarh Road, Hissar Haryana-125007 appeared online to present the case of the appellant institution on 26/04/2022. In the appeal memoranda it is submitted that “College had applied for the selection and approval of staff to affiliating university but due to Covid-19, lockdown and subsequent closer of universities had not constituted the selection committee for selection and approval of staff. Now all documents required for 7/16 after LOI are ready with the college.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the application of the appellant institution submitted to NRC on 29.5.2015 for grant of recognition to BA. B.Ed./B.Sc. B.Ed course for Four Years duration was initially rejected vide order dated 9.3.2017 on the grounds of negative recommendations of Govt. of Haryana for not entertaining the applications for the year 2016-17 in the State of Haryana.

The Appeal Committee further noted that the instant application was processed in compliance with the orders passed by the Hon'ble High Court of Delhi at New Delhi in the W.P. (C) 8821/2019 dated 18.10.2019 and CONT.CAS(C) 721/2020 dated 2.2.2021. As per decision of NRC in its 329th (Part-1) (Virtual) meeting held on 24th to 26th February, 2021, the appellant was issued a show cause notice on 23.2.2021 on certain grounds. The appellant was asked to submit reply alongwith supported documents accompanied with notarized affidavit of Rs. 100/- on Non-judicial stamp paper by the authorized representative of the Management within 30 days from the date of issue of said show cause notice. After considering the reply of the appellant received in NRC on 23.2.2021, the Letter of Intent under clause 7 (13) was issued to the appellant on 2.3.2021 with a direction to submit its reply within 60 days. On the event of non-receipt of reply to LOI within prescribed time limit, the appellant institution was issued another show cause notice

on 6.8.2021 to submit its reply within 30 days from the date of issue of said show cause notice. The appellant instead of submitting reply to show cause notice had sought another 90 days time to submit the reply/required documents as asked for in LOI.

The Appeal Committee noted that the appellant institution had given a reasonable opportunities in the shape of issuing various show cause notices to submit its written representations for rectifying the deficiencies in the given time limit. Despite these number of opportunities, the appellant had failed to submit the required documents in compliance with the LOI issued under clause 7(13) of the NCTE Regulations in vogue at that point of time.

The Appeal Committee made available a copy of 54th General Body (Emergent) Meeting of NCTE held on 27th April, 2022 for reference and to comply with the decision taken on the agenda item No. 1 of the meeting. The operative part of the decision is as under:-

“The Norms and Standards prescribed in Appendix 13 of NCTE Regulations for 4 year integrated B.Sc.B.Ed./B.A.B.Ed. programme has been omitted by the NCTE Regulations 2021. Therefore, the application pending before the RCs for the said course shall not be processed further. Hence, all such pending applications before RCs at any stage of processing may be returned along with the processing fee in original to the concerned institution.

In the cases where the applications for 4-year Integrated B.Sc.B.Ed./B.A.B.Ed. programme have been processed/ re-opened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review / appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble High Court for processing of application for 4-year integrated B.Sc.B.Ed./B.A.B.Ed. programme, keeping in view the above decision taken by the General Body regarding pending applications of 4-year integrated B.Sc.B.Ed./B.A.B.Ed. programme.”

The Appeal Committee further noted that NCTE has issued a Notification dated 22.10.2021 published in the Gazette in India, Part III-Section 4 on 26th October, 2021 thereby inter-alia laying down the Norms & Standards for Integrated Teacher Education Programme (ITEP). The Appendix-13 to the NCTE Regulations, 2014 notified on 01.12.2014 in respect of 4 year Integrated B.Sc.B.Ed/B.A.B.Ed. programme has been omitted vide this notification dated 22.10.2021. As such, the Norms and Standard for 4 year Integrated B.Sc.B.Ed/B.A.B.Ed. programme no more exists as on date.

Noting the submissions and oral arguments advanced during hearing by the appellant institution, the Appeal Committee observes that the NRC was justified in refusing recognition to the appellant. Hence, it is concluded that the instant appeal deserved to be rejected and therefore the impugned refusal order is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the instant appeal deserved to be rejected and therefore the impugned refusal order is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Sita Ram Arya Memorial College of Education, Village Bherian 106/18, Muklan Rajgarh Road, Hissar Haryana-125007**
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, Education (looking after Teacher Education) Government of Haryana.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-49/E-241575/2022 Appeal/4th Meeting, 2022
APPLWRC202214274**

Kalpna Chawla College, Sahawa 1607/290, Sahawa, Churu Rajasthan-331302 <u>APPELLANT</u>	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Mr. Ashok Saharan (Secretary)
Respondent by	Regional Director, WRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF REFUSAL

The appeal of **Kalpna Chawla College, Sahawa 1607/290, Sahawa, Churu Rajasthan-331302** dated 04/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. RJ...Minutes of 349Th of WRC of 2021 (Minutes Based) dated 31.12.2021 of the Western Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that “The Institute does not fall in the category of composite institution as per clause 2(b) and 8(1) of NCTE Regulations 2014 hence its application cannot be considered for D.El.Ed. course. In view of the above the committee decided that application of the institution be refused u/s 14 /15 (3) (b) of the NCTE Act for B.Ed. programme.”

II. SUBMISSIONS MADE BY APPELLANT:-

Mr. Ashok Saharan (Secretary), Kalpana Chawla College, Sahawa 1607/290, Sahawa, Churu Rajasthan-331302 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "Application was directly refused. Show Cause Notice for clarification of mentioned refusal of application was not issued. In reference to clause 7(3) of NCTE Regulation Act 2014, which states that "The order of refusal of recognition shall be passed after giving reasonable opportunity through a Show Cause Notice to the Institution". (2). Our society KALPANA CHAWLA MEMORIAL SHIKSHAN SAMITI RAWATSAR is running Kalpana Chawla girls' college since 2007 & it is offering undergraduate and postgraduate programme both of study in the field of liberal arts (B.A. and M.A.). (3). College is having permanent NOC from Govt. of Rajasthan and is affiliated with Maharaja Ganga Singh University Bikaner. (4) Both the program (B.Ed. and UG & PG in arts) will be running in the same premises, same land plot, same location & address under the same parental society (same application) KALPANA CHAWLA MEMORIAL SHIKSHAN SAMITI RAWATSAR. Hence, it is following the criteria of composite institute. (5) Many such matters have been seen in past where Appeal Committee after considering many of such appeal matters has decided that the institution proposed to be established by the same management society or Trust in the same premises irrespective of little modification in the name even will be treated to be a composite institution. (6). For reference, one of the cases of Siliguri Primary Teachers Training College, Siliguri with file no – F No 89-276/2016 Appeal / 9th Meeting dated 04.08.2016. The name for both courses were different, but the institute was considered to be composite due to reasons that they were managed by the same managing society. They were to be run in the same premise. The location and address were same. (7) Although many cases even with name differing from composite institute have also been in minutes of meeting of regional committee and appeal committee were considered composite because. They were managed by the same managing society. They were to be run in the same premise. The location and address of both institutes were same. All above this condition are strictly followed in our case also. Hence, our institution is underlying the criteria of composite institution."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution applied for grant of recognition to B.Ed. Course to NRC (Now WRC) in the name of **KALPANA CHAWLA COLLEGE, Sahawa 1607/290, Sahawa, Churu Rajasthan.**

The Appeal Committee further noted that the said application was refused by WRC in its 349th Meeting held from 29th to 31st December, 2021 on the ground that the institution does not fall

in the category of composite institution as per Clause 2(b) and 8(1) of NCTE Regulation, 2014. The appellant with memoranda of appeal has submitted a copy of letter no. F.07(222)/MGSUB/ACAD/2022/21549-54 dated 15.01.2022 signed by Assistant Registrar (Acad.), Maharaja Ganga Singh University, granting thereby extension in Provisional Affiliating for the session 2020-21 to **KALPANA CHAWLA GIRLS COLLEGE, Sahawa 1607/290, Sahawa, Churu Rajasthan**. For running BA/MA Programmes in the College.

The Appeal Committee noted that the name of the College which applied to NRC for grant of recognition to B.Ed. course and the NOC issued with name of the college by the Affiliating University for BA/MA programmes is different with each other.

The NOC is not in the name of the college which applied for grant of recognition to B.Ed. Course.

Noting the submissions and oral arguments advanced during hearing, the Appeal Committee observes that the WRC was justified in refusing the application of the appellant institution. Hence, the Appeal Committee decided that the instant appeal deserves to be rejected and therefore the impugned refusal order of WRC is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the WRC was justified in refusing the application of the appellant institution. Hence, the Appeal Committee decided that the instant appeal deserves to be rejected and therefore the impugned refusal order of WRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

- 1. The Principal, Kalpana Chawla College, Sahawa 1607/290, Sahawa, Churu Rajasthan-331302**
- 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 Secretary, Education (looking after Teacher Education) Government of Rajasthan.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-50/E-242007/2022 Appeal/4th Meeting, 2022
APPLSRC202214278**

Nadar Saraswathi College of Teacher Education, 55 Vadapudupatti Annanji Theni Tamilnadu-625531 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. J. Beulah Rajini (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Nadar Saraswathi College of Teacher Education, 55 Vadapudupatti Annanji Theni Tamilnadu-625531** dated 09/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APSO8207/M.Ed./{TN}/2021/129015 dated 02.11.2021 of the Southern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that “The Institution was issued Final Show Cause Notice on 08.04.2021. The institution failed to submit reply to the Final Show Cause Notice.”

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. J. Beulah Rajini (Principal), Nadar Saraswathi College of Teacher Education, 55 Vadapudupatti Annanji Theni Tamilnadu-625531 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “It is most respectfully submitted that the reply could not be submitted due to surge in Covid-19 Pandemic during that period (2nd wave). The situation of Covid-19 was very bad in our state and most of the offices and places were closed due to the same. Furthermore, many of friends and family of the management of the college were affected because of covid-19. It is humbly submitted that the has rectified all the deficiencies now as per the NCTE Norms and Regulations amended up to date and there is no deviation from the same. The institution has time and again fulfilled all the requisite Regulations as and when directed. The institution is an old institution and has reputation of imparting quality education in the state. It is humbly submitted that the institution has got the building Completion Certificate duly approved by the Competent Authority in the format as requisite as per NCTE Norms and Regulations and the same is also being placed on record. All the discrepancies as stated have been duly addressed and completed. It is humbly submitted that the institution submitting the FDRs of Rs. 7 lacs and Rs. 5 Lacs alongwith the Form “A” issued by the bank as directed. The same are also being placed on record. It is humbly submitted that the institution has got hold of the prescribed format of the latest staff profile as requisite by NCTE and the same has now been duly ratified/approved by the Affiliating body and is being placed on record. The original of the same shall be shown at the time of the hearing and as when directed the same shall be submitted in SRC. It is submitted that the institution is an old institution running since 2008 and has utmost respect for the Norms, Regulations and standards as maintained by NCTE. The institution has time and again submitted all the requisite documents and undertake to keep on doing so in future as we3ll. The institution has a very good reputation and is well known for imparting quality education since 2008, hence it is requested to kindly accept the humble appeal and set aside the withdrawal order. The institution humbly prays that a sympathetically view may be taken in deciding the appeal.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted recognition for M.Ed. Course with an annual intake of 25 seats which were subsequently increased to 35 vide order dated 24.08.2010. After promulgation of NCTE Regulation, 2014 giving

thereby willingness in an Affidavit for its adherence, a revised provisional recognition order for 50 students (one basic unit) from the academic session 2015-16 was issued on 22.05.2015 with certain conditions to submit compliance within stipulated time.

The Appeal Committee noted that the appellant institution was given an opportunity in the Shape of issuing Final Show Cause Notice on 08.04.2021 to submit its written representation for rectifying the deficiencies in given time.

The Appeal Committee further noted that the impugned withdrawal order was issued on the grounds of not submitting reply to said Final Show Cause Notice. The reasons submitted by the appellant in the memoranda of Appeal for not replying are not convincing as it was a lean period of Pandemic when the FSCN was issued and the Local Authorities were allowed to function. However, the reply could have been sent through online mode if the appellant was really willing to do so.

Notting the submission and oral arguments advanced during hearing by appellant, the Appeal Committee observes that the SRC was justified in withdrawing the recognition of the appellant institution. Hence, it is decided that the instant appeal deserves to be rejected and the impugned withdrawal order of SRC is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition of the appellant institution. Hence, it is decided that the instant appeal deserves to be rejected and the impugned withdrawal order of SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

- 1. The Principal, Nadar Saraswathi College of Teacher Education, 55 Vadapudupatti Annanji Theni Tamilnadu-625531**
- 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, Education (looking after Teacher Education) Government of Tamilnadu.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-51/E-242009/2022 Appeal/4th Meeting, 2022
APPLSRC202214282**

Rajeev Gandhi College of Education (B.Ed.), Seegebagi, Old Seegebagi Road, Badravathi, Shimoga Karnataka -577301 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Anand Chittarangi (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Rajeev Gandhi College of Education (B.Ed.), Seegebagi, Old Seegebagi Road, Badravathi, Shimoga Karnataka -577301** dated 11/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APSO2062/B.Ed./{KA}/2021/129844 dated 07.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The Institution was issued Final Show Cause Notice on 28.10.2021 the institution did not submit reply to the Final Show Cause Notice (FSCN).”

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II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Anand Chittarangi (Principal), Rajeev Gandhi College of Education (B.Ed.), Seegebagi, Old Seegebagi Road, Badravathi, Shimoga Karnataka -577301 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "Application was directly refused. Show Cause Notice for clarification of mentioned refusal of application was not issued. In reference to clause 7(3) of NCTE Regulation Act 2014, which states that "It is humbly submitted that the institution had duly submitted the reply alongwith all the documents to the first Show Cause Notice dated 30.10.2019 duly received in the office of SRC. However, the same has not been considered by SRC. It is submitted that the Final Show Cause Notice (FSCN) 28.10.2021, was similar to the first show cause notice, whereas the institution was trying to clear all the deficiencies within the time however could not do so because the affiliating body was taking time to ratify the staff list of the institution, whereas no the same has been done and the institution is submitting all the documents as pointed out in the final Show Cause Notice. The institution alongwith the present appeal is submitted the following documents for your kind perusal and consideration: 1. Form 'A' duly signed the bank manager 2. FDRs of Rs. 7 lacs and Rs. 5 lacs 3. Building Completion Certificate 4. Building Plan. 5. Staff profile Non-Encumbrance Certificate. It is Respectfully submitted that the institution had duly submitting all the requisite documents mentioned in the first show cause notice. The is submitting all the corrected documents again for your consideration and if directed the institution is ready and willing to submit the documents again. It is humbly submitted that the institution had duly sent the reply alongwith all the documents to the first show cause notice dated 30.10.2019 on 22.11.2019. it is pertinent to mention that the institution was granted recognition for running B.Ed. course in the year 2004 and since then is complying with all the norms and regulation of NCTE and has utmost regard for the esteemed organization. The Institution had submitted all the documents by its earlier reply. The institution is once again placing on record all the latest documents in compliance of Final Show Cause Notice and NCTE Regulations for pursual and kind consideration please. It is submitted that the institution has always replied to all the letters received by them. The institution was given revised recognition order on 15.05.2015 and duly complied with the requirements as mentioned therein. It is humbly submitted that the institution has all the requisite documents and approvals as mentioned in the Show Causes, originals, and photocopies of the same shall be placed before the appeal Committee at the time of hearing. It is humbly submitted that the institution is imparting quality education since 2004 and has very good reputation and hence it is requested to kindly restore the recognition of the institution by taking a lenient view."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition for B.Ed. Course with an annual intake of 100 seats was granted to the appellant institution on 09.12.2004 and after promulgation of NCTE Regulation, 2014 giving thereby willingness in an affidavit for its adherence, a revised provisional recognition order for 100 students (two basic units) with certain conditions to comply within given time was issued on 15.05.2015.

The Appeal Committee noted that the appellant institution was given reasonable opportunities in the Shape of First Show Cause Notice and Final Show Cause Notice issued on 30.10.2019 and 28.10.2021, respectively to submit its written representation for rectifying the deficiencies in a given time.

The Appeal Committee noted that the recognition of the appellant institution was withdrawal on the grounds of not replying to said Final Show Cause Notice and the reasons given in the Memoranda of Appeal for not giving reply to FSCN dated 28.10.2021 are not convincing. The objection raised in the explanation by the appellant that the reply to First Show Cause Notice dated 22.11.2019, claimed to have not considered by SRC is not maintainable as the SRC in its 403rd Meeting held on 18th & 19th October, 2021 had considered it and issued the Final Show Cause Notice on the grounds which still found to be deficient in the appellant institution.

Noting the submission and verbal arguments advanced during hearing by the appellant, the Appeal Committee observes that the SRC was justified in withdrawing recognition of the appellant. Hence, it is decided that the instant appeal deserves to be rejected and the impugned order of withdrawal issued by SRC is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing recognition of the appellant. Hence, it is decided that the instant appeal deserves to be rejected and the impugned order of withdrawal issued by SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Rajeev Gandhi College of Education (B.Ed.), Seegebagi, Old Seegebagi Road, Badravathi, Shimoga Karnataka -577301
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, Education (looking after Teacher Education) Government of Karnataka.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT
File No. 89-52/E-242344/2022 Appeal/4th Meeting, 2022
APPLSRC202214284**

Daryn College of Education for Women, Mudhol Road, Shahalam Gate, Jamkhandi, CTS No 4794, Jamkhandi, Mudhol Road, Bagalkot, Karnataka-587301 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. I. H. Hawaldar (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Daryn College of Education for Women, Mudhol Road, Shahalam Gate, Jamkhandi, CTS No 4794, Jamkhandi, Mudhol Road, Bagalkot, Karnataka-587301** dated 16/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No.SRC/NCTE/APSO8982/B.Ed./{KA}/2022/130175 dated 04.02.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The Building Plan submitted by the institution at the time of recognition do not match with the building plan now submitted. The building plan submitted by the institution is not having date of approval and the authority competent to approve the building plan is not clear. The building of the institution is not disabled friendly as required under NCTE Regulations. The building of the institution is not having

equipment's of fire hazards as required under NCTE Regulations. The separate toilet facilities for male and female are not available in the institution. The institution has not submitted the requisite documents regarding proof of disbursement of salary to faculty & non-teaching staff through bank account as per direction of the Appellate Authority, NCTE as required under clause 10(2) of NCTE Regulations, 2014. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix 4 and 6.3(a) of Appendix 5 of NCTE Regulations, 2014 for B.Ed. course. The website of the institution is not uploaded with the information required under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014."

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. I. H. Hawaldar (Principal), Daryn College of Education for Women, Mudhol Road, Shahalam Gate, Jamkhandi, CTS No 4794, Jamkhandi, Mudhol Road, Bagalkot, Karnataka-587301 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "We humbly submit that we have submitted old building plan of our institution. After additional construction, we have obtained the revised Building Plan. As such there was a variation in the Building Plan. We are submitting herewith the revised Building Plan duly approved by the Commissioner, Town Municipality, Jamkhandi for kind consideration. We humbly submit that our college Building Plan has been approved on 20.11.2016. The date of approval has been mentioned below the Signatures of the competent authorities. We are submitting herewith approved Building Plan wherein the date along with signatures are clearly visible. Our institution has facilities like Ramp for the disabled students. We are submitting herewith the Building Disable Friendly Certificate issued by the Executive Engineer, PWD, Bagalkot for kind consideration. Our institution has installed all fire safety equipment and our institution is fire safety complaint. Further, we are submitting herewith the No Objection Certificate issued by the Director General of police, Karnataka State Fire & Emergency Services, Bagalkot for kind consideration. Our institution is having Toilet facilities separately for Male and Female in each floor of the building. The same has been shown in the building plan also. We have submitted approved building plan for kind consideration. We are submitting herewith the Bank Statements and month wise salary issued cheques copies for kind consideration. Our institution is having 8 members of Administrative and Professional staff as per NCTE norms. Further, these staff members are approved by the University also. In the approved staff list Sl. No. 1 to 18 are Teaching Staff and from Sl. No.19 to 26 pertains to Administrative and Professional staff details. We are submitting herewith the staff list approved by the Registrar, Karnataka State Akkamahadevi Women's University, Vijayapura for

kind consideration. Our institution is having website www.daryncollegeofeducation.com exclusively for B.Ed. college. We have uploaded all the required information as per NCTE norms. We are submitting herewith copies of webpages for kind perusal.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition to the appellant institution for B.Ed. Course with an annual intake of 100 seats on 8.10.2008 and after promulgation of NCTE Regulations 2014 giving thereby willingness for its adherence, a revised provisional recognition order for 100 students (two units) was issued on 15.5.2015 with certain conditions to comply.

The Appeal Committee noted that the recognition for conducting B.Ed. Course by the appellant institution was withdrawn from the academic session i.e. 2022-2023 onwards under clause 17(1) of NCTE Act, 1993 vide Corrigendum dated 4th February, 2022 issued by SRC on above grounds after reviewing its earlier withdrawal order dated 15.3.2021 which was remanded back to SRC by Appellate Order dated 30.6.2021 for revisiting the matter as per prevailing regulations .

The Appeal Committee noted that the Final Show Cause Notice dated 31.08.2021 was issued to the appellant institution on the under mentioned grounds and the impugned corrigendum was issued after considering the reply dated 14.9.2021 on certain ground for which the appellant institution found to be deficient.

1. The institute had submitted a misleading fact regarding faculty that the faculty and Principal shown with affidavits on 03.10.2008 are totally different than submitted with approval letter dated 30.12.2019 as the joining dates of all faculty is in the year 2008. It is also not clear that all the faculty joined in 2008 are still working continuously in the college or not.
2. The date of joining of faculty namely L.B. Halagagi is mentioned as 25.12.2014 and 01.01.2008 in the details and proforma of faculty submitted by the institute with their replies dated 26.11.2019 and 02.02.2021. Same anomaly is observed in respect of Principal and faculty namely D.S. Patil, B. Benakatti, M.S. Mathapatti, M. Bagawan, R.I. Sayeed, A.M. Banahatti and Laxman Gasti.
3. Form 'A' submitted by the institute prima-facie appears as fabricated as the details on Non-Encumbrance Certificate, FDR do not match with it and the period of both FDRs

in Form 'A' is written as Five Years and the period of both FDRs is mentioned as 28.01.2014 to 25.03.2021 that calculates as 7 years.

4. As per records, the institute was granted recognition to run the course over the land at CTS No.4919/13 measuring 393.16 Sq.mtrs. whereas none the institute had submitted the documents related to land belongs to CTS No.s4794/B/74, 4794/B/80, 4794/B/81 and 4794/B/82.
5. The institute did not submit the notarized copy of English Version of land documents.
6. The Building Plan of the institute is not approved by the Competent Authority.
7. The institution did not submit a notarized copy of Non-Encumbrance Certificate attached with online Non-Encumbrance Certificate in English Version.
8. The institution did not submit a photocopy of Site Plan.
9. The institution is required to submit consolidated Staff list duly approved by the Registrar of the Affiliating Body as per the prescribed Format approved after issuance of this notice/Last reminder. *(In case the institution is running more than one teacher education programme, it is required to submit staff list duly approved by the Affiliating Body for each of the recognised teacher education programme being run by the Institution).*
10. The Institution shall be required to submit an Affidavit clearly stating status about land & building and Management (Society/Trust) at the time of recognition and its present status giving following details.]
 - (i) Details of land & building available at the time of recognition with the Institution.
 - (ii) Details of land & building now available with the institution.
 - (iii) Status of Management at the time of recognition and its present status. In case of change of land & building or the Management at the time of recognition and thereafter the institution is required to specify the reason thereof with approval of the SRC, NCTE.

The Appeal Committee noted that the appellant institution by letter dated 14.9.2021 had submitted reply to final show cause notice dated 31.8.2021 issued after considering the appellate authority order dated 30.6.2021. In the decision of 401st SRC's meeting, it is stated that the appellant institution did not submit its reply to the conditions mentioned in the appellate order whereas the appellant in his reply dated 14.9.2021 received in SRC on 22.9.2021 stated that they had submitted all original documents with notarised copies to SRC at the time of first show cause notice, final show cause notice and at the time of appeal order.

The Appeal Committee further noted that the appellant in the appeal had submitted that grounds of withdrawal order (corrigendum) at Sl.No. 3,4,5,6 & 7 are different with that of Final Show Cause Notice. The recognition has been withdrawn from the academic session 2022-2023 on new grounds for which they have not been given opportunity to submit written representation which is required as per provisions of NCTE Act 1993.

The Appeal Committee noted that the appellant in the appeal alongwith Memoranda of Appeal has submitted the required documents in the appeal as compliance of grounds of impugned corrigendum i.e. i) Building disabled friendly certificate issued by Executive Engineer, PWD, Bagalkote Division, Govt. of Karnataka on 7.9.2021; ii) NOC for Fire Safety issued by Office of Director General of Police, Director General Karnataka State Fire & Emergency Services, Bagalkot on 23.12.2021; iii) Building Plan issued by Asst. Executive Engineer & Commissioner, Town Municipality, Jamkhadi on 20.11.2016; iv) List of teaching faculty (1+17) and non-teaching staff (08) approved by Registrar, Karnataka State Akkamahadevi Women's University, Vijayapura ; and v) Month-wise bank statement showing disbursement of salary through bank.

Noting the submissions and oral arguments advanced during hearing by the appellant institution, the Appeal Committee is of the view that the appellant institution have been denied the opportunity to represent the new grounds of withdrawal (Corrigendum), instead of issuing corrigendum after considering the Appellate Order, it would have been appropriate if a fresh speaking order is issued as the impugned corrigendum does not mention about consideration of Appellate Order dated 30.6.2021.

In these circumstances, the Appeal Committee reached the conclusion that the instant appeal deserved to be accepted and the case is remanded back to SRC with a direction to give the appellant an opportunity to submit its written representation on the new grounds of impugned corrigendum and issue fresh speaking order after considering the submitted documents to be sent to them by the appellant and take further appropriate action as per NCTE Regulations, 2014, guidelines and amendments issued from time to time. The appellant is directed to submit the documents to SRC within 15 days from the date of receipt of order on the appeal. The SRC is at a liberty to verify the authenticity of the submitted documents from the concerned issuing authority.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to give the appellant an opportunity to submit its written representation on the new grounds of impugned corrigendum and issue fresh speaking order after considering the submitted documents to be sent to them by the appellant and take further appropriate action as per NCTE Regulations, 2014, guidelines and amendments issued from time to time. The appellant is directed to submit the documents to SRC within 15 days from the date of receipt of order on the appeal. The SRC is at a liberty to verify the authenticity of the submitted documents from the concerned issuing authority.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Daryn College of Education for Women, Mudhol Road, Shahalam Gate, Jamkhandi, CTS No 4794, Jamkhandi, Mudhol Road, Bagalkot, Karnataka-587301
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, Education (looking after Teacher Education) Government of Karnataka.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-54/E-242852/2022 Appeal/4th Meeting, 2022
APPLSRC202214285**

St. Marys College of Education, 181-2, 181-3, 182, Annamaduvu, Anthiyur Erode, Tamilnadu- 638501 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. M. Moorthy (Chairman)
Respondent by	Regional Director, WRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **St. Marys College of Education, 181-2, 181-3, 182, Annamaduvu, Anthiyur Erode, Tamilnadu-638501** dated 16/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APSO5751/B.Ed./{TN}/2022/130085 dated 02.02.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The initial recognition was granted to the institution in the land belongs to Survey Numbers 181/2, 181/3 & 182 (Old S. No.1/2). The institution submitted its reply vide letter dated 08.12.2021 attaching therewith the land documents belongs to Survey Numbers 580/1 (measuring 5 Acres). Change of location without prior approval of SRC, NCTE is in violation of provisions stipulated under clause 8 (9) of NCTE Regulation, 2014. Other documents such as BCC, Building Plan NEC, LUC etc. cannot be relied upon/ considered on the face of deficiency in land documents.

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The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014. The institution did not submit details of administrative and professional staff as required clause 5.3. of Appendix 4 of NCTE Regulations, 2014. The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014. The institution did not submit registration certificate, bye laws etc. related to the managing Society/Trust.”

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. M. Moorthy (Chairman), St. Marys College of Education, 181-2, 181-3, 182, Annamaduvu, Anthiyur Erode, Tamilnadu-638501 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “The institution on the land belongs to Survey Numbers 181/2, 181/3 & 182 Now this SY No. Land Documents submitted. Other documents BCC, building plan, NEC, LUC etc. submitted. Bank Statement submitted. The institution submits details of administrative and professional staff. All Documents uploaded in our website www.stmaryscollegeofeducationerode.com The institution submits registration certificate, bye laws.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition to the appellant institution for B.Ed. course with an annual intake of 100 seats was granted on 15.5.2009 and after promulgation of NCTE Regulations 2014 giving thereby willingness in an affidavit for its adherence, a revised provisional recognition order for an annual intake of 50 students (one unit) was issued on 1.5.2015 with certain conditions to comply within stipulated time period.

The Appeal Committee further noted that the appellant institution was given reasonable opportunities in the shape of first show cause notice and final show cause notice issued on 16.8.2019 and 30.9.2021, respectively to submit its written representations for rectifying the deficiencies.

The Appeal Committee noted that the impugned withdrawal order came into operation due to the appellant institution had failed to cure the existing short comings despite various opportunities accorded to them under the prevailing regulations.

The Appeal Committee further noted that the main ground of withdrawing recognition is to submit two land documents consisting of different survey numbers which create doubts about the

authenticity of the title of land and the appellant has not explained anything in his defence as to why they had submitted the land documents other than that of submitted at the time of grant of recognition. Likewise, the genuines of submission of other documents such as BCC, NEC and CLU are also put under question for their relevance. As per prevailing regulations, the title/locations of the land and building should always remain unchanged. It can never be treated as removable deficiency to rectify as per convenience at any stage. In case of change of premises, the prior permission of the SRC is required. The appellant should be more cautious to submit documents as and when asked by SRC particularly the land documents as it is the core/foundational requirement for getting recognition and running the course thereon. It can not be compromised at any cost.

Noting the submission and oral arguments advanced during hearing by the appellant, the Appeal Committee observes that the SRC was justified in withdrawing recognition. Hence it is decided that the instant appeal deserves to be rejected and therefore the impugned withdrawal order is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the instant appeal deserved to be rejected and therefore the impugned withdrawal order is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

- 1. The Principal, St. Marys College of Education, 181-2, 181-3, 182, Annamaduvu, Anthiyur Erode, Tamilnadu-638501**
- 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, Education (looking after Teacher Education) Government of Tamilnadu.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-55/E-242854/2022 Appeal/4th Meeting, 2022
APPLSRC202214280**

Rukminidevi Arundale College of Education, 441-1-C Madanapalle, Sivalayam Street, Bangalore Road, Madanapalle, Chittor Andhra Pradesh-517325 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sri V. Ranga (Correspondent)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Rukminidevi Arundale College of Education, 441-1-C Madanapalle, Sivalayam Street, Bangalore Road, Madanapalle, Chittor Andhra Pradesh-517325** dated 05/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No F.SRO/NCTE/AOSO0400/B.Ed./AP/2021/129597 dated 27.12.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution has not submitted latest staff list duly approved by the Registrar of the affiliating body as per the prescribed Format as per provisions of the NCTE Regulations, 2014. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014 for B.Ed. course. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of

NCTE Regulations, 2014. The website of the institution is not uploaded with information required clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014. The institution has submitted photocopy of Building Plan in which Total Built-up area, Multipurpose Hall, Classroom size not readable and approving authority seal in regional language. The institution has submitted photocopy of land documents in regional language. Institution has not submitted Notarized / Certificate copy not submitted. The institution has not submitted photocopy of NEC, LUC. However, attested / notarized copies of the same not submitted. The institution has not submitted original FDRs to the SRC, NCTE. The institution is required to submit a Form "A" issued by the respective Bank Manager towards creation of FDR of Rs. 7 lakh and 5 lakhs, totalling Rs.12 lakh towards Endowment Fund & Reserve Fund into joint account for a duration of 5 years along with a copy of the FDRs."

II. SUBMISSIONS MADE BY APPELLANT:-

Sri V. Ranga (Correspondent), Rukminidevi Arundale College of Education, 441-1-C Madanapalle, Sivalayam Street, Bangalore Road, Madanapalle, Chittoor Andhra Pradesh-517325 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "Latest University approved Staff List letter dated 28.07.2021 sent through courier to SRC, NCTE on 07.08.2021 (Original S.V. University approved copy and Consolidated list Staff Members approved by the Registrar, S.V. University, Tirupati) was submitted. The Administrative and Professional Staff working for the Institution were verified by the VT Members. Copy of the list is here with enclosed. Salaries of the Staff Members are paid through cheque from the Indian Bank, Cocoon Market Branch, Madanapalle bearing A/C No. 520107894 IFSC Code: IDIB000C070. The Institution website www.racempl.org is under functioning and verified by the VT Members at the time of visit. Further we have updated the information. Here with enclosing the details of the dimensions of the Rooms. The approving authority is Sarpanch of Gram panchayath and their seal will be available only in Regional Language and also Notarized plan is submitting. Notarized copy of English version of land documents were submitted in our communication sent to SRC, NCTE in response to Show Cause Notice on 31.03.2021. Further, we are here with enclosing the copy. Submitted Notarized copy of Land Use Certificate on 31.03.2021. Further here with enclosing the copies of NEC, LUC for your perusal. Form "A" is for Rs. 5 Lakh and Rs. 7 Lakh is here with enclosed, which is duly approved by the concerned Bank Manager along with the Xerox copies of FDRs."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted recognition for B.Ed. course with an annual intake of 100 seats on 21.7.2000 and after promulgation of NCTE Regulations 2014 giving thereby willingness by them in an affidavit for its adherence, a revised provisional recognition order was issued on 14.5.2015 for 100 students (two basis units) from the academic session 2015-16 with certain conditions to comply in stipulated time.

The Appeal Committee further noted that the appellant institution was given reasonable opportunities in shape of First Show Cause Notice and Final Show Cause Notice issued on 20.11.2019 and 15.3.2021, respectively to submit its written representation for rectifying the so called deficiencies mentioned in the above notices.

The Appeal Committee noted that the impugned withdrawal order came into operation due to not curing the deficiencies despite giving them an ample opportunities.

The Appeal Committee further noted that the appellant institution, in compliance with the grounds of withdrawal, has submitted following documents in the appeal alongwith Memoranda of Appeal for consideration by the appeal committee.

- a) List of faculty approved by Registrar of Affiliating Body on 29.7.2021.
- b) List of Administrative and Professional Staff
- c) Notarised copy of Site and Building Plan
- d) English translated copy of land document No. 760 of 1917 alongwith copy of land document in Regional Language.
- f) Form 'A' and copies of FDRs for Rs. 7 lakh and 5 lakh issued by State Bank of India and Indian Bank
- g) Copy of CLU issued by Tahsildar Madanapalle, AP
- h) Copy of NEU issued by Joint Sub-Registrar, Madanapalle, AP

Appeal Committee after considering the documents submitted in appeal has observed that the faculty at Sl. No. 4, 5, 10 to 13 and 15 are not qualified as per NCTE Regulations, 2014 and its amendment notified in May, 2017, the website is not properly maintained and hyperlinked with NCTE and its Regional Office. No proof of having uploaded the required information under clause 7(14)(i), 8(14) and 10(3) on the website is submitted even in the appeal. The size of Multipurpose Hall, Class Rooms etc. is not readable and the seal of approving authority is in regional language.

Noting the submissions and oral arguments advanced during hearing, the appeal committee is of the view that SRC was justified in withdrawing the recognition of the appellant institution and decided that the instant appeal deserved to be rejected and the impugned withdrawal order is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reject the instant appeal of the appellant and therefore the impugned withdrawal order of SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Rukminidevi Arundale College of Education, 441-1-C Madanapalle, Sivalayam Street, Bangalore Road, Madanapalle, Chittor Andhra Pradesh-517325**
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, Education (looking after Teacher Education) Government of Andhra Pradesh.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-57/E-243110/2022 Appeal/4th Meeting, 2022
APPLERC202214286**

Maryada Purushotam College of Education, Village-Chilhari, P.O.- Purana Bhojpur, Chilhari, 1245, 1246, 1247, 1248, purana bhojpur, Chilhari Dumraon, Buxar Bihar-802133 <u>APPELLANT</u>	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. Hulkar (Treasurer)
Respondent by	Regional Director, ERC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Maryada Purushotam College of Education, Village-Chilhari, P.O.- Purana Bhojpur, Chilhari, 1245, 1246, 1247, 1248, purana bhojpur, Chilhari Dumraon, Buxar Bihar-802133** dated 17/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F. No.ER-301.4/ ERCAPP7/2012/ B.Ed./BR/2022/64961 dated 28.01.2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was granted recognition from the academic session 2014-15 vide order dated 24.04.2014, after verification of infrastructural and instructional facilities available in the institution, whereas gift deed of land registered in year 2015 makes a mention of only land. 2.) In response to ERC letter No. 25893 dated 20.05.2014, certified copy of transfer of land and building in the name

Handwritten signature

of institution as per Clause 8(4) (iii) of NCTE Regulations, 2014 not submitted. Further, in the registered transfer gift deed, there is no mention of constructed submitted. Further, in the registered transfer gift deed, there is no mention of constructed submitted. Further, in the registered transfer gift deed, there is no mention of constructed building on the basis of which the recognition was granted by ERC, NCTE. 3.) The copy of transfer of gift deed registered dated 07.09.2015 in the name of institution viz. MARYADA PURUSHOTAM College of Education was submitted, however, the details still show the category of land to be an agriculture land mentioning in Hindi as 'SINCHIT'. 4.) Further, it is mentioned is change of Land Use Certificate issued by ANUMANDAL PADAHIKARI, DUMRAON dated 21.02.2013 that the land will be used for educational purpose followed by point-5 of the affidavit dated 31.12.2012 related to land submitted by the institution, which is contrary to the point (iii) mentioned above. 5.) In latest photocopy of Building Completion Certificate dated 28.12.2017 certified by Mukhiya, Gram Panchayat, CHILHARI and countersigned by Assistant Engineer, Building Construction DEPTT., BUXAR (Bihar) submitted not (not notarized), the date of registration of land mentioned as 24.12.2012, the new date of registration of transfer of gift deed of land is not mentioned. Moreover, the type deed of land is not mentioned. Moreover, the type of ownership of land is mentioned as "Sale Deed" although the document provided in this regard is a gift deed. 6.) The Fire safety certificate date 22.01.2021 issued by Fire Dept. DUMRAON, BUXAR uploaded on website is valid up to 21.01.2022. 7.) Institutional website is not maintained and updated as per Clause 7(14)(i) of NCTE Regulations, 2014."

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Hulkar (Treasurer), Maryada Purushotam College of Education, Village-Chilhari, P.O.- Purana Bhojpur, Chilhari, 1245, 1246, 1247, 1248, purana bhojpur, Chilhari Dumraon, Buxar Bihar-802133 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "Indian Computer Education Society has registered a gift deed (rectified) registered on 01.02.2022 at District Registrar, BUXAR in which the Land 92 dismal and the constructed building with total built up area 5030 square meters is mentioned. The certified copy of gift deed dated 01.02.2022 is enclosed. This registered gift deed dated 01.02.2022 mentions the category of land to be "non agriculture purpose". The latest Building Completion Certificate dated 15.02.2022 is enclosed in original in which the gift deed registration date 07.09.2015 and gift deed (rectified) registration date 01.02.2022 are mentioned. In the enclosed BCC dated 15.02.2022, the type of ownership of land is mentioned as gift deed in the name of MARYADA PURUSHOTAM College of Education. The First Safety Certificate dated

10.02.2022 is enclosed which is valid up to 09.02.2023 and it has been uploaded on College Website. The institution website www.maryadacoe.com has been maintained and updated as per clause 7(14)(i) of NCTE Regulation 2014. Hence the institution full fills the criteria / regulation of NCTE and the withdrawal order dated 28.01.2022 issued by ERC, NCTE may kindly be quashed. You are requested to kindly restore the recognition of B.Ed. Course from the next academic session 2022-2023.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted recognition for B.Ed. course with an annual intake of 100 seats on 24.2.2014 and after promulgation of NCTE Regulations 2014 giving thereby willingness by them in an affidavit for its adherence, a revised provisional recognition order was issued on 20.5.2015 for 100 students (two basis units) from the academic session 2015-16 with certain conditions to comply in stipulated time.

The Appeal Committee further noted that the appellant institution was given reasonable opportunities in shape of First Show Cause Notice and Final Show Cause Notice issued on 18.6.2019 and 28.01.2020 and 15.11.2021 to submit its written representation for rectifying the so called deficiencies mentioned in the above notices.

The Appeal Committee noted that the impugned withdrawal order came into operation due to not curing the deficiencies despite giving them an ample opportunities.

The Appeal Committee further noted that the appellant institution, in compliance with the grounds of impugned withdrawal order, has submitted following documents in the appeal alongwith Memoranda of Appeal for consideration.

a) Certified copy of Land Document (Rectified Gift Deed) registered in the office of Zila Avar Nibandhak, Buxar on 1.2.2022.

b) Copy of BCC certified by Mukhiya, Gram Panchayat, Chilhari and countersigned by Assistant Engineer, Building Construction Department, Buxar, Bihar. The date of approval is not mentioned in the BCC.

c) Copy of Fire Safety Certificate issued by Fire Safety Officer on 10.2.2022

Appeal Committee after considering the documents submitted in appeal has observed that the gift deed was rectified and registered in the office of Dist. Sub-Registrar, Buxar, Bihar on 1.2.2022, subsequent to the withdrawal order, in which the type of land mentioned as Non-Agriculture and constructed building of 5 floors. It reveals that the type of land was Agriculture at the time of recognition which is not permitted as per prevailing Regulations. The appellant institution did not inform to ERC about the transfer of title of land in the name of college within the stipulated time as required under clause 8(4)(iii) of Regulations, 2014. The submitted BCC is undated. No evidence of having uploaded the information on the website required under clause 7(14)(i), 8(14) and 10(3) of the NCTE Regulations 2014 is furnished. It is not properly maintained and functional hyperlinking with NCTE and its Regional Office.

Noting the submissions and oral arguments advanced during hearing, the appeal committee is of the view that ERC was justified in withdrawing the recognition of the appellant institution and decided that the instant appeal deserved to be rejected and the impugned withdrawal order is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reject the instant appeal of the appellant institution and confirm the impugned withdrawal issued by ERC.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

- 1. The Principal, Maryada Purushotam College of Education, Village-Chilhari, P.O.- Purana Bhojpur, Chilhari, 1245, 1246, 1247, 1248, purana bhojpur, Chilhari Dumraon, Buxar Bihar-802133**
- 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, Education (looking after Teacher Education) Government of Bihar.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-58/E-243697/2022 Appeal/4th Meeting, 2022
APPLSRC202214288**

CHAND BI BI COLLEGE OF EDUCATION FOR WOMEN, Buland Parwaz Colony, Gulbarga 5-470/15/71/D/1, Gunj, Near Ring Road Gulbarga Karnataka-585101 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Dr. Rukshinda Hina Akbari (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND OF WITHDRAWAL

The appeal of **CHAND BI BI COLLEGE OF EDUCATION FOR WOMEN, Buland Parwaz Colony, Gulbarga 5-470/15/71/D/1, Gunj, Near Ring Road Gulbarga Karnataka-585101** dated 18/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/AOS00073/B.Ed./{KA}/2021/129846 dated 07.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution submitted self-attested copies of land documents instead of certified / notarized. The institution is required to submit the certified / notarized copies of land documents. The institution submitted a copy of building plan but the same is neither approved by the competent authority not

it is legible to ascertain the size of rooms, halls, labs, library etc. The institution submitted a copy of letter dated. 28.10.2015 issued by the Registrar Karnataka State Women's University, Vijayapura. Regarding approval of 06 faculty only. The institution did not submit the latest approval of faculty issued by the University. The faculty strength is not enough for 02 units of B.Ed. course as stipulated under clause 5.1 of Appendix 4 of NCTE Regulations, 2014. The institution is required to submit consolidated staff list duly approved by the Registrar of the affiliating body as per the prescribed Format approved after issuance of this notice / last reminder. (In case the institution is running more than one teacher education programme, it is required to submit staff list duly approved by the Affiliating body for each of the recognized teacher education programme being run by the institution.) Also, the institution is required to submit the bank statement of last 06 months showing disbursement of salary to faculty through bank account as stipulated under clause 10(2) of NCTE Regulations, 2014. As per the building plan the multipurpose hall is not available and is in violation of clause 6(ii)(b) of appendix 4 of NCTE regulations, 2014. For 'A' under prescribed format and FDRs towards Endowment and Reserve Funds as required under clause 10(1) of NCTE Regulations, 2014 have not been submitted. Website of the institution is not functional with upload the information required under clauses 8(6), 8(14) and 10(3) of NCTE Regulations 2014. The institution did not submit documents related to registration and byelaws of trust / society. The institution is required to submit consolidated staff list duly approved by the Registrar of the affiliating body as per the prescribed Format Approved after issuance of this notice / last reminder. (In case the institution is running more than one teacher education programme, it is required to submit staff list duly approved by the affiliating body for each of the recognized teacher education programme being run by the institution). The institution shall be required to submit an affidavit clearly stating status about land & building and Management (Society / Trust) at the time of recognition and its present status giving following details."

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Rukshinda Hina Akbari (Principal), CHAND BI BI COLLEGE OF EDUCATION FOR WOMEN, Buland Parwaz Colony, Gulbarga 5-470/15/71/D/1, Gunj, Near Ring Road Gulbarga Karnataka-585101 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "The institution is submitting a notarized copy of land documents. The institution is submitting a copy of building plan with sizes as per NCTE Norms approved by the Secretary Gram Panchayat at KAPNOOR competent authority and the copy is notarized. The institution is submitting a copy of staff list which is approved by the Registrar Karnataka State AKKAMAHADIVI WOMENS UNIVERSITY Vijayapura. Of the affiliating university.

The staff list (16) is appropriate for 02 units as prescribed by NCTE. The institution is submitting a bank statement of last 02 months of 06 staffs who are drawing a consolidated salary and earlier the staff were given salaries through cash. In future the salaries will be given through bank. The other 10 staff are under govt. aided and are drawing salaries directly credited by the RBI in personal accounts. Copies of HRMS Enclosed. In a building plan a well-built multipurpose hall available with an area of 2048 square feet in ground floor. FDRs details submitted towards Endowment and Reserve Funds in Form 'A' under prescribed format. The information of the college is uploaded as the website is functional as prescribed by NCTE. Documents related to registration and byelaws of trust are submitting. An approved staff list of 16 members duly signs by the Registrar Karnataka State Akkamahadevi Women's University Vijayapura. With notarized. An affidavit stating the status about land and building and management at the time of recognition and its present status is submitted."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the recognition of the appellant institution was withdrawn by SRC vide impugned withdrawal order dated 07.01.2022 on the ground of non-submitting reply to Final Show Cause Notice dated 30.11.2019 whereas the appellant has stated in the appeal that they had submitted reply to said FSCN by letter dated 7.12.2021 through Speed Post. As an evidence of having sent reply/letter to SRC for the said Show Cause Notice, the appellant has furnished a copy of the Speed Post receipt dated 7.12.2021 in the appeal alongwith memoranda of Appeal.

In view of the above submission, the Appeal Committee interinely decided to seek clarification from SRO as to whether the aforementioned reply was received in SRO or not. A copy of letter dated 7.12.2021 alongwith Speed Post Receipt dated 7.12.2021 may be forwarded to SRO for verification. The SRO may be requested to furnish the clarification in a time bound manner so that the instant appeal may be disposed of within the prescribed time limit.

Appeal Committee further decided to reserve its final decision on the appeal and defer the matter to the ensuing Appeal Committee Meeting till the clarification is received from SRO.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the appeal and defer the matter to the ensuing Appeal Committee Meeting till the clarification is received from SRO.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, CHAND BI BI COLLEGE OF EDUCATION FOR WOMEN, Buland Parwaz Colony, Gulbarga 5-470/15/71/D/1, Gunj, Near Ring Road Gulbarga Karnataka-585101
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, Education (looking after Teacher Education) Government of Karnataka.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-59/E-243769/2022 Appeal/4th Meeting, 2022
APPLSRC202214289**

Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Anitha N. (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND'S OF WITHDRAWAL

The appeal of **Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010** dated 17/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS00421/B.Ed.-AI/KL/ 2021/129836 dated 07.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution has submitted staff list of 10 faculty for B.Ed., M.Ed., and D.El.Ed. Programme. The faculty strength is not sufficient laid down under NCTE regulations, 2014. The institution failed to submit latest staff list duly approved by the Registrar of the affiliating body as per the prescribed format as per provisions of the NCTE Regulations 2014. The Building Plan submitted by the institution is not readable. Moreover, the size of Multipurpose Hall is not mentioned in the building plan. The building plan is

Man

also not approved by the competent authority. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014 for B.Ed. course. The institution did not submit proof of disbursement of salary for faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014. The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Anitha N. (Principal), Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “B.Ed. staff list for 2 units total 16 facilities list approved by the Registrar, University of Kerala since submitted. Please also refer our letter dated 10.12.2021. New Drawings submitted 2000 square feet Multipurpose Hall drawings submitted. Details of Administrative and Professional Staff follows. The proof of disbursement of salary for faculty & non-teaching staff through bank account is follows. All the information regarding under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014 has been uploaded on the website.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition of the appellant institution was withdrawn by the impugned order as per the decision taken by SRC in its 405th meeting held on 13th – 14th December, 2021 on the grounds of not submitting required documents as asked to be furnished in the final show cause notice whereas the appellant in the letter dated 22.2.2022 submitted alongwith memoranda of appeal has explained that they had submitted all the required details/documents well before the withdrawal order by letter No. FMTC/2410/2021 dated 10.12.2021. As an evidence of having submitted the said documents, a Speed Post Receipt dated 11.12.2021 has been enclosed with the above letter.

In view of the above submission, the Appeal Committee interinely decided to seek clarification form SRC as to whether the letter dated 10.12.2021 alongwith the documents was received or not enabling the Appeal Committee to dispose of the instant Appeal within the

prescribed time limits sent through Speed Post. A copy of said letter dated 10.12.2021 alongwith Speed Post Receipt dated 11.12.2021 may be forwarded to SRC for reference/verification and further necessary action in the matter in a time bound manner.

In these circumstances, the Appeal Committee decided to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC .

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010**
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, Education (looking after Teacher Education) Government of Kerala.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-60/E-243803/2022 Appeal/4th Meeting, 2022
APPLSRC202214290**

Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Anitha N. (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND'S OF WITHDRAWAL

The appeal of **Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010** dated 18/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS04145/M.Ed./KL/2021/129836 dated 07.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that "The institution has submitted staff list of 10 faculty for B.Ed., M.Ed., and D.El.Ed. Programme. The faculty strength is not sufficient laid down under NCTE regulations, 2014. The institution failed to submit latest staff list duly approved by the Registrar of the affiliating body as per the prescribed format as per provisions of the NCTE Regulations 2014. The Building Plan submitted by the institution is not readable. Moreover, the size of Multipurpose Hall is not mentioned in the building

plan. The building plan is also not approved by the competent authority. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014 for B.Ed. course. The institution did not submit proof of disbursement of salary for faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014. The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Anitha N. (Principal), Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “Staff List for 1 unit consisting of 10 facilities duly approved by the University follows. Form ‘A’ for FDR’s Rs. 7 Lakh & 5 Lakh (12 Lakhs) already forwarded. Copy follows. New Drawings submitted 2000 square feet Multipurpose Hall drawings submitted. Details of Administrative and Professional Staff follows. The proof of disbursement of salary for faculty & non-teaching staff through bank account is follows. All the information regarding under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014 has been uploaded on the website.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition of the appellant institution was withdrawn by the impugned order as per the decision taken by SRC in its 405th meeting held on 13th – 14th December, 2021 on the grounds of not submitting required documents as asked to be furnished in the final show cause notice whereas the appellant in the letter dated 22.2.2022 submitted alongwith memoranda of appeal has explained that they had furnished all the required details/documents well before the withdrawal order by letter No. FMTC/2410/2021 dated 10.12.2021 sent through Speed Post. As an evidence of having submitted the said documents, a Speed Post Receipt dated 11.12.2021 has been enclosed with the above letter.

In view of the above submission, the Appeal Committee interinely decided to seek clarification form SRC as to whether the letter dated 10.12.2021 alongwith the required documents was received or not enabling the Appeal Committee to dispose of the instant Appeal within the

prescribed time limits. A copy of said letter dated 10.12.2021 alongwith Speed Post Receipt dated 11.12.2021 may be forwarded to SRC for reference/verification and further necessary action in the matter in a time bound manner.

In these circumstances, the Appeal Committee decided to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC .

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

- 1. The Principal, Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010**
- 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, Education (looking after Teacher Education) Government of Kerala.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-61/E-244426/2022 Appeal/4th Meeting, 2022
APPLNRC202214292**

Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002 <u>APPELLANT</u>	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. Tanuj Sharma (Registrar)
Respondent by	Regional Director, NRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUNDS OF WITHDRAWAL

The appeal of **Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002** dated 22/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/UP-1087-B.Ed., Up-2709-B.Ed. (Add.) & Up-2725-M.Ed./342nd (Virtual) Meeting/2021/215744 dated 23.09.2021 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “First Show Cause Notice was issued on 09.10.2020. The institution has not submitted the reply of first SCN. Further, Final Show Cause Notice was issued on 08.02.2021. The institution has not submitted the reply of Final SCN. The institution is still deficient on the following grounds:

- The Rent Deed of the institution for 30 years is notarized instead of issued by Registrar/Sub-Registrar of the concerned area.

- The institution has not submitted affidavit to comply with the provisions of NCTE Regulations 2014.

Hence, NRC decided to withdraw the recognition of both B.Ed. & M.Ed. course under Section 17 of the NCTE Act, 1993 from the end of the academic session next following the date of communication of withdrawal order i.e., 2022-2023. A detailed withdrawal order be issued to the institution for respective course”

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Tanuj Sharma (Registrar), Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “That the earlier the Appellant / institution was conducting course in the rented premises, however, thereafter the Appellant / Institution had purchased its own land and hence submitted an application for shifting of premises for conducting B.Ed. Course (File No. Up-1087 & Up-2709) vide letter dated 21.06.2016 along with requisite fee vide Demand Draft of Rs. 1,500,000/-. The application was submitted in the office of the respondent/NRC on 22.06.2016. [Copies of sale deed / land document, letter dated 21.06.2016 with Demand Draft of Rs. 1,50,0000/-. That the application for shifting of premises was not considered by the respondent and therefore the appellant / institution again made a reminder / request for shifting of Premises of institution for conducting B.Ed. Course vide letter date 16.04.2018. It is pertinent to mention here that the VT has been constituted by the respondent / NRC, but the inspection was not made by the VT members. Therefore, the appellant requested the respondent for the inspection of the institution, so that the institution could be shifted at new premises. The aforementioned letter was received by the respondent / NRC, on 20.04.2018. That the thereafter, the Appellant / institution again made request for considering its application for shifting of premises for conducting B.Ed. Course vide letter dated 30.05.2019. That the appellant / institution duly submitted the affidavit for compliance of the norms of new NCTE, Regulation, 2014 vide letter dated 15.01.2015 for conducting B.Ed. Course (File Code No. NRC/NCTE/F-3/UP-1087/11669) and after submitting the affidavit, NCTE issued the revised recognition order 21.05.2015. That after the issuance of impugned withdrawal order dated 23.09.2021 the Appellant / Institution represented the respondent / NRC, vide letters dated 22.10.2021 and 20.12.2021 and stated that the appellant has complied with all the norms of the NCTE Regulation, 2014. The Appellant / Institution already replied to the Show Cause Notice and clearly stated that the institution does not wish to start the

M.Ed. Course. So far as the B.Ed. Course is concerned, the Appellant / Institution has already submitted the compliance affidavit and the Appellant had also made application for shifting of premises, which is pending at the end of the respondent and hence, the Appellant / Institution is not under any fault, as such issuance of the impugned withdrawal order dated 23.09.2021 is illegal, arbitrary and unconstitutional and the same is a violation of principles of natural justice in the facts and circumstances of the present case.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition to the appellant institution for M.Ed. course with an annual intake of 25 students was granted on 1.6.2009 and due to non-submission of an affidavit for adherence of NCTE Regulations, 2014, the revised recognition order was not issued. It may be pertinent to mention that the appellant in the Memoranda of Appeal has mentioned the name of Teacher Education Programme as B.Ed. for which the instant appeal is made.

The Appeal Committee further noted that the appellant institution was given reasonable opportunities under the laid down provision in the shape of First Show Cause Notice and Final Show Cause Notice issued on 9.2.2020 and 8.2.2021, respectively to submit its written representations for rectifying the short comings in the stipulated time period.

The Appeal Committee noted that the main ground of withdrawing recognition is that the appellant institution neither submitted reply to First Show Cause Notice nor the Final Show Cause Notice whereas the appellant in the appeal has submitted that they replied to the First Show Cause Notice within stipulated time by its letter dated 6.11.2020 received in NRC on 6.11.2020. As an evidence of having submitted the reply, a copy of duly receipted letter by NRC affixing office stamp on the face of the letter has been submitted alongwith Memoranda of Appeal. The appellant in the said reply intimated to NRC that they did not intend to start M.Ed. course that's why the affidavit for adherence of NCTE Regulations, 2014 for the course not submitted. Consequently, they requested to cancel the process of grant of M.Ed. course and return the FDRs. It is further submitted by the appellant that the show cause notice was issued for M.Ed. course only. No show cause notice has been issued in respect of B.Ed. course.

Noting the submission and oral arguments advanced during hearing, Appeal Committee intermely decided to seek clarification from NRC as to whether the said reply was received or not.

Also clarified on other points mentioned above. The NRC may be requested to furnish the clarification at the earliest so that the instant appeal may be disposed of by the Appeal Committee within prescribed time limit. A copy of the reply/letter dated 6.11.2020 may be forwarded to NRC for their reference and further necessary action as indicated above.

In these circumstances, the Appeal Committee decided to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from NRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from NRC .

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002**
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, Education (looking after Teacher Education) Government of Uttar Pradesh.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-62/E-244430/2022 Appeal/4th Meeting, 2022
APPLSRC202114101**

Govt. Teachers Training College Ranchi, Kanke 455, Kanke Road, Ranchi Jharkhand- 834006 <u>APPELLANT</u>	<u>Vs</u>	Eastern Regional Committee, Plot No. G- 7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Usha Pandey (HOD)
Respondent by	Regional Director, ERC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Govt. Teachers Training College Ranchi, Kanke 455, Kanke Road, Ranchi Jharkhand-834006** dated 19/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. ER-275.14.8/JH-S/N-6/2001/ B.Ed./2019/61437 dated 28.08.2019 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution had failed to submit reply in response to Final SCN dated 18.05.219 within the stipulated time. The ERC in its 275th meeting (Part-1) held on 26th July 2019 considered the matter in detail and observed as under: (i). Approved faculty list by the concerned affiliating body along requisite documents. (ii). Approved building plan by the concerned competent Govt. Engineer / Authority. (iii). Approved building completion certificate by the concerned competent Govt. Engineer / Authority. (iv). FDRs towards Endowment fund and Reserve fund after conversion into

[Signature]

joint operation made as prescribed in the NCTE Regulations, 2014. (v). Confirmation on website updates of the institutions with all details along with affidavit. No reply received and the stipulated time period has already been over. Recognition granted to B.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021.”

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Usha Pandey (HOD), Govt. Teachers Training College Ranchi, Kanke 455, Kanke Road, Ranchi Jharkhand-834006 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “(i). Yes, we have. (ii). Yes, we have. (iii). Yes, we have. (iv). This is not applicable to Govt. College, but we have enough funds in our account. (v). Our website WWW.GTTCRANCHI.IN we can produce all documents in support of our answer when ever ask.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The appeal committee noted that the recognition to the appellant institution for B.Ed. course with an annual intake of 100 seats was granted vide ERC order dated 20.6.2002 and after promulgation of NCTE Regulations, 2014, a revised recognition order with certain conditions was issued on 31.5.2015.

Appeal Committee noted that the instant appeal is delayed beyond the prescribed time period. The Appeal Committee has condoned the delay on the basis of reasons adduced in the memoranda of appeal.

Appeal Committee further noted that the impugned withdrawal order came into operation due to non-submitting reply to Final Show Cause Notice within stipulated time to rectify the specified deficiencies.

Appeal Committee noted that the appellant institution by its letter dated 13.4.2022 alongwith memoranda of appeal has submitted the documents as a compliance of grounds of withdrawal i.e. i) list of faculty approved by the Registrar, Ranchi University, Ranch, BCC approved by the District Engineer, Zila Parishad, Ranchi, copy of site/building plan approved by the District Engineer, Zila Parishad, Ranchi; ii) statement of salary being paid to the staff through

cheque/online for the period from 1.1.2017 to 7.3.2022; iii) print copy of home page showing functionality of website being maintained by the appellant and copy of declaration given by the Principal of the institution stating that the appellant institution is fully Government owned Institution and wholly financed and funded by Department of Higher, Technical Education and Skill Department, Govt. of Jharkhand etc.

Noting the submissions and oral arguments advanced during hearing by the appellant, the Appeal Committee is of the view that the instant appeal deserves to be accepted and decided to remand back the case to ERC with a direction to consider the submitted documents to be sent them by the appellant and take further necessary action as per NCTE Regulations, 2014, guidelines and amendments issued from time to time. The appellant is directed to submit a set of submitted documents in the appeal to ERC within 15 days from the date of receipt of order on the appeal.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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 15/12/2020, 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.”

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to ERC with a direction to consider the submitted documents to be sent to them by the appellant and take further necessary action as per NCTE Regulations, 2014, guidelines and amendments issued from time to time. The appellant is directed to submit a set of submitted documents in the appeal to ERC within 15 days from the date of receipt of order on the appeal.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Govt. Teachers Training College Ranchi, Kanke 455, Kanke Road, Ranchi Jharkhand-834006
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, Education (looking after Teacher Education) Government of Jharkhand.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT
File No. 89-63/E-244434/2022 Appeal/4th Meeting, 2022
APPLNRC202214252**

L.T.R. Institute of Technology, Vill and Post Kurali Baghpat Road Meerut, Kurali 615A 615B Kuruli, Baghpat, Meerut Uttar Pradesh-250501 <u>APPELLANT</u>	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. Prateek Kansal (Chairman)
Respondent by	Regional Director, NRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND'S OF WITHDRAWAL

The appeal of **L.T.R. Institute of Technology, Vill and Post Kurali Baghpat Road Meerut, Kurali 615A 615B Kurali, Baghpat, Meerut Uttar Pradesh-250501** dated 10/01/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. Minutes of 337th Virtual Meeting of the NRC, NCTE 2021 (Minutes Based) dated 09.07.2021 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The latest / current faculty list approved & signed each page by concerned affiliating body in original with the details of their teaching subject, date of birth, date of selection, date of joining, academic qualifications, teaching experience, Net/ Ph.D. (NCTE's GOI dated 09.06.2017), salary structure and related documents duly attested by authorized management representative not submitted. And notarized original affidavit of Rs. 100/- on non-judicial stamp paper by the management and Rs. 10/- non-judicial

stamp paper by each selected / appointed faculty in the NCTE prescribed proforma are required to be submitted. Details of salary disbursed to the faculty along with six months Bank statement and account number of each faculty member has not been submitted. Copies of valid Fixed Deposit Receipts Nationalised / Scheduled Bank toward Endowment & Reserve Fund in the joint operation mode with RD, NRC, NCTE & Management alongwith duly field Bank Form "A" in original, verified / signed by the Manager of the Bank as per NCTE Regulations, 2014 has not been submitted. Downloaded copies of documents from the website of the institution with hyperlinks of the same as per provision of 7(14) of the NCTE Regulations, 2014 has not been submitted. Building Completion Certification signed by the Competent Government Authority has not been submitted."

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Prateek Kansal (Chairman), L.T.R. Institute of Technology, Village and Post Kurali Baghpat Road Meerut, Kurali 615A 615B Kurali, Baghpat, Meerut Uttar Pradesh- 250501 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "All documents were complete but due to miscommunication we had not submitted documents."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition of the appellant institution was withdrawn on the grounds (contained in Minutes) of not submitting reply to Final Show Cause Notice issued on 8.2.2021 whereas the appellant institution during hearing on 27.4.2022 informed that they had neither received Final Show Cause Notice nor the Withdrawal Order from NRC-NCTE. When they came to know the status of their college, they immediately submitted the documents in NCTE. It was further informed by letter dated 7.5.2022 alongwith an affidavit that they had received a notice on 9.10.2020 which was replied on 23.10.2020. After that they had not received any more notice.

In view of the submissions and verbal arguments advanced during hearing, the Appeal Committee interinely decided to seek clarification form NRC as to whether the letter Final Show Cause Notice and Withdrawal Order was issued and despatched at the correct address of the appellant or not. If so, the delivery report of both the communications issued by NRC to the

appellant may be provided to the Appeal Committee at the earliest so that the instant appeal may be disposed of accordingly within the prescribed time limits.

In these circumstances, the Appeal Committee decided to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from NRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from NRC .

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, L.T.R. Institute of Technology, Village and Post Kurali Baghpat Road Meerut, Kurali 615A 615B Kurali, Baghpat, Meerut Uttar Pradesh-250501
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, Education (looking after Teacher Education) Government of Uttar Pradesh.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-64/E-244439/2022 Appeal/4th Meeting, 2022
APPLSRC202214291**

DNR College of Education, Bhimavaram Ward 31, Bhimavaram, DNR College Road, West Godavari, Andhra Pradesh-534202 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Jetty Shakila (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **DNR College of Education, Bhimavaram Ward 31, Bhimavaram, DNR College Road, West Godavari, Andhra Pradesh-534202** dated 22/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS00100/B.Ed./AP/2021/129772 (Without Order) dated 31.12.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was issued a Final Show Cause Notice (FSCN). The institution has submitted its reply on 19.11.2020. The Committee observed the reply submitted by the institution and found the following deficiencies: The institution has submitted photocopy of faculty list approved by DEAN Faculty of Education Adikavi Nannaya University. The same shall be approved by the Registrar of the affiliating University. The institution has not submitted latest consolidated Staff list (D.Ed., B.Ed., M.Ed.) duly approved by the Registrar of the

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affiliating body as per the prescribed Format. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014 for B.Ed. course. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014. The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014. The institution has not submitted "Form A" issued by the respective Bank Manager towards creation of FDR of Rs. 7 lakh and 5 lakhs, totalling Rs. 12 lakhs towards Endowment Fund & Reserve Fund into joint account for a duration of 5 years along with a copy of the FDRs. The institution has submitted notarized photocopy of land documents, NCTE which are in regional language. However, English translated copy of the same not submitted by the institution. The institution has submitted photocopy of Building Plan but the same is not readable."

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Jetty Shakila (Principal), DNR College of Education, Bhimavaram Ward 31, Bhimavaram, DNR College Road, West Godavari, Andhra Pradesh-534202 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "Complied the staff list as per prescribed format in respect of B.Ed. course which was approved by the Registrar of the Affiliating University and the same is herewith enclosed for your kind perusal. Complied the details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014 for B.Ed. course are herewith enclosed for your kind perusal (Appendix 2). Complied proof for disbursement of salary to faculty and non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations 2014 has been herewith enclosed for your kind perusal (Appendix 3). Complied the website of the institution is uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations 2014. Screenshot of the website is herewith enclosed (Appendix 4) Can also be verified by visiting our website <http://edu.dnr.college.org>. Complied "Form A" issued by the respective bank manager towards creation of FDR of Rs. 7 lakh and 5 lakhs, totalling Rs. 12 lakhs towards endowment fund & reserve fund into joint account for a duration of 5 years alongwith a copy of the FDRs is herewith enclosed for your kind perusal (Appendix 5). Complied notarized photocopy of English translated version of Land Documents, NEC etc. are herewith enclosed for your kind perusal note: the said documents are in the name of WGB college association and the same has been named after as DNR College association. Complied photocopy of building plan which is readable is herewith enclosed."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition to the appellant institution for B.Ed. Course with an annual intake of 50 student was granted on 18.07.2000 and after promulgation of NCTE Regulation, 2014 giving thereby, willingness in an Affidavit for its adherence, a Revised Provisional Recognition order with an annual intake of 100 students (two units) was issued on 12.05.2015 with certain conditions to comply in a stipulated period.

The Appeal Committee noted that the appellant institution was given reasonable opportunities in the shape of First Show Cause Notice and Final Show Cause Notice issued on 24.10.2019 and 19.11.2020, respectively to submit its written representation to rectify the short comings in a given time period.

The Appeal Committee noted that the appellant institution in the appeal alongwith memoranda of appeal has submitted; a) List of faculty approved by the Registrar, Adikavi Nannaya University, Andhra Pradesh for 9 members which is insufficient as per Regulation, 2014 for running the course with 100 students (two basic units). No prior permission for reduction of seats has been obtained from SRC. Moreover, the faculty at Sl. No.3 and 7 are not qualified as per Regulations, 2014 and amendments notified in May, 2017; b) The validity of FDRs No. 3218174315156 dated 08.02.2017 has expired on 08.02.2022; c) The Competent Authority for issuing the statement of Encumbrance on property is not clear.

Noting the submission and oral arguments advanced during hearing by the appellant, the Appeal Committee observes that the appellant institution is still found to be deficient on the above grounds. Hence it is the view the SRC was justified in withdrawing recognition of the appellant and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the appellant institution is still found to be deficient on the above grounds. Hence it is the view the SRC was justified in withdrawing recognition of the appellant and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, DNR College of Education, Bhimavaram Ward 31, Bhimavaram, DNR College Road, West Godavari, Andhra Pradesh-534202
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, Education (looking after Teacher Education) Government of Andhra Pradesh.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-65/E-244462/2022 Appeal/4th Meeting, 2022
APPLSRC202214301**

Vickram Teacher Training College, Sreenivasa Gardens, 141/5, 144/2, 145/6, 144/5 Sivagangai, Madurai to Sivagangai Road, Sivagangai Tamilnadu-630561 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Shri. M.K.S. Shreenivasan, (Chairman)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Vickram Teacher Training College, Sreenivasa Gardens, 141/5, 144/2, 145/6, 144/5 Sivagangai, Madurai to Sivagangai Road, Sivagangai Tamilnadu-630561** dated 26/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS04372/B.Ed./{TN}/2021/129280 dated 29.11.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was issued a Final Show Cause Notice (FSCN). The institution has submitted its reply on 28.09.2021. The Committee observed the reply submitted by the institution and found the following deficiencies: The institution did not submit certified copy of the registered land documents.

[Signature]

The principal is not appointed by the institution. The institution has submitted FDRs all were mature. The institution submitted a letter dated 31.01.2018 issued by the Tamilnadu Teacher Education University whereby only 9 faculty have been approved. The faculty strength is not enough for running B.Ed. course with 2 units and failed in submission of latest approval of faculty issued by the University. According to the Encumbrance Certificate submitted by the institution, the nature of land is Agricultural.”

II. SUBMISSIONS MADE BY APPELLANT:-

Shri. M.K.S. Shreenivasan, (Chairman), Vickram Teacher Training College, Sreenivasa Gardens, 141/5, 144/2, 145/6, 144/5 Sivagangai, Madurai to Sivagangai Road, Sivagangai Tamilnadu-630561 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “Certified land documents submitted. Principal and Faculty list submitted. FDRs & Form A submitted. Latest Faculty submitted. Encumbrance Certificate submitted.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition to the appellant institution for B.Ed. course with an annual intake of 100 seats was granted on 8.11.2005 and after promulgation of NCTE Regulations, 2014 giving thereby willingness in an affidavit for its adherence, a revised provisional recognition order for with an annual intake of 100 students (two units) was issued on 30.4.2015 with certain conditions to comply.

The Appeal Committee noted that the recognition of the appellant institution was withdrawn on the above grounds due to not rectifying the deficiencies in their reply to Final Show Cause Notice issued on 2.9.2019.

The Appeal Committee further noted that the appellant institution in the appeal alongwith memoranda of appeal by letter dated 22.2.2022 has submitted the required documents as a compliance of grounds of withdrawal for consideration i.e. i) Certified True Copy of registered land document (Gift Deed) issued by Joint Sub-Registrar, Shivgangai on 25.2.2022; ii) Form ‘A’ and copies of FDRs for Rs. 5 Lakh and Rs. 3 Lakh having maturity on 23.11.2026 issued by Indian Bank and Rs. 5 Lakh maturing on 23.11.2026 issued by Union Bank of India; iii) Copy of letter dated 22.12.2021 issued by Registrar, Tamil Nadu Teachers Education University conveying the approval of teaching faculty (1+9) alongwith the details of individual faculty in the prescribed format duly countersigned by Registrar of the said Affiliating Body; iv) Notarised Copy of

Encumbrance Certificate of Property issued by the Department of Registration, Government of Tamilnadu dated 2.12.2021 and v) Notarised copy of downloaded print out of website being maintained by appellant uploading the required information under the relevant regulations.

The Appeal Committee noted that the appellant by letter dated 28th July, 2016 sent through Courier to RD, SRC, Bangalore had intimated that they are interested in running only one basic unit of 50 students for B.Ed. course from the academic session 2016-17 because of less number of admissions due to change of duration from one year to two years. They further informed that they had stopped admitting students for M.Ed. course for the academic session 2016-17 as the candidates have lack of interest in pursuing M.Ed. A copy of Resolution passed in this regard by the Trust of the appellant institution was also enclosed for reference. The appellant, as an evidence of having sent the said letter, has enclosed a Courier Receipt for the consignment no. 39678491 dated 28.7.2016. Hence, it appears that the action for considering the request of the appellant for reduction of intake is long pending at the end of SRC.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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 15/12/2020, 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.”

Noting the submissions and oral arguments advanced during hearing by the appellant, the Appeal Committee is of the view that the instant appeal deserves to be accepted and decided to remand back the case to SRC with a direction to consider the documents to be submitted by the appellant to them and take further necessary action as per NCTE Regulations, 2014, guidelines, amendments issued from time to time. The appellant is directed to furnish the submitted documents to SRC within 15 days from the date of receipt of order on the appeal. Further, the SRC is at a liberty to verify the authenticity of the documents from the concerned issuing authority.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the instant appeal deserves to be accepted and decided to remand back the case to SRC with a direction to consider the documents to be submitted by the appellant to them and take further necessary action as per NCTE Regulations, 2014, guidelines, amendments issued from time to time. The appellant is directed to furnish the submitted documents to SRC within 15 days from the date of receipt of order on the appeal. Further, the SRC is at a liberty to verify the authenticity of the documents from the concerned issuing authority.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Vickram Teacher Training College, Sreenivasa Gardens, 141/5, 144/2, 145/6, 144/5 Sivagangai, Madurai to Sivagangai Road, Sivagangai Tamilnadu-630561
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, Education (looking after Teacher Education) Government of Tamilnadu.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT
File No. 89-67/E-244903/2022 Appeal/4th Meeting, 2022
APPLNRC202214303**

Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002 <u>APPELLANT</u>	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. Tanuj Sharma (Registrar)
Respondent by	Regional Director, NRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND'S OF WITHDRAWAL

The appeal of Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002 dated 28/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/UP-1087-B.Ed., Up-2709-B.Ed. (Add.) & Up-2725-M.Ed./342nd (Virtual) Meeting /2021 /215744 dated 23.09.2021 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Additional Course on the grounds that "First Show Cause Notice was issued on 09.10.2020. The institution has not submitted the reply of first SCN. Further, Final Show Cause Notice was issued on 08.02.2021. The Institution has not submitted the reply of Final SCN. The institution is still deficient on the following grounds: i) The Rent Deed of the institution for 30 years is notarized instead of issued by Registrar / Sub- Registrar

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of the concerned area. ii) The institution has not submitted affidavit to comply with provisions of NCTE Regulations 2014.”

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Tanuj Sharma (Registrar), Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “That the earlier the appellant / institution was conducting courses in the rented premises, however, thereafter the appellant / institution had purchased its own land and hence submitted an application for shifting of premises for conducting B.Ed. Course (File No. UP-1087 & UP-2709) vide letter dated 21.06.2016 alongwith requisite fee vide Demand Draft of Rs. 1,500,000/-. The aforementioned application was submitted in the office of the respondent / NRC on 22.06.2016. [Copies of sale deed / land document, letter dated 21.06.2016 with demand draft of Rs. 1,500,000/-. That the application for shifting of premises was not considered by the respondent and therefore the appellant / institution again made a reminder / request for shifting of premises of institution for conducting B.Ed. Course vide letter date 16.04.2018. It is pertinent to mention here that the VT has been constituted by the respondent / NRC, but the inspection was not made by the VT members. Therefore, the appellant requested the respondent for the inspection of the institution, so that the institution could be shifted at new premises. The aforementioned letter was received by the respondent / NRC, on 20.04.2018. That the thereafter, the appellant / institution again made request for considering its application for shifting of premises for conducting B.Ed. course vide letter dated 30.05.2019.

2. That the appellant / institution duly submitted the affidavit for compliance of the norms of new NCTE Regulations, 2014 vide letter dated 15.01.2015 for conducting B.Ed. course (File Code No. NRC/NCTE/F-3/UP-1087/11669) and after submitting the affidavit, NCTE issued the revised recognition order 21.05.2015. That after the issuance of impugned withdrawal order dated 23.09.2021 the appellant / institution represented the respondent / NRC vide letters dated 22.10.2021 and 20.12.2021 and stated that the appellant has complied with all the norms of the NCTE Regulations, 2014. The appellant / institution already replied to the Show Cause Notice and clearly stated that the institution does not wish to start the M.Ed. course. So far as the B.Ed. course is concerned, the appellant / institution has already submitted the compliance affidavit and the appellant had also made application for shifting of premises, which is pending at the end of the respondent and hence, the appellant / institution is not under any fault, as such issuance of

the impugned withdrawal order dated 23.09.2021 is illegal, arbitrary and unconstitutional and the same is a violation of principles of natural justice in the facts and circumstances of the present case.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition to the appellant institution for M.Ed. course with an annual intake of 25 students was granted on 1.6.2009 and due to non-submission of an affidavit for adherence of NCTE Regulations, 2014, the revised recognition order was not issued. It may be pertinent to mention that the appellant in the Memoranda of Appeal has mentioned the name of Teacher Education Programme as B.Ed. for which the instant appeal is made.

The Appeal Committee further noted that the appellant institution was given reasonable opportunities under the laid down provision in the shape of First Show Cause Notice and Final Show Cause Notice issued on 9.2.2020 and 8.2.2021, respectively to submit its written representations for rectifying the short comings in the stipulated time period.

The Appeal Committee noted that the main ground of withdrawing recognition is that the appellant institution neither submitted reply to First Show Cause Notice nor the Final Show Cause Notice whereas the appellant in the appeal has submitted that they replied to the First Show Cause Notice within stipulated time by its letter dated 6.11.2020 received in NRC on 6.11.2020. As an evidence of having submitted the reply, a copy of duly receipted letter by NRC affixing office stamp on the face of the letter has been submitted alongwith Memoranda of Appeal. The appellant in the said reply intimated to NRC that they did not intend to start M.Ed. course that's why the affidavit for adherence of NCTE Regulations, 2014 for the course not submitted. Consequently, they requested to cancel the process of grant of M.Ed. course and return the FDRs. It is further submitted by the appellant that the show cause notice was issued for M.Ed. course only. No show cause notice has been issued in respect of B.Ed. course.

Noting the submission and oral arguments advanced during hearing, Appeal Committee intermely decided to seek clarification from NRC as to whether the said reply was received or not. Also clarified on other points mentioned above. The NRC may be requested to furnish the clarification at the earliest so that the instant appeal may be disposed of by the Appeal Committee

within prescribed time limit. A copy of the reply/letter dated 6.11.2020 may be forwarded to NRC for their reference and further necessary action as indicated above.

In these circumstances, the Appeal Committee decided to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from NRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from NRC .

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002**
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, Education (looking after Teacher Education) Government of Uttar Pradesh.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-68/E-244961/2022 Appeal/4th Meeting, 2022
APPLSRC202214302**

Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Anitha N. (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND'S OF WITHDRAWAL

The appeal of Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010 dated 28/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No F.SRO/NCTE/APS00700/EL.E./KL/2021/129836 dated 07.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "The institution was issued a Final Show Cause Notice (FSCN). The institution has submitted its reply vide letter dated 19.08.2019, 24.12.2019, 03.01.2020 and 05.10.2020. The Committee observed the reply submitted by the institution and found the following deficiencies: -

- The institution has submitted staff list of 10 faculty for B.Ed., M.Ed., and D.El.Ed. Programme. The faculty strength is not sufficient to run the courses as per minimum requirement laid down under NCTE regulations, 2014. The institution failed to submit latest

staff list duly approved by the Registrar of the affiliating body as per the prescribed format as per provisions of the NCTE Regulations 2014.

- The institution has submitted the Form 'A' for one programme only. The institution is not maintaining Endowment and Reserve Funds for all programme as required under NCTE Regulations 2014.
- The Building Plan submitted by the institution is not readable. Moreover, the size of Multipurpose Hall is not mentioned in the building plan. The building plan is also not approved by the competent authority.
- The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014 for B.Ed. course.
- The institution did not submit proof of disbursement of salary for faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014.
- The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014."

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Anitha N. (Principal), Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "Staff List duly endorsed by the Director, The State Council of Education Research and Training (SCERT) Government of Kerala follows. Form 'A' for D.El.Ed. programme Rs. 12 lakhs (7+5) follow. New Drawings submitted 2000 square feet Multipurpose Hall drawings submitted. Details of Administrative and Professional Staff follows. The proof of disbursement of salary for faculty & non-teaching staff through bank account is follows. All the information regarding under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014 has been uploaded on the website."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition of the appellant institution was withdrawn by the impugned order as per the decision taken by SRC in its 405th meeting held on 13th – 14th December, 2021 on the grounds of not submitting required documents as asked to be furnished in the final show cause notice whereas the appellant in the letter dated 22.2.2022 submitted alongwith memoranda of appeal has explained that they had submitted all the required

details/documents well before the withdrawal order by letter No. FMTC/2410/2021 dated 10.12.2021. As an evidence of having submitted the said documents, a Speed Post Receipt dated 11.12.2021 has been enclosed with the above letter.

In view of the above submission, the Appeal Committee interinely decided to seek clarification from SRC as to whether the letter dated 10.12.2021 alongwith the documents was received or not enabling the Appeal Committee to dispose of the instant Appeal within the prescribed time limits sent through Speed Post. A copy of said letter dated 10.12.2021 alongwith Speed Post Receipt dated 11.12.2021 may be forwarded to SRC for reference/verification and further necessary action in the matter in a time bound manner.

In these circumstances, the Appeal Committee decided to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC .

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

- 1. The Principal, Fathima Memorial Training College, Pallimukku, Kollam, Kerala, Vadakkevila KC27/1510, Vadakkevila Pallimukku Kollam, Kerala-691010**
- 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, Education (looking after Teacher Education) Government of Kerala.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-69/E-244963/2022 Appeal/4th Meeting, 2022
APPLNRC202214305**

Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002 <u>APPELLANT</u>	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. Tanuj Sharma (Registrar)
Respondent by	Regional Director, NRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUNDS OF WITHDRAWAL

The appeal of Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002 dated 02/03/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/UP-1087-B.Ed., Up-2709-B.Ed. (Add.) & Up-2725-M.Ed./342nd (Virtual) Meeting/2021 /215744 dated 23.09.2021 of the Northern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that “First Show Cause Notice was issued on 09.10.2020. The institution has not submitted the reply of first SCN. Further, Final Show Cause Notice was issued on 08.02.2021. The Institution has not submitted the reply of Final SCN. The institution is still deficient on the following grounds: i) The Rent Deed of the institution for 30 years is notarized instead of issued by Registrar / Sub- Registrar of the concerned

area. ii) The institution has not submitted affidavit to comply with provisions of NCTE Regulations 2014.”

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Tanuj Sharma (Registrar), Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “That the earlier the appellant / institution was conducting courses in the rented premises, however, thereafter the appellant / institution had purchased its own land and hence submitted an application for shifting of premises for conducting B.Ed. Course (File No. UP-1087 & UP-2709) vide letter dated 21.06.2016 alongwith requisite fee vide Demand Draft of Rs. 1,500,000/-. The aforementioned application was submitted in the office of the respondent / NRC on 22.06.2016. [Copies of sale deed / land document, letter dated 21.06.2016 with demand draft of Rs. 1,500,000/-. That the application for shifting of premises was not considered by the respondent and therefore the appellant / institution again made a reminder / request for shifting of premises of institution for conducting B.Ed. Course vide letter date 16.04.2018. It is pertinent to mention here that the VT has been constituted by the respondent / NRC, but the inspection was not made by the VT members. Therefore, the appellant requested the respondent for the inspection of the institution, so that the institution could be shifted at new premises. The aforementioned letter was received by the respondent / NRC, on 20.04.2018. That the thereafter, the appellant / institution again made request for considering its application for shifting of premises for conducting B.Ed. course vide letter dated 30.05.2019.

2. That the appellant / institution duly submitted the affidavit for compliance of the norms of new NCTE Regulations, 2014 vide letter dated 15.01.2015 for conducting B.Ed. course (File Code No. NRC/NCTE/F-3/UP-1087/11669) and after submitting the affidavit, NCTE issued the revised recognition order 21.05.2015. That after the issuance of impugned withdrawal order dated 23.09.2021 the appellant / institution represented the respondent / NRC vide letters dated 22.10.2021 and 20.12.2021 and stated that the appellant has complied with all the norms of the NCTE Regulations, 2014. The appellant / institution already relied to the Show Cause Notice and clearly stated that the institution does not wish to start the M.Ed. course. So far as the B.Ed. course is concerned, the appellant / institution has already submitted the compliance affidavit and the appellant had also made application for shifting of premises, which is pending at the end of the respondent and hence, the appellant / institution is not under any fault, as such issuance of

the impugned withdrawal order dated 23.09.2021 is illegal, arbitrary and unconstitutional and the same is a violation of principles of natural justice in the facts and circumstances of the present case.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition to the appellant institution for M.Ed. course with an annual intake of 25 students was granted on 1.6.2009 and due to non-submission of an affidavit for adherence of NCTE Regulations, 2014, the revised recognition order was not issued.

The Appeal Committee further noted that the appellant institution was given reasonable opportunities under the laid down provision in the shape of First Show Cause Notice and Final Show Cause Notice issued on 9.2.2020 and 8.2.2021, respectively to submit its written representations for rectifying the short comings in the stipulated time period.

The Appeal Committee noted that the main ground of withdrawing recognition is that the appellant institution neither submitted reply to First Show Cause Notice nor the Final Show Cause Notice whereas the appellant in the appeal has submitted that they replied to the First Show Cause Notice within stipulated time by its letter dated 6.11.2020 received in NRC on 6.11.2020. As an evidence of having submitted the reply, a copy of duly receipted letter by NRC affixing office stamp on the face of the letter has been submitted alongwith Memoranda of Appeal. The appellant in the said reply intimated to NRC that they did not intend to start M.Ed. course that's why the affidavit for adherence of NCTE Regulations, 2014 for the course not submitted. Consequently, they requested to cancel the process of grant of M.Ed. course and return the FDRs. It is further submitted by the appellant that the show cause notice was issued for M.Ed. course only. No show cause notice has been issued in respect of B.Ed. course.

Noting the submission and oral arguments advanced during hearing, Appeal Committee intermely decided to seek clarification from NRC as to whether the said reply was received or not. Also clarified on other points mentioned above. The NRC may be requested to furnish the clarification at the earliest so that the instant appeal may be disposed of by the Appeal Committee within prescribed time limit. A copy of the reply/letter dated 6.11.2020 may be forwarded to NRC for their reference and further necessary action as indicated above.

In these circumstances, the Appeal Committee decided to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from NRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from NRC .

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Institute For Higher Education, Guldhar, Plot No.117 Sanjay Nagar, Meerut Road Ghaziabad, Uttar Pradesh-201002
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, Education (looking after Teacher Education) Government of Uttar Pradesh.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-73/E-245265/2022 Appeal/4th Meeting, 2022
APPLSRC202214300**

Novodaya College of Education, Raichur 1129/2 Raichur, Navodaya Nagar, Mantralayam Road, Raichur Karnataka- 584103 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Venkatrao Palati (Advisor)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Novodaya College of Education, Raichur 1129/2 Raichur, Navodaya Nagar, Mantralayam Road, Raichur Karnataka-584103** dated 26/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS02126/B.Ed./{KA}/2021/129841 dated 07.01.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution was issued a Final Show Cause Notice (FSCN). The institution has submitted its reply vide letter dated 25.11.2021. The Committee observed the reply submitted by the institution and found the following deficiencies. The institution vide Final Show Cause Notice dated 03.11.2021 was informed that the land is mortgaged with Canara Bank as per certificate dated. 08.07.2004 and the same is not permissible under NCTE Regulations, 2014. The institution in its reply dated 25.11.2021 only mentioned that the land is not more

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mortgaged with Canara Bank and documents are in society's possession. The institution did not submit sufficient proof for clearance of violated the provisions canvassed under clause 8(4)(1) of NCTE Regulations, 2014 which prohibits to mortgage the land. The institution submitted a copy of sale deed whereas the Encumbrance Certificate No. 19 6-2-139/5 submitted for the land on "Lease" and further the name of claimants in EC is shown as "ICICI Bank Hubli a Branch Manager". The institution did not submit faculty duly approved by the affiliating body for D.El.Ed. course. The area of multipurpose has is shown as 1869.68 square meters (2012.12 square feet) which is not possible. The building plan submitted by the institution is not approved by the competent authority. The institution submitted form 'A' issued by the bank for 13 lakhs of FDRs towards Endowment and Reserve Funds but the same is not sufficient for both the courses as per NCTE Regulations, 2014. The institution vide Final Show Cause Notice date 03.11.2021 was directed to submit consolidated staff list duly approved by the affiliating body after issuance of the notice but the institution submitted a copy of letter issued by the Registrar, Gulbarga University on 24.04.2019 regarding approval of 16 faculty and 8 non-teaching staff alongwith proforma. The proforma is signed by the Registrar, Gulbarga University but the date of approval has not been affixed. Other documents such as BCC, LUC and building plan etc. cannot be accepted on the face of the deficiency in land documents. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014. The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014."

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Venkatrao Palati (Advisor), Novodaya College of Education, Raichur 1129/2 Raichur, Navodaya Nagar, Mantralayam Road, Raichur Karnataka-584103 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "We once again reiterate and submit that; the land is not more mortgaged with Canara bank and there is clearance of loan and release of land documents by the Canara bank and accordingly the Canara bank has issued letter dated 03.01.2022. The details are enclosed as annexure. Since the ATM belonging to ICICI bank. Lease was done in the year 2010 for the usage of student and accordingly the said land was on lease for the period of five years (i.e., from 2010 to 2015) which was become null & void after completion of lease period. Accordingly, EC is issued. Details are enclosed in annexure-II. We here by submit that, we are not offering D.El.Ed. course since 2014-15 academic year (as per new NCTE-2014 Norms) on wards / never applied and not took NCTE Approval and Never admitted students for D.El.Ed. course. However, here by

enclosing the copy of list of colleges displayed by Centralized Admission Cell, Bangalore wherein there is no mention of our college name (Navodaya teacher training institute, Raichur) since there is not existence of D.El.Ed. course. Hence, the institution did not submit faculty list duly approved by the affiliating body for D.El.Ed. course. Details are enclosed in annexure-III and IV. The area of multipurpose hall is shown as 1869.68 square meters. (2012.12 square feet) which is feasible and sufficient only for B.Ed. Course as per NCTE-2014 Norms. Details are enclosed in annexure-V. The building plan submitted by our institution is approved by the competent authority and which endorsed by Commissioner, C.M.C Raichur date 12.02.2008 who is the competent authority as required. Copy of approved building plan enclosed in annexure-VI. Once again, we wish to draw kind attention that, the institution has submitted form 'A' issued by the S.B.I and Canara Bank for 13 lakhs (7 lakhs and 5 lakhs) of FDRs towards Endowment and Reserve funds which is sufficient for the B.Ed. course only as per NCTE Regulations, 2014. Since D.El.Ed. course does no exits in the campus. Details are enclosed in annexure-VII, VIII, IX, X and XI. Here by we wish to the proforma of the approval of list teaching and non-teaching working the Navodaya College of Education, Raichur-584103 Karnataka affiliated to Gulbarga University, Kalaburagi signed by registrar dated 27.04.2019. This is to be kindly be noted. Copy of proforma of the approval of list teaching and non-teaching duly signed by Registrar dated 27.04.2019 is enclosed in annexure-XII and XIII. Since the deficiency in land documents related to BCC, LUC and building plan etc. were clarified and rectified and accordingly documents were submitted. Hence, we request you to consider the same and accordingly revoke the Recognition of B.Ed. course. Details are enclosed in annexure-XIV, XV, and XVI. The proof of disbursement of salary to faculty & non-teaching staff through bank account was not mentioned in previous Show Cause Notices, Hence, we did not submit thereof. However, we here by submitting of disbursement of salary is submitted in Annexure. Details are enclosed in annexure-XVII. The proof of disbursement of salary to faculty & non-teaching staff through bank account was not mentioned in previous Show Cause Notices, Hence, we did not submit thereof. However, we here by submitting of disbursement of salary is submitted in Annexure. Details are enclosed in annexure-XVII."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition to the appellant institution for B.Ed. course with an annual intake of 100 seats was granted on 30.11.2004 and after promulgation of NCTE Regulation, 2014 giving thereby willingness in an Affidavit for its

adherence, a Revised Provisional Recognition order for 100 students (two units) was issued on 16.05.2015 with certain conditions to comply in given time period.

The Appeal Committee noted that the appellant institution was given reasonable opportunities in the shape of First Show Cause Notice and Final Show Cause Notice issued on 06.11.2019 and 03.11.2021, respectively to submit its written representation to rectify the so called short comings in the given time period.

The Appeal Committee noted that the impugned withdrawal order came into force due to not curing deficiencies despite giving ample opportunities to the appellant.

The Appeal Committee noted that the appellant institution in the appeal alongwith memoranda of appeal has submitted the following documents:-

- (i) Loan Clearance Certificate issued by Canara Bank, Raichur on 03.01.2022.
- (ii) Copy of Certificate No.196-2-139/5 (Form No. 15) giving thereby the particulars of registered acts and encumbrances on the property. In the Certificate the name of Land is LEASE and the name of claimed is ICICI Bank, Hubli.
- (iii) Copy of BCC containing total built-up area 5165 Sq.mtrs. approved by Municipal Commissioner, City Municipal Council, Raichur.
- (iv) Copy of Building Plan.
- (v) Form 'A' issued by State Bank of India for FDRs No.35828411445 for 5 Lakh and Form 'A' issued by Canara Bank for Rs.5 Lakh and Rs. 3 Lakh Photocopies of said FDRs.
- (vi) List of Faculty (Teaching Staff) and non-teaching staff approved by Registrar, Gulbarga University, Gulbarga.
- (vii) English Translated copy of CLU issued by Commissioner, City Municipality, Raichur alongwith Regional Language.
- (viii) Copy of Land Documents (Sale Deed)
- (ix) Copy of letter dated 02.02.2022 issued by the Principal, Navodaya College of Education, Raichur requesting The Manager, State Bank of India, NET Campus, Raichur to credit the salary of the staff for the month of January,2022.
- (x) Printout of Home Page of website of the appellant institution.

Noting the submission and verbal arguments advanced during hearing, the Appeal Committee observes that

- a) the land was mortgaged at the time of withdrawing the recognition by SRC in its 405th meeting held on 13th to 14th December,2021 as loan clearance certificate from Canara Bank was issued on 03.01.2022. As per prevailing Regulations, Land

should be free from all encumbrances and mortgage of land is not allowed under the Regulation;

- b) Submitted copy of Building Plan is not legible. It is not clear whether the same is approved by the Competent Authority or not;
- c) The Printout of scan copy of faculty list is not readable. The details of the faculty may not be ensured whether they are qualified or not as required under prevailing Regulation, amendments etc.
- d) The Sub-leased of owned demarcated land for the Education purpose is not permissible for commercial activities under the prevailing Regulations and amendments etc.

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

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order issued by SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Novodaya College of Education, Raichur 1129/2 Raichur, Navodaya Nagar, Mantralayam Road, Raichur Karnataka-584103**
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, Education (looking after Teacher Education) Government of Karnataka.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-74/E-245575/2022 Appeal/4th Meeting, 2022
APPLSRC202214304**

Smt. Addepalli Mahalakshmi Devi College of Education for Women, 46-13-14 Danavaipeta, Rajahmundry East Godavari, Andhra Pradesh-533103 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. Addepalli Sridhar Lakshman (Secretary)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Smt. Addepalli Mahalakshmi Devi College of Education for Women, 46-13-14 Danavaipeta, Rajahmundry East Godavari, Andhra Pradesh-533103** dated 28/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS04268/B.Ed./{AP}/2021/129778 dated 31.12.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution has submitted notarized photocopy of building plan in which survey numbers, multipurpose hall etc. have not been mentioned. Further, the approving authority is not clear. The institution had submitted photocopy of building completion certificate but the same is not approved by the competent authority. The institution had submitted faculty 1+8 for B.Ed. course (200

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students: four units against the requirement of 1+27 as per NCTE Regulations, 2014. The faculty strength is not enough to run B.Ed. course with four units. The institution had submitted form 'A' issued by the concerned bank regarding FDRs of Rs. 7 and 3 lakhs (Total 10 lakh) against the requirement of 7+5 lakh (12 lakhs) towards Endowment and Reserve Funds. Accordingly, the institution is not maintaining Endowment and Reserve Funds with sufficient amount as required under NCTE Regulations, 2014. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014 for B.Ed. course. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014. The website of the institution is not uploaded with the information required under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014."

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Addepalli Sridhar Lakshman (Secretary), Smt. Addepalli Mahalakshmi Devi College of Education for Women, 46-13-14 Danavaipeta, Rajahmundry East Godavari, Andhra Pradesh-533103 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "Our College Building plans were approved vide No. 1) B.P.No.290/79 dated 06-07-1979 and 2) B.A. No. 213/88 dated 07-04-1988, by the Commissioner & Special Officer, Rajahmundry Municipality, Rajahmundry. The original copy of building plan became dull as we got the same more than 40 years ago. So once again we made, the Xerox copies of the building plans as legible and readable as much as possible and submitting herewith. We requested the Executive Engineer (R & B), Road & Building Department, Government of Andhra Pradesh, Rajamahendravaram several times to obtain B CC certificate. But the authorities replied that "they are no government order or circulars from the higher authorities regarding issue of BCC certificate to private buildings for guidance in our department. As such this subject is out of purview of the R&B Department". That is reason we obtained BCC from Chartered Engineer, Rajamahendravaram. We requested to issue order for intake capacity to our college for two units (i.e., 100 students). We got acknowledgement from the office of the Student Regional Director, SRC, NCTE, Bangalore vide No. 185092 dated 10-02-2017. The NCTE authorities granted intake to our college from four units to two units. Accordingly, we have maintained qualified (1+13) teaching staff for 2 units up to for the academic year 2016-2017. But due to meagre an admission, that is the reason, we are maintaining only one unit with the permission from the affiliated body Adikavi Nannaya University. That is reason we are maintaining teaching and non-

teaching for said intake i.e., for one unit. As per the guidelines of the NCTE we are maintaining Endowment Fund and Reserve Fund continuously without break period. We are also renewing FDRs in the joint operation with the Regional Director, SRC, NCTE. The sum of Rs. 7,00,000/- vide F.D.R. No. EM/TDR/T/No. 845023, Union Bank of India, Kavuri Hills, Hyderabad, the sum of Rs.3,00,000/- vide FDRs No. EM/TDR/T/No. 845024, Union Bank of India, Kavuri Hills, Hyderabad & the sum of Rs.5,00,000/- vide FDRs No. 38316813338, State Bank of India, Danavaipeta Branch, Rajahmundry towards endowment fund. The copies of the FDRs and Form "A" are herewith enclosed. We are herewith submitting the details of administrative and professional staff as under.

i) Sri.S.Subba Rao, Librarian ii) Sri.Ch.Surya Bhaskar, Senior Assistant iii) Sri.M.V.Subrahmanyam, Computer Operator iv) Smt.M.Leela, Lab Assistant v) Smt.B.Bhavani, Attender vi) Sri.B.Suryanarayana, Attender. We are planning to consolidate the teaching and non-teaching staff according to intake of the college. After consolidation of the staff, we will incite the disbursement of salaries through their bank accounts. We are maintaining the college website (www.samdcollege.org). The website has the requisite information as per the directions of the NCTE. In this regard we are herewith enclosing the screen shots of the required information. i request you kindly accept our explanation and close the show cause notice and do the needful at an early date. Hence, we request NCTE, not to withdraw our recognition for B.Ed. course."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the institution was granted recognition with an additional intake of 40 seats on 21.06.2005 and after promulgation of NCTE Regulation, 2014 giving thereby willingness in an affidavit for its adherence, a revised provisional recognition order for 100 students (two units) with certain conditions to comply, withing stipulated time period was issued on 12.05.2015 and corrigendum order for 200 students (Four Units) was issued on 10.07.2015.

The Appeal Committee noted that the appellant institution was given seasonable opportunities in the shape of First Show Cause Notice and Final Show Cause Notice issued on 05.02.2019 and 11.01.2021 respectively to submit its written representation for rectifying the existing short comings.

The Appeal Committee further noted that the impugned withdrawal order came into operation due to not curing the existing deficiencies despite giving ample opportunities to the appellant institution.

The Appeal Committee noted that the appellant institution in the appeal alongwith memoranda of appeal has submitted (i) A list of 09 faculty members approved by the Registrar, Adikavi Nannaya University, Andhra Pradesh which is insufficient for the running 4 units or even 2 units of B.Ed. Course. The faculty at S. No. 5, 6, 7 (Correct) are not qualified as per NCTE Regulation, 2014 and amendments issued from time to time. Moreover, the appellant has not obtained prior permission from SRC to reduce intake which is required as per prevailing regulations; (ii) The submitted BCC of total built-up area 3101.57 Sq.mtrs is not approved by the Competent Authority which is required under the prevailing regulation and iii) The Site Plan is not approved by the Competent Authority.

Noting the submission and oral arguments advanced during hearing, The Appeal Committee observes that the appellant institution is still lacking on the above grounds and therefore, the Committee reached the conclusion that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and the impugned withdrawal order is confirmed.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and the impugned withdrawal order is confirmed.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

- 1. The Principal, Smt. Addepalli Mahalakshmi Devi College of Education for Women, 46-13-14 Danavaipeta, Rajahmundry East Godavari, Andhra Pradesh-533103**
- 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, Education (looking after Teacher Education) Government of Andhra Pradesh.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-75/E-246135/2022 Appeal/4th Meeting, 2022
APPLSRC202214299**

Mother College of Education, 210/1 Nathavaram YD Peta Nathavaram, Visakhapatnam, Andhra Pradesh-531115 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Sh. Prasad (Administrator)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Mother College of Education, 210/1 Nathavaram YD Peta Nathavaram, Visakhapatnam, Andhra Pradesh-531115** dated 26/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS00383/B.Ed./AP/2021/129768 dated 31.12.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution has not submitted latest faculty list duly approved by Affiliating University. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014 for B.Ed. course. The institution did not submit proof of disbursement of salary to faculty & non- teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014. The website of the institution is not

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uploaded with the information required under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014. The institution has not submitted notarized / attested copy of NEC & BCC.”

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Prasad (Administrator), Mother College of Education, 210/1 Nathavaram YD Peta Nathavaram, Visakhapatnam, Andhra Pradesh-531115 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “Herewith we are submitting the latest approved staff list for existing B.Ed. course for an intake of 50 students one unit given by the Affiliating University. Herewith we are submitting the required details accordingly. Herewith we are submitting the required details accordingly. We had been uploaded the website of the institution accordingly. Herewith we are submitting the required details accordingly.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the recognition for B.Ed. Course with an annual intake of 100 seats was granted vide SRC's Order dated 03.03.2003 and after promulgation of NCTE Regulation, 2014 giving thereby willingness in an affidavit Revised Provisional Recognition Order for 50 students (one Unit) was issued on 19.03.2015 with certain condition to comply in stipulated time.

Appeal Committee noted that the recognition was withdrawn on the grounds of non-submitting all required documents as communicated in last reminder.

The Appeal Committee noted that the appellant institution by letter dated 04.03.2022 alongwith memoranda of Appeal has submitted the required documents to comply with the ground of withdrawal i.e. i) List of Teaching faculty (10 members) approved by the Registrar, Andhra Pradesh, University, Visakhapatnam and counter signed by Dean, College Development Council Andhra Pradesh University. ii) List of Non-Teaching staff signed by Secretary, Correspondent Mother College of Education. iii) Statement of account maintained in the State Bank of India by the appellant showing disbursement of salary to the staff during period 01.04.2021 to 24.02.2022; iv) Copy of Printout of the website being maintained and uploading the required information on it

by the appellant. v) Copy of NEC issued by the Registration and Stamps Department, Govt. of Andhra Pradesh; vi) Copy of BCC of 1551.62 Sq.mtrs built-up area issued by Mandal Engineering Officer, Mandal Parishad, Nathavaram, Vizag Dist.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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 15/12/2020, 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.”

Noting the submission and verbal arguments advanced during hearing by the appeal, the Appeal Committee is of the view that instant appeal deserves to be accepted and decided to remand back the case to SRC with a direction to consider documents to be submitted them by the appellant institution and take further necessary action as per NCTE Regulation, 2014, guidelines amendments issued from time to time . The appellant institution is directed to submit the documents to SRC as furnished in the appeal within 15 days from the receipt of order on the appeal. The SRC is at a liberty to verify the authenticity of the submitted documents from the concerned issuing authority.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider documents to be submitted them by the appellant institution and take further necessary action as per NCTE Regulation, 2014, guidelines amendments issued from time to time . The appellant institution is directed to submit the documents to SRC as furnished in the appeal within 15 days from the receipt of order on the appeal. The SRC is at a liberty to verify the authenticity of the submitted documents from the concerned issuing authority.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Mother College of Education, 210/1 Nathavaram YD Peta Nathavaram, Visakhapatnam, Andhra Pradesh-531115**
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, Education (looking after Teacher Education) Government of Andhra Pradesh.**



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-77/E-246051/2022 Appeal/4th Meeting, 2022
APPLSRC202214309**

Sri Venkateshwara College of Education, 5/152, 5/153 Cuddapah, Ravindra Nagar, Cuddapah Andhra Pradesh-516003 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. V. V. Sambasiva Rao (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND OF WITHDRAWAL

The appeal of **Sri Venkateshwara College of Education, 5/152, 5/153 Cuddapah, Ravindra Nagar, Cuddapah Andhra Pradesh-516003** dated 08/03/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS00006/B.Ed./{AP}/2021/128707 dated 04.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was issued a Last Reminder (Letter) on 01.07.2021. The institution failed to submit reply to the Last Reminder (Letter). This institution not submitted land document. This institution not submitted LUC. This institution not submitted BCC. This institution not submitted Building Plan and Site Plan. This institution not submitted faculty. This institution not submitted FDRs & Form “A”.”

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II. SUBMISSIONS MADE BY APPELLANT:-

Dr. V. V. Sambasiva Rao (Principal), Sri Venkateshwara College of Education, 5/152, 5/153 Cuddapah, Ravindra Nagar, Cuddapah Andhra Pradesh-516003 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “Now submitted land document. LUC submitted. BCC submitted. Building Plan and Site Plan submitted. Faculty list submitted. FDRs & Form “A” submitted NEC submitted.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition of the appellant institution was withdrawn on the grounds of not submitting reply to the last reminder letter issued on 1.7.2021 whereas the appellant institution has explained that they had submitted the reply by its letter dated 13.7.2021 sent through courier receipt No. H98623089 to RD, NCTE, New Delhi. As an evidence of having sent the reply, a copy of Courier receipt dated 13.7.2021 has been furnished by the appellant in the appeal.

In view of the above submissions and oral arguments advanced during hearing, the Appeal Committee interinely decided to seek clarification form SRC as to whether the reply sent by the appellant was received or not. A copy of the letter dated 13.7.2021 alongwith courier receipt may be forwarded to Regional Office, SRC for reference and providing the clarification at the earliest to the Appeal Committee so that the instant appeal may be disposed of accordingly within the prescribed time limits.

In these circumstances, the Appeal Committee decided to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC .

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Sri Venkateshwara College of Education, 5/152, 5/153 Cuddapah, Ravindra Nagar, Cuddapah Andhra Pradesh-516003
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, Education (looking after Teacher Education) Government of Andhra Pradesh.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-78/E-246355/2022 Appeal/4th Meeting, 2022
APPLSRC202214311**

Siddhartha College of Physical Education, 44 Chinthagunta, 134/A C Gollapalli, 2nd Street Chandra Giri, Andhra Pradesh-517505 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Mr. R. Madhu (Management Member)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

INTERIM ORDER :- SEEKING CLARIFICATION

I. GROUND OF WITHDRAWAL

The appeal of **Siddhartha College of Physical Education, 44 Chinthagunta, 134/A C Gollapalli, 2nd Street Chandra Giri, Andhra Pradesh-517505** dated 09/03/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRC/NCTE/SRCAPP2133/B.P.Ed./{AP}/2022/130523 (Without Order) dated 28.02.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.P.Ed. Course on the grounds that “The institution was issued a Final Show Cause Notice on 22.02.2021. The institution failed to submit reply alongwith the requisite documents / information to the Final Show Cause Notice (FSCN). The institution not submitted land document certified copy. The institution not submitted NEC. The institution not submitted Land Use Certificate. The institution not submitted

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Building Completion Certificate. The institution not submitted Building Plan & Site Plan. The institution not submitted FDRs & Form 'A'. The institution not submitted Faculty List. The institution not submitted Affidavit."

II. SUBMISSIONS MADE BY APPELLANT:-

Mr. R. Madhu (Management Member), Siddartha College of Physical Education, 44 Chinthagunta, 134/A C Gollapalli, 2nd Street Chandra Giri, Andhra Pradesh-517505 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "Certified Land Document submitted. NEC submitted. Land Use Certificate submitted. Building Completion Certificate submitted. Building Plan & Site Plan submitted. FDRs & Form 'A' submitted. Faculty List submitted. Affidavit submitted."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition of the appellant institution was withdrawn on the grounds of not submitting reply to the Final Show Cause Notice issued on 22.2.2021 whereas the appellant institution during hearing on 27.4.2022 informed vide email dated 27.4.2022 that they had replied to Final Show Cause Notice submitting therewith the required documents by letter dated 8.3.2021 sent through Courier on 8.3.2021 to RD, SRC. As an evidence of having sent the replied/documents, a courier receipt no. H66482409 has been enclosed with the said letter.

In view of the above submissions and oral arguments advanced during hearing, the Appeal Committee interinely decided to seek clarification form SRC as to whether the said letter dated 8.3.2021 as a reply to Final Show Cause Notice sent through courier by the appellant was received or not so that the instant appeal of the appellant institution may be disposed of by the Appeal Committee accordingly within the prescribed time limits. Copy of the said letter alongwith courier receipt may be forwarded to the SRC for reference further necessary action/verification.

In these circumstances, the Appeal Committee decided to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC .

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Siddartha College of Physical Education, 44 Chinthagunta, 134/A C Gollapalli, 2nd Street Chandra Giri, Andhra Pradesh-517505
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, Education (looking after Teacher Education) Government of Andhra Pradesh.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-96/E-249523/2022 Appeal/4th Meeting, 2022
APPLWRC202013737**

Eminent T.T. Girls College, 3578/3, 3578/4, 3578/5. 3578/7, Village Soda, Jaipur-Diggi Road, Malpur Tonk, Rajasthan-304504 <u>APPELLANT</u>	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Dr. Chhavi Rajawat (President)
Respondent by	Regional Director, WRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF REFUSAL

The appeal of **Eminent T.T. Girls College, 3578/3, 3578/4, 3578/5. 3578/7, Village Soda, Jaipur-Diggi Road, Malpur Tonk, Rajasthan-304504** dated 25/09/2020 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/IDNo.8070/271Meeting/2017/ 178380 dated 13.07.2017 of the Western Regional Committee, refusing recognition for conducting B.A. B.Ed. & B.Sc. B.Ed. Course on the grounds that “The institution has not submitted the processing fee, therefore File No. also not generated.”

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II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Chhavi Rajawat (President), Eminent T.T. Girls College, 3578/3, 3578/4, 3578/5. 3578/7, Village Soda, Jaipur-Diggi Road, Malpur Tonk, Rajasthan-304504 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “The processing fee was paid on 29 May 2016. The payment was misplaced by the IT department of NRC and has been wrongly credited to another institution by the name of Harkori Devi, Girls PG College, Jhunjhunu. This was an internal EDP error, and we have been chasing the office for records and tracing where the funds have been adjusted inside NCTE.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the application of the appellant institution submitted for grant of B.A, B.Ed./B.Sc. B.Ed. course on 29.6.2016 was rejected through impugned order on the grounds of not submitting the processing fee due to which the application No./ID could not be generated. The appellant vide letter dated No.ETTGC/1736/2017 dated 18.8.2017 addressed to the Regional Director, NCTE, 4th Floor, Jeeva Nidhi ii, LIC Building, Ambedkar Circle, Bhawani Singh Marg, Jaipur informed that the payment of processing fee Rs. 1,52,089.71 was made through master-card credit card No. 5120429990644770. The payment details like Payment Reference No 106420709., Merchant Transaction Identifier No. 521654924826849 and Transaction Time: 2016-05-29 has been mentioned in the said letter.

The Appeal Committee further noted that a copy of Credit Card Statement of HSBC Bank for the period from 26th May to 26th June, 2016 and copy of mail dated 30.8.2017 from PayUMoney Buyer Care confirming therewith the successful transaction of payment made to NCTE is submitted by the appellant in the appeal as an evidence of having paid the processing fee. The appellant in the memoranda of appeal has explained that the payment made on 29th May 2016 was misplaced by the IT Department of NRC and has been wrongly credited to another institution's account by the name of Smt. Harkori Devi Girls PG College, Jhunjhunu.

The Appeal Committee noted that the NCTE vide letter No. NCTE-EDP014/1/2019-EDP Section-HQ/199239 dated 4.1.2019 issued by EDP Division had sought a proof of receipt of payment by NCTE from the appellant institution.

“Further the Appeal Committee made available a copy of 54th General Body (Emergent) Meeting of NCTE held on 27th April, 2022 for reference and to comply with the decision taken on the agenda item No. 1 of the meeting. The operative part of the decision is as under:-

“The Norms and Standards prescribed in Appendix 13 of NCTE Regulations for 4 year integrated B.Sc.B.Ed./B.A.B.Ed. programme has been omitted by the NCTE Regulations 2021. Therefore, the application pending before the RCs for the said course shall not be processed further. Hence, all such pending applications before RCs at any stage of processing may be returned along with the processing fee in original to the concerned institution.

In the cases where the applications for 4-year Integrated B.Sc.B.Ed./B.A.B.Ed. programme have been processed/ re-opened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review / appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble High Court for processing of application for 4-year integrated B.Sc.B.Ed./B.A.B.Ed. programme, keeping in view the above decision taken by the General Body regarding pending applications of 4-year integrated B.Sc.B.Ed./B.A.B.Ed. programme.”

The Appeal Committee further noted that NCTE has issued a Notification dated 22.10.2021 published in the Gazette in India, Part III-Section 4 on 26th October, 2021 thereby inter-alia laying down the Norms & Standards for Integrated Teacher Education Programme (ITEP). The Appendix-13 to the NCTE Regulations, 2014 notified on 01.12.2014 in respect of 4-year Integrated B.Sc. B.Ed./B.A. B.Ed. programme has been omitted vide this notification dated 22.10.2021. As such, the Norms and Standard for 4-year Integrated B.Sc. B.Ed./B.A. B.Ed. programme no more exists as on date.

Noting the submission and oral arguments advanced during hearing by the appellant institution, the Appeal Committee observes that since the application was rejected on technical grounds as indicated above and the appellant, as an evidence of having paid the fee, has submitted a copy of letter dated 18.8.2017 alongwith supporting documents, the matter is remanded back to WRC with a direction to consider the documents to be sent to them by the Appellant and take further necessary action as per Regulations, 2014, guidelines, amendments issued from time to time and the decision of 54th General Body Meeting of the Council held on 27th April, 2022. The appellant is directed to submit the above documents to the WRC within 15 days of receipt of order on the appeal.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the matter to WRC with a direction to consider the documents to be sent to them by the Appellant and take further necessary action as per Regulations, 2014, guidelines, amendments issued from time to time and the decision of 54th General Body Meeting of the Council held on 27th April, 2022. The appellant is directed to submit the above documents to the WRC within 15 days of receipt of order on the appeal.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Eminent T.T. Girls College, 3578/3, 3578/4, 3578/5, 3578/7, Village Soda, Jaipur-Diggi Road, Malpur Tonk, Rajasthan-304504
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 Secretary, Education (looking after Teacher Education) Government of Rajasthan.



**IN THE NCTE APPELLATE AUTHORITY
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 26/05/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-99/E-209573/2022 Appeal/4th Meeting, 2022
APPLSRC202214325**

Dr. Babasaheb Ambedkar College of Education B.Ed., SR. No. 199 2 Plot Not. VPC No. 872, Village Nanadi Street No. SH 78, Chikodi Belgaum, Karnataka- 591244 <u>APPELLANT</u>	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. <u>RESPONDENT</u>
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Representative of Appellant	Mr. M. M. Patil (Coordinator)
Respondent by	Regional Director, SRC
Date of Hearing	27/04/2022
Date of Pronouncement	26.05.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Dr. Babasaheb Ambedkar College of Education B.Ed., SR. No. 199 2 Plot Not. VPC No. 872, Village Nanadi Street No. SH 78, Chikodi Belgaum, Karnataka-591244** dated 25/03/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/SRCAPP3389/B.Ed./KA/2022/130837 (Without Order) dated 14.03.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institute submitted a copy of letter dt. 14.01.2022 issued by R. C. University alongwith the proforma of 11 Faculty signed by the Registrar, R. C. University but 3 Faculty namely Sh. Chidanand Ramu, Sh. Mahadev and Shri Shreeshail appointed after 09.06.2017 and not possessing NET qualification hence not qualified as per NCTE Regulations, 2014 (amended vide notification dt. 09.06.2017).

Further dated of approval over the proforma is not mentioned. The institution also failed to submit supporting documents in terms of educational qualification of the faculty and experience certificate of the Principal. The institute failed in submission of bank statements of faculty showing disbursement of salary through bank account as required under clause 10(3) of NCTE Regulation, 2014. The composite building plan of 1st floor shows non-availability of multipurpose hall and the institute vide a separate sheet shows the Multipurpose Hall with 1134.89 sq.mt. This do not tally with each other and there is no clarity about roofing of hall by RCC. The institution did not submit notarized copy of English translated copy of NEC approved by the Registration Department. The website of the institution is not uploaded with the information required under clauses 7 (14) (i), 8(14) and 10(3) of NCTE Regulation, 2014.”

II. SUBMISSIONS MADE BY APPELLANT:-

Mr. M. M. Patil (Coordinator), Dr. Babasaheb Ambedkar College of Education B.Ed., SR. No. 199 2 Plot Not. VPC No. 872, Village Nanadi Street No. SH 78, Chikodi Belgaum, Karnataka-591244 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that “Rani Channamma University has given approval for the staff list vide their letter dated 14.01.2022 and the university has mentioned approval date on the letter and not on the Performa, we believe this does not it is not approved because the seal and signature of the authority itself indicates its truthfulness. If need be, the college will get it done from the university and will resubmit it. The three-teaching faculty have not qualified for NET of SET as per the NCTE rules dated 09.06.2017. We fell this cannot be the reason for the cancellation. Since the inception, the college has been taking approval from the university and they are certifying based on the qualifications. Getting NET or SET qualified staff in the area is a herculean task but we will try our best and get the required qualified staff at the earliest. Regarding the supporting documents of the faculty and principal it is not mentioned anywhere in the final show cause notice dated 20.12.2021. We will send the photocopies of relevant documents soon. The College has submitted the compliance for the final show cause notice dated 29.12.2021 in which ground of point was not mentioned so the college has not submitted the details. But the disbursement of salary is being done through bank account only. Each staff has separate bank account, only to the part time it is cash based. The college will submit it to NCTE no issue. The college sought the permission in the year 2016 after physical inspection by your team from since then Multipurpose Hall is separate from the main college building but it is within the campus and the college has submitted all details in our last compliance report dated 18.01.2022. This has been clarified previously also. The term

NEC we considered as Approval of the society and now the college is convinced that it is Non-Encumbrance Certificate. We will submit the same. We are in the process of upgrading the website which we have already made it. We will seek expertise regarding the domain name etc. specific to the education institute and make the website as desired by NCTE.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition to the appellant institution for conducting B.Ed. course of two years with an annual intake of 50 seats (one unit) was granted on 12.04.2016.

The Appeal Committee noted that the impugned withdrawal order came into operation due to not submitting the required documents to rectify the existing deficiencies despite giving reasonable opportunities in the shape of issuing Show Cause Notices on 23.09.2020 and 29.12.2021 to submit its written representation.

The Appeal Committee further noted that the appellant institution by its letter dated 11.04.2022 submitted alongwith the memoranda of appeal has furnished the following required documents in the appeal as compliance of grounds of withdrawal for consideration i.e. i) A Copy of letter dated 14.10.2022 issued by the Registrar, Rani Channamma University conveying therewith the approval of 11 faculty members alongwith the their details in the prescribed formal and supporting documents of offer & appointment, Joining, Experience etc; ii) Copy of statement of Accounts from 01.04.2021 to 31.03.2022 showing the disbursement of salary through bank account to their staff; iii) Copy of Building Plan approved by Assistant Executive Engineer, PWD, Sub. Division, Chikodi; iv) Copy of Building Completion Certificate of total built-up area 46164 Sq.Ft. approved by Assistant Executive Engineer, PWD, Sub. Division, Chikodi, The area of Multipurpose Hall shown in the map is 1134.89 St.Mtrs. to be used for Multipurpose Hall and Canteen; v) Copy of NEC Shown as Nil issued by Sub-Registrar, Govt. of Karnataka and vi) Copies of documents uploaded on the website of the appellant institution as required under the prevailing Regulations for maintaining and functioning the website properly.

The Appeal Committee noted that the appellant institution in the memoranda of appeal has explained that they are in the process of getting 03 faculty appointed as per required qualifications notified in 2017. As per practice, the teaching faculty got approved from the affiliating university

and submitted to SRC for consideration. Even the University did not point out the said objection while approving the same. However, the said faculty shall be replaced with new faculty soon and submitted to SRC.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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 15/12/2020, 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.”

Noting the submission and oral arguments advanced during hearing by the appellant, the Appeal Committee decided to accept the instant appeal and remand back the case to SRC with a direction to consider the documents to be sent them by the appellant and take further necessary action as per NCTE Regulation, 2014 and its amendments issued from time to time. The appellant is required to submit the above 03 faculties to be appointed as per qualifications amended by NCTE Notification issued in May, 2017. The appellant is directed to submit the said documents to SRC within 15 days from the date of receipt of order on the appeal.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to accept the instant appeal and remand back the case to SRC with a direction to consider the documents to be sent them by the appellant and take further necessary action as per NCTE Regulation, 2014 and its amendments issued from time to time. The appellant is required to submit the above 03 faculties to be appointed as per qualifications amended by NCTE Notification issued in May, 2017. The appellant is directed to submit the said documents to SRC within 15 days from the date of receipt of order on the appeal.

The above decision is being communicated on behalf of the Appeal Committee.


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Dr. Babasaheb Ambedkar College of Education B.Ed., SR. No. 199 2 Plot Not. VPC No. 872, Village Nanadi Street No. SH 78, Chikodi Belgaum, Karnataka-591244
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, Education (looking after Teacher Education) Government of Karnataka.