

**TO BE PUBLISHED IN GAZETTE OF INDIA
(EXTRAORDINARY) PART -III,
SECTION 4**

F.No.ER-295.2/(OR-S/E-11/96 & ERCAPP1886)/B.Ed./2021/64421

Dt. 31st August, 2021

ORDER

WHEREAS, the Eastern Regional Committee, NCTE had initially allowed the institution viz. **Dibakar Patnaik I.A.S.E., Berhampur, Plot No.284, Street No.NH-5, Vill-Konisi Hata, PO-Konisi, Tehsil/Taluka-Konisi, Town/City-Berhampur, Dist-Ganjam, Odisha-761008** to continue B.Ed. course vide letter dated 31.05.1996, subsequently the institution was granted recognition time to time vide orders dated 16.10.1996, 13.03.2001 and 24.02.2014 for conducting B.Ed. course with approved intake mentioned therein.

2. **AND WHEREAS**, on implementation of NCTE's Regulation, 2014, Revised Recognition Order (RRO) was issued for conducting B.Ed. course of two years duration with an intake of 100 (two basic units) from the academic session 2015-2016 vide No.F.ERC/NCTE/OR-S/E-11/96 & ERCAPP1886/B.Ed. (Revised Order)/2015/32766 dated 31.05.2015 subject to fulfilment of the conditions in respect of enhancement of additional built up area, additional infrastructure, additional fund, additional staff, maintain and update website and to comply the same to the ERC.

3. **AND WHEREAS**, the ERC in its 278th meeting held on 16th - 18th January, 2020 considered the matter and accordingly, recognition granted to B.Ed. course was withdrawn u/s 17(1) of NCTE Act, 1993 vide order No.62142 dated 28.01.2020 from the academic session 2020-2021 on the below mentioned grounds:-

- i. Faculty list is not duly approved by the concerned affiliating body.
- ii. Teaching faculty comprises 1+8 as against the requirement of 1+15 for running two units of B.Ed. course as per NCTE Regulation, 2014.

4. **AND WHEREAS**, the institution preferred an appeal at NCTE Hqrs. against the ERC's withdrawal order dated 28.01.2020. The Appellate Authority vide its Order No. 89-209/E-192105/2021 Appeal/19th Meeting, 2021/101308 dated 19.08.2021 decided to set aside the impugned order dated 28.01.2020, therefore, the institution is entitled to the benefits of recognition proportionate to the number of faculty as per NCTE Regulations, 2014 until a fresh withdrawal order is passed by the Regional Committee. The case of the institution is remanded back to ERC for revisiting the matter for restoration of recognition (of one unit) which is proportionate to the number of faculty appointed with the approval of affiliating body. Appellant institution is required to submit to ERC the list of faculty approved by affiliating body.

5. **AND WHEREAS**, the Hon'ble High Court of Delhi vide order dt.30.07.2021, passed in W.P (C) 7260/2021 titled as Arihant College vs NCTE held as follows: -

"The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed. The order of restoration of recognition should be issued within two weeks of the order of remand being communicated to the regional committee, or upon request of the concerned institution. This streamlined procedure would obviate the multiplicity of litigation which is being witnessed at present. Neither the concerned institutions nor the NCTE should be put to the burden of filing or defending proceedings before the Court for this purpose."

एन. क. शर्मा

N. K. SHARMA

क्षेत्रीय निदेशक/Regional Director
पूर्वी क्षेत्रीय समिति/Eastern Regional Committee
राष्ट्रीय अध्यापक शिक्षा परिषद्
National Council for Teacher Education
भारत सरकार/Govt. of India
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6. **AND WHEREAS**, in compliance of High Court Order dt.30.07.2021 and appeal order dt.19.08.2021, the institution has submitted its reply vide letter dt.20.08.2021. The ERC in its 295th meeting held on 21st August, 2021 after considering the original file along with other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and appeal order dated 19.08.2021 and the Committee decided as under:-

“Restoration of recognition order for B.Ed. course with an annual intake of 50 (one basic unit) be issued”.

7. **NOW THEREFORE**, recognition withdrawn vide order No.62142 dated 28.01.2020 to the institution viz. **Dibakar Patnaik I.A.S.E., Berhampur, Plot No.-284, Street No.-NH-5, Vill- Konisi Hata, PO-Konisi, Tehsil/Taluka-Konisi, Town/City-Berhampur, Dist-Ganjam, Odisha-761008** for B.Ed. course is hereby restored with an annual intake of 50 (one basic unit).

By Order,

(N.K. Sharma)

Regional Director-(I/c)

एन. के. शर्मा
N. K. SHARMA

क्षेत्रीय निदेशक/Regional Director
पूर्वी क्षेत्रीय समिति/Eastern Regional Committee
राष्ट्रीय अध्यापक शिक्षा परिषद्
National Council for Teacher Education
भारत सरकार/Govt. of India
15, Neelakantha Nagar, Nayapalli,
Bhubaneswar (Odisha)-751012

To

The Controller of Publications,
Department of Publications, (Government of India),
Ministry of Urban Development,
Civil Lines, Delhi – 110054.

To

The Principal/Correspondent,
Dibakar Patnaik I.A.S.E., Berhampur,
Plot No.284, Street No.NH-5, Vill-KonisiHata,
PO-Konisi, Tehsil/Taluka-Konisi, Town/City-Berhampur,
Dist-Ganjam, Odisha-761008.

Copy to:-

1. The Principal Secretary, Department of Higher Education, Govt. of Odisha, Secretariat, Bhubaneswar, Odisha- 751001.
2. The Registrar, Berhampur University, VanjaVihar, Berhampur, Dist-Ganjam, Odisha-760001.
3. The Director, Department of Higher Education, Government of Odisha, Heads of Departments, Bhubaneswar, Odisha-751001.
4. The Secretary, Dept. of School Education and Literacy, Ministry of Education, Govt. of India, Shastri Bhawan, New Delhi – 110001.
5. The Under Secretary (IT), National Council for Teacher Education, G-7, Sector- 10, Dwarka, Landmark – Near Metro Station, New Delhi – 110075.
6. Institution file / Office Order file.
7. The Deputy Secretary (Legal), NCTE:- In compliance with the Hon'ble High Court order dated 30th July, 2021, the matter was placed before the 295th meeting of ERC held on 21st August, 2021. The decision was unanimously taken to implement the orders passed by the Hon'ble High Court regarding Remand Back orders of Appellate Committee. Legal Section, NCTE Hqr. is therefore requested to kindly inform if the present action as taken by the Eastern Regional Committee is in consonance with the Orders passed by the Hon'ble High Court, so as to rectify or make any changes before the next meeting, and in case no response/reply is received, it shall be assumed that all points are acceptable/correct and needs no change.

Regional Director (I/c)

एन. के. शर्मा
N. K. SHARMA

क्षेत्रीय निदेशक/Regional Director
पूर्वी क्षेत्रीय समिति/Eastern Regional Committee
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