

F. No. NCTE-Leg1011/104/2022-Legal Section-ERC/65776

Dated: 13/06/2022

As per Hon'ble High Court of Delhi Order dated 03.06.2022 passed in W.P.(C) 9373/2022 & CM APPL. 28106/2022 Raidighi College & Anr vs. NCTE & Anr., the Hon'ble Court directs the Respondents at para 4 & 5 of the order as under:

"4. In terms of the second proviso to Section 17(1) of the NCTE Act, 1993, the order of withdrawal takes effect at the end of the academic session next following the date when it was passed. It is common ground that the order having been passed on 28th February and 1st March, 2022, it would take effect from the end of the academic session 2022-23.

5. In view of the above, it is made clear that the petitioner is entitled to take part in counselling and admit students for the academic session 2022-23. NCTE is directed to reflect Petitioner's status as a recognised institution for the year 2022-23 on its portal and also to communicate the same to the Petitioner's affiliating university and the concerned State Government within a period of three days from today."

The aforesaid direction of the Hon'ble High Court of Delhi is hereby complied.



(D.K. Chaturvedi)
Regional Director

To

The Principal/Correspondent
Raidighi B.Ed. College,
Vill/P.O.-Raidighi,
Dist. South 24 Parganas,
West Bengal-743 383.

Copy for necessary action to:

1. The Registrar, The West Bengal University of Teachers' Training, Education Planning and Administration, 25/2 and 25/3, Ballygunge Circular Road, Kolkata, West Bengal- 700 019.
2. The Secretary, Department of Higher Education, Govt. of West Bengal, 6th Floor, Bikash Bhawan, Salt Lake, Kolkata, West Bengal 700091.

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 9373/2022 & CM APPL. 28106/2022

RAIDIGHI COLLEGE & ANR.

..... Petitioners

Through: Mr. Amitesh Kumar, Ms. Binisa
Mohanty and Ms. Priti Kumar,
Advocates.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR.

..... Respondents

Through: Mr. Animesh Kumar, Mr. Nishant
Kumar, Mr. Rishabh Gupta and
Ms. Rushali Agarwal, Advocates.**CORAM:****HON'BLE MR. JUSTICE SANJEEV NARULA****ORDER**

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03.06.2022

1. Issue notice. Mr. Animesh Kumar, accepts notice on behalf of the Respondents. The petition is taken up for disposal with the consent of counsel for the parties.

2. The Petitioner is a recognised institution for 100 seats in B.Ed. course. The Eastern Regional Committee ("ERC") of NCTE, however, took a decision in their 302nd meeting held on 28th February and 1st March, 2022, whereby Petitioner's recognition for the B.Ed. course was withdrawn. The Respondents, in terms of the said decision, have observed that the withdrawal would take effect from the academic session 2022-23. The operative portion reads as under: -

"The original file alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and reply in response to show cause notice were carefully considered by the ERC and following observation was made:-

The Committee found that two Show Cause notice have already been issued to the institution on 29.04.21 & 11.06.21. There is not provision to issue 3rd Show Cause Notice to the institution.

Signature Not Verified

Digitally Signed
By: SAPNA SETHI
Signing Date: 04.06.2022
16:26:21

In response to Final Show Cause Notice dated 11.06.21, the institution has submitted its reply vide letter dated 02.07.21 and 16.11.21 alongwith supporting documents.

The ERC considered the reply of the institution and found the institution is still deficient of the following ground:

- 1. The Institution has appointed (librarian) including 1+15 teaching staff. Librarian is not teaching faculty as per Regulation, 2014.*
- 2. The website of the institution not functional updated as per clause 7(14) (i) of Regulation. 2014.*

Hence, ERC decided to permit recognition for the session 2021-2022 and withdraw the recognition of B.Ed course under Section 17 of the NCTE Act, 1993 from the academic session 2022-23. A detailed withdrawal order be issued to the institution for respective course."

3. Mr. Amitesh Kumar, counsel for the Petitioner, states that the Petitioners have already filed appeal dated 27th April, 2022, before the Appellate Committee of NCTE under Section 18 of the Act.
4. In terms of the second proviso to Section 17(1) of the NCTE Act, 1993, the order of withdrawal takes effect at the end of the academic session next following the date when it was passed. It is common ground that the order having been passed on 28th February and 1st March, 2022, it would take effect from the end of the academic session 2022-23.
5. In view of the above, it is made clear that the petitioner is entitled to take part in counselling and admit students for the academic session 2022-23. NCTE is directed to reflect Petitioner's status as a recognised institution for the year 2022-23 on its portal and also to communicate the same to the Petitioner's affiliating university and the concerned State Government within a period of three days from today.
6. The petition stands disposed of in these terms.

SANJEEV NARULA, J

JUNE 3, 2022/nk