

F.No.ERC/NCTE/ERCAPP1328/B.Ed./2021/64512-514

Date: 12th October, 2021

As per Hon'ble High Court of Delhi Order dated 3.09.2021 passed in W.P.(C) No.10071/2021 & CM APPL. 31086/2021 Sundarban Minority B.Ed. College vs. NCTE & Anr., the Hon'ble Court directs the Respondents at para 6 & 7 of the Order as under:

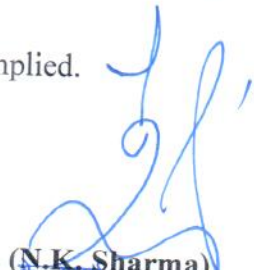
“6. In these circumstances, the petition is disposed of with a direction upon the Appellate Committee of the NCTE to decide the petitioners' appeal as expeditiously as possible and practicable.

7. In the meanwhile, it is clarified that the impugned decision of the ERC will take effect only from the end of the next academic session, i.e. 2022-2023. The petitioner No. 1 will be entitled to participate in counselling and admit students for the session 2021-2022. The respondents are directed to reflect the status of the petitioner No. 1 as recognized institution on their website and to communicate the same to the petitioner No. 1's affiliating university and the concerned State Government authorities forthwith and no later than one week from today.”

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

To

**The Principal/Correspondent,**  
Sundarban Minority B.Ed. College,  
Plot No.-1525, 1546,  
Vill.- Amtala Bazar, P.O.- Kumarjole,  
Tehsil/Taluka- Hatbhanga, Town/City- Minakhan,  
Dist. North 24 Parganas,  
West Bengal – 743 425.

  
(N.K. Sharma)  
Regional Director (T/c)  
क्षेत्रीय निदेशक / Regional Director  
पूर्वी क्षेत्रीय समिति / Eastern Regional Committee  
राष्ट्रीय अध्यापक शिक्षा परिषद  
National Council for Teacher Education  
भारत सरकार / Govt. of India  
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075  
G-7, Sector-10, Dwarka, New Delhi-110075

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 – 700019.
2. The Secretary, Department of Higher Education, Govt. of West Bengal, 6th Floor, Bikash Bhawan, Salt Lake, Kolkata, West Bengal- 700091.

\$~31 (2021 Cause List)

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

+ W.P.(C) 10071/2021

SUNDARBAN MINORITY BED  
COLLEGE & ANR.

..... Petitioners

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

versus

NATIONAL COUNCIL FOR TEACHER  
EDUCATION & ANR.

..... Respondents

Through: Mr. Jai Sahai Endlaw and Mr.  
Subhoday Banerjee, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

% **13.09.2021**

The proceedings in the matter have been conducted through video conferencing.

**CM APPL. 31085/2021 (for exemption)**

Exemption allowed, subject to all just exceptions.

This application stands disposed of.

**W.P.(C) 10071/2021 & CM APPL. 31086/2021 (for stay)**

1. Issue notice. Mr. Subhoday Banerjee, 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.

2. The petitioner No. 1 was granted recognition for its B.Ed. course by the Eastern Regional Committee ["ERC"] of the National Council for Teacher Education ["NCTE"] on 31.08.2013. It was subsequently granted a revised recognition order upon notification of the NCTE Regulations,

2014. The present proceedings emanate out of the decision made by the ERC at its meeting dated 21.08.2021 to withdraw the recognition of the petitioner No. 1.

3. The petitioner No. 1 has filed an appeal under Section 18 of the NCTE Act, 1993 [“the Act”] before the Appellate Committee of the NCTE, which remains pending. Its grievance is that the ERC has purported to withdraw the petitioner No. 1’s recognition with effect from the academic session 2021-22.

4. Mr. Amitesh Kumar, learned counsel for the petitioners, draws my attention to the second proviso to Section 17 of the Act, which reads as follows:-

*"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."*

As the decision to withdraw the recognition has been taken only on 21.08.2021, evidently, the impugned withdrawal order cannot take effect from the academic session 2021-22, for which counselling is in progress.

5. Mr. Banerjee does not dispute this legal position.

6. In these circumstances, the petition is disposed of with a direction upon the Appellate Committee of the NCTE to decide the petitioners’ appeal as expeditiously as possible and practicable.

7. In the meanwhile, it is clarified that the impugned decision of the ERC will take effect only from the end of the next academic session, i.e. 2022-23. The petitioner No. 1 will be entitled to participate in counselling and admits students for the session 2021-22. The respondents are directed to reflect the status of the petitioner No. 1 as recognized institution on

their website and to communicate the same to the petitioner No. 1's affiliating university and the concerned State Government authorities forthwith and no later than one week from today.

**PRATEEK JALAN, J**

**SEPTEMBER 13, 2021**

*'vp'*