

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

F.No.ER-327.5/NCTE/APE00850/B.Ed./AS/2023/68189

Dated: 08-06-2023

ORDER

WHEREAS, in terms of Section 14 (3)(a)/15 (3) (a) of the NCTE Act, 1993, the recognition was granted to S.K. Roy Memorial Institute of Education, P.O.–Katlicherra, Lala, Dist.–Hailakandi, Assam–788161 for conducting B.Ed. programme of one year duration with an annual intake of **100** vide Order No. ERC/7-103.4(1).14/2009/2884 dated 08.01.2010, followed by revised recognition order for B.Ed. programme of two year duration with an annual intake of 100 students (Two Basic Units of 50 students each) from the academic session 2015-2016 vide Order No. ERC/NCTE/ERCAPE00850/B.Ed.(Revised Order)/2015/31848 dated 22.05.2015, as per NCTE Regulations, 2014.

2. **AND WHEREAS**, the Show cause notice under section 17 (1) of NCTE Act, 1993 was issued on 04.08.2022 as per decision of 306th meeting held on 12th & 13th July, 2022 to the all institutions which have not filed PAR on the ground that the institution has breached the condition of recognition as per the provision of clause 8 (12) of NCTE Regulations, 2014 and also Clause 7(14) of NCTE, Regulation, 2014 which is related to uploading information on the website, if the website of the institution is not working.

3. **AND WHEREAS**, the matter was again considered by ERC in its 316th (Virtual) meeting held on 20th December, 2022 and the case of the institution which had not filed up the PAR was considered by the ERC in its 306th meeting held 12th & 13th July, 2022 and as per decision of the Committee, the Show cause notice under section 17 (1) of NCTE Act, 1993 was issued on the ground that the institution has breached the condition of recognition as per the provision of clause 8 (12) of NCTE Regulations, 2014 and also clause 7 (14) of NCTE, Regulations, 2014 which is related to uploading information on the website, if the web site of the institution is not working. The Committee decided that Final Show Cause Notice be issued before withdrawal of recognition under Section 17 of the NCTE Act, 1993 to 62 institutions to submit reply within 15 days from the date of issue of Final Show Cause Notice. Accordingly, Final SCN was issued to the applicant institution on 09.01.2023.

4. **AND WHEREAS**, the original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, the matter was considered in its 319th (Virtual) meeting by ERC and the committee observed that:-

- *“As per provision contained in Section 12 (j) & (k) of the NCTE Act, 1993, the institution was asked to fill up the Performance Appraisal report (PAR) for the academic session 2020-21, however, the institution has not filled up the same.*



- *Therefore, as per decision taken by ERC in its 306th meeting held on 12th to 13th July, 2022, Show Cause Notice under Section 17 (1) of NCTE Act, 1993 was issued to the institution for not filing PAR on the ground that the institution has breached the condition of recognition as per the provision of clause 8 (12) of NCTE Regulations, 2014 and also clause 7 (14) of NCTE, Regulations, 2014 which is related to uploading information on the website, if the website.*
- *The Committee also noted that the institutions enumerated at Sl. No. 22 to 111 have submitted the reply of Show Cause Notice issued to them, however, none of the institutions has given proper justification for not filling the PAR.*
- *In view of above observation, the ERC in its 316th meeting decided that the Final Show cause notice under section 17 (1) of NCTE Act, 1993 be issued to all the institutions enumerated at Sl. No. 22 to 111 above to submit reply within 7 days from the date of issue of final show cause notice before withdrawal of recognition on the ground that the institutions had not complied with the directions of NCTE to file PAR for the academic session 2020-21 as per mandate contained in Section 12 (j) & (k) of the NCTE Act, 1993 and had also breached the condition of recognition as per the provision of clause 8 (12) of NCTE Regulations, 2014.*

Accordingly, Final Show Cause Notice was issued to the institution on 09.01.2023 to submit reply within 7 days from the date of issue of final show cause notice before withdrawal of recognition.

Now, the Committee again considered all the facts and records submitted by the institution and it has been observed by the Committee that the institution has not filed PAR for the academic session 2020-21 and the institution has also not provided any evidence for filing the same.

Hence, Committee decided that the recognition for B.Ed. Programme of this institution be withdrawn under Section 17 (1) of the NCTE Act, 1993 with effect from the end of academic session next following the date of communication of withdrawal order."

5. **AND WHEREAS,** the matter was again considered by ERC in its 320th (Virtual) meeting held on 6th February, 2023 decided as under:-

"The Committee has taken into consideration the email dated 31.01.2023 received from Standing Counsel of NCTE at Delhi High Court alongwith the Order dated 31.01.2023 passed by the Hon'ble High of Delhi at New Delhi in LPA No. 190/2021 & 520/2022 that there will be no precipitative action against the Appellant Institutions till the next date of hearing i.e. 01.03.2023.

In compliance to the aforesaid Order, the Committee decided that all the decision/s from Sl. No. 11 to 31 taken by ERC in its 319th (Virtual) ERC Meeting held on 25th January 2023 be kept in abeyance till further orders."



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6. **AND WHEREAS**, the matter was again considered by ERC in its 327th (Emergent) meeting held on 7th June, 2023 and the Committee decided as under:-

"The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, was considered by ERC and the Committee observed that:

The Hon'ble High Court of Delhi vide its Order dated 16.05.2023 in W.P. (C) No. 3113/2023 passed an Order as under:

- 1) *The instant writ petitions were already disposed of vide order dated 17.03.2023 and are now taken up on CM APPL. 25492/2023, CM APPL. 25514/2023 and CM APPL. 25525/2023 filed on behalf of the petitioners.*
- 2) *Heard learned counsel appearing on behalf of the petitioners.*
- 3) *A perusal of the impugned order dated 17.03.2023 would indicate that the impugned action under challenge in the main writ petition was set aside, and therefore, there is no reason to deny admission to be made by the petitioners-institutions for the Academic Year 2023-24 for that count.*
- 4) *It is, therefore, directed that the petitioners-institutions be allowed to participate in the counselling process to be conducted for the Academic Year 2023-24.*
- 5) *The respondent no.1- NCTE is also directed to issue an order of restoration for the recognition of the petitioners-institutions within a period of two weeks from today and the same be also communicated to the affiliating university and the to the Department of Higher Education.*
- 6) *No further directions are called for.*
- 7) *The application stand disposed of.*

The Committee further noted that the ERC in its 316th (Virtual) meeting held on 20th December 2022 decided to withdraw the recognition granted to institution for non-filing of the Performance Appraisal report (PAR) for the academic session 2020-21. Further, the matter was again considered by ERC in its 320th (Virtual) meeting held on 6th February 2023 decided as under: -

"The Committee has taken into consideration the email dated 31.01.2023 received from Standing Counsel of NCTE at Delhi High Court alongwith the Order dated 31.01.2023 passed by the Hon'ble High of Delhi at New Delhi in LPA No. 190/2021 & 520/2022 that there will be no precipitative action against the Appellant Institutions till the next date of hearing i.e. 01.03.2023.

In compliance to the aforesaid Order, the Committee decided that all the decision/s from Sl. No. 11 to 31 taken by ERC in its 319th (Virtual) ERC Meeting held on 25th January 2023 be kept in abeyance till further orders."



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In compliance with the directions passed by the Hon'ble High Court of Delhi, ERC decided that the recognition granted to the institution for running the B.Ed. programme is hereby restored.

Order be issued and the affiliating University, Department of Higher Education and other concerned be informed accordingly."

7. **NOW THEREFORE**, in terms of above decision of ERC, the recognition granted to the institution viz. S.K. Roy Memorial Institute of Education, P.O.–Katlicherra, Lala, Dist.–Hailakandi, Assam–788161 for running B.Ed. programme for 100 students (Two Basic units) is hereby restored.



(Naveen Malik)

Regional Director (I/C)

The Controller of Publications,
Department of Publications, (Gazette Section),
Ministry of Urban Development,
Civil Lines, Delhi-110054.

To,

✓ **The Principal/Correspondent,**
S.K. Roy Memorial Institute of Education,
P.O.–Katlicherra, Lala, Dist.–Hailakandi,
Assam–788161.

Copy to:-

1. The Commissioner & Secretary, Elementary & Secondary Education Department, Govt. of Assam, Dispur, Assam Secretariate, Guwahati, Assam-781006.
2. The Registrar, Assam University, P.B. No. 63, Silchar, Assam-788001.
3. The Director, Department of Secondary Education, Govt. of Assam, Kahilipara, Guwahti, Assam-781019.
4. The Secretary, Department, of School Education and Literacy, Ministry of Education, Govt. of India, Shastri Bhawan, New Delhi - 110001.
5. The Under Secretary (IT), NCTE, G-7, Sector-10, Dwarka, Landmark-Near Metro Station, New Delhi-110075.
6. Office Order file/Institution file.
7. The Computer Programmer (IT Cell), Eastern Regional Committee, National Council for Teacher Education, G-7, Sector-10, Near Sector-10 Metro Station, Dwarka, New Delhi – 110075. [with the direction to make necessary changes as per the direction contained in the order in the website data of the ERC]



Regional Director (I/C)