

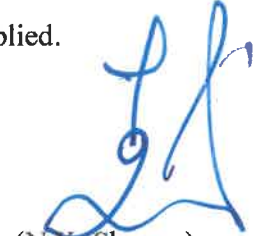
F.No. ERC/NCTE/ERCAPP1704/B.Ed./2021/64442

Date: 07th September, 2021

As per Hon'ble High Court of Delhi Order dated 03.09.2021 passed in W.P.(C) No. 9530/2021 & CM APPLs. 29531-29532/2021 Chandradev Narayan College vs. NCTE & Anr., the Hon'ble Court directs the Respondents at para 7 of the Order as under:

"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 petitioners 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 petitioners as recognized institutions on their website and to communicate the same to the petitioners' affiliating universities and the concerned State Government authorities forthwith and no later than 07.09.2021."

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



(N.K. Sharma)

Regional Director (I/c)
N. K. SHARMA

क्षेत्रीय निदेशक / Regional Director
पूर्व 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 Principal/Correspondent,
Chandradev Narayan College, Sahebganj,
Plot No.-216, Vill.-Rampur Asli,
Po.-Karnaul, Tehsil/Taluka -Sahebganj,
Town/City-Sahebganj, Dist.-Muzaffarpur, Bihar - 843125.

Copy for necessary action to:-

1. The Registrar, Baba Saheb Bhim Rao Ambedkar Bihar University, Muzaffarpur, Bihar – 842001.
2. The Commissioner-cum-Secretary, Primary, Secondary and Higher Education, Govt. of Bihar, New Secretariat, Vikash Bhawan, Patna, Bihar – 800015.

\$~92 and 100 (2021 Cause List)

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

+ **W.P.(C) 9530/2021 & CM APPLs. 29531-29532/2021**
CHANDRADEV NARAYAN COLLEGE Petitioner

versus

NATIONAL COUNCIL FOR TEACHER
EDUCATION & ANR. Respondents

+ **W.P.(C) 9590/2021 & CM APPLs. 29684-29685/2021**
AL MOMIN COLLEGE OF EDUCATION Petitioner

versus

NATIONAL COUNCIL FOR TEACHER
EDUCATION & ANR. Respondents

Present:- Mr. Amitesh Kumar, Advocate for the Petitioners
Mr. Udian Sharma, Advocate for the Respondents

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
% **03.09.2021**

The proceedings in the matter have been conducted through hybrid mode [physical and virtual hearing].

CM APPL. 29531/2021 (exemption) in W.P.(C) 9530/2021
CM APPL. 29684/2021 (exemption) in W.P.(C) 9590/2021

Exemption allowed, subject to all just exceptions.

The applications stand disposed of.

W.P.(C) 9530/2021 & CM APPL. 29532/2021(stay)
W.P.(C) 9590/2021 & CM APPL. 29685/2021(stay)

1. Issue notice. Mr. Udian Sharma, learned counsel, accepts notice on

behalf of the respondents. The petitions are taken up for disposal with the consent of learned counsel for the parties.

2. The petitioners were granted recognition for their B.Ed. courses by the Eastern Regional Committee [“ERC”] of the National Council for Teacher Education [“NCTE”] on 03.03.2014 [in W.P.(C) 9530/2021] and 02.08.2006 [in W.P.(C) 9590/2021]. In both cases, the petitioners were subsequently granted revised recognition orders 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 petitioners.

3. The petitioners have filed appeals under Section 18 of the NCTE Act, 1993 [“the Act”] before the Appellate Committee of the NCTE, which remain pending. Their grievance is that the ERC has purported to withdraw their 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 orders cannot take effect from the academic session 2021-22, for which counselling is in progress.

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

6. In these circumstances, the petitions are disposed of with a

direction upon the Appellate Committee of the NCTE to decide the petitioners' appeals 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 petitioners 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 petitioners as recognized institutions on their website and to communicate the same to the petitioners' affiliating universities and the concerned State Government authorities forthwith and no later than 07.09.2021.

PRATEEK JALAN, J

SEPTEMBER 3, 2021

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