

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

F.No.ER-325.1/NCTE/ERCAPP7/2012/B.Ed./WB/2023/67816

Dated: 03-05-2023

ORDER

WHEREAS, in terms of Section 14(3)(a) of the NCTE Act, 1993, the recognition was granted to Maryada Purushotam College of Education, Plot No. 1245, 1246, 1247, 1248, Vill/PO-Chilhari, Tehsil/Taluka-Dumraon, Town/City-Buxar, Dist-Buxar, Bihar-802101 for conducting B.Ed. programme of one year duration with an annual intake of 100 students vide Order No. ERC/7-167.6.4/NCTE/B.Ed./2014/ 23334 dated 20.01.2014 & corrigendum No. ERC/7-169.11.11/ NCTE/ B.Ed./2014/ 24155, dated 24.02.2014, from the academic session 2014-2015, followed by revised recognition order for B.Ed. programme of two years duration with an annual intake of 100 (Two Basic Units of 50 students each) students from the academic session 2015-2016 vide Order F.ERC/NCTE/ERCAPP7/2012/B.Ed. (Revised Order)/2015/31728 dated 20.05.2015, as per NCTE Regulations, 2014.

2. AND WHEREAS, recognition of the institution was withdrawn vide Order No. ERC/284.41/ERCAPP1/2012/B.Ed./2020/63144 dated 7/10/2020.

3. AND WHEREAS, the Appellate Authority vide Order No. 89-229/E-167576/2020 Appeal/30th Mtg.-2020/3rd December, 2020/95758 dated 21.12.2020. The Appeal Committee decided to confirm the withdrawal order of ERC.

4. AND WHEREAS, institution filed a petition W.P.(C) 588/2021 & CM APPL. 1513/2021 before the Hon'ble High Court of Delhi and the Hon'ble Court vide order dated 08.03.2021 disposed of the petition in the following terms:-

"... 9. Having regard to all the aforesaid factors and to the fact that the matter would have to be reconsidered at the level of the ERC rather than the Appellate Committee, the impugned orders dated 07.10.2020 and 21.12.2020 are quashed, and the matter is remanded back to the ERC for fresh consideration of the petitioner's application, in accordance with law. The respondents will take abide by the Standard Operating Practices issued by them in this regard. The process be completed within 10 weeks from today. In the event the petitioner is required to submit any further clarification or document, the respondents will give them an opportunity to do so.

10. Until dispose of petitioner's application, pursuant to this order, the respondents will treat the petitioner as a recognised institution. Necessary modification be made to the respondents' website, and communications be sent to the affiliating university of the petitioner, as well as to the concerned State Government.

11. The petition stands disposed of in these items, along with the pending application."



Contd...2

5. **AND WHEREAS**, as per Hon'ble High Court of Delhi order dated 08.03.2021 passed in W.P.(C) No. 588/2021, the Hon'ble High court directs "The respondents will treat the petitioner as a recognised institution. Necessary modifications be made to the respondents' website, and communications be sent to the Affiliating University of the petitioner, as well as to the concerned State Government. Accordingly, a letter No.63870 dated 22.03.2021 was issued to the institution endorsing a copy each to the Registrar of Affiliating University and the concerned State Govt. Education Department of Bihar.

6. **AND WHEREAS**, institution submitted its representation dt. 23.03.2021, 04.08.2021 & 10.08.2021 received on 26.03.2021, 09.08.2021 & 16.08.2021 respectively. Institution also submitted Court Order by E-mail dated 16.09.2021 received in ERC dated 17.09.2021.

7. **AND WHEREAS**, institution filed subsequent petition W.P.(C) 588/2021 & CM APPL. 31668/2021 before the Hon'ble High Court of Delhi and the Hon'ble Court vide Order dated 15.09.2021 (received through Email dated 17.09.2021 through Standing Counsel, Delhi High Court Adv Shivam Singh) disposed of the case on following terms:-

"...4. Having regard to the fact that the withdrawal orders have already been quashed, and it has been directed that the petitioner will be treated as a recognised institution pending decision of the ERC, the ERC is directed to issue a restoration of recognition order in favour of the petitioner, within three days from today. The recognition will stand restored until a fresh decision of withdrawal, if any, is taken by the ERC. The ERC's website will also be accordingly updated within the same period.

5. The application stands disposed of in these terms."

8. **AND WHEREAS**, the ERC in its 297th (Emergent) Meeting held on 28.10.2021 considered the original file alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the Order dated 15.09.2021 passed by the Hon'ble High Court of Delhi in W.P.(C) No.588/2021 & C.M. APPL.31668/2021 and the Committee decided as under:-

(i) *In compliance of Court order dated 15.09.2021, restoration of recognition order be issued to the institution until a fresh decision of withdrawal, if any is taken by ERC. The Committee further decided to update the same on the NCTE website and will also inform the affiliating body as well as the State Govt.*

(ii) *Show cause notice u/s 14(3)(b) be issued to the institution on the grounds mentioned in the minutes of 297 Emergent ERC meeting to comply deficiencies and submit reply within 30 days of issue of the show cause notice.*

9. **AND WHEREAS**, restoration Order No.64670-64675 dated 15.11.2021 was issued to the institution for B.Ed. programme with annual intake of 100 students (02 units) until a fresh decision of withdrawal, if any is taken by ERC. The same was also uploaded on the NCTE website.

10. **AND WHEREAS**, on further scrutiny of documents submitted by the institution vide its representations dated 23.03.2021, 04.08.2021 and 10.08.2021 in reference to grounds of withdrawal order dated 07.10.2020 in light of NCTE Regulations, 2014, and accordingly, as per observation of the Committee in its 297th (Emergent) Meeting held on 28.10.2021. Show Cause Notice No.64676-64678 dated 15.11.2021 was issued to the institution.

P. Mohan

Contd...3

11. **AND WHEREAS**, representation dt. 09.12.2021 received on 17.12.2021 from the institution in reference to grounds of Show Cause Notice dated 15.11.2021. The ERC in its 301st (Emergent) Meeting held on 21st January, 2022, the committee decided to issue the withdrawal order dated 28.01.2022.

12. **AND WHEREAS**, the Appellate Authority vide Order No. F.NO.89-57/E-243110/2022 Appeal/4th Meeting, 2022/111212 Appeal No.APPLERC202214286 dated 26.05.2022, decided as under:

".....After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reject the instant appeal of the appellant institution and confirm the impugned withdrawal issued by ERC."

13. **AND WHEREAS**, the institution filed W.P. (C) No. 10756 of 2022 & CM APPL. 31255/2022 before the High Court of Delhi at New Delhi and Hon'ble High Court passed an order dated 18.07.2022. The operative part of the order is as under:-

"...6. As the withdrawal order had been passed on 28th January, 2022, in terms of Section 17 of National Council for Teacher Education Act, 1993, the effect thereof will be from the end of academic session 2022-23. In light thereof, Petitioner-institute would be entitled to participate in the counselling for the academic session 2022-23. ERC is directed to reflect the status of the Petitioner-institute on its official website as a recognized institution for running the B.Ed. course and communicate the said recognized status to its affiliating university and the State Department of higher education for the purpose of participation in the counselling & admission process underway for the academic session 2022-23."

14. **AND WHEREAS**, the ERC permitted the institution for fresh admission vide Order No. F.No.ERCAPP7/2012/B.Ed./BH/2022 /66000 dated: - 26.07.2022.

15. **AND WHEREAS**, the ERC in its 307th (Virtual) meeting of the ERC held on 05 August, 2022 confirmed the letter dated 26.07.2022 issued by RD- ERC in compliance of the Order dated 18.07.2022 passed by the Hon'ble High Court.

16. **AND WHEREAS**, the institution filed W.P. (C) No. 10756 of 2022 & CM APPL. 31255/2022 before the High Court of Delhi at New Delhi and Hon'ble High Court passed an order dated 24.03.2023. The operative part of the order is as under:-

"8...In view of the aforesaid, this court cannot sustain the impugned order dated 28.01.2022 and the order passed by the Appellate Committee dated 26.05.2022 as the same is dehors the applicable SOP and also in violation of the order passed by this court dated 08.03.2021 in W.P.(C) 588/2021."

9. Paragraph No.10 of the order dated 08.03.2021 is reproduced as under:-

"10. Until disposal of petitioner's application, pursuant to this order, the respondents will treat the petitioner as a recognised institution. Necessary modifications be made to the respondents' website, and communications be sent to the affiliating university of the petitioner, as well as to the concerned State Government."

10. Accordingly, the impugned orders are set aside.

P. R. B. K.

11. Respondent No.1-NCTE, however, would be at liberty to take appropriate recourse in accordance with Section 17 of the NCTE Act or the applicable SOP.

12. In view of the aforesaid, the instant petition along with pending application stands disposed of.

17. **AND WHEREAS**, representation dated 06.04.2023 received in ERC office on dated 11.04.2023. The matter was considered by the ERC in its 325th (Virtual) meeting of the ERC held on 24.04.2023 and the committee decided as under:-

The online application 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 as under:

The Hon'ble High Court of Delhi vide its Order dated 24.03.2023 in W.P. (C) No. 10756 of 2022 & CM APPL. 31255/2022 passed an Order as under:

"8...In view of the aforesaid, this court cannot sustain the impugned order dated 28.01.2022 and the order passed by the Appellate Committee dated 26.05.2022 as the same is de hors the applicable SOP and also in violation of the order passed by this court dated 08.03.2021 in W.P.(C) 588/2021.

9. Paragraph No.10 of the order dated 08.03.2021 is reproduced as under: -

"10. Until disposal of petitioner's application, pursuant to this order, the respondents will treat the petitioner as a recognised institution. Necessary modifications be made to the respondents' website, and communications be sent to the affiliating university of the petitioner, as well as to the concerned State Government."

10. Accordingly, the impugned orders are set aside.

11. Respondent No.1-NCTE, however, would be at liberty to take appropriate recourse in accordance with Section 17 of the NCTE Act or the applicable SOP.

12. In view of the aforesaid, the instant petition along with pending application stands disposed of.

In view of the above, ERC decided that the recognition granted to the institution for running B.Ed. programme is hereby restored. Order be issued accordingly.

18. **NOW THEREFORE**, in terms of above decision of ERC, the recognition granted to the institution viz. **Maryada Purushotam College of Education**, Plot No. 1245, 1246, 1247, 1248, Vill/PO- Chilhari, Tehsil/Taluka-Dumraon, Town/City-Buxar, Dist-Buxar, Bihar-802101. vide Order F.ERC/NCTE/ERCAPP7/2012/B.Ed. (Revised Order)/2015/31728 dated 20.05.2015 for an annual intake of two basic units of 50 students each is hereby restored subject to fulfillment of the condition as per NCTE Regulations, 2014 until a fresh withdrawal order is issued by ERC.



//5//

Also order that a copy of this Order be published in the Official Gazette.

(इसके अतिरिक्त, इस आदेश की एक प्रतिलिपि सरकारी राजपत्र में भी प्रकाशित की जाए।)



(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,**
Maryada Purushotam College of Education,
Plot No. 1245, 1246, 1247, 1248,
Vill/PO- Chilhari, Tehsil/Taluka-Dumraon,
Town/City-Buxar, Dist-Buxar, Bihar-802101.

Copy to:-

1. The Commissioner-cum-Secretary. Primary, Secondary & Higher Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna, Bihar - 800015.
2. The Registrar, Aryabhatta Knowledge University, Mithapur Farm Area, Mithapur, Patna, Bihar -800001.
3. The Director, Department of Secondary Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna, Bihar-800015.
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), NCTE, G-7, Sector-IO, Dwarka, Landmark-Near Metro Station New Delhi-110075.
6. 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]
7. Office Order file/Institution file.



Regional Director (I/C)