

F.No. ER-304.2/ ERCAP1704/B.Ed./BR/2022/65511

Dated: 21.04.2022

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

Sub: - Decision of 304th (Emergent) ERC Meeting held on 11th April, 2022.

Ref: - Order dated 01.04.2022 passed in W.P. (C) No. 5501 of 2022 & CM APPL. 16375-76/2022 by the Hon'ble High Court of Delhi.

Sir,

The Eastern Regional Committee of NCTE in its 304th (Emergent) Meeting held on 11th April, 2022 carefully considered the original file of Institution i.e. Chandradev Narayan College, Sahebganj, Plot No.-216, Vill.-Rampur Asli, Po.-Karnaul, Tehsil/Taluka - Sahebganj, Town/City-Sahebganj, Dist.-Muzaffarpur, Bihar- 843125 for B.Ed. course alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, order dated 01.04.2022 in W.P. (C) No. 5501 of 2022 & CM APPL. 16375-76/2022 passed by the Hon'ble High Court of Delhi at New Delhi, representation from the institution and the Committee observed as under:

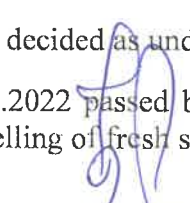
“In compliance of order dated 01.04.2022 in W.P. (C) No.5501 of 2022 & CM APPL. 16375-76/2022 passed by the Hon'ble High Court of Delhi:

- (i) The withdrawal order has been passed on 21.08.2021, in terms of the second proviso to Section 17 (1) of the NCTE Act, the same would come into effect only after the academic session 2022-23 and therefore the petitioner would be entitled to admit students in the academic session 2022-23.
- (ii) The petitioner would be entitled to admit the students in the academic year 2022-23 and would therefore be entitled to participate in the counselling for B.Ed. course forward a necessary clarification in this regard to the affiliating university and other statutory authorities wherein it would also be made clear that the petitioner is being permitted to participate in the counselling only for the academic year 2022-23 and the permission for the next year would depend upon the outcome of the petitioner's appeal against the withdrawal order dated 03.09.2021.

In view of the above, the Committee decided as under:

In compliance of order dated 01.04.2022 passed by Hon'ble Court, the institution is permitted to participate in the counselling of fresh students for two years course only

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एन. के. शर्मा
N.K. SHARMA
क्षेत्रीय निदेशक/Regional Director
पूर्वी क्षेत्रीय समिति/Eastern Regional Committee
राष्ट्रीय अध्यापक शिक्षा परिषद्
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for the academic session 2022-2023, which will end in the year 2024. The counselling for the next year shall be subject to outcome of appeal order passed by NCTE and further decision taken by ERC. The concerned affiliating body be informed accordingly and the status of institution be updated on the ERC portal of NCTE website."

In view of the above decision of ERC, the institution is hereby permitted to participate in the counselling of fresh students for two years course only for the academic session 2022-2023, which will end in the year 2024. The counselling for the next year shall be subject to outcome of appeal order passed by NCTE and further decision taken by ERC.

The institution may take up the matter with Affiliating Body for counselling purpose by quoting this letter.

Yours faithfully,

(N.K. Sharma)

Regional Director (I/c)

एन. के. शर्मा

N. K. SHARMA

क्षेत्रीय निदेशक / Regional Director

पूर्वी क्षेत्रीय समिति / Eastern Regional Committee

एन. के. शर्मा, न. के. शर्मा, न. के. शर्मा

National Council for Teacher Education

भारत सरकार / Govt. of India

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G-7, Sector-10, Dwarka, New Delhi-110075

Copy to:

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

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

+ **W.P.(C) 5501/2022**

CHANDRADEV NARAYAN COLLEGE Petitioner
Through **Mr. Amitesh Kumar, Adv.**

versus

**NATIONAL COUNCIL FOR TEACHER
EDUCATION & ANR.** Respondents
Through **Mr. Govind Manoharan, Adv.**

**CORAM:
HON'BLE MS. JUSTICE REKHA PALLI**

% **ORDER**
01.04.2022

CM APPL. 16375-76/2022 -Ex.

1. Exemption allowed, subject to all just exceptions.
2. The applications are disposed of.

W.P.(C) 5501/2022

3. The petitioner has approached this Court seeking a limited relief for permission to participate in the counselling and admit students in the B. Ed. Course for the academic year 2022-23.
4. Learned counsel for the petitioner submits that the withdrawal order has been passed on 21.08.2021, in terms of the second proviso to Section 17 (1) of the NCTE Act, the same would come into effect only after the academic session 2022-23 and therefore he petitioner would be entitled to admit students in the academic session 2022-23.

5. Issue notice. Mr. Govind Manoharan accepts notice on behalf of respondents and does not dispute the aforesaid position.
6. In the light of the aforesaid, the writ petition deserves to be allowed and is, accordingly, allowed by clarifying that the petitioner would be entitled to admit the students in the academic year 2022-23 and would therefore be entitled to participate in the counselling for B. Ed course for the academic session 2022-23. The respondents are directed to forward a necessary clarification in this regard to the affiliating university and other statutory authorities wherein it would also be made clear that the petitioner is being permitted to participate in the counselling only for the academic year 2022-23 and the permission for the next year would depend upon the outcome of the petitioner's appeal against the withdrawal order dated 21.08.2021.

REKHA PALLI, J

APRIL 1, 2022

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