

F.No.ER-306.8/ERCAPP2555/D.El.Ed./BH/2022/65958

Dated: 25-07-2022

To

The Principal/Correspondent,
Er Upendra Sharma Teachers Training College,
Plot no. 119, 120, Street No. Telhara,
Vill- Telhara Khurd, Po- Telhara Kala,
Tehsil/Taluk- Dhaka, Town/City- Dhaka,
Dist.- Purba Champaran,
Bihar-845304.

Sub: Conveying the decision taken by ERC in its 306th (Virtual) meeting held on 12th and 13th July, 2022 in respect of institution viz. Er Upendra Sharma Teachers Training College, Plot no. 119, 120, Street No. Telhara, Vill- Telhara Khurd, Po- Telhara Kala, Tehsil/Taluk- Dhaka, Town/City- Dhaka, Dist.- Purba Champaran, Bihar-845304 (Code No. ERCAPP2555) (D.El.Ed.) - reg.

Sir/Madam,

In terms of decision taken by ERC in its 302nd (Virtual) meeting, held on 28th February & 01st March, 2022, the recognition granted to Er Upendra Sharma Teachers Training College, Plot no. 119, 120, Street No. Telhara, Vill- Telhara Khurd, Po- Telhara Kala, Tehsil/Taluk- Dhaka, Town/City- Dhaka, Dist.- Purba Champaran, Bihar-845304 for B.Ed. course was withdrawn by ERC vide order No. ER-302.35/ERCAPP2555/D.El.Ed./BR/2022/65112 dated 03.03.2022 from the academic session 2022-2023.

2. The institution had filed a Writ Petition No. 6283/2022 before the Hon'ble High Court of Delhi against the withdrawal order dated 03.03.2022 passed by ERC. The Hon'ble High Court passed order dated 20.04.2022 with the direction that the withdrawal order dated 03/03/2022 will come into force only from the academic session 2023-2024. The respondents will accordingly issue a clarification for the same on its web portal and also inform the affiliating university and other relevant authorities that the impugned withdrawal order will not come in the way of the petitioner in admitting the students for the academic session 2022-2023.

3. In the light of above directions passed by the Hon'ble High Court, the case was considered by ERC-NCTE in its 306th (Virtual) meeting held on 12th and 13th July, 2022 and the Committee decided that the withdrawal order dated 03/03/2022 will come into force only from the academic session 2023-2024 and will not come in the way of the petitioner in admitting the students for the academic session 2022-2023. Clarification for the same be uploaded on NCTE/ERC web portal and the affiliating university and other relevant authorities be also informed accordingly.

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4. In compliance of above decision of ERC, it is hereby clarified that the withdrawal order No. ER-302.35/ERCAPP2555/D.El.Ed./BR/2022/65112 dated 03.03.2022 issued to Er Upendra Sharma Teachers Training College, Plot no. 119, 120, Street No. Telhara, Vill- Telhara Khurd, Po- Telhara Kala, Tehsil/Taluk- Dhaka, Town/City- Dhaka, Dist.- Purba Champaran, Bihar-845304 for D.El.Ed. course will come into force only from the academic session 2023-2024 and will not come in the way of the petitioner in admitting the students for the academic session 2022-2023.

Yours faithfully,

(Ravindra Singh)

Regional Director

Copy to:-

1. The Commissioner-cum-Secretary, Primary, Secondary & Higher Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna, Bihar - 800015.
2. The Secretary, Bihar School Examination Board, Fraser Road Patna, Bihar - 800001.
3. IT Consultant, ERC, for uploading this letter on NCTE/ERC website.

Regional Director

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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6283/2022

ER UPENDRA SHARMA TEACHERS TRAINING COLLEGE

..... Petitioner

Through: Mr.Sanjay Sharawat, Mr.Divyank
Rana & Mr.Ashok Kumar, Advs.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR.

..... Respondent

Through: Ms.Aakanksha Kaul, Mr.Manek
Singh & Mr.Aman Sahani, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

20.04.2022

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1. The petitioner has approached this Court seeking a direction to the respondent no.2 to clarify that the withdrawal order dated 03.03.2022, whereby the petitioner's recognition for D.El.Ed. course has been withdrawn, shall come into effect from the academic session 2023-24 and therefore the petitioner will be entitled to make admission in 2022-23.
2. Issue notice. Ms.Aakanksha Kaul accepts notice and while seeking to defend the withdrawal order on the ground that the same has been passed pursuant to orders passed by the High Court of Judicature at Patna in Civil Jurisdiction Case No.20393/2021, she does not dispute that as per the second proviso to Section 17(1) of the NCTE Act, a withdrawal order comes into effect only from the end of the academic session in which it is passed.

3. In light of the aforesaid, the writ petition deserves to be allowed and is, accordingly, allowed by directing that the withdrawal order dated 03.03.2022 will come into effect only w.e.f. from the academic session 2023-24. The respondents will, accordingly, issue a clarification regarding the same on its web portal and also inform the affiliating university and other relevant authorities that the impugned withdrawal order will not come in the way of the petitioner in admitting its students in the academic session 2022-23.
4. Needless to state this Court has neither examined nor expressed any opinion on the merits of the impugned withdrawal order and in case the petitioner is aggrieved, it will be open for the petitioner to seek legal recourse as permissible in law.

REKHA PALLI, J

APRIL 20, 2022

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