

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

F.No.ER-301.4/ERCAPP7/2012/B.Ed./BR/2022/64961

Dated: 28.01.2022

ORDER

WHEREAS, Maryada Purushotam College of Education, Plot No.-1245, 1246, 1247, 1248, Vill/PO-Chilhari, Tehsil/Taluka-Dumraon, Town/City-Buxar, District - Buxar, Bihar-802101 was granted recognition for B.Ed. Course with an annual intake of 100 vide ERC Order No. 24155 dated 24.02.2014 from the academic session 2014-2015, followed by revised recognition order vide No. 31728 dated 20.05.2015 with an annual intake of 100 (Two Basic Units) from the academic session 2015-2016 as per NCTE Regulations, 2014.

2. AND WHEREAS, the ERC in its 284th meeting held on 17th-18th September, 2020 decided that recognition granted to B.Ed. course be withdrawn from the academic session 2021-2022. Accordingly, withdrawal order issued vide No. 63144 dated 07.10.2020.

3. AND WHEREAS, institution preferred appeal against the withdrawal order at NCTE HQrs. and the Appellate Authority vide order F.No.89-229/E-167576/2020 Appeal/30th Mtg.-2020/3rd December, 2020/95758 dated 21.12.2020 confirmed the withdrawal order against the appeal.

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

"... 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."

Accordingly, in compliance of directions of Hon'ble Court, a letter vide 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.

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5. **AND WHEREAS**, the institution submitted representations dt. 23.03.2021, 04.08.2021 & 10.08.2021 received on 26.03.2021, 09.08.2021 & 16.08.2021 respectively in reference to grounds of withdrawal order dated 07.10.2020.

6. **AND WHEREAS**, institution filed a petition W.P.(C) No.588/2021 & C.M. APPL.31668/2021 in the Hon'ble High Court of Delhi and the Hon'ble Court has disposed of the case vide Order dt.15.09.2021 with following observations:

"...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."*

7. **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 297th Emergent ERC meeting to comply deficiencies and submit reply within 30 days of issue of the show cause notice.

8. **AND WHEREAS**, restoration order vide No.64670-64675 dated 15.11.2021 issued to the institution viz. Maryada Purushotam College of Education, Plot No.-1245, 1246, 1247, 1248, Vill/PO-Chilhari, Tehsil/Taluka-Dumraon, Town/City-Buxar, District-Buxar, Bihar-802101 for B.Ed. course with annual intake of 100 students (02 units) until a fresh decision of withdrawal, if any is taken by ERC and the same has been uploaded on the NCTE website.

9. **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, the Committee in its 297th (Emergent) Meeting held on 28.10.2021 observed that the institution is still deficient on the following and accordingly, show cause notice vide No.64676-64678 dated 15.11.2021 issued to the institution to comply fulfilment of following deficiencies and submit reply within 30 days of issue of the show cause notice:

- i. The copy of transfer of sale deed of land in the name of institution (Maryada Purushotam College of Education) in response to ERC letter no.25893 dated 20.05.2014 not submitted.
- ii. Latest Building Competition Certificate (BCC) in the name of institution certified by competent Govt. engineer in the NCTE prescribed proforma not submitted.

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- iii. Latest Blue print Building Plan having details of location like plot no., khesra no. total land area, total built up area approved by Govt. Engineer in the name of institution not submitted.
- iv. As per approved faculty list, all teaching staff are appointed afresh; their date of appointment and date of joining reflected as same i.e. 12.10.2020, supporting documents is not submitted.
- v. Original affidavit on Rs.10/- non-judicial stamp paper by the individual faculty along with their educational qualification certificates/testimonials/NET/ PhD/experience certificate as per the list is not submitted.
- vi. Original Affidavit on Rs.100/- non-judicial stamp paper by the management regarding duly constitution of selection committee for the selection/ appointment of teaching staff on the recommendation of affiliating body is not submitted.
- vii. Copy of advertisement published in the newspaper for the recruitment of faculty is not submitted.
- viii. Copy of attendance of candidates called for interview and minutes of the selection committee for appointment of teaching staff is not submitted.
- ix. Copy of letter nominating the representative by the affiliating body for the selection/ appointment of teaching staff is not submitted.
- x. On search of website of the institution (www.maryadacoe.com), latest approved faculty list, BCC, Building plan, Fire safety certificate is not uploaded.
- xi. As per mandatory disclosure format uploaded, website address reflected as <http://www.mpcebuxar.com/> whereas the same is not opening. On another URL (www.maryadacoe.com), the website is opening. This needs to be clarified.
- xii. Information as per Clause 7(14)(i) of NCTE Regulations, 2014 has not been updated on the institutional website.

10. **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 considered the original file alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, and the Committee made following observations:-

“Pursuant to Show cause notice dated 15.11.2021, the institution is still deficient on the following in light of NCTE Regulations, 2014:

- i. The institution was granted recognition from the academic session 2014-2015 vide order dated 24.04.2014, after verification of infrastructural and instructional facilities available in the institution, whereas gift deed of land registered in year 2015 makes a mention of only land.
- ii. In response to ERC letter no.25893 dated 20.05.2014, certified copy of transfer of land and building in the name of institution as per Clause 8 (4) (iii) of NCTE Regulations, 2014 not submitted. Further, in the registered transfer gift deed, there is no mention of constructed building on the basis of which the recognition was granted by ERC, NCTE.
- iii. The copy of transfer of gift deed registered dated 07.09.2015 in the name of institution viz.Maryada Purushotam College of Education was submitted, however, the details still show the category of land to be an agricultural land mentioning in Hindi as ‘SINCHIT’.
- iv. Further, it is mentioned in Change of Land Use Certificate issued by Anumandal Padadhikari, Dumraon dated 21.02.2013 that the land will be used for educational purpose followed by point-5 of the affidavit dated 31.12.2012 related to land submitted by the institution, which is contrary to the point (iii) mentioned above.

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- v. In latest photocopy of Building Completion Certificate dated 28.12.2017 certified by Mukhiya, Gram Panchayat, Chilhari and countersigned by Assistant Engineer, Building Construction Deptt., Buxar (Bihar) submitted now (not notarized), the date of registration of land mentioned as 24.12.2012, the new date of registration of transfer of gift deed of land is not mentioned. Moreover, the type of ownership of land is mentioned as "Sale Deed" although the document provided in this regard is a gift deed.
- vi. The Fire safety certificate dated 22.01.2021 issued by Fire Dept. Dumraon, Buxar uploaded on website is valid up to 21.01.2022.
- vii. Institutional website is not maintained and updated as per Clause 7(14)(i) of NCTE Regulations, 2014.

Hence, recognition granted to B.Ed. course is withdrawn under Section 17(1) of NCTE Act, 1993 from the next academic session 2022-2023. On withdrawal of recognition, the affiliation, if any granted under Clause 8(10) of NCTE Regulations, 2014 by the concerned affiliating body from the next academic session stands withdrawn. Hence, the institution is not entitled to apply for counselling from the next academic session i.e.2022-2023 and the institution is also not permitted to take any fresh admission of students from the academic session 2022-2023."

11. NOW THEREFORE, recognition granted to Maryada Purushotam College of Education, Plot No.-1245, 1246, 1247, 1248, Vill/PO-Chilhari, Tehsil/Taluka-Dumraon, Town/City-Buxar, District-Buxar, Bihar-802101 for B.Ed. Course is hereby withdrawn in terms of Section 17(1) of NCTE Act, 1993 with effect from the next academic session 2022-2023 as per the above decision taken by ERC.

12. Further, if the institution is not satisfied by the order, they can prefer an appeal under Section 18 of the NCTE Act, 1993 in the "Online mode" available on NCTE's website www.ncte.gov.in within 60 days from the date of the issue of the order.

By Order,

(N.K. Sharma)

Regional Director (I/c)

N. K. SHARMA

क्षेत्रीय निदेशक/Regional Director

पूर्वी क्षेत्रीय समिति/Eastern Regional Committee

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The Controller of Publications,

Department of Publications, (Government of India),

Ministry of Urban Development,

Civil Lines, New 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, District-Buxar,

Bihar - 802101.

Copy to:-

1. The Commissioner-cum-Secretary, Primary, Secondary & Higher Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna, Bihar - 800015.

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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-10, Dwarka, Landmark-Near Metro Station, New Delhi-110075.
6. Office Order file/Institution file.

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