

F.No.ER-300.11WB-S/N-1/2000/B.Ed/2022/66286

Dated: 12-08-2022

To,

The Principal/Correspondent,
University B.T. and Evening College,
Kesab Road, Kunjabari,
Cooch Behar,
West Bengal-736101

Sub: Compliance order passed by Hon'ble High Court in W.P.(C) 11567/2022 filed by University B.T. and Evening College

Sir/Madam,

I am to say that the recognition granted to **University B.T. and Evening College, Kesab Road, Kunjabari, Cooch Behar, West Bengal-736101** for B.Ed course was withdrawn by ERC vide order No. ER-300.11/WB-S/N-1/2000/B.Ed/2022/65937 dated 22.07.2022.

2. The institution had filed a Writ Petition No. 11567/2022 before the Hon'ble High Court of Delhi against the Withdrawal Order dated 22.07.2022 passed by ERC. The Hon'ble High Court passed an Order dated 04.08.2022 with the direction that the petitioner shall be entitled to participate in counselling and admit students for the the academic session 2022-23 and 2023-24.

3. In compliance of above Hon'ble High Court Order dated 22.07.2022, it is clarified that the institute is entitled to participate in counselling and admit students for the the academic session 2022-23 and 2023-24.

Yours faithfully,

(Ravindra Singh)
Regional Director

Copy to:-

1. The Secretary to the Govt. of West Bengal, Department of Higher Education, 06th Floor, Room No. 606, Bidhan Nagar, Kolkatta, West Bengal-700091.
2. The Registrar , University of North Bengal, Raja Rammohunpur, Post- North Bengal University, Distt- Darjeeling, West Bengal-734013.
3. IT consultant, ERC, for uploading this letter on NCTE/ERC website.

\$~69

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11567/2022**
UNIVERSITY B.T. AND EVENING COLLEGE Petitioner

Through: Mr. Amitesh Kumar, Ms. Binisa
Mohanty and Ms. Priti Kumari,
Advocates.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR.
..... Respondents
Through: Mr. Rahul Madan, Standing Counsel.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

% **ORDER**
04.08.2022

1. The Petitioner was granted recognition on 5th September, 2001 by the Eastern Regional Committee (***ERC***) of the National Council for Teacher Education (***NCTE***). It has now received withdrawal order dated 22nd July, 2022, issued by ERC, wherein it has been stated as under:

“Hence, ERC decided that the recognition for B.Ed. Course be withdrawn under Section 17 (1) of the NCTE Act, 1993 with effect from the end of academic session next following the date of communication of withdrawal order on the above grounds.”

2. Since the afore-noted order is appealable, Mr. Amitesh Kumar, counsel for the Petitioner, states that necessary steps for filing an appeal are

being undertaken and the same would be filed shortly. He submits that the reason for the Petitioner to approach this Court is the observation made by ERC, extracted above, wherein while referring to Section 17(1) of the NCTE Act, 1993 (*hereinafter, 'the Act'*), ERC has not mentioned the relevant academic session. He contends that on account of non-mentioning of exact academic session, the Petitioner would not be permitted to participate in the counselling for sessions 2022-23 and 2023-24. Per contra, Mr. Rahul Madan, Standing Counsel for the Respondents, states that there is no ambiguity in the impugned order and in terms of the proviso to Section 17(1) of the Act, the withdrawal order takes effect from the end of the academic session following the date of communication of withdrawal+ order.

3. In view of the stand taken by Mr. Madan, the present petition is disposed of with a liberty to the Petitioner to file an appeal under Section 18 of the Act against the impugned order.

4. It has been observed in terms of Section 17(1) of the Act, the Petitioner shall be entitled to participate in counselling and admit students for the academic session 2022-23 and 2023-24. All rights and contentions of the parties are left open.

5. The Respondents are directed to reflect the Petitioner's status as a recognised institution for the academic session 2022-23 and 2023-24 on their website and also to communicate the same to the Petitioner's affiliating university and the concerned State Government, within a period of 10 days

from today.

6. The present petition is disposed of.

SANJEEV NARULA, J

AUGUST 4, 2022

as