



**IN THE NCTE APPELLATE AUTHORITY  
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)  
G-7, Sector-10, Dwarka, New Delhi – 110075**

DATE: 22/10/2021

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**  
**File No. 89-255/E-178795/2021 Appeal/21<sup>st</sup> Meeting, 2021**  
**APPLSRC202113955**

Bhavani College of Education, Boddavalasa, 3,4 APSP 5 <sup>th</sup> Battalion, Krishnapuram, Denkada, Vizianagaram, Andhra Pradesh – 535005 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G- 7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Mr. A. Gurudev, (Director)
Respondent by	Regional Director, SRC
Date of Hearing	28/09/2021
Date of Pronouncement	22/10/2021

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of Bhavani College of Education, Boddavalasa, 3,4 APSP 5<sup>th</sup> Battalion, Krishnapuram, Denkada, Vizianagaram, Andhra Pradesh dated 24/02/2021

filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APSO2145/KA/B.Ed./2021/125764 dated 21.10.2020 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution has not submitted the certified copy of land document. The Extent of the land is not mentioned in the Land Use Certificate submitted by the institution. The institution has not submitted a notarized English version of NEC along with the original. The institution has not submitted BCC in prescribed format duly approved by the competent authority. The institution has submitted photocopy of faculty list approved by the Registrar, Andhra University, Visakhapatnam consisting of one principal, seven assistant professors submitted dated NIL. a) Date of joining of lecturer is not mentioned in the faculty list. b) Principal does not possess Ph.D. degree. c) Faculty in r/o Fine Arts & Performing Arts not appointed. The institution has not submitted Form 'A' issued by the Branch Manager. The institution is required to submit Form "A" issued by the bank manager for creation of FDR of Rs. 7 lakh & Rs. 5 lakhs towards Endowment Fund & Reserve Fund. The institution has not submitted affidavit regarding the land, building & management."

## II. SUBMISSIONS MADE BY APPELLANT:-

**Mr. A. Gurudev, (Director),** Bhavani College of Education, Boddavalasa, 3,4 APSP 5<sup>th</sup> Battalion, Krishnapuram, Denkada, Vizianagaram, Andhra Pradesh presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "We have submitted our reply through post with required documents when we have received the showcase notice for two times."

## III. OUTCOME OF THE CASE

The Committee noted that the appellant, vis-a-vis the grounds of withdrawal, submitted a certified copy (dated: 07.01.2021) of the land documents, LUC indicating the extent of land; English version of the NEC, BCC signed by Mandal Engineering Officer; copies of FDRs. For Rs.13,65,901/- and Rs. 4,80,006/- valid up to 02.07.2021, and faculty list, conditionally ratified with effect from 30.12.2020 for the academic year



2020-21 by the Registrar, Andhra University. The appellant has now faculties for Fine Arts and Performing Arts.

2. In view of the above position, The Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider these documents, to be submitted to them by the appellant, and take necessary action as per the NCTE Regulations, 2014. The Appellant is directed to forward to the SRC all the documents submitted in appeal within 15 days of receipt of orders on the appeal.

3. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, passed in W.P. (C) 4382/2021 has observed as follows:-

***"Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner."***

4. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30/07/2021, passed in W.P. (C) 7260/2021 has observed as follows:-

***"Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed."***

5. The Appeal Committee decided to set aside the impugned order dated 21.10.2020 and remand back the case to the SRC with a direction to consider these documents, to be submitted to them by the appellant, and take necessary action as per the NCTE Regulations, 2014. The Appellant is directed to forward to the SRC all the documents submitted in appeal within 15 days of receipt of orders on the appeal.





**IV. DECISION:-**

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to set aside the impugned order dated 21.10.2020 and remand back the case to the SRC for necessary action as indicated above.

The above decision is being communicated on behalf of the Appeal Committee.

  
(T. Pritam Singh)  
Deputy Secretary

**Copy to :-**

1. The Principal Bhavani College of Education, Boddavalasa, 3,4 APSP 5<sup>th</sup> Battalion, Krishnapuram, Denkada, Vizianagaram, Andhra Pradesh – 535005
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh.