



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-134/E-254155/2022 Appeal/9th Meeting, 2022
APPLWRC202114224**

Smt. Mahadevi Mahila T.T. College, Vill - Narainpur, Street - Jaipur Road, Town - Narainpur, Taluka - Thanagazi, Alwar, Rajasthan-301024 APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Abhishek Mishra, Chairman
Respondent by	Regional Director, WRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF REFUSAL

The appeal of Smt. Mahadevi Mahila T.T. College, Vill - Narainpur, Street - Jaipur Road, Town - Narainpur, Taluka - Thanagazi, Alwar, Rajasthan-301024 dated 17/12/2021 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. F.No.RJ.../347th/NRCAPP-9262/2021/{218789-218790} dated 17.12.2021 of the Western Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the ground that ***“as per the land documents submitted by the institution, the land is 30 years lease from 1996. The regulation requires lease of the land from government for at least 30 years on the date of application.”***

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Abhishek Mishra, Chairman of Smt. Mahadevi Mahila T.T. College, Vill - Narainpur, Street - Jaipur Road, Town - Narainpur, Taluka - Thanagazi, Alwar, Rajasthan-301024 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda, the appellant institution submitted "this representation is for the already applied integrated BA. B.Ed., B.Sc. B.Ed. in our successively running B.Ed., Graduation and Post-Graduation courses, our application was rejected due to the tenure of lease deed to which we are appealing for reconsideration as a land was allotted by the government for 30 years and the lease was subject to be extended automatically if the land was used for the same purpose for which it was allotted (documents enclosed ANNEXER-I). We have submitted the land use certificate as well as the document which clearly states that the land lease would be renewed if land is utilized for the purpose it was allotted. Although with respect to NCTE panel decision to reject our application on the grounds of lease tenure. We have written to the Collector Alwar District to renew and have been assured for the extension (document enclosed ANNEXER-II). We are a society working for the betterment of education in rural areas since 1990 and I would be grateful for your reconsideration of our application for integrated course applied for."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Western Regional Committee for grant of recognition for seeking permission for running the B.A. B.Ed. / B.Sc. B.Ed. course on 30.05.2016. The said application was rejected by the WRC vide order dated.17.12.2021.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned refusal order:

- (i) A copy of Affidavit on 100 Rs. Stamp Paper regarding land of the institution
- (ii) A copy of Land Use Certificate signed by Tahsildar on dated 05.08.2021 alongwith other related documents
- (iii) A copy of Building Completion Certificate.
- (iv) A copy of letter dated 23.7.2021 regarding safety of the building of the institution.
- (v) A copy of NEC/NOC etc.



The Committee noted that the application of the institution for B.A. B.Ed. / B.Sc. B.Ed. programme was refused vide order dated 17.12.2021, and it has been observed by the Committee that since then the institution has not been granted recognition and in view of the following decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022 *inter-alia* considered the following Agenda(s): -

Agenda No [5]: Decision on application, irrespective of any course, which are not in line with NEP 2020:

The Council, after consideration of Agenda placed before the Council and detailed discussion and deliberation, as below, observed the following: -

- The NEP 2020 lays down that teacher education institutions will be gradually moved into multidisciplinary colleges and universities by 2030. By 2030, the minimal qualification for a person to become a teacher will be the 4 Year integrated B.Ed. degree.
- The 2 Year B.Ed. program will also be offered only for those who have already obtained Bachelor's Degrees in other specialized subjects and the 1 Year B.Ed. program for those who have completed the equivalent of 4 Year multidisciplinary Bachelor's Degrees or who have obtained a Master's degree in a specialty and wish to become a subject teacher in that specialty.
- As per provision of Section 12 of NCTE Act, 1993 it shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of Teacher Education.
- There are approximately 430 applications for various Teacher Education Programmes, other than Diploma level courses. pending at different stages in the RCs.
- NEP 2020 has brought about a paradigm shift in the Teacher Education Sector. Accordingly, NCTE is also revamping its various curricula of ITEP. 2 Year B.Ed., 1 Year B.Ed. and introducing new courses of 4 Year Physical Education and 4 Year Art Education in line with NEP 2020. These courses are also to be aligned to the various criteria laid down by UGC and in alignment with NHEQE. NCFSE and NCFTE However, the existing courses which are currently running are not in alignment with these various aspects e.g., Credit System. 4 Stages of School Education (5+3+3+4). Entry- exit policy, no hard separation etc. These changes in curricula would also necessitate changes in the norms, standards and regulations. For the reasons aforementioned, it is not feasible to process any pending applications.

In light of the above, the Council members unanimously decided the following:

- I. ***At present, there are several institutions which have been recognised by the Regional Committees of NCTE wherein courses/ programme, other than diploma level courses, are running. An Expert Committee be constituted to devise the modalities for conversion of these recognised institutions into multidisciplinary institutions in line with NEP 2020.***



- II. *The applications pending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at any stage of processing be returned along with the processing fee to the concerned institution(s).*
- III. *In the cases where the applications are being processed/ reopened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review/appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble Court(s) for processing of application(s) in view of the decision of the Council has taken in II above.*

Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the WRC dated 17.12.2021 refusing recognition for B.Ed. programme of the institution is confirmed.

IV. **DECISION:** -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 17.12.2021 of WRC is confirmed.

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

Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Smt. Mahadevi Mahila T.T. College, Vill - Narainpur, Street - Jaipur Road, Town - Narainpur, Taluka - Thanagazi, Alwar, Rajasthan-301024
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-135/E-254630/2022Appeal/9th Meeting, 2022
APPLSRC202214362**

Sree Konaseema Bhanaji Ramars College of Education, 681/7, Peruru, College Road, Amalapuram, East Godavari, Andhra Pradesh-533201. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. K.N. Prasad, Lecturer
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of Sree Konaseema Bhanaji Ramars College of Education, 681/7, Peruru, College Road, Amalapuram, East Godavari, Andhra Pradesh-533201 dated 06/05/2022 filed under Section 18 of NCTE Act, 1993 against the Order No. F.SRO/NCTE/APSO0311/B.Ed./{AP}/2022/130728 dated 14/03/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that *“(i). The institution was issued a Last Reminder Letter dated 15.03.2021 with the direction to submit the latest staff list in the prescribed format duly approved by the affiliating body. The*

institution had submitted a Proforma of 10 faculty signed by the Dean and Registrar of A.N. University, A.P. but the signature of Registrar is not legible. The institution also failed to submit supporting documents in terms of educational qualification of the faculty and experience certificate of the principal. (ii). The institute is also failed to submit the bank statement showing disbursement of salary through bank Account to faculty as required under clause 10 (3) of NCTE Regulation, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. K.N. Prasad, Lecturer, Sree Konaseema Bhanoji Ramars College of Education, 681/7, Peruru, College Road, Amalapuram, East Godavari, Andhra Pradesh-533201 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda it is submitted that “(i) As required by the authorities of NCTE. We had staff approval list in our reply to your Show Cause Notice on 05-03-2022. Due to the printing problem the signature of the registrar of concerned University is not legible. Now we are resubmitting the colour xerox of staff approved list along with supporting documents. (ii). We are also submitting the latest Bank Statement showing disbursement to staff salaries.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 26.03.2003. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 02.02.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 12.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:



- (i) A list of faculty members (1+9), signed by the Registrar of Affiliating Body.
- (ii) A copy of affidavit on Rs. 100 stamp paper.
- (iii) A copy of bank statement of staff salaries.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 14.03.2022. The Committee noted that the institution during the appeal hearing has submitted that the institution is running B.Ed. course for one basic unit from the academic session 2020-21 and in regard the affiliating University i.e., Adikavi Nannaya University, Andhra Pradesh has issued one letter dt. 06.03.2021 which is already in the appeal file. Accordingly, the Appeal Committee decided that the institution shall file a representation before the Southern Regional Committee (SRC) in this regard and the SRC is directed to scrutinize the representation along with requisite documents.

The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."

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."

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 14.03.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.



Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time for one basic unit. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The SRC is further directed to pass appropriate order with respect to the reduction of intake i.e., one basic unit for B.Ed. programme. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Sree Konaseema Bhanoji Ramars College of Education, 681/7, Peruru, College Road, Amalapuram, East Godavari, Andhra Pradesh-533201**
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.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-136/E-254632/2022Appeal/9th Meeting, 2022
APPLSRC202214363**

Maheshwara College of Education, 61/AA/2, 62/AA, 63/AA/2, Maheshwaram, Narsampet, Warangal, Telangana-506331 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Mr. S. Suresh, Administrative Officer
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Maheshwara College of Education, 61/AA/2, 62/AA, 63/AA/2, Maheshwaram, Narsampet, Warangal, Telangana-506331** dated 06.05.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APSO0387/B.Ed./{TS}/2022/130752** dated 14/03/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). *The institute submitted a proforma of 7 Faculty signed by the Registrar, Kakatiya University. The faculty strength is not enough to run B.Ed. course with one unit (as requested in its letter dt. 12.01.2022) as per appendix of NCTE Regulations,*

2014. The institution also failed to submit supporting documents in terms of educational qualification of the faculty and experience certificate of the principal. (ii). Faculty namely P. Suresh Kumar, ShyamuDudimatla, Devender Togaru are not NET qualified and appointed after 09.06.2017, hence not eligible for appointed as per NCTE Regulations (amended vide notification dt. 09.06.2017). (iii). The institute submitted a proforma of 8 faculty for D.El.Ed. course signed by the Director, SCERT, Telangana on 16.10.2019. The institute failed in submission of latest approval of faculty issued by the SCERT. (iv). The institute did not submit Form 'A' and FDRs for Endowment and Reserve Funds for D.El.Ed. course. (iv). As per building plan the size of multipurpose hall is less than the requirement of NCTE Regulations, 2014. (v). The building plan submitted by the institute is neither approved nor legible. (vi.) As per Sale Deed dt. 11.09.2000 some portion of the building is roofed by AC sheets which is not permissible under clause 8 (7) of NCTE Regulations, 2014. (vii). The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014. (viii). Society Registration Certificate, Bye Laws etc., not submitted by the institution. (ix). The institute failed in submission of the bank statement of all individual faculty and institution's bank statement duly certified by the concerned bank showing disbursement of salary through Bank Account to faculty as required under clause 10(3) of NCTE Regulation, 2014."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. S. Suresh, Administrative Officer of Maheshwara College of Education, 61/AA/2, 62/AA, 63/AA/2, Maheshwaram, Narsampet, Warangal, Telangana-506331 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda submitted that "(i) We humbly submit that we have submit the faculty list which was approved earlier as there was only 21 days' time provided in the Final Show Cause Notice. Further, we submit that in the Final Show Cause Notice the supporting documents were not called for. We have obtained staff list approval from the Registrar, Kakatiya University and submitting herewith for kind consideration. (ii). We submit that, Sri. P. Suresh Kumar is SET qualified. Due to clerical mistake the same was not typed. Other two member are replaced with required qualifications. We are submitting herewith the approved staff list from the Registrar, Kakatiya University for kind consideration. (iii). We submit that the State Government of Telangana is not issuing any staff approval from past two years for D.El.Ed. courses. SRC also knows about this development. As such the available staff approval



was submitted. Further we wish to submit that D.El.Ed. course is not being run now. (iv). We submit that our institution is always maintaining the Endowment and Reserve Funds. We are submitting herewith the Form A for both B.Ed. and D.El.Ed. courses. (v). We submit that our institution is having a Multipurpose Hall of 2165.95 Sq.ft. on the Ground Floor of our building. Whereas SRC has mistaken the Seminar Hall on the second floor and has made this deficiency. We are submitting herewith the approved Building Plan for kind consideration. (iv). We submit that our institution has been submitting the Building Plan whenever called for. We are submitting herewith a clear and legible copy of the Building Plan for kind consideration. (vii). We submit that SRC is making this deficiency erroneously as it is 22 years old Land Document. During the purchase of Land whatever available in the land at that time was mentioned. Later it was demolished, and new building was constructed. The SRC has also conducted inspection of the building. The building is of 3 floors. There are no AC sheets in our institution. SRC has erroneously made this deficiency. (viii). Our institution is always having the website of our institution www.mcedn.org All the required information as per NCTE Regulations have been uploaded on the website. (ix). We humbly submitted that SRC has not at all called for this document in its Final Show Cause Notice. Whereas it has made it as deficiency for withdrawal of recognition. We are submitting herewith the Society Registration Certificate and Byelaws for kind consideration. (x). We humbly submit that SRC has not at all called for this document in its Final Show Cause Notice. Whereas it has made it as deficiency for withdrawal of recognition. Our institution is making payment through Bank Account. We are submitting herewith the Bank Statement for kind consideration.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 23.06.2003. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (two basic units) from the academic session 2015-16.



The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of Form 'A' and FDRs (Amount Rs.5,00,000/- and amount Rs. 7,00,000/- issued from Union Bank of India) Total Amount Rs. 12,00,000/-.
- (iii) A copy of Certificate of Encumbrance on Property.
- (iv) A copy of land documents with Land Use Certificate.
- (v) A copy of website screenshot.
- (vi) A copy of Building Plan.

The Committee noted that institution has submitted representation dt. 25.11.2019 regarding closure of one basic unit of B.Ed. programme. The institution also informed that the institution is in possession of the required building as per NCTE norms.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 14.03.2022. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."

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."



In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 14.03.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The SRC is further directed to pass appropriate order with respect to the reduction of intake i.e., one basic unit and also inspect the premises of the institution with respect to NCTE norms & standards as laid down in the NCTE Regulations, 2014. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Maheshwara College of Education, 61/AA/2, 62/AA, 63/AA/2, Maheshwaram, Narsampet, Warangal, Telangana-506331**
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 Telangana.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-141/E-256233/2022 Appeal/9th Meeting, 2022
APPLNRC202214369**

Sridutt Singh Institute for Teacher Training, 358, Jungle Gauri No. 2 URP Amahiya, Amahiya, Chauri Chaura, Gorakhpur, Uttar Pradesh-273202 APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Representative of Sridutt Singh Institute for Teacher Training
Respondent by	Regional Director, NRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF REFUSAL

The appeal of Sridutt Singh Institute for Teacher Training, 358, Jungle Gauri No. 2 URP Amahiya, Amahiya, Chauri Chaura, Gorakhpur, Uttar Pradesh-273202 dated 18.05.2022 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. NRC/NCTE/NRCAPP-14959-B.Ed./366th (Vol-11) (Blended Mode) Meeting/2022/218055 dated 21.04.2022 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on certain grounds. *“(i). The institute has not submitted the CLU issued by the Competent*

Authority. (ii). As per the land documents, total area of the land is 0.255 hect. which is less than the required land as per NCTE Norms. (iii). The land is also not at one place as per the details."

II. SUBMISSIONS MADE BY APPELLANT: -

The Representative of Sridutt Singh Institute for Teacher Training, 358, Jungle Gauri No. 2 URP Amahiya, Amahiya, Chauri Chaura, Gorakhpur, Uttar Pradesh-273202 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda, the appellant institution submitted that: - "(i). Institute has already submitted the CLU on dt. 05/03/2019 vide registered letter no. eu635831711 in the relevant documents are attached herewith. (ii). Institute has 4000 sqm. land in possession which has been communicated to you along with copies of registered deed. The relevant documents are attached herewith. (iii). The total land areas are completely adjacent to each other as the gate no. of all the land are 358, which is self-explanatory that total land is adjacent to each other. The relevant documents are attached herewith."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Northern Regional Committee for grant of recognition for seeking permission for running the B.Ed. course on 28.12.2012. The said application was rejected vide Refusal Order dated 21.4.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned refusal order:

- (i) A copy of land documents (Gift Deed) dated
- (ii) A copy of Change of Land Use Certificate dated 18.4.2022
- (iii) A copy of the site plan.

The Committee noted that the application of the institution for B.Ed. programme was refused vide order dated 21.04.2022, and it has been observed by the Committee that since then the institution has not been granted recognition and in view of the following decision taken by the



General Body of the NCTE in its 55th meeting held on 14.07.2022 *inter-alia* considered the following Agenda(s): -

Agenda No [5]: Decision on application, irrespective of any course, which are not in line with NEP 2020:

The Council, after consideration of Agenda placed before the Council and detailed discussion and deliberation, as below, observed the following: -

- The NEP 2020 lays down that teacher education institutions will be gradually moved into multidisciplinary colleges and universities by 2030. By 2030, the minimal qualification for a person to become a teacher will be the 4 Year integrated B.Ed. degree.
- The 2 Year B.Ed. program will also be offered only for those who have already obtained Bachelor's Degrees in other specialized subjects and the 1 Year B.Ed. program for those who have completed the equivalent of 4 Year multidisciplinary Bachelor's Degrees or who have obtained a Master's degree in a specialty and wish to become a subject teacher in that specialty.
- As per provision of Section 12 of NCTE Act, 1993 it shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of Teacher Education.
- There are approximately 430 applications for various Teacher Education Programmes, other than Diploma level courses. pending at different stages in the RCs.
- NEP 2020 has brought about a paradigm shift in the Teacher Education Sector. Accordingly, NCTE is also revamping its various curricula of ITEP. 2 Year B.Ed., 1 Year B.Ed. and introducing new courses of 4 Year Physical Education and 4 Year Art Education in line with NEP 2020. These courses are also to be aligned to the various criteria laid down by UGC and in alignment with NHEQE. NCFSE and NCFTE However, the existing courses which are currently running are not in alignment with these various aspects e.g., Credit System. 4 Stages of School Education (5+3+3+4). Entry- exit policy, no hard separation etc. These changes in curricula would also necessitate changes in the norms, standards and regulations. For the reasons aforementioned, it is not feasible to process any pending applications.

In light of the above, the Council members unanimously decided the following:

- I. ***At present, there are several institutions which have been recognised by the Regional Committees of NCTE wherein courses/ programme, other than diploma level courses, are running. An Expert Committee be constituted to devise the modalities for conversion of these recognised institutions into multidisciplinary institutions in line with NEP 2020.***
- II. ***The applications pending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at any stage of processing be returned along with the processing fee to the concerned institution(s).***
- III. ***In the cases where the applications are being processed/ reopened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review/appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble Court(s) for processing of application(s) in view of the decision of the Council has taken in II above.***



Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the NRC dated 21.04.2022 refusing recognition for B.Ed. programme of the institution is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 21.04.2022 of NRC is confirmed.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Sridutt Singh Institute for Teacher Training, 358, Jungle Gauri No. 2 URPB Amahiya, Amahiya, Chauri Chaura, Gorakhpur, Uttar Pradesh-273202**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi**
3. **Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-143/E-256800/2022 Appeal/9th Meeting, 2022
APPLWRC202214367**

Indian Women Institute of Teacher Training, Hingotiya, Hingotiya Road, Baniyana, Dausa, Rajasthan-303303. APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Rajkumar Sharma, Secretary
Respondent by	Regional Director, WRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF REFUSAL

The appeal of Indian Women Institute of Teacher Training, Hingotiya, Hingotiya Road, Baniyana, Dausa, Rajasthan-303303 dated 17.05.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No./NRCAPP4848/D.El.Ed./351st/RJ/2022 dated 29.11.2022 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that: “(i). Show Cause Notice was issued to the institution vide letter dated 24.07.2021. (ii). Institution vide letter dated 14.08.2021 has submitted reply to show cause notice. (iii). The institution does not fall under the category of composite institution as per Clause 2(b) and 8(1) of NCTE Regulations 2014. Hence its application cannot be processed for D.El.Ed. course.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Rajkumar Sharma, Secretary of Indian Women Institute of Teacher Training, Hingotiya, Hingotiya Road, Baniyana, Dausa, Rajasthan-303303 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda it is submitted that: "Attached herewith."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Western Regional Committee for grant of recognition for seeking permission for running the D.El.Ed. course on 28.12.2012. The said application was refused recognition vide order dated 29.11.2022.

The Committee noted that the application of the institution for D.El.Ed. programme was refused vide order dated 29.11.2022, and it has been observed by the Committee that since then the institution has not been granted recognition and in view of the following decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022 *inter-alia* considered the following Agenda(s): -

Agenda No [5]: Decision on application, irrespective of any course, which are not in line with NEP 2020:

The Council, after consideration of Agenda placed before the Council and detailed discussion and deliberation, as below, observed the following: -

- The NEP 2020 lays down that teacher education institutions will be gradually moved into multidisciplinary colleges and universities by 2030. By 2030, the minimal qualification for a person to become a teacher will be the 4 Year integrated B.Ed. degree.
- The 2 Year B.Ed. program will also be offered only for those who have already obtained Bachelor's Degrees in other specialized subjects and the 1 Year B.Ed. program for those who have completed the equivalent of 4 Year multidisciplinary Bachelor's Degrees or who have



obtained a Master's degree in a specialty and wish to become a subject teacher in that specialty.

- As per provision of Section 12 of NCTE Act, 1993 it shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of Teacher Education.
- There are approximately 430 applications for various Teacher Education Programmes, other than Diploma level courses. pending at different stages in the RCs.
- NEP 2020 has brought about a paradigm shift in the Teacher Education Sector. Accordingly, NCTE is also revamping its various curricula of ITEP. 2 Year B.Ed., 1 Year B.Ed. and introducing new courses of 4 Year Physical Education and 4 Year Art Education in line with NEP 2020. These courses are also to be aligned to the various criteria laid down by UGC and in alignment with NHEQE. NCFSE and NCFTE However, the existing courses which are currently running are not in alignment with these various aspects e.g., Credit System. 4 Stages of School Education (5+3+3+4). Entry- exit policy, no hard separation etc. These changes in curricula would also necessitate changes in the norms, standards and regulations. For the reasons aforementioned, it is not feasible to process any pending applications.

In light of the above, the Council members unanimously decided the following:

- I. At present, there are several institutions which have been recognised by the Regional Committees of NCTE wherein courses/ programme, other than diploma level courses, are running. An Expert Committee be constituted to devise the modalities for conversion of these recognised institutions into multidisciplinary institutions in line with NEP 2020.***
- II. The applications pending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at any stage of processing be returned along with the processing fee to the concerned institution(s).***
- III. In the cases where the applications are being processed/ reopened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review/appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble Court(s) for processing of application(s) in view of the decision of the Council has taken in II above.***

Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the WRC dated 29.11.2022 refusing recognition for D.El.Ed. programme of the institution is confirmed.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 29.11.2022 of WRC is confirmed.

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


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Indian Women Institute of Teacher Training, Hingotiya, Hingotiya Road, Baniyana, Dausa, Rajasthan-303303**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-144/E-256805/2022 Appeal/9th Meeting, 2022
APPLNRC202214372**

C.D. Girls Degree College, 59, Govind Vihar Tiraha, Govind Vihar, Chinhat, Lucknow, Uttar Pradesh-226028. APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Ashok Yadav, Manager
Respondent by	Regional Director, NRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OFS OF REFUSAL

The appeal of C.D. Girls Degree College, 59, Govind Vihar Tiraha, Govind Vihar, Chinhat, Lucknow, Uttar Pradesh-226028 dated 21.05.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No./NRC/NCTE/NRCAPP-12077-B.Ed./366th(Part-1)(Blended Mode)Meeting/2022/1218877-878 dated 28.07.2022 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "(i). *The institution has not submitted any proof related to the submission of the hard copy of online application at the time of initial application.* (ii). *The proof of the submission of processing fee is not given.* (iii). *The institute has not submitted any proof that the application submitted in hard copy*

was returned by NRC. (iv). The institution has not submitted Non-Encumbrance Certificate. (v). The institution has not submitted change of Land Use Certificate. (vi). The institution has not submitted Mutation Certificate. (vii). The institution has not submitted the proof of being composite as per NCTE Regulations 2014 for this application submitted online in 2015."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Ashok Yadav, Manager of C.D. Girls Degree College, 59, Govind Vihar Tiraha, Govind Vihar, Chinhath, Lucknow, Uttar Pradesh-226028 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda it is submitted that "(i). *It has come to be known that North Regional Committee Minutes of 366 (Blended Vol-1) Meeting of the NRC, NCTE held on 26th & 28th March 2022, in which the following points: -*

Point No. 1. Online application to National Council for Teacher Education Along with the three copies of all the documents have been speed posted dated 08.06.2015 to the office of the North Regional Committee. Receipt Attachment.

Point No. 2. Demand Draft in the name of National Council for Teacher Education "Member Secretary NCTE", Indian Overseas Bank, dated 29.05.2015. DD enclosure.

Point No. 3. Correspondence RTI to process of the pending letter in the North Regional Committee office. And personally, the manager has given notice, but the manager has not received any information before the 366th part-1 meeting of the North Regional committee office.

Point No. 4. The Non-Encumbrance Certificate issued from the office of Deputy Registrar, Lucknow District, Lucknow, Uttar Pradesh, has been speed posted by the Manager on 08.06.2015 along with the online application. Receipt attached.

Point No. 5. Court Deputy District Magistrate/Asst. Uncultivated land issued from Collector, Lucknow, Uttar Pradesh Section-143 C.L.U. Speed postdated 08.06.2015 along with the application. Receipt attached.

Point No. 6. Certified extract from Office of Revenue Department, Lucknow District, Lucknow, Uttar Pradesh Khatauni dated 08.06.2015 Speed Posted. Receipt attached.

Point No. 7. B.A. and B.Com. in college. The affiliation certificate of the course has been speed posted dated 08.06.2015 along with the online application.

That the manager has completely prepared the college building as per the NCTE Norms, but due to the paper padding being kept in the North Regional Committee, the institute has lost the session. (iii). That the manager has given cognizance of correspondence and personally also to bring the pending papers in the North Regional Committee office in the process. (iv). That your office NRC/NCTE will be sent to you through personal correspondence and RTI. It has been informed through the medium that the decision



should be taken by keeping the letter in the North Regional Committee meeting as per the rules. Otherwise, the photocopy of the decision taken should be given. (v). That the North Regional Committee has placed in 366th Part-1 after 7 years. But the letter is not received yet. Receipt of all the documents submitted to the North Regional Committee office is attached."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Northern Regional Committee for grant of recognition for seeking permission for running the B.Ed. course on 30.05.2015. The said application was refused of the NRC vide order dated 28.7.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned refusal order:

- (i) A copy of set of application submitted by the institution to the NRC

The Committee noted that the application of the institution for NRC programme was refused vide order dated 28.07.2022, and it has been observed by the Committee that since then the institution has not been granted recognition and in view of the following decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022 *inter-alia* considered the following Agenda(s): -

Agenda No [5]: Decision on application, irrespective of any course, which are not in line with NEP 2020:

The Council, after consideration of Agenda placed before the Council and detailed discussion and deliberation, as below, observed the following: -

- The NEP 2020 lays down that teacher education institutions will be gradually moved into multidisciplinary colleges and universities by 2030. By 2030, the minimal qualification for a person to become a teacher will be the 4 Year integrated B.Ed. degree.



- The 2 Year B.Ed. program will also be offered only for those who have already obtained Bachelor's Degrees in other specialized subjects and the 1 Year B.Ed. program for those who have completed the equivalent of 4 Year multidisciplinary Bachelor's Degrees or who have obtained a Master's degree in a specialty and wish to become a subject teacher in that specialty.
- As per provision of Section 12 of NCTE Act, 1993 it shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of Teacher Education.
- There are approximately 430 applications for various Teacher Education Programmes, other than Diploma level courses. pending at different stages in the RCs.
- NEP 2020 has brought about a paradigm shift in the Teacher Education Sector. Accordingly, NCTE is also revamping its various curricula of ITEP. 2 Year B.Ed., 1 Year B.Ed. and introducing new courses of 4 Year Physical Education and 4 Year Art Education in line with NEP 2020. These courses are also to be aligned to the various criteria laid down by UGC and in alignment with NHEQE. NCFSE and NCFTE However, the existing courses which are currently running are not in alignment with these various aspects e.g., Credit System. 4 Stages of School Education (5+3+3+4). Entry- exit policy, no hard separation etc. These changes in curricula would also necessitate changes in the norms, standards and regulations. For the reasons aforementioned, it is not feasible to process any pending applications.

In light of the above, the Council members unanimously decided the following:

- I. ***At present, there are several institutions which have been recognised by the Regional Committees of NCTE wherein courses/ programme, other than diploma level courses, are running. An Expert Committee be constituted to devise the modalities for conversion of these recognised institutions into multidisciplinary institutions in line with NEP 2020.***
- II. ***The applications pending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at any stage of processing be returned along with the processing fee to the concerned institution(s).***
- III. ***In the cases where the applications are being processed/ reopened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review/appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble Court(s) for processing of application(s) in view of the decision of the Council has taken in II above.***

Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the NRC dated 28.03.2022 refusing recognition for B.Ed. programme of the institution is confirmed.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 28.07.2022 of NRC is confirmed.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, C.D. Girls Degree College, 59, Govind Vihar Tiraha, Govind Vihar, Chinhat, Lucknow, Uttar Pradesh-226028**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi**
3. **Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh.**



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

DATE: 30/11/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT
File No. 89-173/E-258208/2022 Appeal/9th Meeting, 2022
APPLERC202214390**

DAV College of Teacher Education, Khata No. 112, Plot No. 445, Kumbha-II, Kumha-II Road, Koraput, Odisha-764020. APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Dr. Pradeep Kumar, Principal
Respondent by	Regional Director, ERC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of DAV College of Teacher Education, Khata No. 112, Plot No. 445, Kumbha-II, Kumha-II Road, Koraput, Odisha-764020 dated 28/05/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No.ER-274.14.38/(OR-S/E-17/96 & ERCAPP1865)/B.Ed./2019/61178 dated 05/08/2019 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that " The institution is still deficient on the ground that Faculty list comprises 1+6 instead of 1+15 as per NCTE Regulations, 2014.

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Pradeep Kumar, Principal of DAV College of Teacher Education, Khata No. 112, Plot No. 445, Kumbha-II, Kumbha-II Road, Koraput, Odisha-764020 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that “The recruitment process for appointment of teaching faculties is going on by the govt. of Odisha through Odisha public service commission and very soon the required number of teaching faculties will be appointed in the college as per NCTE norms for two units of two years B.Ed. programme.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 24.02.2014. Thereafter, a revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course.

Dr. Pradeep Kumar, Principal of the institution informed the Appeal Committee during the appeal hearing that the recruitment process for appointment of teaching faculties is going on by the Govt. of Odisha through Odisha Public Service Commission and very soon the required number of teaching faculties will be appointed in the college as per NCTE norms for two units of two-year Bed. Programme.

As far as the delay is concerned the institution has submitted that the delay caused in filing of Appeal was due to the ongoing recruitment process and final result was awaited from Odisha Public Service Commission, Cuttack. As such the Appeal could not be filed in time. The institution further submitted that delay caused is not deliberate.

The Appeal Committee noted that the matter was taken up by the Appeal Committee in 36th meeting of the Appeal Committee held on 26th November, 2019 wherein the Committee noted that ***“ever since the issue of revised recognition order dated 31.5.2015 under NCTE Regulation, 2014, the appellant institution has not been able to appoint faculty required for an intake of 100 seats as per Norms and Standards (Appendix 4) of NCTE Regulation, 2014. Even on the date of appeal hearing the appellant did not have the required number of***



faculty. Appeal Committee considers that appointment of faculty possessing requisite qualifications and experience with the approval of affiliating body is utmost essential for smooth conducting of the course. Since the appellant institution has failed to comply with the NCTE Regulations, even after getting two Show Cause Notice (SCNs), Appeal Committee decided to confirm the withdrawal order dated 5.8.2019."

IV. DECISION: -

Appeal Committee as per extant appeal rules decided that since the matter has already been decided by the virtue of 36th Appeal Committee meeting held on 26.11.2019, the same issue cannot adjudicated by the Appeal Committee for the second time. Hence the current order dated 13.12.2019 will continue to stand.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, DAV College of Teacher Education, Khata No. 112, Plot No. 445, Kumbha-II, Kumha-II Road, Koraput, Odisha-764020**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi**
3. **Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Education (looking after Teacher Education) Government of Odisha.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-179/E-258797/2022 Appeal/9th Meeting, 2022
APPLSRC202214408**

Sri. S. Kariyappa College of Education, 248/250, Kanakpura, MG Road, RES Campus, Bangalore, Karnataka-562117 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Ms. Harisha H.S., Principal
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of Sri. S. Kariyappa College of Education, 248/250, Kanakpura, MG Road, RES Campus, Bangalore, Karnataka-562117 dated 04.06.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APSO3104/B.Ed./KA/2022/131334 dated 11.04.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that *“(i).The institution has submitted a Notarized copy of Land Title Certificate which is not approved by Competent Authority and survey no. and purpose are not mentioned in the document. (ii). A notarized copy of Building Plan is not approved by the Competent Authority in which survey no., multi-purpose hall area and total built-up area are not mentioned. (iii). A notarized copy of Site Plan is not approved by the Competent Authority. (iv). The institution has*

submitted a Notarized copy of BCC is not approved by Competent Authority in which date of inspection, survey no. and multi-purpose Hall area are not mentioned. (v). The institute submitted a copy of letter dated 22.02.2022 issued by the Registrar, Bangalore University but principal and 4 Assistant Professors have been approved with the condition to clear NET/SLET within 2/3 years. The conditional approved is not acceptable. (vi). Lecturers in R/O performing Arts/Fine Arts and Physical Education are not appointed by the institution. (vii). The maturity period of FDRs are less than 05 years. (viii). The institution did not submit Affidavit on Rs. 100/- stamp paper. (ix). The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014."

II. SUBMISSIONS MADE BY APPELLANT: -

Ms. Harisha H.S., Principal of, Sri. S. Kariyappa College of Education, 248/250, Kanakpura, MG Road, RES Campus, Bangalore, Karnataka-562117 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that "(i). Non complete land title certificate without survey numbers. (ii). BP is approved survey no MP Hall built up area is mentioned in BP it is enclosed. (iii). Site plan is approved by competent authority. (iv). BCC is approved and details is mentioned. (v). Latest staff approval is as per NCTE Norms and approved by competent authority. (vi). Fine arts, M.P.Ed., music staff is appointed in latest staff approval. (vii). FDR are renewed 5 and 7 lakhs. (viii). Affidavit is submitted. (ix). Proof of salary is enclosed.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 24.12.2005. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 10.06.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 01.07.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:



- (i) A copy of Land Title Certificate.
- (ii) A copy of Building Plan approved by the Competent Authority.
- (iii) A copy of Site Plan approved by the Competent Authority.
- (iv) A copy of Building Completion Certificate approved by the Competent Authority.
- (v) A list of faculty members, signed by the Registrar of Affiliating Body.
- (vi) A copy of FDRs receipt.
- (vii) A copy of proof of disbursement of salary to faculty.

The Committee noted that the institution during the appeal hearing has submitted that the institution is running B.Ed. course for one basic unit from the academic session 2021-22 and in regard the institution had requested the SRC vide letter dated 05.07.2017 as well as to the affiliating University i.e., Bangalore University. The Bangalore University, Bangalore has issued one letter dt. 08.04.2022 which is already in the appeal file which required to be verified by the SRC. Accordingly, the Appeal Committee decided that the institution shall file a representation before the Southern Regional Committee (SRC) in this regard and the SRC is directed to scrutinize the representation along with requisite documents.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 11.04.2022. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”




In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 11.04.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Sri. S. Kariyappa College of Education, 248/250, Kanakpura, MG Road, RES Campus, Bangalore, Karnataka-562117
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 Karnataka.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**F. No. 89-182/E-258948,49,50/2022 Appeal/9th Meeting, 2022
APPLNRC202214396**

Dr. Ram Kumar Gayatri Devi Mahavidhyalay, 250, Raja Ka Rampur, Etah, Uttar Pradesh-207244. APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. Brij Kishore, Principal
Respondent by	Regional Director, NRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OFS OF WITHDRAWAL

The appeal of Dr. Ram Kumar Gayatri Devi Mahavidhyalay, 250, Raja Ka Rampur, Etah, Uttar Pradesh-207244 dated 30.05.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No./NRC/NCTE/UP-1900/337th Meeting/2021/214623 dated 16.07.2021 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "(i). *The latest/current faculty list approved & signed each page by concerned affiliating body in original with the details of their teaching subject, date of birth, date of selection, date of joining, academic qualifications, teaching experience, NET/Ph.D. (NCTE's GOI dated 09.06.2017), salary structure and related documents duly attested by authorized*

management representative not submitted. And, notarized original affidavit of Rs. 100/- on non-judicial stamp paper by the management and Rs. 10/- non-judicial stamp paper by each selected/appointed faculty in the NCTE prescribed proforma are required to be submitted. (ii). Details of salary disbursed to the faculty along with months Bank statement and account number of each faculty member has not been submitted. (iii). Copies of valid Fixed Deposit Receipts Nationalised/Scheduled Bank towards endowment & reserve fund in the joint operation mode with RD, NRC, NCTE & management alongwith duly field bank Form "A" in original, verified/signed by the manager of the bank as per NCTE Regulations, 2014 has not been submitted. (iv). Downloaded copies of documents from the website of the institution with hyperlinks of the same as per provisions of 7(14) of the NCTE Regulations, 2014 has not been submitted. (v). Building Completion Certificate signed by the Competent Government Authority has not been submitted.

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Brij Kishore, Principal of Dr. Ram Kumar Gayatri Devi Mahavidhyalay, 250, Raja Ka Rampur, Etah, Uttar Pradesh-207244 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal it is submitted that "(i). The appellant institution duly replied to the show cause notice dated 10.06.2019 and submitted the requisite documents vide reply dated 25.06.2019. Thereafter the institution has not received any show cause notice. Public notice dated 30.03.2021 was not in knowledge of the institution as it peaks of second wave of covid pandemic. That the action of respondent is in utter violation of principles of natural justice. (ii). Because the appellant fulfils all the requirements under the provisions of NCTE Act, Rules and relevant regulations including the Norms and Standards for the concerned Teacher Education Programme such as instructional facilities, infrastructural facilities, library, land, accommodation, financial resources, laboratory, etc. for running the programme and has selected/appointed duly qualified teaching staff as per NCTE norms and as per the approval of faculty given by the affiliating bodies. Because the Hon'ble High Court of Delhi at New Delhi vide judgement dated 23.02.2017 passed in W.P. (C)No.3231/2016, titled 'Rambha College of Education vs. National Council for Teacher Education & Anr.' Has directed the NCTE to consider the subsequent development. Because the Hon'ble High Court in W.P. (C) No. 9744/2020 titled as Asha Devi Mahavidyalaya & Anr, Vs. National Council for Teacher Education has directed the respondent to consider the subsequent development, which were submitted during the pendency of the application before the Regional



Committee or in the course of hearing of the appeal vide order dated 03.12.2020. Because the humble appellant satisfies all criteria stipulated in the Regulation, 2014 in terms of infrastructure as well as faculty.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 07.04.2008. Thereafter, a revised provisional recognition order was issued to the institution on dt. 06.06.2015 for conducting B.Ed. course of two years duration with an annual intake of 50 students each (Two units) from the academic session 2015-16.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty of (1+15) members, signed by the Registrar of Affiliating Body alongwith a copy of letter dated 16.2.2022 issued by the Registrar, Dr. Bheem Rao Ambedkar University, Agra.
- (ii) A copy of salary disbursement to the faculty.
- (iii) A copy of Form 'A' alongwith FDRs receipt.
- (iv) A copy of website screenshot.
- (v) A copy of Building Completion Certificate.
- (vi) A copy of Building Plan.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 16.07.2021. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

The Appeal Committee noted that there is a delay of 8 months 14 days in filing of the appeal. The institution submitted that due to the COVID-19 break out the institution could not file the Appeal in time and accordingly, the Appeal Committee decided to condone the delay.



Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 16.07.2021 is set-aside and the Appellate Committee has decided to remand back the case to NRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to NRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the NRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The NRC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to NRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the NRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The NRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Dr. Ram Kumar Gayatri Devi Mahavidhyalay, 250, Raja Ka Rampur, Etah, Uttar Pradesh-207244**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-183/E-259049/2022 Appeal/9th Meeting, 2022
APPLSRC202214414**

Sri Vasavi GMR D.Ed. College, 414/1c, Tadepalligudem, Ramannagudem Road, Street No.1, West Godavari, Andhra Pradesh-534101 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. V.V.N Lakshmi Narayan, Secretary & Correspondent
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of Sri Vasavi GMR D.Ed. College, 414/1c, Tadepalligudem, Ramannagudem Road, Street No.1, West Godavari, Andhra Pradesh-534101 dated 10.05.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/SRCAPP895/D.El.Ed./AP/2022 & F.SRO/NCTE/SRCAPP2382/ D.El.Ed.-A.I./AP/2022/131614 dated 20.04.2022 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that:- “(i). The institution submitted a proforma of faculty signed by the registrar A. N. University, but the date of approval has not been

mentioned. (ii). Eight faculty namely Himabindu Pitta, Subbalakshmi, Kumpatla, Rajeshkumar Amalapurapu, Venkatarao pasalapudi, Trinadha Prasad Alanka, Palleti NG Kishore Kumar, Prasanthi Kumari Y. Dr. Boddu Sudha Priya are not NET qualified and appointed after 09.06.2017, hence not eligible for appointment as per NCTE Regulations, 2014 (Amended vide notification dated 09.06.2017). (iii). The institution submitted a proforma of 16 faculty for D.El.Ed. course signed by the director, SCERT on 04-03-2011. The institution failed in submission of latest faculty issued by the SCERT. (iv). The building plan submitted by the institution do not show whether the building is roofed by RCC or not. (v). The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014. (vi). The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account for last one year as required under clause 10(2) of NCTE Regulations, 2014. (vii). The institution did not submit registration certificate and bye laws of the managing society/trust."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. V.V.N Lakshmi Narayan, Secretary & Correspondent of Sri Vasavi GMR D.Ed. College, 414/1c, Tadepalligudem, Ramannagudem Road, Street No.1, West Godavari, Andhra Pradesh-534101 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda, it is submitted that: - "(i). The question is not relevant to this institution. It is pertaining to B.Ed. and a separate petition is filed giving reply in that institution. (ii). The question is not relevant to this institution. It is pertaining to B.Ed. and a separate petition is filed giving reply in that institution. (iii). Our 16 staff approval signed by director SCERT on dt. 04.03.2016 and proceeding on dt. 26.02.2016 college was established only in 2012 and so staff approval date as per your notice 04.03.2011 was mistaken. (iv). The building is constructed with roof only. The building plan approved proceeding by gram panchayat dt. 27.09.2011 & 04.06.2018 giving plan approval also indicate RCC slab. a certificate from secretary gram panchayat certifying that building is constructed as per approved plan and with RCC roof is being attached duly notarized. (v). svgmcolleges.com is the website site of the institution. It is updated to provide the required information under clause 7(14)(1), 8(14) and 10(3) of NCTE with all the latest information and photographs hyperlinks to NCTE also provided on the website. (vi). Salaries are paid regularly and acquaintance of proof of disbursement of salary to teaching and non-teaching last 1 year is being attached. (vi). The Gayatri Educational Society is registered vide regn. No.41/98 under the society registration act, 1860. The society registration certificate and bye laws of society duly notarized is being attached. The society renewal is done regularly, and income tax returns are also filed. The society is registered under 12a of the income tax act, 1961."



III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for D.El.Ed. Course with an annual intake of 50 students vide order dated 29.08.2012 and D.El.Ed. (Additional Intake) with an annual intake of 50 students vide order dated 12.04.2016.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of proceedings dated 26.2.2017 of the Director, SCERT, Andhra Pradesh alongwith staff list for D.Ed. programme.
- (ii) A copy of Building Completion Certificate.
- (iii) A copy of Building Plan.
- (iv) A copy of website homepage.

The Appeal Committee noted that the institution failed to produce the latest faculty list with respect to D.El.Ed. programme. Therefore, the Appeal Committee concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 20.04.2022 regarding D.El.Ed. programme issued by SRC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 20.4.2022 issued by SRC is confirmed.

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


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Sri Vasavi GMR D.Ed. College, 414/1c, Tadepalligudem, Ramannagudem Road, Street No.1, West Godavari, Andhra Pradesh-534101
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.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-184/E-259050/2022 Appeal/9th Meeting, 2022
APPLSRC202214413**

GMR College of Education, 414/1c, Tadepalli, Ramnannagudem Road, Steet No.1, Tadepalligudem, West Godavari, Andhra Pradesh- 534101 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. V.V.N Lakshmi Narayan, Secretary & Correspondent
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **GMR College of Education, 414/1c, Tadepalli, Ramnannagudem Road, Steet No.1, Tadepalligudem, West Godavari, Andhra Pradesh-534101** dated 10.05.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APS08568/B.Ed./AP/2022/131609** dated 20.04.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "(i). The institution submitted a proforma of faculty signed by the registrar A. N. University, but the date of

approval has not been mentioned. (ii). Eight faculty namely Himabindu Pitta, Subbalakshmi, Kumpatla, Rajeshkumar Amalapurapu, Venkatarao pasalapudi, Trinadha Prasad Alanka, Palleti NG Kishore Kumar, Prasanthi Kumari Y. Dr. Boddu Sudha Priya are not NET qualified and appointed after 09.06.2017, hence not eligible for appointment as per NCTE Regulations, 2014 (Amended vide notification dated 09.06.2017). (iii). The institution submitted a proforma of 16 faculty for D.El.Ed. course signed by the director, SCERT on 04-03-2011. The institution failed in submission of latest faculty issued by the SCERT. (iv). The building plan submitted by the institution do not show whether the building is roofed by RCC or not. (v). The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014. (vi). The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account for last one year as required under clause 10(2) of NCTE Regulations, 2014. (vii). The institution did not submit registration certificate and bye laws of the managing society/trust."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. V.V.N Lakshmi Narayan, Secretary & Correspondent of GMR College of Education, 414/1c, Tadepalli, Ramnannagudem Road, Steet No.1, Tadepalligudem, West Godavari, Andhra Pradesh-534101 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal it is submitted that "(i) Date of staff approval is on dt. 31/07/2021. The registrar in advertently omitted date. A clarificatory letter by CDC dean of Adikavi Nannaya University issued that staff approval is done on dt. 31/07/2021 which may kindly be considered. Copy of letter from dean, CDC, A N University duly notarized is attached. (ii). Ours is a continuing college since 2007 and the staff members are recruited and approved by the Adikavi nannayya University every year based on NCTE Regulations 2014 only. All the staff members are having PG with required qualification and are having good experience in pedagogy and general subjects. (iii). The question is not relevant to this institution. It is pertaining to D.El.Ed. and a separate petition is filed giving reply in that institution. (iv). The building is constructed with RCC roof only. The building plan approval proceeding by gram panchayat dt. 27.09.2011 & 04.06.2018 giving plan approval also indicate RCC slab. A certificate from secretary gram panchayat certifying that building is constructed as per approved plan and with RCC roof is being attached duly notarized. (v). svgmcolleges.com is the website site of the institution. It is updated to provide the required information under clause 7(14)(1), 8(14) and 10(3) of NCTE with all the latest information and photographs etc. Kindly be considered. Hyperlink to NCTE and apsche also provided on the



website. (vi). Salaries are paid regularly and acquaintance of proof of disbursement of salary to teaching and non-teaching last 1 year is being attached. (vii). The Gayatri Educational Society is registered vide REGN. No.41/98 under the society registration act, 1860. The society registration certificate and bye laws of society duly notarized is being attached. The society renewal is done regularly, and income tax returns are also filed. The society is registered under 12a of the income tax act, 1961.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 17.09.2007. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 17.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 26.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of Building Completion Certificate.
- (iii) A copy of Building Plan etc.

The Appeal Committee noted that the staff list submitted by the institution is not compliant with the NCTE Regulations, 2014. It is pertinent to mention that faculty, namely, Ms. Himabindu Pitta, Ms. Subbalaxmi Kumpatla, Mr. Trinadha Prasad Alanka, Mr. Palleti NG Kishore Kumar, Ms. Prasanthi Kumari Y, are not qualified as per the NCTE norms. Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 20.4.2022 issued by SRC is confirmed.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 20.04.2022 issued by SRC is confirmed.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, GMR College of Education, 414/1c, Tadepalli, Ramnannagudem Road, Steet No.1, Tadepalligudem, West Godavari, Andhra Pradesh-534101**
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.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-185/E-259051/2022 Appeal/9th Meeting, 2022
APPLERC202214380**

College of Teacher Education, 521,528,560,561,642,529,530, Balangir, Patnagarh Road, Balangir, Bolangir, Odisha- 767001. APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Dr. Gitanjali Padhi, Principal
Respondent by	Regional Director, ERC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of College of Teacher Education, 521,528,560,561,642,529,530, Balangir, Patnagarh Road, Balangir, Bolangir, Odisha-767001 dated 26.05.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. ER-295.5/OR-S/E-6/96 & APE 00346/B.Ed./2021/64425 dated 31.8.2021 whereby the institution was granted recognition for B.Ed. course with an annual intake of 50 (one basic unit).

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Gitanjali Padhi, Principal of College of Teacher Education, 521,528,560,561,642,529,530, Balangir, Patnagarh Road, Balangir, Bolangir, Odisha-767001 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda it is submitted that: - "This is a Govt. institution under the Dept. of Higher Education, Govt. of Odisha. Recruitment process of 285 nos. of teaching faculties for B.Ed. colleges by Odisha Public Service Commission (OPSC) is going on and very soon all the teaching faculties will join in different B.Ed. colleges of Odisha. 14 nos. of teacher faculties will join in our college very soon."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 31.05.1996. A revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution was withdrawn vide order dated 28th January, 2020. The institution preferred an Appeal against the order dated 28.1.2020 whereby the Appeal Committee vide is order dated 19.8.2021 decided to remand back the case. The ERC vide order dated 31.8.2021 granted restoration of recognition order for B.Ed. course with an annual intake of 50 (one basic unit).

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of OPSC letter for recruitment to the post of Assistant Professor (Teacher Education) Stage-1.
- (ii) A copy of faculty list (1+15) submitted.
- (iii) A copy of Building Completion Certificate approved by the Competent Authority



The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Order dated 31.8.2021. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

As far as the delay is concerned the institution has submitted that the delay caused in filing of Appeal was due to the ongoing recruitment process and final result was awaited from Odisha Public Service Commission, Cuttack. As such the Appeal could not be filed in time. The institution further submitted that delay caused is not deliberate. In view of the above, the Committee accepted the submission made by the institution regarding the delay in filling of appeal and accordingly, the Committee decided to condone the delay.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in

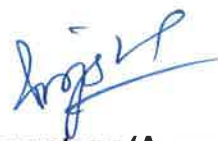


appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, College of Teacher Education, 521,528,560,561,642,529,530, Balangir, Patnagarh Road, Balangir, Bolangir, Odisha-767001**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi**
3. **Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Education (looking after Teacher Education) Government of Odisha.**



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

DATE: 30/11/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT
File No. 89-186/E-259165/2022 Appeal/9th Meeting, 2022
APPLNRC202214410**

Rajiv Gandhi Mahila Mahavidhyalaya, 1089, 1545, 1546, Pardahan, Mau, Na, Maunath Bhanjan, Sadar, Mau, Uttar Pradesh-275101 APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Mr. Sayeeduddin Khan, Secretary
Respondent by	Regional Director, NRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF REFUSAL

The appeal of Rajiv Gandhi Mahila Mahavidhyalaya, 1089, 1545, 1546, Pardahan, Mau, Na, Maunath Bhanjan, Sadar, Mau, Uttar Pradesh-275101 dated 07.06.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No.NRC/NCTE/UP-3124-B.Ed./365th(Part-1)(Blended Mode)Meeting/2022/217891-899 dated 11.04.2022 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "(i).The institution has not submitted approved faculty list in original with the details of their academic qualification/experience etc. (ii). The institution has not submitted the details of salary

disbursed to the faculty along with six months bank statement along with account number each faculty member. (iii). The website link showing the faculty details is not submitted."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Sayeeduddin Khan, Secretary of Rajiv Gandhi Mahila Mahavidhyalaya, 1089, 1545, 1546, Pardahan, Mau, Na, Maunath Bhanjan, Sadar, Mau, Uttar Pradesh-275101 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda the institution submitted that "(i). Because in view of aforesaid erroneous decision taken in its 365th meeting, issued the impugned withdrawal order dated 11.04.2022 confirming the order dated 10.07.2020, which already stands quashed by this Hon'ble Court vide its order dated 28.07.2021. (ii) Because this Hon'ble Court vide its order dated 28.07.2021, has clearly set aside the order dated 10.07.2020 issued by NRC, and has restored the status of the petitioner institution, recognized for all the purposes. However, the Respondent No.2 instead of issuing the restoration order to petitioner institution, has given effect to the aforesaid already quashed order dated 09.10.2021 by making it effective from the end of the academic session 2022-23. (iii). Because the Respondent No. 2 in its withdrawal order dated 11.04.2022, has observed that the withdrawal order issued on 10.07.2020 stands effective from the end of the academic session 2022-23. It is submitted that such observation/decision of the NRC, would have applicability, only if the said order dated 10.07.2020 would not have been quashed by this Hon'ble Court vide its order dated 28.07.2021. (iv). Because the Respondent No.2 vide its aforesaid decision has given effect to the order dated 10.07.2020 issued earlier by it, which, subsequently has been set aside by this Hon'ble Court vide its order dated 06.09.2021 passed 64 in Writ Petition (C) No. 10924/2021, preferred by the petitioner institution. It is submitted that an order once set aside by an appropriate Court, has no effect and thus becomes voidable and accordingly, the same cannot be reviewed/revived by the Respondents and revival thereof by giving effect to the same, is an illegal and unjustifiable exercise of the Respondent No.2, which is not only bad in eye of law, but also contemptuous to the order passed by this Hon'ble Court. (v) Because while taking the aforesaid decision, the Respondent No. 2 failed to appreciate that the effect of quashing an order of withdrawal by this Hon'ble Court is to restore the same position of the petitioner institution, as it stood on the date, prior to passing of the order already quashed. It is submitted that it is a well-established principle of law that the order of a competent authority remains effectively and operative only until the same is set aside or quashed by due process of law and once it is quashed, it is deprived of all legal effects, right from its inception and its effect would be ceased to exist as a result of which, the institution would be entitled to all consequential benefits and would be deemed to be consequential benefits and would be deemed to be recognized ever since. (vi). Because the Respondent No. 2 while issuing the aforesaid impugned withdrawal order dated 11.04.2022, failed to appreciate that if an institution



has been able to remedy the defects due to which its recognition was withdrawn, 65 then, there is no reason as to why the aspect should not be considered by the authority concerned. However, NRC has given effect to the already quashed order without considering the matter/documents of petitioner institution, which were considered by the appeal committee and after having satisfied by same, the appeal committee had remanded the matter back to NRC for reconsideration. It is submitted that NRC has adopted a contradictory view to appeal committee's observation in perusing documents. (vii). Because the Respondent NO.2 while issuing the impugned order dated 11.04.2022, failed to appreciate the observations of this Hon'ble Court that the petitioner institution will be treated as a recognized institution for all purposes and will participate in counselling and admit students for the academic year 2021-22 and for all subsequent years, until and unless a fresh order of withdrawal is passed against it. It is submitted that this Hon'ble Court had also directed the Respondent No. 2 to issue an order of restoration of recognition of the petitioner institution, however, non-issuance of such an order, appears to be overlapping the directions issued by this Hon'ble Court vide the order dated 28.07.2021. It is also submitted that non issuance of order of restoration of order, is creating anxiety/chaos amongst the students already admitted as well as desiring to be admitted in the petitioner institution. 66. (viii). Because the NCTE issued the Standard Operating Procedures (SOPs) and directed its all the Regional Committees to follow the same for processing of applications wherein it has been categorically provided that 2nd show cause notice should be issued before proceeding for the withdrawal of the recognition of the recognised institution whereas in the instant case the NRC has failed to adhere with the SOPs. (ix). Because though in the aforesaid impugned withdrawal order dated 11.04.2022, the NRC has pointed out certain deficiencies, however, no show cause notice, in terms of the aforesaid SOP, has been issued by the NRC with regard to said deficiencies. It is submitted that upon quashing be deemed to be recognized ever since, and also this Hon'ble Court while restoring the recognition of petitioner institution, has held that the status of the petitioner institution will be treated as recognized, until a fresh show cause notice with opportunity to rectify the same. (x). Because so far as the deficiencies pointed outing impugned withdrawal order dated 11.04.2022 regarding the approved list of faculties and their details pertaining to qualification and salary etc. is concerned, it is submitted that the NRC failed to appreciate that the petitioner institution had 67 submitted its reply to show cause notice alongwith the information pertaining to approved faculty list. (xi). Because the petitioner institution is having the requisite faculties. Further, it is also relevant to state that faculty approvals are ongoing process in a recognized/running institution as the faculty leaves and joins the institution. Accordingly, appointment of new faculties and approval of the latest faculty is a continuous process, therefore, the previously approved list available on the website of petitioner institution, was not in consonance with petitioner institution, was not in consonance with the list submitted by petitioner institution before the University for approval and before the NRC, as reply. Consequently, the salaries being disbursed to staff as per the bank statement being disbursed to staff as pe the bank statement, is not in



consonance with the list available on the website of the petitioner institution. It is submitted that as when, the affiliating university accords its approval to the faculty of petitioner institution, the petitioner institution will submit the same, at the earliest. (xii). Because even otherwise, the impugned decision taken by the NRC does not survive in light of the 2nd proviso to Section 17 of NCTE Act, 1993, which provides the applicability of an order issued by the regional committee either withdrawing or refusing recognition. (xiii). That it is submitted that thus, the decision taken by NRC is not as per the statutory provisions and does not survive in light of the judgment of his Hon'ble Court in Shyama Prasad Mukherjee Vs. National Council for Teacher Education/ (2010) 171 DLT 459 wherein this Hon'ble Court had clearly interpreted the section 17 of the NCTE Act, 1993. It is submitted that in light of the same, NRC cannot take the decision to withdraw recognition of petitioner institution without any specific deficiencies verified by the inspection team of the NRC, NCTE under the provisions of NCTE Act, 1993 particularly when the petitioner institution does not lack with infrastructural and instructional facilities required as per the NCTE norms. (xiv). Because having been quashed by this Hon'ble Court, the aforesaid withdrawal order dated 10.07.2020 issued by the NRC, is not in force and therefore, the existence of its effect from academic session 2022-23, does not occur by any means. Further, if the said order would not have been quashed by this Hon'ble Court, even then, the applicability of said order would not have been effective from the academic session 2022-23, in view of 2nd proviso of the section 17 of the NCTE Act, 1993, as the same provides that an order withdrawing or refusing recognition passed by the Regional Committee shall come into force only with effect from the end of the academic session next following the date of communication of such order. (xv). Because once the NRC issues correct order of restoration of recognition of the petitioner institution, thereafter, is also required to approach its affiliating university/body for obtaining necessary extension of affiliation for in respect of the ensuing academic session and the same is also a time bound process in terms of the schedule laid down by Hon'ble Supreme Court of India in the matter of grant of affiliation by the affiliating university/body. It is submitted that in terms of the said schedule, petitioner institution needs to apply before affiliating university/body on or before the cut-off date thereafter the affiliating university/body, will not accept the same. (xvi). Because on the cost of repetition, it is submitted that the order dated 10.07.2020 issued by the NRC, have already been set aside by this Hon'ble Court vide its order dated 28.07.2021 passed in Writ Petition (C) No. 10924/2021, and thus, the same are not binding/applicable on the petitioner institution, and accordingly, no averment is required to be made herein by the petitioner institution with regard to illegality of the said orders. (xvii) Because the petitioner institution is an old institution and running since the year 2009 and the NRC itself had granted recognition to Petitioner institution after satisfying with infrastructural & instructional facilities available in the Petitioner Institution and adherence by the Petitioner Institution and adherence by the Petitioner institution with norms of NCTE in respect of running the B.Ed. programme. Further, the NRC has never violated any of the norms prescribed either by the NCTE/NRC or the State Govt. or the Affiliating University, for the purpose of



running the B.Ed. course. 70 (xviii). Because instead of filing the statutory appeal under section 18 of the NCTE Act, 1993, the petitioner institution is challenging the impugned withdrawal order dated 11.04.2022 issued by the NRC by filing the instant writ petition, as the NRC by filing the instant writ petition, as the NRC has issued the said withdrawal order dated 11.04.2022 in furtherance of an already order dated 11.04.2022 in furtherance of an already order dated 10.07.2022 already quashed by this Hon'ble Court. (xix). Because it seems that unless this Hon'ble Court quashes the impugned withdrawal order dated 11.04.2022 of NRC, the NRC will not restore the recognition of petitioner institution. This Hon'ble Court vide its order dated 20.12.2021 passed in Writ Petition (C) No. 14682/2021 has allowed the Writ Petition observing that if the institution has been able to remedy the defects due to which its recognition was withdrawn, there is no reason apparent in principle, as to why those developments should not be considered by the Appellate Committee. (xx). Because this Hon'ble Court vide its order dated 31.01.2022 passed in Writ Petition (C) No. 1807/2022, allowed the writ petition observing that instead of reconsidering the matter, the Respondent have merely clarified that the withdrawal order will be effective from the end of the academic session 2021-22. While allowing the writ petition, this Hon'ble Court, observed as under:

3. In the light of the aforesaid, it is apparent that the impugned decision is not in conformity with the directions issued by this Court on 20.12.2021. The writ petition is therefore allowed with a 71 direction to the respondent no. 2 to reconsider the matter in accordance with the direction already issued by this Court on 20.12.2021. (xxi). Because this Hon'ble Court vie its recent order dated 19.04.2020 has allowed Writ Petition (C) No.6240/2020 observing and directing as under: "1. The petitioner has approached this Court seeking the following reliefs: "(a) issue an appropriate writ, order or direction and declare that the withdrawal order dated 04.04.2022 passed by the Respondent no. 2 by which recognition of the Petitioner for B.Ed. course has been withdrawn shall come into effect w.e.f. academic session 2023-24 by virtue of second proviso to Section 17(1) of the NCTE Act, 1993 and consequentially hold and declare that the Petitioner shall be entitled to admit students for academic session 2022-23 and (b) Issue a writ of mandamus and direct the Respondent No. 2 o reflect the status of the Petitioner on its official website as a recognized institution for B.Ed. course for academic session 2022-23 and communicate the said status to its affiliating University namely Chhatrapati Shahu Ji Maharaj University, Kanpur and to the Department of Higher Education, Govt of Uttar Pradesh and (c) Pass any other and further order (s) as may be deemed fit." 2. Learned counsel for the petitioner submits that the petitioner is an institute which has been inter alia conducting B.Ed. course on the basis of the recognition granted to it by the respondent no.2/NRC on 21.08.2009. On 10.07.2020, 72 respondent no. 2/NRC passed an order withdrawing recognition of the petitioner institute, which was set aside by the Allahabad High Court on 13.10.2020 in Misc. Single NO.16280 of 2020. The matter was consequently remanded back to the respondent no. 2 has passed a fresh reasoned order. 3. In compliance of the said directions, the respondent no. 2 has passed a fresh withdrawal order on 04.04.2022, which learned counsel for the petitioner submits will be challenged in



accordance with law. He however submits that while passing the interim order, the respondent no. 2 has, by ignoring the second proviso to Section 17(1) of the NCTE Act, 1993 ('the Act'), directed that the said withdrawal order dated 04.04.2022 will come into force with effect from the academic session 2022-23, which directions, he submits is contrary to the statutory provision. 4. Issue notice Mr. Animesh accepts notice and is not in a position to dispute that the second proviso to Section 17(1) of the Act clearly envisages that the withdrawal order. 5. In these circumstances, the writ petition deserves to be allowed and is, accordingly, allowed by directing that the withdrawal order dated 04.04.2022 will come into effect only with effect from the academic session 2023-2024. The respondents will accordingly within two weeks make the necessary corrections on its web-portal, and also inform the affiliating university and all of other necessary authorities that the petitioner is entitled to admit students for the academic year 2022-2023."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 26.03.2010. A revised provisional recognition order was issued to the institution on dt. 06.06.2015 for conducting B.Ed. course of two years duration with an annual intake of two units of 50 students each from the academic session 2015-16.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned refusal order:

- (i) A copy of letter dated 12.12.17, 6.11.2017 and 3.9.2020 issued by Veer Bahadur Singh Purvanchal Vishwavidyalya, Jaunpur regarding approval of faculty.
- (ii) A consolidated staff list of 8 faculty members.

The Appeal Committee noted that the institution has submitted the staff list in a piece-meal manner and none of the faculty list is latest. Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the NRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned order dated 11.04.2022 issued by NRC is confirmed.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the NRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned order dated 11.04.2022 issued by NRC is confirmed.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Rajiv Gandhi Mahila Mahavidhyalaya, 1089, 1545, 1546, Pardahan, Mau, Na, Maunath Bhanjan, Sadar, Mau, Uttar Pradesh-275101**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-189/E-259943/2022 Appeal/9th Meeting, 2022
APPLSRC202214412**

Siddhartha College of Education, 812-1A, 812-1B, Musunur, Kavali, Nellore, Andhra Pradesh- 524202. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Smt. N. Kamala Sastry, Correspondent
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of Siddhartha College of Education, 812-1A, 812-1B, Musunur, Kavali, Nellore, Andhra Pradesh-524202 dated 10.06.2022 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. F.SRO/NCTE/AOSO0421/B.Ed./AP/2022/(132414-132418) dated 07.06.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that (i). The institution submitted FDRs only for an amount of Rs. 5,00,000/- which is not sufficient as per clause 10 (1) of NCTE Regulations, 2014. (ii). The institution did not submit Form 'A' issued by the bank regarding maintenance of FDRs towards Endowment and Reserve Funds. (iii). The institution submitted building plan, but the size of Multipurpose Hall is only 73.91 sq.mt. which is less than the requirement laid down under clause 6(2)(b) of Appendix 4 of

NCTE Regulations, 2014. (iv). The institution has submitted the proforma of faculty, which was not approved by the affiliating University, hence, it is established that the faculty is not duly approved by the affiliating University. (v). The institution did not submit Building Completion Certificate under prescribed format.”

II. SUBMISSIONS MADE BY APPELLANT: -

Smt. N. Kamala Sastry, Correspondent of Siddartha College of Education, 812-1A, 812-1B, Musunur, Kavali, Nellore, Andhra Pradesh-524202 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda, the institution submitted that “(i). The institution submitted 5+7 FDRs copy enclosed. (ii). The institution submit Form ‘A’ copy enclosed. (iii). The institution submitted building plan Multipurpose Hall clarified copy enclosed. (iv). The institution submitted approved by the affiliating University. (v). The institution submit Building Completion Certificate copy enclosed.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 160 students vide order dated 14.08.2008. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 26.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 06.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 150 (Three unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 07.06.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of the Affiliating Body.
- (ii) A copy of Form ‘A’ alongwith FDRs receipt.
- (iii) A copy of Building Completion Certificate.
- (iv) A blueprint of Building Plan.
- (v) A copy of bank statement showing salary disbursement.



The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 07.06.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 07.06.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

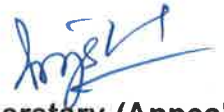
Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Siddartha College of Education, 812-1A, 812-1B, Musunur, Kavali, Nellore, Andhra Pradesh-524202**
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.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-193/E-261178/2022 Appeal/9th Meeting, 2022
APPLSRC202214293**

Mar Ivanios College of Education, Kunthoor, Perabe Post, Kadaba Tq. D. K. Karnataka-574285. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mrs. Usha M.L., Principal
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Mar Ivanios College of Education, Kunthoor, Perabe Post, Kadaba Tq. D. K. Karnataka-574285** dated 23.02.2022 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. **F.SRO/NCTE/APSO2434/B.Ed./{KA}/2021/129747** dated 30.12.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on certain grounds. "The relevant extract of the said withdrawal order dated 07.06.2022 is being reproduced hereunder: - (i). The institution was issued a Last Reminder Letter on 26.02.2020. The institution failed to submit reply to the Last Reminder Letter."

II. SUBMISSIONS MADE BY APPELLANT: -

Mrs. Usha M.L., Principal of Mar Ivanios College of Education, Kunthoor, Perabe Post, Kadaba Tq. D. K. Karnataka-574285 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda, the appellant institution has submitted that: “(i). Land documents and Building Plan is same. We purchased additional playground area. So, we included that land also. We have not shifted or changed the land from past 2004. (ii). All land documents certified with notary. Kannada and English version also enclosed. (iii). LUC and NEC both translated and notarized are enclosed. (iv). Original blueprint with competent authority approved is enclosed. (v). BCC notarized English version is enclosed. (vi). Latest staff approval by approving authority is enclosed.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 02.12.2004. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 23.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 29.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 30.12.2021.

The appellant institution had moved to the Hon'ble Delhi High Court by the way of W.P.C. No. 15028/2022 titled Mar Ivanios College of Education V/s National Council for Teacher Education & Anr. The Hon'ble Court vide order dated 31.10.2022 issued following directions:-

“...5. The Appellate Committee of NCTE shall also endeavour to dispose of Petitioner's appeal as expeditiously as possible, not later than three months from today.”

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:



- (i) A copy of land document.
- (ii) A copy of land usage certificate.
- (iii) A copy of Building Completion Certificate.
- (iv) A list of faculty members, signed by the Registrar of Affiliating Body.
- (v) A blueprint of building plan.
- (vi) A copy of NEC.

The Appeal Committee noted that the SRC vide order dated 06.07.2015 reduced the intake of the institution for 50 students (one basic unit). The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 30.12.2021. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 30.12.2021 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take



further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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


Deputy Secretary (Appeal)

Copy to :-

1. The Principal, Mar Ivanios College of Education, Kunthoor, Perabe Post, Kadaba Tq. D. K. Karnataka-574285
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 Karnataka.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-194/E-262187/2022 Appeal/9th Meeting, 2022
APPLNRC202214425**

S B Singh Womens College, 14, Hansipur, Chunar, Mirzapur, Uttar Pradesh-231306.	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 11 0075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Sandeep Singh, Manager
Respondent by	Regional Director, NRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF REFUSAL

The Appeal Committee noted that the institution has not submitted the impugned order against which the present appeal is preferred. The Appeal Committee also requested the NRC for their official comments on the said issue. On perusal of the documents and records, the NRC found that no hard copy of the application pertaining to **S B Singh Womens College, 14, Hansipur, Chunar, Mirzapur, Uttar Pradesh-231306** was ever received in the office of the NRC.

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Sandeep Singh, Manager of S B Singh Womens College, 14, Hansipur, Chunar, Mirzapur, Uttar Pradesh-231306 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda, the institution submitted that: - "(i). That I, S B Singh Women's College, Village & Post – Hansipur, Tehsil – Chunar, District – Mirzapur-231306, Uttar Pradesh I am the manager of the institute. NRCAPP-12074 in the North Regional Committee Office, B.Ed. course paper is under consideration. (ii). That through correspondence in the office of the Northern Regional Committee dated 05.05.2015, 11.08.2018, 15.01.2019, 28.11.2019, 05.05.2020, 10.12.2020, 08.06.2021, 17.09.2021, 20.06.2022 and 21.06.2022. (iii). That the decision should be taken as per rules by keeping the letter in the North Regional Committee meeting. Otherwise, the photocopy of the decision taken should be given. (iv). That the college building has been completely prepared as per the National council for Teacher Education norms, but due to non-receipt of the letter of the North Regional Committee, the institute is losing the session. (v). That in order to bring the pending letter in the North Regional Committee office in the process, the manager has given the correspondence and personally the cognizance. (vi). That the letter of NRC/NCTE has not been given by the manager even when asked personally. Due to which instead of 60 days, 4 years have been spent in seeking letters from the North Regional Committee and two years have been delayed by covid-19. (vii). That the letter of the North Regional Committee has not been received, therefore the National Council of Teacher Education (NCTE section 18) is appealing on the basis of speed post-dated 21.06.2022.

III. OUTCOME OF THE CASE

The Committee noted the comments of NRC, whereby it is mentioned that the NRC has not received hard copy of the application form which was submitted through online by the institution. The institution has also not submitted impugned order. Otherwise also in the present case, no recognition was granted by the NRC to the institution. The Committee noted that since then the institution has not been granted recognition and in view of the following decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022 *inter-alia* considered the following Agenda(s): -



Agenda No [5]: Decision on application, irrespective of any course, which are not in line with NEP 2020:

The Council, after consideration of Agenda placed before the Council and detailed discussion and deliberation, as below, observed the following: -

- The NEP 2020 lays down that teacher education institutions will be gradually moved into multidisciplinary colleges and universities by 2030. By 2030, the minimal qualification for a person to become a teacher will be the 4 Year integrated B.Ed. degree.
- The 2 Year B.Ed. program will also be offered only for those who have already obtained Bachelor's Degrees in other specialized subjects and the 1 Year B.Ed. program for those who have completed the equivalent of 4 Year multidisciplinary Bachelor's Degrees or who have obtained a Master's degree in a specialty and wish to become a subject teacher in that specialty.
- As per provision of Section 12 of NCTE Act, 1993 it shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of Teacher Education.
- There are approximately 430 applications for various Teacher Education Programmes, other than Diploma level courses. pending at different stages in the RCs.
- NEP 2020 has brought about a paradigm shift in the Teacher Education Sector. Accordingly, NCTE is also revamping its various curricula of ITEP. 2 Year B.Ed., 1 Year B.Ed. and introducing new courses of 4 Year Physical Education and 4 Year Art Education in line with NEP 2020. These courses are also to be aligned to the various criteria laid down by UGC and in alignment with NHEQE. NCFSE and NCFTE However, the existing courses which are currently running are not in alignment with these various aspects e.g., Credit System. 4 Stages of School Education (5+3+3+4). Entry- exit policy, no hard separation etc. These changes in curricula would also necessitate changes in the norms, standards and regulations. For the reasons aforementioned, it is not feasible to process any pending applications.

In light of the above, the Council members unanimously decided the following:

- I. ***At present, there are several institutions which have been recognised by the Regional Committees of NCTE wherein courses/ programme, other than diploma level courses, are running. An Expert Committee be constituted to devise the modalities for conversion of these recognised institutions into multidisciplinary institutions in line with NEP 2020.***
- II. ***The applications p ending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at any stage of processing be returned along with the processing fee to the concerned institution(s).***
- III. ***In the cases where the applications are being processed/ reopened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review/appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble Court(s) for processing of application(s) in view of the decision of the Council has taken in II above.***



Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the NRC dated 21.06.2022 refusing recognition for B.Ed. programme of the institution is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, S B Singh Womens College, 14, Hansipur, Chunar, Mirzapur, Uttar Pradesh-231306**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-195/E-262353/2022 Appeal/9th Meeting, 2022
APPLSRC202214424**

Pallavi College of Education, 450,451,452, Nancherla Gate, Nacherla, Mohammadabad, Rangareddy, Telangana- 509337. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Abhishek Mishra, Chairman
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Pallavi College of Education, 450,451,452, Nancherla Gate, Nacherla, Mohammadabad, Rangareddy, Telangana-509337** dated 14.07.2022 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. **F.SRO/NCTE/APS07121/B.Ed./{TS}/2022/131936** dated 09.05.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that: - “(i). The institution failed to submit certified copy of land documents issued by concerned Tehsildar/Revenue officer. (ii). The building plan submitted by the institution is not approved by the Competent Authority. (iii). The institution did not submit Form “A” issued by the concerned bank regarding maintenance of FDRs towards

endowment and reserve fund. The institution is only submitted photocopy of FDRs of Rs. 5+3 Lakhs (Rs. 8 Lakhs) which was matured on 29-09-2020. (iv). The institution submitted approval of 7 faculty obtained from the university in the years 2015. The institution did not submit latest approval of faculty issued by the university. Further, the faculty strength is not enough for B.Ed. course as stipulated under appendix 4 of NCTE Regulations, 2014. (v). The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014. (vi). The institution did not submit an Affidavit on Rs. 100/- stamp paper regarding land details.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Abhishek Mishra, Chairman of Pallavi College of Education, 450,451,452, Nancherla Gate, Nacherla, Mohammadabad, Rangareddy, Telangana-509337 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda, the institution submitted that: - “(i). Copy of land sale documents issued by concerned revenue officer, latest EC and translated Telugu to English with notarized. (ii). Copy of approved building plan approved by the competent authority with notarized. (iii). Copy of Form “A” concerned bank with FDRs 5+3 Lakhs (Rs. 8 Lakhs) and renewal and notarized. (iv). Copy of latest staff approval copy of Competent Authority. (v). Copy of Website screen shots with notarized. (vi). Copy of affidavit of Rs. 100/- with notarized.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 12.04.2007. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 23.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 06.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16.

The appellant institution had moved to the Hon’ble Delhi High Court by the way of W.P.C. No. 15110/2022 titled Pallavi College of Education V/s National Council for Teacher Education & Anr, The Hon’ble Court vide order dated 02.11.2022 issued following directions:-

“...(i) ***Appellate Authority shall decide the appeal of Petitioner as expeditiously as possible, but not later than three months from today;***



(iv) If hard copy of the appeal has not been filed by Petitioner in terms of the NCTE Act, the same be done within a period of one week from today. In case any additional information is required from the Respondents, the same shall be intimated to Petitioner who shall provide the same forthwith."

The Appellant institution during online submission before the Appeal Committee submitted that the institution vide letter dated 24.12.2019 has requested the SRC for reduction of intake from 2 unit to 1 unit. Accordingly, the Appeal Committee decided that the institution shall file a representation before the Southern Regional Committee (SRC) in this regard and the SRC is directed to scrutinize the representation along with requisite documents.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of land sale documents.
- (ii) A copy of Building Soundness and Completion Certificate.
- (iii) A copy of Sanitary & No-Objection Certificate.
- (iv) A copy of Form 'A' alongwith FDRs receipt.
- (v) A list of faculty members, signed by the Registrar of Affiliating body.
- (vi) A screenshot of website homepage.
- (vii) A copy of Affidavit on 100 Rs. stamp paper.
- (viii) A copy of Building Plan approved by the Competent Authority.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 09.05.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 09.05.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Pallavi College of Education, 450,451,452, Nancherla Gate, Nacherla, Mohammadabad, Rangareddy, Telangana-509337**
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 Telangana.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-196/E-262455/2022 Appeal/9th Meeting, 2022
APPLSRC202214426**

Jnanabharathi College of Education, 727, Kudligi, Sandur Road, Kudliig, Bellary, Karnataka-583135. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. Ankita, Principal
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF REDUCTION OF INTAKE

The appeal of Jnanabharathi College of Education, 727, Kudligi, Sandur Road, Kudliig, Bellary, Karnataka-583135 dated 15.07.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRC/NCTE/APSO2376/B.Ed./{KA}/2022 (133091-133095) dated 29.07.2022 of the Southern Regional Committee whereby 1 unit i.e., 50 students was granted to the institution by the SRC.

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Ankita, Principal of Jnanabharathi College of Education, 727, Kudligi, Sandur Road, Kudligi, Bellary, Karnataka-583135 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda it is submitted that: - "(i). It is most respectfully submitted that regional Director of NCTE SRC vide number: stated in the grounds of appeal permitting us to take an annual intake of 100 for 2 basic units of 50 students each from the academic session 2015-16. In obedience of the said order. We have been taking an annual intake of 100 for 2 basic units of 50 students each. (ii). We request fully submit that we were surprised to note the cause mentioned in para number 3 of the said letter. In the said Para it is stated that the SRC in its 345th meeting held on 21st & 22nd September 2017 consider the matter and decided to reduction of intake from humbly submit that till we received 2 units to 1 unit vide order dated 5.10.2017. In this regard we humbly submit that till be receive the above said Final Show Cause Notice, we have not received any letter from SRC in this regard. However, we have given reply to the said show cause notice on 14th June 2022 along with the annexures. (iii). We respectfully submit that the impugned order is passed without considering the non-communication of the order passed on heard before passing the orders. It is nothing but passing an order behind our back. The same is illegal, arbitrary and against to the principles of natural justice. Hence, it has to be set aside in the interest of justice. If the said order is not set aside, it will deprive the poor students of the surrounding backward area from getting B.Ed. Education. Our institution is at Kudligi in the District of Vijayanagara which is covered under Article 371 J of constitution of India. In obedience of the permission granted earlier we have employed the staff required for 100 students for 2 basic units of 50 students. In addition to the same. We have permission is granted only for 1 unit of 50 students, the institution will have to terminate the excess staffs that have already been engaged. The fate of such staff cannot be imagined if their services are terminated. The same will increase the number of un employees. Therefore, it is most humbly prayed orders passed in file number APSO2376 course B.Ed. by NCTE SRC in its 412th Meeting held on 05th & 06th July 2022 and allow this appeal in the interest of justice and equity.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted



recognition for B.Ed. Course with an annual intake of 100 students vide order dated 29.11.2004. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 11.02.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 16.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The institution

The Committee noted that on the request of the institution the matter was taken up before SRC in its 21-22 Sept., 2017 and decided reduction of intake from 2 unit to 1 unit vide order dated 5.10.2017 passed by the SRC. It is agreed by the institution that since then the institution is running only one unit.

The Appeal Committee concluded that the SRC was justified in grant of one unit i.e. for 50 students to the institution as such instant appeal deserves to be rejected and therefore, the impugned order dated 29.07.2022 issued by SRC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned order dated 29.07.2022 issued by SRC is confirmed.

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


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Jnanabharathi College of Education, 727, Kudligi, Sandur Road, Kudliig, Bellary, Karnataka-583135**
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 Karnataka.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-199/E-262949/2022 Appeal/9th Meeting, 2022
APPLERC202214401**

College of Teacher Education, 132p, Rourkela, Sector-21, Sundargarh, Odisha-769001. APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Dr. Sarda Mishra, Principal
Respondent by	Regional Director, ERC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **College of Teacher Education, 132p, Rourkela, Sector-21, Sundargarh, Odisha-769001** dated 31.05.2022 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. **F.No.ER-275.14.33/(OR-S/E-9/96 & APP1868)/B.Ed./2019/61433** dated 28.08.2019 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that:- “(i). Faculty list is not as per NCTE Regulations, 2014. (ii). 01 (Principal) + 15 (regular faculty) required for running 100 intake of B.Ed. course as per NCTE Regulations 2014, whereas institution appointed 01 Principal I/C and 05 guest faculties, which is not accepted. (iii). Total built up area mentioned in the building completion certificate as 10406

SQ.FT. i.e., 966.74 SQ.MTS., which is less than required 2000 Sq.Mts. as per NCTE Regulations, 2014 for running 100 intake of B.Ed. course.

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Sarda Mishra, Principal of College of Teacher Education, 132p, Rourkela, Sector-21, Sundargarh, Odisha-769001 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda it is submitted that: - "(I & II) This is a Govt. institute under the Deptt. Of Higher Education, Govt. of Odisha. Now recruitment of 385 Nos. of faculty (Assistant Professor) position by the Public Service Commission, Odisha is under progress and the Govt. is going to post them in different teacher institutes of the state including this one by July 2022. All the five-guest faculty have already been disengaged."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 17.10.1996, 01.07.1998, 18.02.1999, 02.09.1999, 06.04.2000, 05.02.2001, 24.02.2014. A revised provisional recognition order was issued to the institution on dt. 31.05.2016 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 28.08.2019.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of letter dated 30.4.2022 of Odisha Public Service Commission, Cuttack alongwith a list of faculty (1+7) duly approved by the affiliating University.

The Appeal Committee noted that the institution submitted faculty list for 1 unit. Accordingly, the Appeal Committee decided that the institution shall file a representation before the Eastern



Regional Committee (ERC) in this regard and the ERC is directed to scrutinize the representation along with requisite documents.

As far as the delay is concerned the institution has submitted that the delay caused in filing of Appeal was due to the ongoing recruitment process and final result was awaited from Odisha Public Service Commission, Cuttack. As such the Appeal could not be filed in time. The institution further submitted that delay caused is not deliberate.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 28.08.2019. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly. Accordingly, the matter is being remanded back.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."

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."

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 28.08.2019 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.



Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, College of Teacher Education, 132p, Rourkela, Sector-21, Sundargarh, Odisha-769001**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi**
3. **Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Education (looking after Teacher Education) Government of Odisha.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**F. No. 89-202/E-263042/2022 Appeal/9th Meeting, 2022
APPLSRC202214429**

Sri Venkateswara College of Education, 357, Thagguvaripalli, Gajulapalli Road, Bangarupalem, Chittoor, Andhra Pradesh-517416. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. V. S. Hari, Admin Officer
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Sri Venkateswara College of Education, 357, Thagguvaripalli, Gajulapalli Road, Bangarupalem, Chittoor, Andhra Pradesh-517416** dated 25.07.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRC/NCTE/APS08946/B.Ed./AP/2022/132373** dated 04.06.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution failed in submission of reply of Final Show Cause Notice dated 03.08.2021."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. V. S. Hari, Admin Officer of Sri Venkateswara College of Education, 357, Thagguvaripalli, Gajulapalli Road, Bangarupalem, Chittoor, Andhra Pradesh-517416 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that "We have already sent the reply through soft copy in your mail address dated on 23/08/2021 and hard copy also sent through speed post in your office address dated on 23/08/2021. Hence, we request you Sir/Madam to kindly accept our appeal request.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 11.08.2008. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 17.06.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 03.07.2015 for conducting B.Ed. course of two years duration with an annual intake of 50 students (One basic unit) from the academic session 2015-16. The recognition of the institution was withdrawn by the SRC vide order dated 04.06.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of the staff list not approved by the affiliating body.
- (ii) A copy of Land Use Certificate.
- (iii) A copy of Building Plan.
- (iv) A copy of Site Plan.
- (v) A copy of Building Completion Certificate.
- (vi) A copy of Form 'A'
- (vii) A copy of Affidavit on Rs. 100 stamp paper.

The Appeal Committee noted that the institution has not submitted the staff list duly approved by the affiliating body. Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the SRC



was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 04.06.2022 issued by SRC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 04.06.2022 issued by SRC is confirmed.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Sri Venkateswara College of Education, 357, Thagguvaripalli, Gajulapalli Road, Bangarupalem, Chittoor, Andhra Pradesh-517416**
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.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-203/E-263301/2022 Appeal/9th Meeting, 2022
APPLSRC202214433**

Omega College of Education, 189/6, 10,13,14, Pamuru, YSR Street, Thurpu Viddi, Kanigiri, Prakasam Andhra Pradesh- 523108. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. N.R.P. Chandra Kumar, Administrative Officer
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of Omega College of Education, 189/6, 10,13,14, Pamuru, YSR Street, Thurpu Viddi, Kanigiri, Prakasam Andhra Pradesh-523108 dated 28.07.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRC/NCTE/APS00208/B.Ed./AP/2022/(132949-132953) dated 25.07.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was issued a Final Show Cause Notice on 11.10.2019. The institution failed to submit reply along with the requisite documents/information to the Final Show Cause Notice

(FSCN). The Committee also noted that the institution has not even filed Performance Appraisal Report (PAR)”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. N.R.P. Chandra Kumar, Administrative Officer of Omega College of Education, 189/6, 10,13,14, Pamuru, YSR Street, Thurpu Viddi, Kanigiri, Prakasam Andhra Pradesh-523108 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal it is submitted that “We have already sent the reply through soft copy in your mail address dated on 23/08/2021 and hard copy also sent through speed post in your office address dated on 23/08/2021. Hence, we request you Sir/Madam to kindly accept our appeal request.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 30.03.2004. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 26.02.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 30.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution was withdrawn vide order dated. 25.7.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of Affidavit on Rs. 100 stamp paper.
- (iii) A copy of Sale Deed.
- (iv) A copy of Land Use Certificate.
- (v) A copy of Statement of Encumbrance on property.
- (vi) A copy of Building Completion Certificate.
- (vii) A copy of Form 'A' alongwith FDRs receipt.
- (viii) A copy of Building Plan approved by the Competent Authority.



The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 25.07.2022. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 25.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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

Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Omega College of Education, 189/6, 10,13,14, Pamuru, YSR Street, Thurpu Viddi, Kanigiri, Prakasam Andhra Pradesh-523108**
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.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

File No. 89-205/E-263608/2022Appeal/9th Meeting, 2022
APPLSRC202214432

Indira College of Education, 621, Rayachoty, Kothapeta, Rayachoty, Cuddapah, Andhra Pradesh-516269. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Y.V. Jaya Prakash Reddy, Secretary
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of Indira College of Education, 621, Rayachoty, Kothapeta, Rayachoty, Cuddapah, Andhra Pradesh-516269 dated 27.07.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No F.SRC/NCTE/APSO8129/B.Ed./AP/2022/132378 dated 04.06.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that: "The institution failed in submission of reply of Final Show Cause Notice dated 13.11.2019."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Y.V. Jaya Prakash Reddy, Secretary of Indira College of Education, 621, Rayachoty, Kothapeta, Rayachoty, Cuddapah, Andhra Pradesh-516269 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal it is submitted that: - “(i). Copy of land documents are enclosed. (ii). Copy of land use certificate submitted. (iii). Copy of Non-Encumbrance certificate submitted. (iv). Approved building plan enclosed. (v). Notarized site plan enclosed. (vi). Notarized building completion certificate enclosed. (vii). Approved staff list enclosed. (viii). FDRs and Form ‘A’ submitted. (ix). No additional courses run by the institution except B.Ed., programme. (x). No other programme being run in the institution. (xi). No additional programme run by the institution except B.Ed., programme in the campus. (xii). www.indiracollegeofeducation.org. all relevant information has been uploaded on the website. (xiii). Affidavit enclosed.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 02.01.2013. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 13.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 27.04.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn vide order dated. 04.06.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of Sale deed.
- (iii) A copy of Land Usage Certificate.
- (iv) A copy of Statement of Encumbrance on Property.
- (v) A copy of Site Plan.



- (vi) A copy of Building Completion Certificate.
- (vii) A copy of Form 'A' alongwith FDRs receipt.
- (viii) A screenshot of website homepage.
- (ix) A copy of Affidavit on Rs. 100 stamp paper.
- (x) A copy of Building Plan.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 04.06.2022. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 04.06.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in

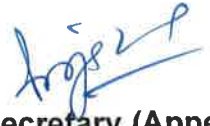


appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Indira College of Education, 621, Rayachoty, Kothapeta, Rayachoty, Cuddapah, Andhra Pradesh-516269**
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.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-207/E-264218/2022 Appeal/9th Meeting, 2022
APPLWRC202214434**

Balaji Shikshan Sanstan, 1691,1692,1693,1696, Jaipur, Khatushyam Ji Road, Aloda, Danta Ramgarh, Jaipur, Rajasthan-302020 APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Lokesh Kumar, Representative of Balaji Shikshan Sanstan
Respondent by	Regional Director, WRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF REFUSAL

The appeal of **Balaji Shikshan Sanstan, 1691,1692,1693,1696, Jaipur, Khatushyam Ji Road, Aloda, Danta Ramgarh, Jaipur, Rajasthan-302020** dated 28.07.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No. NRCAPP-7440/364th/B.Ed./2022** dated 29.11.2022 of the Western Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that “(i). Show cause notice was issued to the institution vide letter dated 20-04-2022. Reply submitted to WRC dated 17/05/2022 and received by WRC on 25/05/2022. (ii). Proof of submission of initial application to NRC in original, self-attested not submitted. (iii). Proof of

rejection of an initial application by NRC in original, duly self-attested not submitted. (iv). Proof of payment of processing fee at the time of initial application, self-attested, (Photocopy of DD/Bank Statement/Certificate from Bank etc. (v). Building Completion Certificate (BCC) issued by the competent authority in original not submitted.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Lokesh Kumar, Representative of(Balaji Shikshan Sanstan, 1691,1692,1693,1696, Jaipur, Khatushyam Ji Road, Aloda, Danta Ramgarh, Jaipur, Rajasthan-302020 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that “Show Cause Notice is submitted within time. Show Cause Notice is submitted within time. The original with self-attested application submitted. The original with self-attested rejection submitted. Proof with self attestetment submitted. Original notarized copy submitted.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Western Regional Committee for grant of recognition for seeking permission for running the B.Ed. course on 15.10.2008.

The Committee noted that the application of the institution for B.Ed. programme was refused vide order dated 29.11.2022, and it has been observed by the Committee that since then the institution has not been granted recognition and in view of the following decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022 *inter-alia* considered the following Agenda(s): -

Agenda No [5]: Decision on application, irrespective of any course, which are not in line with NEP 2020:

The Council, after consideration of Agenda placed before the Council and detailed discussion and deliberation, as below, observed the following: -

- The NEP 2020 lays down that teacher education institutions will be gradually moved into multidisciplinary colleges and universities by 2030. By 2030, the minimal qualification for a person to become a teacher will be the 4 Year integrated B.Ed. degree.
- The 2 Year B.Ed. program will also be offered only for those who have already obtained Bachelor's Degrees in other specialized subjects and the 1 Year B.Ed. program for those who



have completed the equivalent of 4 Year multidisciplinary Bachelor's Degrees or who have obtained a Master's degree in a specialty and wish to become a subject teacher in that specialty.

- As per provision of Section 12 of NCTE Act, 1993 it shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of Teacher Education.
- There are approximately 430 applications for various Teacher Education Programmes, other than Diploma level courses. pending at different stages in the RCs.
- NEP 2020 has brought about a paradigm shift in the Teacher Education Sector. Accordingly, NCTE is also revamping its various curricula of ITEP. 2 Year B.Ed., 1 Year B.Ed. and introducing new courses of 4 Year Physical Education and 4 Year Art Education in line with NEP 2020. These courses are also to be aligned to the various criteria laid down by UGC and in alignment with NHEQE. NCFSE and NCFTE However, the existing courses which are currently running are not in alignment with these various aspects e.g., Credit System. 4 Stages of School Education (5+3+3+4). Entry- exit policy, no hard separation etc. These changes in curricula would also necessitate changes in the norms, standards and regulations. For the reasons aforementioned, it is not feasible to process any pending applications.

In light of the above, the Council members unanimously decided the following:

- I. At present, there are several institutions which have been recognised by the Regional Committees of NCTE wherein courses/ programme, other than diploma level courses, are running. An Expert Committee be constituted to devise the modalities for conversion of these recognised institutions into multidisciplinary institutions in line with NEP 2020.***
- II. The applications p ending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at any stage of processing be returned along with the processing fee to the concerned institution(s).***
- III. In the cases where the applications are being processed/ reopened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review/appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble Court(s) for processing of application(s) in view of the decision of the Council has taken in II above.***

Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the WRC dated 29.11.2022 refusing recognition for B.Ed. programme of the institution is confirmed.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 29.11.2022 of WRC is confirmed.

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


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Balaji Shikshan Sanstan, 1691,1692,1693,1696, Jaipur, Khatushyam Ji Road, Aloda, Danta Ramgarh, Jaipur, Rajasthan-302020**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-214/E-265078/2022 Appeal/9th Meeting, 2022
APPLERC202214440**

Kamarsha Teachers Training College, 12, Subuddhichak, Andharia-Beaurgram Road, Marh-Maheshpur, Chandrakona, Midnapur, West Bengal-721232 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Anup Panja, Representative
Respondent by	Regional Director, ERC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of Kamarsha Teachers Training College, 12, Subuddhichak, Andharia-Beaurgram Road, Marh-Maheshpur, Chandrakona, Midnapur, West Bengal-721232 dated 10/08/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **ERC/306.13/ERCAPP3390/D.El.Ed./2022/65917** dated 22/07/2022 of the Eastern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that “The institution has appointed teaching faculty of Physical Education namely Sh. Sanjay Gosh is not qualified as he is not M.P.Ed. The institution has not submitted requisite

documents/certificate/testimonials in respect of teaching faculty to verify their qualification as per the Norms prescribed in the NCTE, Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Anup Panja, Representative of Kamarsha Teachers Training College, 12, Subuddhichak, Andharia-Beaurgram Road, Marh-Maheshpur, Chandrakona, Midnapur, West Bengal-721232 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal it is submitted that “The faculty of Physical Education, namely Sanjay Gosh, duly holds the degree of M.P.Ed., but as the ERC, NCTE format seeking particulars of staff asked whether the particular staff holds the degree of M.Ed. (not M.P.Ed.), we sought to put “No” for Sanjoy Gosh as he possesses he degree of M.P.Ed., and not M.Ed., as asked, though we had mentioned the percentage of marks obtained by him in M.P.Ed. under the headings of column in “master degree in School subject” (Certificate of M.P.Ed. is attached). We hereby send the required documents duly approved by the affiliating body concerned of the respective faculties.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for D.El.Ed. Course with an annual intake of 50 students vide order dated 27.04.2016. The recognition of the institution was withdrawn vide order dated 22.07.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body alongwith documents/certificate/testimonials in respect of teaching faculty as per the Norms prescribed in the NCTE, Regulations, 2014

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 22.07.2022. The Committee, noted that the



document submitted in appeal vis a vis the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 22.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.


Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Kamarsha Teachers Training College, 12, Subuddhichak, Andharia-Beaurgram Road, Marh-Maheshpur, Chandrakona, Midnapur, West Bengal-721232**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-215/E-265079/2022 Appeal/9th Meeting, 2022
APPLERC202214439**

Kamarsha Teachers Training College, 12, Subuddhichak, Andharia-Beaurgram Road, Marh-Maheshpur, Chandrakona, Midnapur, West Bengal-721232 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Anup Panja, Representative
Respondent by	Regional Director, ERC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Kamarsha Teachers Training College, 12, Subuddhichak, Andharia-Beaurgram Road, Marh-Maheshpur, Chandrakona, Midnapur, West Bengal-721232** dated 10/08/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **ERC/306.13/ERCAPP3389/B.Ed./2022/65924** dated 22/07/2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution has not appointed faculty for performing Arts as required in the NCTE, Regulation, 2014. The institution has appointed teaching faculty of Physical Education namely Sh. Rabisankar Bag is not qualified as he is not M.P.Ed. as required in the NCTE, Regulation, 2014. The institution has

not submitted requisite documents/certificate/testimonials in respect of teaching faculty to verify their qualification as per the Norms prescribed in the NCTE, Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Anup Panja, Representative of Kamarsha Teachers Training College, 12, Subuddhichak, Andharia-Beaurgram Road, Marh-Maheshpur, Chandrakona, Midnapur, West Bengal-721232 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that “In the FAQ section of NCTE (Recognition Norms & Procedure Regulation 2014 (Part-1, Page No. 4), it has clearly been mentioned that for one basic unit of 50 intake capacity in B.Ed. Programme, 8 staff members comprising of Lecturers on either Fine Arts or Performing Art has to be recruited. Likewise, we appointed faculty only of Fine Art, namely Pabitra barman. The faculty of Physical Education, namely Rabisankar Bag, duly holds the degree of M.P.Ed., but as the ERC, NCTE format seeking particulars of Staff asked whether the particular staff holds the degree of M.Ed. (not M.P.Ed.), we sought to put “No” for Rabisankar Bag as he possesses the degree of percentage of marks obtained by him in M.P.Ed. under the headings of column in “Master degree in School subject” (Certificate of M.P.Ed. is attached). We hereby send the required documents duly approved by the affiliating body concerned of the respective faculties.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 50 from the academic session 2016-2017. The recognition of the institution was withdrawn vide order dated 22.07.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body alongwith documents/certificate/testimonials in respect of teaching faculty as per the Norms prescribed in the NCTE, Regulations, 2014



The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 22.07.2022. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."

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."

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 22.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Kamarsha Teachers Training College, 12, Subuddhichak, Andharia-Beaurgram Road, Marh-Maheshpur, Chandrakona, Midnapur, West Bengal-721232**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi**
3. **Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Education (looking after Teacher Education) Government of West Bengal.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-216/E-266819/2022 Appeal/9th Meeting, 2022
APPLSRC202214444**

Haji Kareem College of Education, 7-116, Brahmanakotkur, Near Govt. Hospital, Brahmanakotkur, Nandikotkur Taluka, Kurnool, Andhra Pradesh-518432 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. S. Abdul Saleem, Correspondent
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of Haji Kareem College of Education, 7-116, Brahmanakotkur, Near Govt. Hospital, Brahmanakotkur, Nandikotkur Taluka, Kurnool, Andhra Pradesh-518432 dated 29/08/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRC/NCTE/APSO9641/B.Ed./AP2022/132974 dated 25/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution failed to pay prescribed fee for inspection of their institution as informed. Therefore, it is construed that the Management is not interested for inspection.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. S. Abdul Saleem, Correspondent of Haji Kareem College of Education, 7-116, Brahmanakotkur, Near Govt. Hospital, Brahmanakotkur, Nandikotkur Taluka, Kurnool, Andhra Pradesh-518432 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that "Inspection fee already paid. Demand draft copy enclosed."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 29.09.2011. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 14.05.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 18.03.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution was withdrawn by the SRC vide order dated 25.7.2022.

The Appeal Committee noted that the institution has already requested the SRC for inspection with respect to shifting of its premises and it is also submitted by the institution that it has already paid Rs.1.50 lakh by means of Demand Draft to the SRC towards fee for shifting of the building of institution. The institution also submitted that the composite inspection has been done by the SRC on 24.1.2016 for the courses B.Ed. & M.Ed. programme.

In view of the above, the Committee decided to remand back the matter to the SRC to decide a fresh and take appropriate decision keeping in mind the composite inspection by the SRC, NCTE. The SRC further directed to verify whether the institution has paid Rs.1.50 lakh towards inspection charges for shifting of the premises for B.Ed. course or not.



Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."

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."

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 25.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Haji Kareem College of Education, 7-116, Brahmanakotkur, Near Govt. Hospital, Brahmanakotkur, Nandikotkur Taluka, Kurnool, Andhra Pradesh-518432**
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.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-217/E-266821/2022 Appeal/9th Meeting, 2022
APPLSRC202214443**

St. Judes College of Education for Women, 15, Vikarabad, Edlabazar, Vikarabad, Rangareddy, Telangana-501101 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Ms. Jessey Joseph, Secretary
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **St. Judes College of Education for Women, 15, Vikarabad, Edlabazar, Vikarabad, Rangareddy, Telangana-501101** dated 24/08/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APSO0017/B.Ed./TS/2022/133043** dated 27/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution has submitted the photocopy of the land document. The institution has not submitted the certified copy of the land document. The institution has submitted the photocopy of land use certified dated 03/07/2009 issued by Asst. Engineer in which survey no. and land area are not mentioned. The institution has submitted photocopy of building plan in which survey no. site area and multipurpose hall area is not mentioned in the building plan

also, the building plan does not show the name of the institution or society on which the institution wants to run the course. The institution has submitted the copy of building completion certificate but not approved by the competent authority. The institution has submitted the faculty approval letter date 02/06/2020 issued by the registrar Osmania University. The institution has submitted faculty in prescribed format but not approved by the competent authority. Sl. No. 5,6,7 & 8 Assistant Professors does not have Net/Ph.d. as per NCTE. (Recognition norms and procedure) (Amendment) regulations 2017 dated 29/05/2017 notified on 09/06/2017, not eligible to be appointed. The institution has not appointed faculty, physical education, fine arts/performing arts. The website of the institution is not uploaded with the information required under the clauses 7(14)(1), 8(14) and 10(3) of NCTE Regulations, 2014. The institution did not submit proof of disbursement of salaries to faculty and non-teaching staff through bank account as required under clause 10(2) of NCTE Regulation 2014. The institution did not submit the registration certificate and the byelaws of the managing society/trust.”

II. SUBMISSIONS MADE BY APPELLANT: -

Ms. Jessey Joseph, Secretary of St. Judes College of Education for Women, 15, Vikarabad, Edlabazar, Vikarabad, Rangareddy, Telangana-501101 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that “Now, we are submitting the certified copy of the land document by Sub-Registrar of Vikarabad. We are submitting the land use certified issued by the Revenue Officer Vikarabad mandal in which survey no. and land area are mentioned. We are submitting the notarized copy of the building plan with survey no, site area and Multipurpose-Hall area which are clearly mentioned. Also, the name of the institution in which the courses are being conducted. The institution has submitted the copy of Building Completion Certificate which approved by the Competent Authority of Government Engineer which is notarized. We are submitting the faculty prescribed format, which is approved by the Competent Authority, Registrar, Osmania University., We have appointed the Assistant Professors who have NET/ Slet as per NCTE. Recognition norms and procedure and is approved by the Competent Authority, Registrar, Osmania University. The institution has appointed faculty for Physical Education, Fina Arts/Performing Arts, approved by the Competent Authority, Registrar Osmania University. The website of the institution is uploaded with the information required under the clauses 7(14)(1), 8(14) and 10(3) of NCTE Regulations, 2014 and is active. We are submitting the proof of disbursement of salaries to faculty and non-teaching staff through bank account as



required under clause 10(2) of NCTE Regulation 2014 and is notarized. We are submitting the registration copy notarized and the byelaws of the society.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 19.04.2002. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 19.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution was withdrawn by the SRC vide order dated 27.7.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of land documents.
- (iii) A copy of statement of Encumbrance on Property.
- (iv) A copy of Land Use Certificate.
- (v) A copy of Site Plan.
- (vi) A copy of Building Completion Certificate.
- (vii) A copy of website homepage.
- (viii) A copy of bank statement showing disbursement of salary to faculty.

The Appeal Committee noted that the institution vide letter dated 16.05.2016 submitted a request for reduction of intake from 2 unit to 1 unit. Accordingly, the Appeal Committee decided that the institution shall file a representation before the Southern Regional Committee (SRC) in this regard and the SRC is directed to scrutinize the representation along with requisite documents. The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 27.07.2022. The Committee noted that the



document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 27.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, St. Judes College of Education for Women, 15, Vikarabad, Edlabazar, Vikarabad, Rangareddy, Telangana-501101**
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 Telangana.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-218/E-267658/2022 Appeal/9th Meeting, 2022
APPLNRC202214445**

Chaudhary Devi Lal University, 21, Sirsa, Barnala Road, Sirsa, Haryana-125055 APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Professor Monika Verma, Dean
Respondent by	Regional Director, NRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF REFUSAL

The appeal of Chaudhary Devi Lal Univeristy, 21, Sirsa, Barnala Road, Sirsa, Haryana-125055 dated 29/08/2022 filed under Section 17 of NCTE Act, 1993 against the Order No. NRC/NCTE/NRCAPP-10172/279th Meeting/2018/187658 dated 22/01/2018 of the Northern Regional Committee, refusing recognition for conducting B.P.Ed. Course on the grounds that "The University has appointed only One Associate Professor against the requirement of Two Associate Professors as per norms. The University has submitted a list of 6 Assistant Professors, out of which three are on contractual basis which is not permissible as per norms. The number of Assistant Professors (at. S. No. 4 of the norms) should be three (Part time) instead of two (Full time). The university has not submitted the Building Completion Certificate in the prescribed format duly

issued by the competent government authority clearly indicating the built-up area available for B.P.Ed. and D.P.Ed. course separately.”

II. SUBMISSIONS MADE BY APPELLANT: -

Professor Monika Verma, Dean of Chaudhary Devi Lal Univeristy, 21, Sirsa, Barnala Road, Sirsa, Haryana-125055 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda it is submitted that “Attached herewith.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Northern Regional Committee for grant of recognition for seeking permission for running the B.P.Ed. course on 22.05.2015. The said application was refused recognition vide order dated 22.01.2018.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned refusal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating body.
- (ii) A copy of Building Completion Certificate.

The Committee noted that the application of the institution for B.P.Ed. programme was refused vide order dated 22.01.2018, and it has been observed by the Committee that since then the institution has not been granted recognition and in view of the following decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022 *inter-alia* considered the following Agenda(s): -

Agenda No [5]: Decision on application, irrespective of any course, which are not in line with NEP 2020:

The Council, after consideration of Agenda placed before the Council and detailed discussion and deliberation, as below, observed the following: -



- The NEP 2020 lays down that teacher education institutions will be gradually moved into multidisciplinary colleges and universities by 2030. By 2030, the minimal qualification for a person to become a teacher will be the 4 Year integrated B.Ed. degree.
- The 2 Year B.Ed. program will also be offered only for those who have already obtained Bachelor's Degrees in other specialized subjects and the 1 Year B.Ed. program for those who have completed the equivalent of 4 Year multidisciplinary Bachelor's Degrees or who have obtained a Master's degree in a specialty and wish to become a subject teacher in that specialty.
- As per provision of Section 12 of NCTE Act, 1993 it shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of Teacher Education.
- There are approximately 430 applications for various Teacher Education Programmes, other than Diploma level courses. pending at different stages in the RCs.
- NEP 2020 has brought about a paradigm shift in the Teacher Education Sector. Accordingly, NCTE is also revamping its various curricula of ITEP. 2 Year B.Ed., 1 Year B.Ed. and introducing new courses of 4 Year Physical Education and 4 Year Art Education in line with NEP 2020. These courses are also to be aligned to the various criteria laid down by UGC and in alignment with NHEQE. NCFSE and NCFTE However, the existing courses which are currently running are not in alignment with these various aspects e.g., Credit System. 4 Stages of School Education (5+3+3+4). Entry- exit policy, no hard separation etc. These changes in curricula would also necessitate changes in the norms, standards and regulations. For the reasons aforementioned, it is not feasible to process any pending applications.

In light of the above, the Council members unanimously decided the following:

- I. ***At present, there are several institutions which have been recognised by the Regional Committees of NCTE wherein courses/ programme, other than diploma level courses, are running. An Expert Committee be constituted to devise the modalities for conversion of these recognised institutions into multidisciplinary institutions in line with NEP 2020.***
- II. ***The applications pending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at any stage of processing be returned along with the processing fee to the concerned institution(s).***
- III. ***In the cases where the applications are being processed/ reopened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review/appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble Court(s) for processing of application(s) in view of the decision of the Council has taken in II above.***

Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the NRC dated 22.01.2018 refusing recognition for B.P.Ed. programme of the institution is confirmed.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 22.01.2018 of NRC is confirmed.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Chaudhary Devi Lal Univeristy, 21, Sirsa, Barnala Road, Sirsa, Haryana-125055**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana.



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

DATE: 30/11/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT
File No. 89-219/E-267661/2022 Appeal/9th Meeting, 2022
APPLNRC202214446**

Chaudhary Devi Lal University, 21, Sirsa, Barnala Road, Sirsa, Haryana-125055 APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Professor Monika Verma, Dean
Respondent by	Regional Director, NRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF REFUSAL

The appeal of Chaudhary Devi Lal University, 21, Sirsa, Barnala Road, Sirsa, Haryana-125055 dated 29/08/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/NRCAPP-10163/279th Meeting/2018/187678 dated 22/01/2018 of the Northern Regional Committee, refusing recognition for conducting D.P.Ed. Course on the grounds that "The university has submitted a list of 6 Assistant Professors appointed on contractual basis against the requirement of full-time basis. The number of specialist (part time) faculty (sports experts) should be four (Part time) in place of two (full time). The university has not submitted the Building Completion Certificate in the prescribed format duly issued by the competent government authority

clearly indicating the built-up area available for B.P.Ed. and D.P.Ed. course separately. HOD has not been appointed for D.P.Ed. course.”

II. SUBMISSIONS MADE BY APPELLANT: -

Professor Monika Verma, Dean of Chaudhary Devi Lal Univeristy, 21, Sirsa, Barnala Road, Sirsa, Haryana-125055 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda it is submitted that “Attached herewith.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Northern Regional Committee for grant of recognition for seeking permission for running the D.P.Ed. course on 22.05.2015. The said application was refused recognition vide order dated 22.01.2018.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned refusal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating body.
- (ii) A copy of Building Completion Certificate.

The Committee noted that the application of the institution for D.P.Ed. programme was refused vide order dated 22.01.2018, and it has been observed by the Committee that since then the institution has not been granted recognition and in view of the following decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022 *inter-alia* considered the following Agenda(s): -

Agenda No [5]: Decision on application, irrespective of any course, which are not in line with NEP 2020:

The Council, after consideration of Agenda placed before the Council and detailed discussion and deliberation, as below, observed the following: -



- The NEP 2020 lays down that teacher education institutions will be gradually moved into multidisciplinary colleges and universities by 2030. By 2030, the minimal qualification for a person to become a teacher will be the 4 Year integrated B.Ed. degree.
- The 2 Year B.Ed. program will also be offered only for those who have already obtained Bachelor's Degrees in other specialized subjects and the 1 Year B.Ed. program for those who have completed the equivalent of 4 Year multidisciplinary Bachelor's Degrees or who have obtained a Master's degree in a specialty and wish to become a subject teacher in that specialty.
- As per provision of Section 12 of NCTE Act, 1993 it shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of Teacher Education.
- There are approximately 430 applications for various Teacher Education Programmes, other than Diploma level courses. pending at different stages in the RCs.
- NEP 2020 has brought about a paradigm shift in the Teacher Education Sector. Accordingly, NCTE is also revamping its various curricula of ITEP. 2 Year B.Ed., 1 Year B.Ed. and introducing new courses of 4 Year Physical Education and 4 Year Art Education in line with NEP 2020. These courses are also to be aligned to the various criteria laid down by UGC and in alignment with NHEQE. NCFSE and NCFTE However, the existing courses which are currently running are not in alignment with these various aspects e.g., Credit System. 4 Stages of School Education (5+3+3+4). Entry- exit policy, no hard separation etc. These changes in curricula would also necessitate changes in the norms, standards and regulations. For the reasons aforementioned, it is not feasible to process any pending applications.

In light of the above, the Council members unanimously decided the following:

- I. ***At present, there are several institutions which have been recognised by the Regional Committees of NCTE wherein courses/ programme, other than diploma level courses, are running. An Expert Committee be constituted to devise the modalities for conversion of these recognised institutions into multidisciplinary institutions in line with NEP 2020.***
- II. ***The applications pending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at any stage of processing be returned along with the processing fee to the concerned institution(s).***
- III. ***In the cases where the applications are being processed/ reopened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review/appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble Court(s) for processing of application(s) in view of the decision of the Council has taken in II above.***

Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the NRC dated 22.01.2018 refusing recognition for D.P.Ed. programme of the institution is confirmed.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 22.01.2018 of NRC is confirmed.

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


Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Chaudhary Devi Lal Univeristy, 21, Sirsa, Barnala Road, Sirsa, Haryana-125055**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi**
3. **Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Education (looking after Teacher Education) Government of Haryana.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-220/E-268003/2022 Appeal/9th Meeting, 2022
APPLSRC202214447**

Yadaiah College of Education, 293, Yadgarpally (East), Keesara Road, Yadgarpally, Keesara, Rangareddy, Telangana-501301 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. K. Srinivas, Vice President
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of Yadaiah College of Education, 293, Yadgarpally (East), Keesara Road, Yadgarpally, Keesara, Rangareddy, Telangana-501301 dated 02/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APSO1312/B.Ed./TS/2022/132900 dated 25/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution did not submit latest faculty list along with faculty approval letter from the affiliating body in the prescribed NCTE format. (ii). The faculty shown appointed are not as per provisions of the NCTE regulations 2014. (iii). The institution has submitted a photocopy of BCC which is not approved by the competent authority. (iv). The same

also not as per the prescribed format. The institution has not submitted the original Form 'A' towards endowment fund and reserve fund. (v). The size and dimension of classroom etc are not mentioned in the Building Plan."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. K. Srinivas, Vice President of Yadaiah College of Education, 293, Yadgarpally (East), Keesara Road, Yadgarpally, Keesara, Rangareddy, Telangana-501301 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that "(i). The faculty list along with faculty approval copy from the affiliating body is enclosed. (ii). We are herewith submitting a copy of BCC which is approved by competent authority. (iii). Form "A" is submitted. (iv). The building plan room wise, size and dimensions copy submitted. (v). All above hard copies submitted at NCTE on 23-08-2022"

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 23.02.2005. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 11.02.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 06.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 25.07.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of Building Completion Certificate.
- (iii) A copy of Form 'A' alongwith FDRs receipt.
- (iv) A copy of Building Plan.



The Appeal Committee noted that the institution vide letter dated 29.11.2016 submitted a request for reduction of intake from 2 unit to 1 unit. Accordingly, the Appeal Committee decided that the institution shall file a representation before the Southern Regional Committee (SRC) in this regard and the SRC is directed to scrutinize the representation along with requisite documents. The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 25.07.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 25.07.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."

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."

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 25.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.



Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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

Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Yadaiah College of Education, 293, Yadgarpally (East), Keesara Road, Yadgarpally, Keesara, Rangareddy, Telangana-501301**
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 Telangana.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-222/E-264683/2022 Appeal/9th Meeting, 2022
APPLSRC202214438**

K.L.R. College of Education, 434, 435, 436, Paloncha, Sill Campus Post Office, Khammam, Telangana-507115 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. K. Murali Prasad, Director
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of K.L.R. College of Education, 434, 435, 436, Paloncha, Sill Campus Post Office, Khammam, Telangana-507115 dated 10/08/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRC/NCTE/APSO7573/B.Ed./TS/2022/(132398-132402) dated 06/06/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution failed in submission of reply of Final Show Cause Notice dated 29.08.2019.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. K. Murali Prasad, Director of K.L.R. College of Education, 434, 435, 436, Paloncha, Sill Campus Post Office, Khammam, Telangana-507115 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that "We humbly submit that, SRC has withdrawn recognition of our institution on 06.06.2022, whereas SRC is referring to the Final Show Cause Notice dated 29.08.2019. We submit that our institution has not received Final Show Cause Notice issued by SRC. After three years of issuing Show Cause Notice, SRC has immediately issued Withdrawal Order Normally SRC issues Show Cause Notice and Final Show Cause Notice to all institutions. Whereas our institution was not issued Second Notice. Only one Show Cause Notice was issued and withdrawn recognition after 3 years of show Cause Notice. Many institutions are issued with Final Reminder letter. Whereas our institution was not given opportunity to submit the reply. Our institution is having all the documents, infrastructure and instructional facilities as per NCTE Regulations, 2014. SRC has cause great injustice to our institution without providing second opportunity as given for other institutions. We are submitting herewith all the required documents before the Appeal Committee for kind consideration. If we were given opportunity, we would have submitted the same documents before SRC. Whereas SRC has passed orders without giving second opportunity. We earnestly request the Appeal Committee to render justice to our institution by setting aside the withdrawal order of SRC.

We hereby submit the following documents for kind consideration of Appeal Committee.

1. Certified copy of the land documents in original
2. Land Usage Certified issued by the Mandal Revenue Officer.
3. Building Completion Certificate issued by the Assistant Executive Engineer, R & B Section, Telangana State Government, Tekulapally.
4. Approved Building Plan.
5. Site Plan is approved along with the Building Plan.
6. Form 'A' in original and attested Fixed Deposit Receipts for Rs.5 Lakhs and Rs.7 Lakhs.
7. Latest Non-Encumbrance Certificate in original.
8. Latest Staff list duly approved by the Registrar, Kakatiya University, Warangal on 22.07.2022.
9. Our institution is having website – www.bed.klr.ac.in.

Affidavit in Rs.100/- stamp paper in original. Our institution comes under Telangana State, whereas SRC has been mentioning as Andhra Pradesh state. This may also be a reason we have not received the Show Cause Notice issued by SRC as the state was wrongly mentioned in the address. Even the withdrawal order was received by us through email. The hard copy has not reached our institution till date. We humbly request SRC to provide us justice by according to recognition to our B.Ed. college and oblige."



III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 24.10.2007. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 12.02.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 06.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of Affidavit on Rs. 100 stamp paper.
- (iii) A copy of Land Use Certificate issued by authority.
- (iv) A copy of Building Completion Certificate.
- (v) A copy of Form 'A' alongwith Fixed Deposit Receipts.
- (vi) A copy of Statement of Encumbrance on Property
- (vii) A copy of the land documents in original.
- (viii) A copy of Site Plan.
- (ix) A copy of Building Plan.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 06.06.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 06.06.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, K.L.R. College of Education, 434, 435, 436, Paloncha, Sill Campus Post Office, Khammam, Telangana-507115**
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 Telangana.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-224/E-268908/2022 Appeal/9th Meeting, 2022
APPLSRC202214449**

Cosmopolitan College of Education, 236/2, 271/2, Sengadu, Nehemaih Nagar, Sengadu po, Sriperumbudur, Kancheepuram, Tamilnadu-602002 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. N. Vijaya Kumar, Chairman
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Cosmopolitan College of Education, 236/2, 271/2, Sengadu, Nehemaih Nagar, Sengadu po, Sriperumbudur, Kancheepuram, Tamilnadu-602002** dated 05/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APS09504/B.Ed./{TN}/2021/129351** dated 01/12/2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "(i). The institution did not submit the latest approval of faculty for B.Ed. and M.Ed. courses issued by the

affiliating university. (ii). The institution did not submit Affidavit of Rs 100/- stamp paper regarding land, building & management.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. N. Vijaya Kumar, Chairman of Cosmopolitan College of Education, 236/2, 271/2, Sengadu, Nehemaih Nagar, Sengadu po, Sriperumbudur, Kancheepuram, Tamilnadu-602002 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that “Now, we have approved staff list from affiliated body (TNTEU) and already submitted Rs.100 stamp paper.”

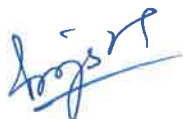
III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 03.06.2009. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 23.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 23.03.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 01.12.2021.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of Affidavit on Rs. 100 Stamp paper.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 01.12.2021. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.



Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 01.12.2021 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Cosmopolitan College of Education, 236/2, 271/2, Sengadu, Nehemaih Nagar, Sengadu po, Sriperumbudur, Kancheepuram, Tamilnadu-602002**
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 Tamilnadu.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-226/E-269814/2022 Appeal/9th Meeting, 2022
APPLSRC202214450**

University College of Education, 284-2, Sri Venkateswara Puram, Raptadu, Ananatpur, Andhra Pradesh-515003 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. M. Ramakrishna Reddy, Principal
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **University College of Education, 284-2, Sri Venkateswara Puram, Raptadu, Ananatpur, Andhra Pradesh-515003** dated 06/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRC/NCTE/APSO7494/B.Ed./AP/2022/132689** dated 20/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution was issued a Final Show Cause Notice on 02.06.2022. The institution failed to submit reply along with the requisite documents/information to the Final Show Cause Notice (FSCN). The Committee also noted that the institution has not even filed Performance Appraisal Report (PAR)."

Tripathi

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. M. Ramakrishna Reddy, Principal of University College of Education, 284-2, Sri Venkateswara Puram, Raptadu, Anantapur, Andhra Pradesh-515003 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal Memoranda it is submitted that "(i). The e-mail and hardcopy of Registered post letter of FSCN was received by the Principal, University College of Education, Sri Krishnadevaraya University, Anantapur on 13-06-2022. The requisite documents were sent by the University on 02-07-2022 through e-mail and Registered Post vide No. EN4653572218IN within the stipulated 21 days. (ii). Deficiency mentioned is addressed and the institution has appointed/transferred sufficient staff required as per NCTE, 2014 Regulations. University College of Education is submitting the Notarized consolidated qualified staff list consisting of 1 Principal + 15 Assistant Professors duly approved by the Registrar, Sri Krishnadevaraya University, Anantapuram for running 2 units B.Ed. course. (iii). The institution is submitting the notarized copies of Appointment orders and Service particulars of 1 Principal + 15 Assistant Professors working in University College of Education, Sri Krishnadevaraya University, Anantapuram. (iv). The Principal and 13 assistant Professors notarized salary disbursement statement through bank are enclosed. Two faculty members namely Dr. N. Kalpana Kumari and Sri. U. Narayana Swamy joined on 02-08-2022 and 24-08-2022 respectively. These two faculty members have not yet drawn the salary through Bank. The Govt. of A.P has recently passed G.O. No. 110, dated 06-07-2022 with facilitate the enhancement of salaries of teaching faculty working in State Universities. The same G.O is implemented to the teaching faculty working in University College of Education, Sri Krishnadevaraya University, Anantapuram to its Finance Committee and Executive Council Resolution No. 175-3315 (3.3.9), dated. 12-07-2022. (v). University College of Education, Anantapur has filed Online Performance Appraisal Report (PAR) for the academic year 2019-20 successfully but has not filled PAR for the academic year 2020-21 due to non-receiving of any letter from NCTE through e-mail or post by the University. University College of Education, Sri Krishnadevaraya University, Anantapuram adheres to the norms of the NCTE as amended from time to time and also PAR for the academic year 2020-21 shall be submitted along with the PAR of the academic year 2021-22."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted



recognition for B.Ed. Course with an annual intake of 100 students vide order dated 25.09.2007. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 21.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 06.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 20.7.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of salary disbursement to the faculty.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 20.07.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”



In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 20.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, University College of Education, 284-2, Sri Venkateswara Puram, Raptadu, Ananatpur, Andhra Pradesh-515003**
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.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-228/E-271606/2022 Appeal/9th Meeting, 2022
APPLERC202214451**

University BT & Evening College, 357(P), 358(P), 359(P), 360(P), Gunjabari, Keshab Road, Cooch Behar, West Bengal-736101 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Dipak Roy, Representative of University BT & Evening College
Respondent by	Regional Director, ERC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of University BT & Evening College, 357(P), 358(P), 359(P), 360(P), Gunjabari, Keshab Road, Cooch Behar, West Bengal-736101 dated 13/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No.ER-300.11/WB-S/N-1/2000/B.Ed./2022/65937 dated 22/07/2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Copy of educational qualification certificate/testimonials in respect of Sh. Manasi Nag and Mr. Kausik Roy are not submitted by the institution which were required in SCN."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Dipak Roy, Representative of University BT & Evening College, 357(P), 358(P), 359(P), 360(P), Gunjabari, Keshab Road, Cooch Behar, West Bengal-736101 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that "Due to misunderstanding of the item 6(iv) of last show cause letter F.No.ER-300.11/WB-S/N-1/2000/B.Ed./2022/64927/107393 date 17.01.2022, we thought that the copy of only net/Ph.D. certificates/testimonials in respect of appointed faculties as per approved list are to be submitted to your office and accordingly. We submitted the copy of Net/Ph.D. certificates/testimonials in respect of appointed faculties as per approved list. We could not think that other be submitted. That is the ground for non-submission of the copy of educational qualification certificates/testimonials of miss Manasi Nag and Mr. Kausik Roy who have neither Ph.D. nor net qualification."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 50 students vide order dated 05.09.2001. A revised provisional recognition order was issued to the institution on dt. 29.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 50 (One unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 22.07.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty member, signed by the Registrar of Affiliating Body.
- (ii) A copy of Affidavit on 100 Rs. Stamp paper.
- (iii) A copy of Building Plan.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 22.07.2022. The Committee noted that the



document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 22.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, University BT & Evening College, 357(P), 358(P), 359(P), 360(P), Gunjabari, Keshab Road, Cooch Behar, West Bengal-736101**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi**
3. **Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Education (looking after Teacher Education) Government of West Bengal.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-230/E-271975/2022 Appeal/9th Meeting, 2022
APPLSRC202214453**

Gireesha College of Education, 273, Hiriya, Chitradurga, Karnataka-572143 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. M.A. Sudha, Principal
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Gireesha College of Education, 273, Hiriya, Chitradurga, Karnataka-572143** dated 14/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order **F.SRO/NCTE/APSO3970/B.Ed./{KA}/2022/132746** dated 21/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has only submitted faculty list of One Principal, Six Assistant Professors, One Faculty for Physical Education Director. Mr. Pramod B (Assistant Professor) & Mr. Vijayashree R J (Assistant Professor) are appointed part time and not possessing NET/Ph.D. qualification and hence not qualified to be appointed as per NCTE Regulations, 2014 (amended vide notification dt.09.06.2017). (ii). The institution not appointed faculty for performing arts and fine arts. (iii). The

building plan submitted by the institution does not mention the dimensions of Multipurpose Hall area. (iv). The institution did not submit an attested/notarized & English translated copy of Land Use Certificate & Non- Encumbrance Certificate issued by the competent authority. (v). The institution did not submit a copy of Building Completion Certificate in the prescribed format. (vi). The institution did not submitted disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. M.A. Sudha, Principal of Gireesha College of Education, 273, Hiriya, Chitradurga, Karnataka-572143 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that “(i). Approval faculty list submitted. (ii). Approval faculty list submitted. (iii). Approval Building Plan Submitted and clarified Multipurpose Hall area. (iv). Land Use Certificate submitted & Non-Encumbrance Certificate issued by the competent authority. (v). Approval Building Completion Certificate submitted. (vi). Faculty salary statement submitted.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 30.01.2006. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 28.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 16.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 21.7.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:



- (i) A list of faculty member, signed by the Registrar of Affiliating Body.
- (ii) A copy of Land Use Certificate.
- (iii) A copy of Sale Deed.
- (iv) A copy of Encumbrance Certificate issued by the competent authority.
- (v) A copy of Building Completion Certificate approved by the competent authority.
- (vi) A copy of Site Plan.
- (vii) A copy of statement of account of disbursement of salary to the faculty
- (viii) A copy of website homepage.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 21.07.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 21.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued



from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Gireesha College of Education, 273, Hiriyr, Chitradurga, Karnataka-572143**
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 Karnataka.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-232/E-272532/2022 Appeal/9th Meeting, 2022
APPLSRC202214461**

Prince College of Education, 93/2-A, C.K.Palya, Gottigere, Bangalore, Karnataka-560083	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Dr. Kallahalli Chandrashekhar, Director
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of Prince College of Education, 93/2-A, C.K.Palya, Gottigere, Bangalore, Karnataka-560083 dated 23/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order F.SRO/NCTE/SRCAPP3496/B.Ed./{KA}/2022/(132894-132898) dated 25/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution failed to submit reply to the final show cause notice dated 04.02.2022."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Kallahalli Chandrashekhar, Director of Prince College of Education, 93/2-A, C.K.Palya, Gottigere, Bangalore, Karnataka-560083 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that “We submit to Hon’ble Appeal Committee that our institution has submitted reply to SRC through email on 05.07.2022. Whereas SRC has withdrawn recognition to our institution without recognition to our institution without taking into cognizance of the reply submitted by our institution. We are submitting by herewith the proof of email sent on 05.07.2022 at 09:17 A.M. to SRC’s email i.e., src@ncte-india.org. Further, we submit that our institution was issued Show Cause Notice. Our institution is having all the facilities as submitting herewith the following documents before the Appeal Committee for kind consideration to prove that our institution is having all the documents as sought by SRC in the Show Cause Notice.

1. Certified copy of the Land Documents in original.
2. Land Use Certificate issued by the Tahsildar, Bangalore North Taluk.
3. Building Completion Certificate issued by the Junior Engineer, Dodda Thoguru Grama Panchayat.
4. Approved Building Plan.
5. Site Plan is also approved within the Building Plan.
6. Form ‘A’ in original and attested Fixed Deposit Receipts for Rs.5 Lakhs and Rs.7 Lakhs.
7. Latest Non-Encumbrance Certificate in original and English Version with notary attestation.
8. Latest Staff List duly approved by the Registrar, Bangalore University on 23.06.2021.
9. Our institution is having website – www.princecollegeofeducation.com.
10. Affidavit in Rs.100/- stamp paper in original.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of two units of 50 students vide order dated 06.06.2016. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 25.7.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty members, signed by the Registrar of Affiliating body.



- (ii) A copy of Form 'A' alongwith FDRs receipt.
- (iii) A copy of Land Use Certificate.
- (iv) A copy of Building Completion Certificate.
- (v) A copy of Encumbrance certificate on the property.
- (vi) A copy of absolute sale deed.
- (vii) A copy of Building Plan.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 25.07.2022. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 25.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in



appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Prince College of Education, 93/2-A, C.K.Palya, Gottigere, Bangalore, Karnataka-560083**
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 Karnataka.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-233/E-272869/2022 Appeal/9th Meeting, 2022
APPLERC202214458**

Provadevi B.Ed. College, 8602, Barnia, Barnia Debagram Road, Tehatta, Nadia, West Bengal-741156 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. Subrata Biswas, Assistant Professor
Respondent by	Regional Director, ERC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of Provadevi B.Ed. College, 8602, Barnia, Barnia Debagram Road, Tehatta, Nadia, West Bengal-741156 dated 21/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order ERC/306.19/ERCAPP1757/B.Ed./2022/65973 dated 25/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The requisite certificate of NET/Ph.D. are not submitted by the institution in respect of faculty to verify their qualification with reference to NCTE Norms prescribed in the NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Subrata Biswas, Assistant Professor of Provadevi B.Ed. College, 8602, Barnia, Barnia Debagram Road, Tehatta, Nadia, West Bengal-741156 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that "The institution has been running since 03.03.2014, so the faculty of the institution appointed before the NCTE Regulations, 2014. All of them continuing their post from the very beginning, submitted their original experience certificates. Further, some of them have NET/SET or Ph.D. at present besides these some fresh faculty also may be recruited as per the latest guidelines of the NCTE gradually if will get that instructional opportunity as well indeed. Thanking you."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 03.03.2013. A revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the WRC vide order dated 25.7.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of Building Completion Certificate approved by the Competent Authority.
- (iii) A copy of Fixed Deposit Receipt(s) with Bank letter.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 25.07.2022. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.



Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."

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."

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 25.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Provadevi B.Ed. College, 8602, Barnia, Barnia Debagram Road, Tehatta, Nadia, West Bengal-741156**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.



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

DATE: 30/11/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT
File No. 89-235/E-273262/2022 Appeal/9th Meeting, 2022
APPLSRC202214462**

UK College of Education, 32, Godumakunta, Godumakunta Keesara Road, Keesara, Rangareddy, Telangana-501301 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Ms. Vaishali Vaidya, Secretary
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of UK College of Education, 32, Godumakunta, Godumakunta Keesara Road, Keesara, Rangareddy, Telangana-501301 dated 26/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order F.SRO/NCTE/APS05740/B.Ed./TS/2022/132904 dated 25/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The staff list submitted by the institution is not approved by the competent authority of the affiliating body for the B.Ed. programme. (ii). The institution has not submitted the Form ‘A’ in original towards endowment fund and reserve fund for both programmes.

(iii). The size/dimensions of the classroom etc. are not mentioned in the building plan. (iv). The institution submitted a photocopy of the BCC which is not acceptable.”

II. SUBMISSIONS MADE BY APPELLANT: -

Ms. Vaishali Vaidya, Secretary of UK College of Education, 32, Godumakunta, Godumakunta Keesara Road, Keesara, Rangareddy, Telangana-501301 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that “(i). Due to non-availability of competent authority. (ii). We have the original Form ‘A’ for both the programme. The original is now submitted. (iii). In the copy sent to the NCTE the size of the classrooms are mentioned but it was not clear. Now mentioned clearly. (iv). We have the original BCC. the original is now submitted.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 01.05.2007. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 21.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 06.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 25.07.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of Form ‘A’
- (iii) A copy of Building Plan.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 25.07.2022. The Committee, noted that the document



submitted in appeal vis a vis the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 25.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.


Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, UK College of Education, 32, Godumakunta, Godumakunta Keesara Road, Keesara, Rangareddy, Telangana-501301**
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 Telangana.



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-240/E-275654/2022 Appeal/9th Meeting, 2022
APPLSRC202214465**

Vikas College of Education, Visannapet, Putrela Road, Vissannapet, Krishna, Andhra Pradesh-521215 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. K. Sitarama Raju, Administrative Officer
Respondent by	Regional Director, SRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND'S OF WITHDRAWAL

The appeal of **Vikas College of Education, Visannapet, Putrela Road, Vissannapet, Krishna, Andhra Pradesh-521215** dated 15/10/2022 filed under Section 18 of NCTE Act, 1993 is against the Order **F.SRC/NCTE/APSO9315/M.Ed./AP/2022/132614** dated 20/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that "The institution was issued a Final Show Cause Notice on 08.10.2021. The institution failed to submit reply along with the requisite documents/information to the Final Show Cause Notice (FSCN). The Committee also noted that the institution has not even filed Performance Appraisal Report (PAR)."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. K. Sitarama Raju, Administrative Officer of Vikas College of Education, Visannapet, Putrela Road, Vissannapet, Krishna, Andhra Pradesh-521215 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that "Submitted reply to Final Show Cause. Par also submitted."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for M.Ed. Course with an annual intake of 25 students vide order dated 02.06.2009. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 04.02.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 19.05.2015 for conducting M.Ed. course of two years duration with an annual intake of 50 (One unit) from the academic session 2015-16.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members, signed by the Registrar of Affiliating Body.
- (ii) A copy of Affidavit on 100 Rs. stamp paper.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 20.07.2022. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."



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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 20.07.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the SRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The SRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Vikas College of Education, Visannapet, Putrela Road, Vissannapet, Krishna, Andhra Pradesh-521215**
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.**



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

DATE: 30/11/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT
File No. 89-242/E-276281/2022 Appeal/9th Meeting, 2022
APPLWRC202214466**

Aradhana College of Education, A, Gandhi Nagar, GH 6 Road, Sector 28, Gandhi Nagar, Gujarat-382028 APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. Sandip Patel, Principal
Respondent by	Regional Director, WRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of **Aradhana College of Education, A, Gandhi Nagar, GH 6 Road, Sector 28, Gandhi Nagar, Gujarat-382028** dated 18/10/2022 filed under Section 18 of NCTE Act, 1993 is against the Order **F.No./WRC/APWO1287/323201/B.Ed./366th/2022/(220735 to 220742)** dated 28/10/2022 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has submitted the Building Completion Certificate wherein the total land area is not mentioned. (ii). FDRs of Rs. 7 lakhs as Endowment Fund, and of Rs. 5 lakhs as Reserve fund in joint operation with Regional Director, WRC(NCTE) not submitted. (iii). The institution has not submitted the approval qualified staff as per the NCTE norms. (iv).

Arjant

Necessary information has not been uploaded on its website. (iv). The institution has also not submitted the filled copy of the Performance Appraisal Report.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Sandip Patel, Principal of Aradhana College of Education, A, Gandhi Nagar, GH 6 Road, Sector 28, Gandhi Nagar, Gujarat-382028 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that “(i). Land area is already mentioned in Building Completion Certificate. We also submitted certified copy of land wherein the land area is mentioned. (ii). We submitted new FDR of Rs. 7 Lakh of endowment fund and new FDR of Rs. 5 Lakh of reserve fund in joint operation with Regional Director, WRC (NCTE). (iii). We submit the approval qualified staff as per the NCTE Norms. (iv). Necessary information has been uploaded on our college website <https://aradhanacollegeofeducation.com>. (v). The institution will submit the filled copy of the performance appraisal report when portal is open by you. We get stay against PAR of session 2020-21 from Delhi High Court case no. WP(C) 9258/2022 CM Appl 27756/2022 Dt. 03.06.2022.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 23.08.2005. A revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 19th November, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty member, signed by the Registrar of Affiliating Body.
- (ii) A copy of Building Completion Certificate.
- (iii) A copy of FDRs receipt.
- (iv) A copy of website homepage.
- (v) A copy of Site Plan.

The Appeal Committee noted that the institution submitted letter dated 29.09.2015 requesting reduction from 2 basic units to 1 basic unit alongwith resolution dated 09.08.2015. Accordingly, the Appeal Committee decided that the institution shall file a representation before the Southern Regional Committee (SRC) in this regard and the SRC is directed to scrutinize the representation along with requisite documents. The institution has also submitted documents with respect to points mentioned in the Withdrawal Order dated 28.10.2022. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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.”

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.”

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 28.10.2022 is set-aside and the Appellate Committee has decided to remand back the case to WRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the WRC the documents submitted in



appeal within 15 days from the receipt of order of the Appeal. The WRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The WRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Aradhana College of Education, A, Gandhi Nagar, GH 6 Road, Sector 28, Gandhi Nagar, Gujarat-382028**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi**
3. **Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Education (looking after Teacher Education) Government of Gujarat.**



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

DATE: 30/11/2022

APPEAL FILED UNDER SECTION 18 OF NCTE ACT

**File No. 89-244/E-277083/2022 Appeal/9th Meeting, 2022
APPLWRC202214467**

Kota College of Education, Sp-1, Ranpur, Riico Industrial Area, Jhalawar Road, Kewal Nagar, Ladpura, Kota, Rajasthan- 325003 APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Siddhartha Gupta, Secretary
Respondent by	Regional Director, WRC
Date of Hearing	19.11.2022
Date of Pronouncement	30.11.2022

ORDER

I. GROUND OF WITHDRAWAL

The appeal of Kota College of Education, Sp-1, Ranpur, Riico Industrial Area, Jhalawar Road, Kewal Nagar, Ladpura, Kota, Rajasthan-325003 dated 26/10/2022 filed under Section 18 of NCTE Act, 1993 is against the Order F.No.WRC/RJ-799/370th/RJ/B.Ed./2022/220618 dated 13/10/2022 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has not submitted affidavit for adherence of conditions of recognition for two-year B.Ed. course in light of NCTE Regulations, 2014. (ii). Revised recognition order has not been issued by WRC, NCTE. (iii). Running of B.Ed. course has been

stopped by the institution due to non-issuance of revised recognition order. (iv). The institution is not eligible to run the B.Ed. programme as per extant NCTE Regulations as amended time to time.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Siddhartha Gupta, Secretary of Kota College of Education, Sp-1, Ranpur, Riico Industrial Area, Jhalawar Road, Kewal Nagar, Ladpura, Kota, Rajasthan-325003 appeared online to present the case of the appellant institution on 19.11.2022. In the appeal memoranda it is submitted that “(i). The institution has submitted the affidavit for adherence to conditions of recognition for 2 years B.Ed. course in the light of NCTE Regulations 2014 on 6th March 2015 vide its letter no. OES/2014-15/26 dated 5th March 2016. The receipt received from dispatch cell of NCTE along with copy of affidavit is attached for your kind reference. (ii). The institution timely deposited the affidavit, as mentioned above, for adherence to NCTE Regulations 2014. Further, the society time and again submitted request letters to NCTE for issuance of the Revised Recognition Order for Kota College of Education, Kota (Rajasthan). But despite of all the reminders submitted by the college time and again NRC/WRC did not issue revised recognition order. Because of non-issuance of such letter from NRC/WRC, the institution suffering a lot of despites of no fault at all. (iii). The institution timely deposited the affidavit for adherence to NCTE Regulations 2014. Further, the society time and again submitted request letters to NCTE for issuance of the revised recognition order for Kota College of Education, Kota (Rajasthan). Since revised order was not issued. It was not possible to continue running the course. It may be noted that the college is not at fault as it was the responsibility of NRC/WRC to issue the Revised Recognition Order as the college had timely submitted the required affidavit. (iv). The institution was granted recognition for B.Ed. Course after it fulfilled all the requirements as per than relevant regulations. The institute has always been ready to fulfill all the criteria required by NCTE as per regulations of 2014 or any amendments made thereto. The institution is fulfilling all the requisite requirements of NCTE regulations as amended from time to time and the affidavit for adherence to NCTE regulations 2014 has been submitted timely i.e., on 6th March, 2015.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted



recognition for B.Ed. Course with an annual intake of 100 students vide order dated 13.08.2006. The recognition of the institution was withdrawn on 13.10.2022 on one of the grounds that the institution has not submitted Affidavit for adherence of conditions of recognition of 2-year B.Ed. course in the light of NCTE Regulations, 2014.

The Appeal Committee noted that the institution had submitted a letter dated 5.3.2015 alongwith a copy of the Affidavit dated 4.3.2015 wherein the institution showed its willingness to accept and abide the new provisions of the NCTE i.e., NCTE Regulations. 2014. The WRC is, therefore, directed to peruse the letter dated 5.3.2015 and the Affidavit dated 4.3.2015 carefully and decided the matter on merits.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, 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."

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."

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 13.10.2022 is set-aside and the Appellate Committee has decided to remand back the case to WRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued



from time to time. The Appellant is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The WRC is at a liberty to verify the submitted documents from the concerned issuing authority.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The WRC is at a liberty to verify the submitted documents from the concerned issuing authority.

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



Deputy Secretary (Appeal)

Copy to :-

1. **The Principal, Kota College of Education, Sp-1, Ranpur, Riico Industrial Area, Jhalawar Road, Kewal Nagar, Ladpura, Kota, Rajasthan-325003**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi**
3. **Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
4. **The Secretary, Education (looking after Teacher Education) Government of Western.**