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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-318/E-229107/2022Appeal/1st Meeting, 2022  
 APPLSRC202114143

Moulana Azad B.Ed. College, Radhakrishna Nagar, CA-8 Mysore Teachers Layout, Mysore, Karnataka-570011 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of **Moulana Azad B.Ed. College, Radhakrishna Nagar, CA-8 Mysore Teachers Layout, Mysore, Karnataka-570011** dated 28.09.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS02430/B.Ed./{KA}/2020/15349-5355 dated 27.02.2020 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution has not submitted LUC duly approved by the competent authority. The institution submitted notarized copy of building plan in the name of Sultan Shaheed Education Trust approving authority stamp and signature is not readable. The institution has not submitted BCC duly approved by the competent authority. The institution submitted a list of 6 faculty members which is not approved by the competent authority."

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## II. SUBMISSIONS MADE BY APPELLANT:-

Mr. Zakir Hussain (Secretary), Moulana Azad B.Ed. College, Radhakrishna Nagar, CA-8 Mysore Teachers Layout, Mysore, Karnataka-570011 appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "Latest Land use certificate submitted approved by the competent authority is submitted latest building plan. Latest building completion certificate submitted approved by the competent authority. Latest approved faculty list submitted."

## III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution in its appeal Memoranda has said that 'Latest Building Plan submitted'. Building plan found enclosed with the appeal Memoranda is a printout of plan indicating the stamp of sanctioning authority in vernacular language and signed by Assistant Engineer, Mysore. Correspondingly there is a Building Completion Certificate signed by Assistant Engineer, Mysore. Appellant with its appeal Memoranda has also submitted Land Use Certificate dated 20.01.2018. Appeal Committee decided that appellant institution is required to submit to SRC within 15 days of the issue of Appeal Order originals/Copies of all documents submitted by it with its appeal memoranda.

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

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

3. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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."***



4. Appeal Committee decided to set aside the impugned withdrawal order and remand back the case to SRC to revisit the matter after due scrutiny of the list of faculty as designation of faculty has not been mentioned after serial No. 6 and appointments have been shown as made in March, 2016. Existence of faculty since March, 2016 may be cross/checked with the salary statements duly authenticated by the Bank.

**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 set aside the impugned withdrawal order and remand back the case to SRC for revisiting the matter.

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

  
**Deputy Secretary (Appeal)**

**Copy to :-**

1. The Principal, Moulana Azad B.Ed. College, Radhakrishna Nagar, CA-8 Mysore Teachers Layout, Mysore, Karnataka-570011
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.



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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-320/E-229828/2022Appeal/1st Meeting, 2022  
 APPLSRC202114195

C. Gangireddy College of Elementary Education (D.El.Ed.), 52/1, 53/1, Newboyanapalli, Tallapaka Cross Road, Cuddapah, Andhra Pradesh-516126 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b><u>RESPONDENT</u></b>
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<b>Representative of Appellant</b>	<b>Mr. Z. Vinod Kumar (Principal)</b>
<b>Respondent by</b>	<b>Regional Director, SRC</b>
<b>Date of Hearing</b>	<b>06/01/2022</b>
<b>Date of Pronouncement</b>	<b>31/01/2022</b>

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of C. Gangireddy College of Elementary Education (D.El.Ed.), 52/1, 53/1, Newboyanapalli, Tallapaka Cross Road, Cuddapah, Andhra Pradesh-516126 dated 26/11/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NCTE.Reg1018/119/2021-Regulation-section-SRC/AP/128711 dated 05.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "The committee perused the letter dt. 25.03.2021 issued by the School Education Department, Govt. of Andhra Pradesh establishing the violation made by 417 TEIs (list enclosed as Annexure 'A' to this minutes). These TEIs have made admissions into D.El.Ed. course during 2018-19 on their own without adhering the rules and regulations. Therefore, the Govt. of Andhra



*Pradesh in this instant letter recommended SRC, NCTE to de-recognize these TEIs henceforth. The Committee discussed the issue in detail and decided to direct the Regional Director that instead of sending individual Show Cause Notice to all the 417 TEIs to save time particularly in the context of COVID-19 pandemic, all the TEIs to be recognized be uploaded on SRC, NCTE's website alongwith the 13 points schedule asking the managements to furnish the information top the points included in the 13 point schedule within 21 days either online or by post treating it as a Show Cause Notice. Accordingly, Process the withdrawal of recognition as desired by the Govt. of Andhra Pradesh. The committee discussed the matter pertaining to the withdrawal of recognition to the TEIs offering D.El.Ed. programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TEIs who have failed to respond to the notice (published on the NCTE website) and also sent to the TEIs through e-mail."*

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Mr. Z. Vinod Kumar (Principal),C. Gangireddy College of Elementary Education (D.El.Ed.),52/1,53/1, Newboyanapalli, Tallapaka Cross Road, Cuddapah, Andhra Pradesh-516126** appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "The government of Andhra Pradesh notified in its G.O.MS. No 30 Dated 08.07.2015 for the management quota (category B) seats. These 20 seats are filled up without deecet which is conducted by state government of Andhra Pradesh for filling up the convener quota seats for elementary level (D.El.Ed.) course in private un-aided institutes in the state of Andhra Pradesh for the year 2015-16 onwards. Subsequently, All the institutions are followed the same guidelines up to academic year 2018-19, because the government was not given any stipulated guidelines for filled-up the management quota seats. The government of Andhra Pradesh issued another G.O.MS. No. 39 Dated 12.06.2019 in that they mentioned eligibility criteria to admission of students into Elementary Teacher Training Institution though deecet examination adhere the guidelines strictly as per G.O.MS. No.30 Dated 08.07.2015 and 26.11.2018 respectively. After completion of admission process, the government of Andhra Pradesh made a comment that all the institutions are violating admission guidelines that are recommending by state government and NCTE. This is happened due to lack of proper communication between D.El.Ed. colleges and state government. Hence, we supplicate your good selves to accept our appeal application and we would be very much delighted to receive

communication from your kind self for re-consideration of our application. This is for favor of information and necessary action please.”

### III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution and noted that main ground of withdrawal of recognition to conduct D.El.Ed. programme emerged from a letter dated 25.03.2021 issued by the School Education Department, Government of Andhra Pradesh stating that a number of institution including the appellant institution has without adhering to the rules and regulations have made admissions in D.El.Ed. course during 2018-19. The School Education Department of Govt. of Andhra Pradesh taking the matter as violation of rules relating to admission of students in D.El.Ed. course recommended to NCTE to de-recognise such institutions.

2. Appeal Committee noted that School Education Department of the concerned state government is the affiliating body so far as D.El.Ed. programme is concerned. So far as Admissions to the course and examinations are concerned, the role of affiliating body and its recommendations are very important. It is therefore, binding on the institutions conducting D.El.Ed. programme to adhere to the norms and standards laid down by state government in matter of admission, examination, appointment of faculty and payment of salary as per standards and pay scale approved by the state government.


3. Appeal Committee noted that institutions conducting D.El.Ed. programme should stay turned with the instructions issued by state government from time to time in matter relating to admissions and examinations and in case there is a controversy the same shall be resolved amicably. The recommendations of state government who is an important state holder cannot be ignored. Till the appellant institution gets a clearance from the affiliating body, the impugned order of withdrawal dated 05.10.2021 stays 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 to Confirm the impugned order of withdrawal dated 05.10.2021.

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

  
Deputy Secretary (Appeal)

**Copy to :-**

1. The Principal, C. Gangireddy College of Elementary Education (D.El.Ed.), 52/1,53/1, Newboyanapalli, Tallapaka Cross Road, Cuddapah, Andhra Pradesh-516126
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.



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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-321/E-229975/2022Appeal/1st Meeting, 2022  
APPLSRC202114194

Residency College of Elementary Teacher Education, 53/1,52/1,Newboyanapalli, Thallapaka Cross Road, Rajampet, Cuddapah, Andhra Pradesh-516126 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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<b>Representative of Appellant</b>	<b>Mr. Z. Vinod Kumar (Principal)</b>
<b>Respondent by</b>	<b>Regional Director, SRC</b>
<b>Date of Hearing</b>	<b>06/01/2022</b>
<b>Date of Pronouncement</b>	<b>31/01/2022</b>

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of **Residency College of Elementary Teacher Education, 53/1,52/1,Newboyanapalli, Thallapaka Cross Road, Rajampet, Cuddapah, Andhra Pradesh-516126** dated 24/11/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NCTE.Reg1018/119/2021-Regulation-section-SRC/AP/128711 dated 05.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed.Course on the grounds that *"The committee perused the letter dt. 25.03.2021 issued by the School Education Department, Govt. of Andhra Pradesh establishing the violation made by 417 TEIs (list enclosed as Annexure 'A' t this minutes). These TEIs have made admissions into D.El.Ed. course during 2018-19 on their own without adhering the rules and regulations. Therefore, the Govt. of Andhra*



*Pradesh in this instant letter recommended SRC, NCTE to de-recognize these TEIs henceforth. The Committee discussed the issue in detail and decided to direct the Regional Director that instead of sending individual Show Cause Notice to all the 417 TEIs to save time particularly in the context of COVID-19 pandemic, all the TEIs to be recognized be uploaded on SRC, NCTE's website alongwith the 13 points schedule asking the managements to furnish the information top the points included in the 13 point schedule within 21 days either online or by post treating it as a Show Cause Notice. Accordingly, Process the withdrawal of recognition as desired by the Govt. of Andhra Pradesh. The committee discussed the matter pertaining to the withdrawal of recognition to the TEIs offering D.El.Ed. programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TEIs who have failed to respond to the notice (published on the NCTE website) and also sent to the TEIs through e-mail."*

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Mr. Z. Vinod Kumar (Principal), Residency College of Elementary Teacher Education, 53/1, 52/1, Newboyanapalli, Thallapaka Cross Road, Rajampet, Cuddapah, Andhra Pradesh-516126** appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "The government of Andhra Pradesh notified in its G.O.MS. No 30 dated 08.07.2015 for the management quota (category B) seats. These 20 seats are filled up without deecet which is conducted by state government of Andhra Pradesh for filling up the convener quota seats for elementary level (D.El.Ed.) course in private un-aided institutes in the state of Andhra Pradesh for the year 2015-16 onwards. Subsequently, All the institution are followed the same guidelines up to academic year 2018-19, because the government was not given any stipulated guidelines for filled-up the management quota seats. The government of Andhra Pradesh issued another G.O.MS. No 39 Dated 12.06.2019 in that they mentioned eligibility criteria to admission of students into elementary teacher training institutions through deecet examination. The residency college of elementary teacher education adhere the guidelines strictly as per G.O.MS. no 30 Dated 08.07.2015 and 26.11.2018 respectively. After completion of admission process, the government of Andhra Pradesh made a comment that all the institutions are violating admission guidelines that are recommending by state government and NCTE. This is happened due to lack of proper communication between D.El.Ed. colleges and state government. Hence, we supplicate your good selves to accept our appeal application

and we would be very much delighted to receive communication from your kind self for re-consideration of our application. This is for favor of information and necessary action please."

### III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution and noted that main ground of withdrawal of recognition to conduct D.El.Ed. programme emerged from a letter dated 25.03.2021 issued by the School Education Department, Government of Andhra Pradesh stating that a number of institution including the appellant institution has without adhering to the rules and regulations have made admissions in D.El.Ed. course during 2018-19. The School Education Department of Govt. of Andhra Pradesh taking the matter as violation of rules relating to admission of students in D.El.Ed. course recommended to NCTE to de-recognise such institutions.

2. Appeal Committee noted that School Education Department of the concerned state government is the affiliating body so far as D.El.Ed. programme is concerned. So far as Admissions to the course and examinations are concerned, the role of affiliating body and its recommendations are very important. It is therefore, binding on the institutions conducting D.El.Ed. programme to adhere to the norms and standards laid down by state government in matter of admission, examination, appointment of faculty and payment of salary as per standards and pay scale approved by the state government.

3. Appeal Committee noted that institutions conducting D.El.Ed. programme should stay turned with the instructions issued by state government from time to time in matter relating to admissions and examinations and in case there is a controversy the same shall be resolved amicably. The recommendations of state government who is an important state holder cannot be ignored. Till the appellant institution gets a clearance from the affiliating body, the impugned order of withdrawal dated 05.10.2021 stays 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 to Confirm the impugned order of withdrawal dated 05.10.2021.

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

  
Deputy Secretary (Appeal)

**Copy to :-**

1. The Principal, Residency College of Elementary Teacher Education, 53/1,52/1, Newboyanapalli, Thallapaka Cross Road, Rajampet, Cuddapah, Andhra Pradesh-516126
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: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-322/E-230140/2022Appeal/1<sup>st</sup>Meeting, 2022  
 APPLSRC202114201

Sri Raja Suraneni Venkata Papaiah Rao College of Teacher Education, 23-3-134, 914 to 926 Annapurna Devi Street Gandhinagar Vijayawada Urban, Krishna, Andhra Pradesh-520003 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Sri Gunda Gangadhar (Secretary)
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of Sri Raja Suraneni Venkata Papaiah Rao College of Teacher Education, 914 to 926 Annapurna Devi Street Gandhinagar Vijayawada Urban, Krishna, Andhra Pradesh-520003 dated 01/12/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No.NCTE.Reg1018/119/2021-Regulation-section-SRC/AP/128711 dated 05.10.2021. of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that *"The committee perused the letter dt. 25.03.2021 issued by the School Education Department, Govt. of Andhra Pradesh establishing the violation made by 417 TEIs (list enclosed as Annexure 'A' t this minutes). These TEIs have made admissions into D.El.Ed. course during 2018-19 on their own without adhering the rules and regulations. Therefore, the*



*Govt. of Andhra Pradesh in this instant letter recommended SRC, NCTE to de-recognize these TELs henceforth. The Committee discussed the issue in detail and decided to direct the Regional Director that instead of sending individual Show Cause Notice to all the 417 TELs to save time particularly in the context of COVID-19 pandemic, all the TELs to be recognized be uploaded on SRC, NCTE's website alongwith the 13 points schedule asking the managements to furnish the information top the points included in the 13 point schedule within 21 days either online or by post treating it as a Show Cause Notice. Accordingly, Process the withdrawal of recognition as desired by the Govt. of Andhra Pradesh. The committee discussed the matter pertaining to the withdrawal of recognition to the TELs offering D.El.Ed. programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TELs who have failed to respond to the notice (published on the NCTE website) and also sent to the TELs through e-mail."*

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Sri Gunda Gangadhar (Secretary), Sri Raja Suraneni Venkata Papaiah Rao College of Teacher Education, 914 to 926 Annapurna Devi Street Gandhinagar Vijayawada Urban, Krishna, Andhra Pradesh-520003** appeared online to present the case of the appellant institution on 06/01/2022. In the appeal Memoranda it was submitted that *"The appellant education institution has already been granted permission for deecet 2021 admission counselling vide school education department Andhra Pradesh proceedings dated 16-11-2021. The appellant already made a representation, vide their letter dated 09-09-2021, to the director of school education Andhra Pradesh against their recommendations to NCTE for de-recognition of educational institutions of vide their letter dated 23.03.2021. The appellant was not served by NCTE either the show cause notice dated 18-08-2021 or the order dated 05-10-2021 till date. Hence, the appellant could not reply against the show cause notice. Issue recognition order to the appellant institution and convey to counselling authority, Andhra Pradesh scent before counselling starts. Present running batch of D.Ed. II year students get affected and due to lapse of state school education department the institution shall not be penalized."*

### III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution and noted that main ground of withdrawal of recognition to conduct D.El.Ed. programme emerged from a letter dated 25.03.2021 issued by the School Education Department, Government of Andhra Pradesh stating that a number of institution including the appellant institution has without adhering to the rules and regulations have made admissions in D.El.Ed. course during 2018-19. The School Education Department of Govt. of Andhra Pradesh taking the matter as violation of rules relating to admission of students in D.El.Ed. course recommended to NCTE to de-recognise such institutions.

2. Appeal Committee noted that School Education Department of the concerned state government is the affiliating body so far as D.El.Ed. programme is concerned. So far as Admissions to the course and examinations are concerned, the role of affiliating body and its recommendations are very important. It is therefore, binding on the institutions conducting D.El.Ed. programme to adhere to the norms and standards laid down by state government in matter of admission, examination, appointment of faculty and payment of salary as per standards and pay scale approved by the state government.

3. Appeal Committee noted that institutions conducting D.El.Ed. programme should stay turned with the instructions issued by state government from time to time in matter relating to admissions and examinations and in case there is a controversy the same shall be resolved amicably. The recommendations of state government who is an important state holder cannot be ignored. Till the appellant institution gets a clearance from the affiliating body, the impugned order of withdrawal dated 05.10.2021 stays 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 to Confirm the impugned order of withdrawal dated 05.10.2021.

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

  
Deputy Secretary (Appeal)

**Copy to :-**

1. The Principal, Sri Raja Suraneni Venkata Papaiah Rao College of Teacher Education, 23-3-134, 914 to 926 Annapurna Devi Street Gandhinagar Vijayawada Urban, Krishna, Andhra Pradesh-520003
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.

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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-323/E-230377/2022 Appeal/1st Meeting, 2022  
APPLSRC202114197

Medarametla Anjamma Mastan Rao College of Education, 137/3a, Kesanupalli, Narasaraopet, Guntur, Andhra Pradesh-522601 <b>APPELLANT</b>	<b>Vs</b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Mr. K. Suresh Kumar (A.O)
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of **Medarametla Anjamma Mastan Rao College of Education, 137/3a, Kesanupalli, Narasaraopet, Guntur, Andhra Pradesh-522601** dated 30.11.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NCTE.Reg1018/119/2021-Regulation-section-SRC/AP/128711 dated 05.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that *"The committee perused the letter dt. 25.03.2021 issued by the School Education Department, Govt. of Andhra Pradesh establishing the violation made by 417 TEIs (list enclosed as Annexure 'A' t this minutes). These TEIs have made admissions into D.El.Ed. course during 2018-19 on their own without adhering the rules and regulations. Therefore, the Govt. of Andhra Pradesh in this*



*instant letter recommended SRC, NCTE to de-recognize these TEIs henceforth. The Committee discussed the issue in detail and decided to direct the Regional Director that instead of sending individual Show Cause Notice to all the 417 TELs to save time particularly in the context of COVID-19 pandemic, all the TEIs to be recognized be uploaded on SRC, NCTE's website alongwith the 13 points schedule asking the managements to furnish the information top the points included in the 13 point schedule within 21 days either online or by post treating it as a Show Cause Notice. Accordingly, Process the withdrawal of recognition as desired by the Govt. of Andhra Pradesh. The committee discussed the matter pertaining to the withdrawal of recognition to the TEIs offering D.El.Ed. programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TEIs who have failed to respond to the notice (published on the NCTE website) and also sent to the TEIs through e-mail."*

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Mr. K. Suresh Kumar (A.O), Medarametla Anjamma Mastan Rao College of Education, 137/3a, Kesanupalli, Narasaraopet, Guntur, Andhra Pradesh-522601** appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "Our Management established the college in the year 2007-2008 academic year. From that academic year we followed by NCTE and state government norms without violation. We filled the students within the intake only. We never crossed beyond the intake. The government of A.P. issued G.O. MS.No.30 dated 08.07.2015. in the G.O. They mentioned leftover seats are leftover. But as per request of the managements the government of A.P. ratified convener leftover seats from the academic year 2015-16, 2016-17 and 2017-18 by giving relaxation to above said G.O. but in 2018-19 academic year our management applied for the permission of the state government of Andhra Pradesh vide letter dated 23.08.2018, For ratification of 2018-20 leftover seats as like previous academic years. However, the government of Andhra Pradesh has failed to consider the same and has issued letter on dated 12.10.2019 negating my application. The inaction of the state government considering the representation we filled a writ petition no.9679/2020, as the writ petition has been dismissed then we filed a writ appeal before the Hon'ble High Court of Andhra Pradesh. And same is consider as pending in Hon'ble High Court of Andhra Pradesh. The action of the SRC in de-recognizing my college with in affording and effective opportunity of being heard is not only in violation of principles of natural justice but is



also in violation of procedure prescribed. The G.O. Ms. No. 30 dated 08.07.2015 issued by the Andhra Pradesh Government has been challenged before the Hon'ble High Court and the same is pending for consideration. It is not appropriate on part of the authority to initiate action against me when the matter is sub-judice before the Hon'ble High Court of Andhra Pradesh."

### III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution and noted that main ground of withdrawal of recognition to conduct D.El.Ed. programme emerged from a letter dated 25.03.2021 issued by the School Education Department, Government of Andhra Pradesh stating that a number of institution including the appellant institution has without adhering to the rules and regulations have made admissions in D.El.Ed. course during 2018-19. The School Education Department of Govt. of Andhra Pradesh taking the matter as violation of rules relating to admission of students in D.El.Ed. course recommended to NCTE to de-recognise such institutions.

2. Appeal Committee noted that School Education Department of the concerned state government is the affiliating body so far as D.El.Ed. programme is concerned. So far as Admissions to the course and examinations are concerned, the role of affiliating body and its recommendations are very important. It is therefore, binding on the institutions conducting D.El.Ed. programme to adhere to the norms and standards laid down by state government in matter of admission, examination, appointment of faculty and payment of salary as per standards and pay scale approved by the state government.

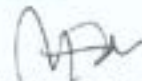
3. Appeal Committee noted that institutions conducting D.El.Ed. programme should stay turned with the instructions issued by state government from time to time in matter relating to admissions and examinations and in case there is a controversy the same shall be resolved amicably. The recommendations of state government who is an important state holder cannot be ignored. Till the appellant institution gets a clearance from the affiliating body, the impugned order of withdrawal dated 05.10.2021 stays 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 to Confirm the impugned order of withdrawal dated 05.10.2021.

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



**Deputy Secretary (Appeal)**

**Copy to :-**

1. **The Principal, Medarametla Anjamma Mastan Rao College of Education, 137/3a, Kesanupalli, Narasaraopet, Guntur, Andhra Pradesh-522601**
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.

(21)



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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT  
F. No. 89-324/E-230565/2022Appeal/1st Meeting, 2022  
APPLSRC202114207**

Shaيدا Moula D.El.Ed. College, 259/1C Darsi, Kurichedu Road, Darsi, Prakasam, Andhra Pradesh-523247 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b><u>RESPONDENT</u></b>
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<b>Representative of Appellant</b>	<b>Mr. Shaik Ismail (Principal)</b>
<b>Respondent by</b>	<b>Regional Director, SRC</b>
<b>Date of Hearing</b>	<b>06/01/2022</b>
<b>Date of Pronouncement</b>	<b>31/01/2022</b>

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of Shaيدا Moula D.El.Ed. College, 259/1C Darsi, Kurichedu Road, Darsi, Prakasam, Andhra Pradesh-523247 dated 05.12.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NCTE.Reg1018/119/2021-Regulation-section-SRC/AP/128711 dated 05.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that *"The committee perused the letter dt. 25.03.2021 issued by the School Education Department, Govt. of Andhra Pradesh establishing the violation made by 417 TEIs (list enclosed as Annexure 'A' t this minutes). These TEIs have made admissions into D.El.Ed. course during 2018-19 on their own without adhering the rules and regulations. Therefore, the Govt. of Andhra Pradesh in this instant letter recommended SRC, NCTE to de-recognize these TEIs henceforth. The Committee discussed the issue in detail and decided to direct the Regional Director that instead of sending individual Show Cause Notice to all the 417*



TEIs to save time particularly in the context of COVID-19 pandemic, all the TEIs to be recognized be uploaded on SRC, NCTE's website alongwith the 13 points schedule asking the managements to furnish the information top the points included in the 13 point schedule within 21 days either online or by post treating it as a Show Cause Notice. Accordingly, Process the withdrawal of recognition as desired by the Govt. of Andhra Pradesh. The committee discussed the matter pertaining to the withdrawal of recognition to the TEIs offering D.El.Ed. programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TEIs who have failed to respond to the notice (published on the NCTE website) and also sent to the TEIs through e-mail."

## II. SUBMISSIONS MADE BY APPELLANT:-

Mr. Shaik Ismail (Principal), Shaيدا Moula D.El.Ed. College, 259/1C Darsi, Kurichedu Road, Darsi, Prakasam, Andhra Pradesh-523247 appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "By mistake only filled three seats without deecet, next time its not repeated. Please considered my humble request and give the permission for next academic year."

## III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution and noted that main ground of withdrawal of recognition to conduct D.El.Ed. programme emerged from a letter dated 25.03.2021 issued by the School Education Department, Government of Andhra Pradesh stating that a number of institution including the appellant institution has without adhering to the rules and regulations have made admissions in D.El.Ed. course during 2018-19. The School Education Department of Govt. of Andhra Pradesh taking the matter as violation of rules relating to admission of students in D.El.Ed. course recommended to NCTE to de-recognise such institutions.

2. Appeal Committee noted that School Education Department of the concerned state government is the affiliating body so for as D.El.Ed. programme is concerned. So for as Admissions to the course and examinations are concerned, the role of affiliating body and its recommendations are very important. It is therefore, binding on the institutions conducting D.El.Ed. programme to adhere to the norms and standards laid down by state government in

matter of admission, examination, appointment of faculty and payment of salary as per standards and pay scale approved by the state government.

3. Appeal Committee noted that institutions conducting D.El.Ed. programme should stay turned with the instructions issued by state government from time to time in matter relating to admissions and examinations and in case there is a controversy the same shall be resolved amicably. The recommendations of state government who is an important state holder cannot be ignored. Till the appellant institution gets a clearance from the affiliating body, the impugned order of withdrawal dated 05.10.2021 stays 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 to Confirm the impugned order of withdrawal dated 05.10.2021.

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

  
Deputy Secretary (Appeal)

#### Copy to :-

1. The Principal, Shaيدا Moula D.El.Ed. College, 259/1C Darsi, Kurichedu Road, Darsi, Prakasam, Andhra Pradesh-523247
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: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-325/E-230632/2022 Appeal/1<sup>st</sup> Meeting, 2022  
 APPLSRC202114202

Bapuji College of Physical Education, 90/1A, 90/1B, S.S. layout, a block, lake view campus, shabanur, Davanagere, Karnataka-577004 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Dr. Rajakumar (Asst. Professor)
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of Bapuji College of Physical Education, 90/1A, 90/1B, S.S. layout, block-A, Lake View Campus, Shabanur, Davanagere, Karnataka - 577004 dated 02/12/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APS02155/B.P.Ed./{KA}/128729 dated 06.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.P.Ed. Course on the grounds that "The institution did not submit building plan duly approved by the competent authority. The institution has not submitted a copy of proforma of faculty for all the staff members and the same is also not approved by the affiliating body. The institution submitted self-attested copy of land documents. The institution did not submit certified / notarized copy of land documents. The institution did not submit an Affidavit (in original) on Rs. 100/- stamp paper as required under 8(5) of NCTE Regulations, 2014. The institution did not submit Notarized English translation of Non-Encumbrance Certificate. The Building Completion Certificate is not under prescribed format

and also is not approved by the competent authority. Form 'A' signed by the bank in respect of maintenance of FDRs for Endowment and Reserve Fund has not been submitted. Website of the institution is not functional with upload the information required under clauses 8(6), 8(14) and 10(3) of NCTE Regulations, 2014. The institution did not submit documents related to managing society / trust. Details of other courses being run in the same premise have not been submitted."

## **II. SUBMISSIONS MADE BY APPELLANT:-**

Dr. Rajakumar (Asst. Professor), Bapuji College of Physical Education, 90/1A, 90/1B, S.S. layout, a block, lake view campus, shabanur, Davanagere, Karnataka - 577004 appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "We are submitting herewith the approved and notarized building plan. We are submitting the latest qualified staff list approved by the Registrar, Davanagere University. We are submitting the certified and notarized copies of the land documents. We are submitting an Affidavit in Rs.100/- with Notary attestation. We are submitting herewith the notarized copy of the Latest Non- Encumbrance Certificate in original along with English Translated version. We are submitting the Building Completion Certificate in the prescribed format duly approved by Assistant Executive Engineer, Corporation, Davanagere. We are submitting the original Form 'A' issued by the Bank and attested FDR copies. Our institution is having exclusive website for B.P.Ed College with all the information uploaded as per the NCTE Regulations. Our website is [www.bpeddvg.org](http://www.bpeddvg.org). We are submitting notarized copy of Trust deed for kind perusal. We are not running any courses other than B.P.Ed. in the same premise."

## **III. OUTCOME OF THE CASE**

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution was recognised to conduct B.P.Ed. programme from academic session 2005-06 with an annual intake of 50 seats. Appeal Committee further noted that appellant institution was permitted to shift its premises in January, 2015 and subsequently by issue of revised recognition order the annual intake was allowed to 100 (One basic Unit) from academic session 2015-16.

2. Appeal Committee noted that after issue of Final Show Cause Notice (FSCN) dated 09.10.2019 and considering the reply thereto, SRC issued impugned order of withdrawal dated 06.10.2021



3. Appeal Committee noted that appellant with its appeal memoranda has submitted copies of documents which include, (i) Land documents (ii) Building Plan, (iii) Building Completion Certificate, (iv) Affidavit, (v) Website Printout, (vi) FDRs, (vii) Form 'A', (viii) NEC, (ix) Trust Deed. Appeal Committee on perusal of the above documents noted that all the faculty and staff is shown appointed on 01.10.2021. Keeping in view that B.P.Ed. course is being conducted with an intake of 100 seats from academic session 2015-16 appellant institution is required to explain the existence of required faculty and staff before 30.09.2021 with evidence of salary having been disbursed to them through permissible modes. As regards land, the Decree papers, enclosed with appeal memoranda, have a mention of intent to extend for hospital purpose appellant is required to submit an exclusive Land Use Certificate in respect of piece of land earmarked for conducting B.P.Ed. programme.

4. Appeal Committee noted that withdrawal of recognition from academic session from session 2021-22 by an order issued on 06.10.2021 is not in consonance of proviso 2 of Section 17 (1) of the NCTE Act.

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

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

6. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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."***

7. Appeal Committee decided that appellant institution is required to submit to SRC within 15 days of the issue of appeal order copy of all the documents furnished by it to Appeal Division with its appeal memoranda and bank statement of salary disbursement and exclusive

LUC for B.P.Ed. programme. Appeal Committee further decided to set aside the impugned withdrawal order and remand back the case to SRC for revisiting the matter.

**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 set aside the impugned withdrawal order and remand back the case to SRC for revisiting the matter.

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

  
Deputy Secretary (Appeal)

**Copy to :-**

1. The Principal, Bapuji College of Physical Education, 90/1A, 90/1B, S.S. layout, a block, lake view campus, shabanur, Davanagere, Karnataka-577004
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.



(23)



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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-326/E-230841/2022Appeal/1st Meeting, 2022  
APPLSRC202114210

Sanviya College of Elementary Education, 531/4,532/2B,Bapatlaramakrishnapuram, I Ward, Guntur, Andhra pradesh-522101 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.  <b>RESPONDENT</b>
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Representative of Appellant	Mr. P. Sunil Kumar (Correspondent)
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND'S OF WITHDRAWAL**

The appeal of Sanviya College of Elementary Education, 531/4, 532/2B, Bapatla ramakrishnapuram, I Ward, Guntur, Andhra pradesh-522101 dated 05/12/2021 filed under Section 18 of NCTE Act, 1993 is against the Order NoF/NCTE-Reg/018/119/2021-Regulation Sec-SRCAP120711 dated 05.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "The committee perused the letter dt. 25.03.2021 issued by the School Education Department, Govt. of Andhra Pradesh establishing the violation made by 417 TEIs (list enclosed as Annexure 'A' t this minutes). These TEIs have made admissions into D.El.Ed. course during 2018-19 on their own without adhering the rules and regulations. Therefore, the Govt. of Andhra Pradesh in this instant letter recommended SRC, NCTE to de-recognize these TEIs henceforth. The Committee discussed the issue in detail and decided to direct the Regional Director that instead of sending individual Show Cause Notice to all the 417 TELs to save time particularly in the context of

*COVID-19 pandemic, all the TEIs to be recognized be uploaded on SRC, NCTE's website alongwith the 13 points schedule asking the managements to furnish the information top the points included in the 13 point schedule within 21 days either online or by post treating it as a Show Cause Notice. Accordingly, Process the withdrawal of recognition as desired by the Govt. of Andhra Pradesh. The committee discussed the matter pertaining to the withdrawal of recognition to the TEIs offering D.El.Ed. programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TEIs who have failed to respond to the notice (published on the NCTE website) and also sent to the TEIs through e-mail."*

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Mr. P. Sunil Kumar (Correspondent), Sanviya College of Elementary Education, 531/4, 532/2B, Bapatla ramakrishnapuram, I Ward, Guntur, Andhra pradesh-522101** appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "We did not violate the rules of Andhra Pradesh government and has given permission to admit the students under management and spot in previous years and ratified the admitted the students in 2018-19 batch too, so we admitted the students in 2018-19. We already brought to your notice and enclosed the previous orders of Andhra Pradesh Government and SCERT circulars enclosed to our reply of Show Cause Notice dated 8<sup>th</sup> September 2021 by email. We have given reply and obedient to the Show Cause Notice issued by the SRC, NCTE in time. Please excuse us and requesting you to continue the grant of permission and lift the withdrawal order of your esteemed SRC, NCTE Thanking you Yours sincerely, Correspondent."

## **III. OUTCOME OF THE CASE**

Appeal Committee perused the relevant records and the documents submitted by appellant institution and noted that main ground of withdrawal of recognition to conduct D.El.Ed. programme emerged from a letter dated 25.03.2021 issued by the School Education Department, Government of Andhra Pradesh stating that a number of institution including the appellant institution has without adhering to the rules and regulations have made admissions in D.El.Ed. course during 2018-19. The School Education Department of Govt. of Andhra Pradesh taking the matter as violation of rules relating to admission of students in D.El.Ed. course recommended to NCTE to de-recognise such institutions.



2. Appeal Committee noted that School Education Department of the concerned state government is the affiliating body so far as D.El.Ed. programme is concerned. So far as Admissions to the course and examinations are concerned, the role of affiliating body and its recommendations are very important. It is therefore, binding on the institutions conducting D.El.Ed. programme to adhere to the norms and standards laid down by state government in matter of admission, examination, appointment of faculty and payment of salary as per standards and pay scale approved by the state government.

3. Appeal Committee noted that institutions conducting D.El.Ed. programme should stay turned with the instructions issued by state government from time to time in matter relating to admissions and examinations and in case there is a controversy the same shall be resolved amicably. The recommendations of state government who is an important state holder cannot be ignored. Till the appellant institution gets a clearance from the affiliating body, the impugned order of withdrawal dated 05.10.2021 stays 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 to Confirm the impugned order of withdrawal dated 05.10.2021.

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

  
Deputy Secretary (Appeal)

#### Copy to :-

1. The Principal, Sanviya College of Elementary Education, 531/4, 532/2B, Bapatla ramakrishnapuram, I Ward, Guntur, Andhra Pradesh-522101
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.



(24)

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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-327/E-230844/2022Appeal/1st Meeting, 2022  
APPLSRC202114209

KSK College of Elementary Education, 120/1a, 119/1, Bhattiprolu Pound Road, Guntur, Andhra Pradesh-522256 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Mr. Rajesh Victor (Lecturer)
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of KSK College of Elementary Education, 120/1a, 119/1, Bhattiprolu Pound Road, Guntur, Andhra Pradesh-522256 dated 04/12/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. F/NCTE-Reg/018/119/2021-Regulation Sec-SRCAP120711 dated 05.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that *"The committee perused the letter dt. 25.03.2021 issued by the School Education Department, Govt. of Andhra Pradesh establishing the violation made by 417 TEIs (list enclosed as Annexure 'A' t this minutes). These TEIs have made admissions into D.El.Ed. course during 2018-19 on their own without adhering the rules*



*and regulations. Therefore, the Govt. of Andhra Pradesh in this instant letter recommended SRC, NCTE to de-recognize these TEIs henceforth. The Committee discussed the issue in detail and decided to direct the Regional Director that instead of sending individual Show Cause Notice to all the 417 TEIs to save time particularly in the context of COVID-19 pandemic, all the TEIs to be recognized be uploaded on SRC, NCTE's website alongwith the 13 points schedule asking the managements to furnish the information top the points included in the 13 point schedule within 21 days either online or by post treating it as a Show Cause Notice. Accordingly, Process the withdrawal of recognition as desired by the Govt. of Andhra Pradesh. The committee discussed the matter pertaining to the withdrawal of recognition to the TEIs offering D.El.Ed. programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TEIs who have failed to respond to the notice (published on the NCTE website) and also sent to the TEIs through e-mail."*

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Mr. Rajesh Victor (Lecturer),KSK College of Elementary Education, 120/1a, 119/1, Bhattiprolu Pound Road, Guntur, Andhra Pradesh-522256**appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "We did not violate the rules of Andhra Pradesh Government and has given permission to admit the students under Management and spot in previous years and ratified the admitted student in 2018-19 batch too, so we admitted the students in 2018-19. We already brought and enclosed the previous orders of Andhra Pradesh Government and SCERT circulars enclosed to our reply of Show cause notice dated 8<sup>th</sup> September 2021 by email. We have given reply and obedient to the show cause notice issued by the SRC, NCTE in time. Please excuse us and requesting you to continue the grant of permission and lift the withdrawal order of your esteemed SRC, NCTE Thanking you Yours sincerely, Correspondent."

## **III. OUTCOME OF THE CASE**

Appeal Committee perused the relevant records and the documents submitted by appellant institutionand noted that main ground of withdrawal of recognition to conduct D.El.Ed.

programme emerged from a letter dated 25.03.2021 issued by the School Education Department, Government of Andhra Pradesh stating that a number of institution including the appellant institution has without adhering to the rules and regulations have made admissions in D.El.Ed. course during 2018-19. The School Education Department of Govt. of Andhra Pradesh taking the matter as violation of rules relating to admission of students in D.El.Ed. course recommended to NCTE to de-recognise such institutions.

2. Appeal Committee noted that School Education Department of the concerned state government is the affiliating body so far as D.El.Ed. programme is concerned. So far as Admissions to the course and examinations are concerned, the role of affiliating body and its recommendations are very important. It is therefore, binding on the institutions conducting D.El.Ed. programme to adhere to the norms and standards laid down by state government in matter of admission, examination, appointment of faculty and payment of salary as per standards and pay scale approved by the state government.

3. Appeal Committee noted that institutions conducting D.El.Ed. programme should stay turned with the instructions issued by state government from time to time in matter relating to admissions and examinations and in case there is a controversy the same shall be resolved amicably. The recommendations of state government who is an important state holder cannot be ignored. Till the appellant institution gets a clearance from the affiliating body, the impugned order of withdrawal dated 05.10.2021 stays 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 to Confirm the impugned order of withdrawal dated 05.10.2021.

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

  
Deputy Secretary (Appeal)

#### Copy to :-

1. The Principal, KSK College of Elementary Education, 120/1a, 119/1, Bhattiprolu Pound Road, Guntur, Andhra Pradesh-522256
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: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-328/E-231361/2022Appeal/1st Meeting, 2022  
APPLSRC202114172

Deccan College of Education for Women Gulbarga, 34/2 GB Gunj, Ring Road, Hagarga Cross, Kalaburgi, Gulbarga, Karnataka-585101 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of Deccan College of Education for Women Gulbarga, 34/2 GB Gunj, Ring Road, Hagarga Cross, Kalaburgi, Gulbarga, Karnataka-585101 dated 21.10.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS04119/B.Ed./{KA}/2021/127807-7814 dated 29.07.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institute submitted a letter dt. 27.01.2021 issued by the UDA Kalaburgi against LUC which mention about use of land for educational purpose. Latest NEC not submitted. Building plan shows non availability of M.P Hall. The institute submitted a proforma signed by the registrar KSAW University along with approval letter dt. 05-05-2020. Total faculty approved is 16 but faculty namely Basera Tahseen Fatima is not qualified as not possessing net qualification and



appointed after 09-06-2017 i.e., the date of NCTE notification. Faculty approved on 05.05.2020 and shown to be appointed in 2012, 2014 etc. It is not clear that whether same faculty is still working in the college or not. The institute is required to submit the bank statement showing disbursement of salary to faculty since last 5 years. The institute submitted following false/fabricated documents/information (i) Faculty namely Nayeemunnisa shown to be appointed on 01.01.2015 but was not approved in letter dt. 04.11.2015 issued by the KSW University. (ii) Miss Geeta shown to be appointed on 21.11.2014 but was not appointed in letter dt. 04.11.2015 issued by the KSAW University."

## **II. SUBMISSIONS MADE BY APPELLANT:-**

The online representative, Deccan College of Education for Women Gulbarga, 34/2 GB Gunj, Ring Road, Hagarga Cross, Kalaburgi, Gulbarga, Karnataka-585101 appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "The certificate of LUC obtained from the KUDA (Kalburgi Urban Development Authority) on 16-10-2021. As per your kind instruction latest NEC obtained from sub-registrar office Kalburgi. Multipurpose hall already in our college building plan but as per your keen observation once again. We are showing you our complete building plan approved by concerned authority. As per NCTE norms we are submitting current approval approved by the registrar Karnataka State Akkamahadevi Women's University Vijayapur. As per staff requirement and demand management decided to distribute salary in the form of cash distribution. (i) Miss Nayeemunnisa is one among the most senior faculty but due to health issues she was unable to carry her duties from the date 03.10.2015 to 15.01.2016 on medical grounds. She was reappointed due to morality. She is back in the staff in the year 2016. (ii) Newly appointed clerk was responsible in the case of Miss Geeta as he was quite new to his duties, he mentioned the wrong date/year. We strongly apologize to appropriate date of Miss Geeta appointment is 21.11.2016."

## **III. OUTCOME OF THE CASE**

Appeal Committee perused the relevant records and the documents submitted by appellant institution. After perusal of documents, Appeal Committee noted that there are many ambiguities in the documents pertaining to the institution which are detailed below:-

- (i) Building Plan enclosed with appeal memoranda pertaining to Land at Survey No. 24/2 mention land area of 4096. 94Sq. Meters. Plan has approval number GLB/BL/10245/20-21. Proposed built up area is 4366.44. Sq. Meters spread over ground + First + Second + Third floor. Building Plan submitting by appellant with its reply to Show Cause Notice was approved on 02.03.2004 with approval No. 10/2004-05.
- (ii) Building Completion Certificate (BCC) submitted earlier with site address as 34/2, Ward No. 02, Noorani Colony Gulbarga mentions built up area of 11750 Sq. feet each at ground + First + Second + Third floor. The building plan submitted with appeal memoranda mentions the address of property as Survey No. 34/2, Azadpur Village, Dist. Kalaburagi. Appellant is required to explain as to how the address of Noorani Colony, Gulbarga is changed to Azadpur village, Kalburgi.
- (iii) The faculty shown as approved by affiliating body in October 2021 is shown to have been appointed much earlier and continuing since 2010-11 onwards. Appellant should therefore submit valid evidence of having reimbursed salary in accordance with Clause 10(2) of NCTE Regulation, 2014 regularly since 2015-16
- (iv) Details of two institutions with two different code numbers i.e. APSO5363 and APSO 4119 are given by appellant which is not explained. Appellant must clarify whether these are two different institutions functioning at the same address or it is one institution with two code numbers.

2. With these limited observations, appellant institution is required to submit to SRC within 15 days of the issue of appeal order Original/Copies of documents with required clarification.

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

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

4. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, passed in W.P. (C) 7260/2021 has observed as follows:-

***"Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The***



*institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed."*

5. Appeal Committee decided to set aside the impugned withdrawal order remand back the case to SRC for revisiting the matter and if necessary inspection of the institution may also be conducted to verify the genuineness of documents with reference to physical existence of infrastructural requirements as per NCTE Regulation.

#### 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 for revisiting the matter.

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

  
Deputy Secretary (Appeal)

#### Copy to :-

1. The Principal, Deccan College of Education for Women Gulbarga, 34/2 GB Gunj, Ring Road, Hagarga Cross, Kalaburgi, Gulbarga, Karnataka-585101
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.

(26)



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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-329/E-230945/2022 Appeal/1st Meeting, 2022  
APPLSRC202114208

Yannam David College of Elementary Education, 284-8 Pallekona Bethapudi Road, Bhattiprolu, Guntur, Andhra Pradesh-522256 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Mr. T. Pal Ratna Prakash (Academic In charge)
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of Yannam David College of Elementary Education, 284-8 Pallekona Bethapudi Road, Bhattiprolu, Guntur, Andhra Pradesh-522256 dated 05/12/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No.F/NCTE-Reg/018/119/2021-Regulation Sec-SRCAP120711 dated 05.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "*The committee perused the letter dt. 25.03.2021 issued by the School Education Department, Govt. of Andhra Pradesh establishing the violation made by 417 TEIs (list enclosed as Annexure 'A' t this minutes). These TEIs have made admissions into D.El.Ed. course during 2018-19 on their own without adhering*



*the rules and regulations. Therefore, the Govt. of Andhra Pradesh in this instant letter recommended SRC, NCTE to de-recognize these TEIs henceforth. The Committee discussed the issue in detail and decided to direct the Regional Director that instead of sending individual Show Cause Notice to all the 417 TEIs to save time particularly in the context of COVID-19 pandemic, all the TEIs to be recognized be uploaded on SRC, NCTE's website alongwith the 13 points schedule asking the managements to furnish the information top the points included in the 13 point schedule within 21 days either online or by post treating it as a Show Cause Notice. Accordingly, Process the withdrawal of recognition as desired by the Govt. of Andhra Pradesh. The committee discussed the matter pertaining to the withdrawal of recognition to the TEIs offering D.El.Ed. programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TEIs who have failed to respond to the notice (published on the NCTE website) and sent to the TEIs through e-mail."*

## **II. SUBMISSIONS MADE BY APPELLANT:-**

Mr. T. Pal Ratna Prakash (Academic In charge),Yannam David College of Elementary Education, 284-8 Pallekona Bethapudi Road, Bhattiprolu, Guntur, Andhra Pradesh-522256 appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "We did not violate the rules of Andhra Pradesh government and has given permission to admit the students under Management and spot in previous years and ratified the admitted student in 2018-19 batch too, so we admitted the students in 2018-19. We already brought and enclosed the previous orders of Andhra Pradesh government and SCERT circulars enclosed to our reply of Show cause notice dated 8<sup>th</sup> September 2021 by email. We have given reply and obedient to the show cause notice issued by the SRC, NCTE in time. Please excuse us and requesting you to continue the grant of permission and lift the withdrawal order of your esteemed SRC, NCTE. Thanking you, Your sincerely, Correspondent."

## **III. OUTCOME OF THE CASE**

Appeal Committee perused the relevant records and the documents submitted by appellant institution and noted that main ground of withdrawal of recognition to conduct D.El.Ed. programme emerged from a letter dated 25.03.2021 issued by the School Education Department, Government of Andhra Pradesh stating that a number of institution including the

appellant institution has without adhering to the rules and regulations have made admissions in D.El.Ed. course during 2018-19. The School Education Department of Govt. of Andhra Pradesh taking the matter as violation of rules relating to admission of students in D.El.Ed. course recommended to NCTE to de-recognise such institutions.

2. Appeal Committee noted that School Education Department of the concerned state government is the affiliating body so far as D.El.Ed. programme is concerned. So far as Admissions to the course and examinations are concerned, the role of affiliating body and its recommendations are very important. It is therefore, binding on the institutions conducting D.El.Ed. programme to adhere to the norms and standards laid down by state government in matter of admission, examination, appointment of faculty and payment of salary as per standards and pay scale approved by the state government.

3. Appeal Committee noted that institutions conducting D.El.Ed. programme should stay turned with the instructions issued by state government from time to time in matter relating to admissions and examinations and in case there is a controversy the same shall be resolved amicably. The recommendations of state government who is an important state holder cannot be ignored. Till the appellant institution gets a clearance from the affiliating body, the impugned order of withdrawal dated 05.10.2021 stays 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 to Confirm the impugned order of withdrawal dated 05.10.2021.

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

  
Deputy Secretary (Appeal)

#### Copy to :-

1. The Principal, Yannam David College of Elementary Education, 284-8 Pallekona Bethapudi Road, Bhattiprolu, Guntur, Andhra Pradesh-522256
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: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-331/E-231873/2022 Appeal/1<sup>st</sup> Meeting, 2022  
APPLNRC0202114218

B. L. College of Education, 177/12, 13, 14, 15/, Pali, Dadri Road, Mahendragarh, Haryana- 123029 <b>APPELLANT</b>	<b><u>Vs</u></b>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Sh. Naresh Kumar (Chairman)
Respondent by	Regional Director, NRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF REFUSAL**

The appeal of B. L. College of Education, 177/12, Pali, Dadri Road, Mahendragarh, Haryana-123029 dated 07/12/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/354<sup>th</sup> Meeting/216400 dated 24.11.2021. of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "Processing fee of Rs. 150000 not submitted by the institution. Proof of composite institution has not been submitted. The building safety certificate issued by competent Government authority not submitted. Disable friendly certificate issued by the competent Government Authority not submitted. Building plan approved by concerned competent government authority not submitted. Online application was submitted on 18.12.2012 whereas the gift deed registered on 18.12.2019 i.e., after the date of online application, which is not acceptable."

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## II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Naresh Kumar (Chairman), B. L. College of Education, 177/12, Pali, Dadri Road, Mahendragarh, Haryana-123029 appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "The said fee is submitted through DD no. 350237715 issued by SBI. The same is submitted alongwith affidavit. The same is available and submitted. The land was registered in the name of Chairman and was leased in favour of society for 20 years at the time of online application, the same is now registered vide gift deed in name of society since 18.12.2019."

## III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that before issue of impugned refusal order dated 24.11.2021 two Show Causes Notice were issued to appellant institution which were also replied to by the appellant. Appeal committee noted that this case pertains to an application dated 17.12.2012 made by applicant seeking recognition for B.Ed. programme. The application was returned to the institution due to negative recommendations of the State Govt. of Haryana and subsequently in pursuance of an order of Delhi High Court in WP Case no. 12669/2019, NRC processed the case which has finally resulted in issue of impugned refusal order dated 24.11.2011.

1. Appeal Committee noted that out of six reasons cited by NRC for refusal of the recognition the following grounds are important and need to be considered: -

- (i) **Processing Fees** NRC's objection on this point vide Show Cause Notice dated 20.07.2021 was not replied to by the applicant. Appellant in its appeal Memoranda has enclosed copy of a Bank Certificate as evidence of having cleared a Demand Draft (DD) of Rs.1,50,000/- on 27.11.2015. Appellant has, however, not clarified that when processing of its already returned application of 2012 restarted on the basis of an order dated 02.12.2019 of Delhi High Court why it had paid application fee in November, 2015.
- (ii) **Clause 8 (7) (i) NCTE Regulation, 2009** under which its application was submitted in December 2012 clearly laid down that:

*"No institution shall be granted recognition under these regulations unless the Institution or Society sponsoring the institution is in possession of required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Government Institution for a period of not less than 30 years."*

This regulatory provision is exactly repeated as Cause 8 (4)(i) in the NCTE Regulation, 2014. Appellant institution has not submitted any evidence in compliance of the regulations.

- (iii) (a) Applicant Institution while submitting application dated 17.12.2012 did not submit any detail of existing teacher education programme or already submitted application by the Society/Trust. This was perhaps done as NCTE Regulation 2009 by Clause 8(2) laid down that 'An Institution shall be considered for grant of only one course for the basic Unit. Clause 8(3) of the Regulation 2009 laid down that additional Course or additional Unit can be applied for after completion of three academic sessions of the course previously granted.

(b) Appeal Committee noted that with the obvious reason to circumvent the regulatory provisions applicable at that time appellant did not disclose voluntarily that applicant Society is also making another application for D.El.Ed. course under the name and title R.N. College of Education which is proposed to be located in the same premises.

(c) B.L. College of Education and R.N. College of Education having different names cannot be considered and covered under the definition of 'Composite Institution.'

- 3. Appeal Committee decided that impugned refusal order dated 24.11.2021 deserved to be 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 to confirm the impugned refusal order dated 24.11.2021

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

Deputy Secretary (Appeal)

**Copy to :-**

1. The Principal, B. L. College of Education, 177/12, 13, 14, 15/, Pali, Dadri Road, Mahendragarh, Haryana-123029
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: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-332/E-231874/2022Appeal/1st Meeting, 2022  
 APPLNRC0202114219

R. N. College of Education, 177/12, 13, 14, 15/, Pali, Dadri Road, Mahendragarh, Haryana- 123029 <b>APPELLANT</b>	<b><u>Vs</u></b>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Sh. Naresh Kumar (Chairman)
Respondent by	Regional Director, NRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF REFUSAL**

The appeal of **R. N. College of Education, 177/12, Pali, Dadri Road, Mahendragarh, Haryana-123029** dated 13.12.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/354<sup>th</sup> Meeting/2021/216517 dated 29.11.2021 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "Processing fee of Rs. 150000 not submitted by the institution. Proof of composite institution has not been submitted. The building safety certificate issued by competent Government authority not submitted. Disable friendly certificate issued by the competent Government Authority not submitted. Building plan approved by concerned competent government authority not



submitted. Online application was submitted on 18.12.2012 whereas the gift deed registered on 18.12.2019 i.e., after the date of online application, which is not acceptable."

## II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Naresh Kumar (Chairman), R. N. College of Education, 177/12, Pali, Dadri Road, Mahendragarh, Haryana-123029 appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "The said fee is submitted through DD no. 350237716 issued by SBI. The same is submitted along with affidavit. The same is available and submitted. The same is available and submitted. The same is available and submitted. The land was registered in the name of Chairman and was leased in favour of society for 20 years at the time of online application, the same is now registered vide gift deed in name of society since 18.12.2019."

## III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that before issue of impugned refusal order dated 29.11.2021 two Show Cause Notice were issued to appellant institution which were also replied to by the appellant. Appeal committee noted that this case pertains to an application dated 17.12.2012 made by applicant seeking recognition for D.El.Ed. programme the application was returned to the institution due to negative recommendations of the State Govt. of Haryana and subsequently in pursuance of an order of Delhi High Court in WP Case no. 12669/2019, NRC processed the case which has finally resulted in issue of impugned refusal order dated 29.11.2011.

2. Appeal Committee noted that out of six reasons cited by NRC for refusal of the recognition the following grounds are important and need to be considered; -

- (i) **Processing Fees** NRC's objection on this point vide Show Cause Notice dated 20.07.2021 was not replied to by the applicant. Appellant in its appeal Memoranda has enclosed copy of a Bank Certificate as evidence of having cleared a Demand Draft (DD) of Rs.1,50,000/- on 27.11.2015. Appellant has, however, not clarified that when processing of its already returned application of 2012 registered on the basis of an order dated 02.12.2019 of Delhi High Court why it had paid application fee in November, 2015.

- (ii) **Clause 8 (7)(i) NCTE Regulation, 2009** under which its application was submitted in December, 2012 clearly laid down that:

*"No institution shall be granted recognition under these regulations unless the Institution or Society sponsoring the institution is in possession of required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Government Institution for a period of not less than 30 years."*

This regulatory provision is exactly repeated as Cause 8 (4)(i) in the NCTE Regulation, 2014. Appellant institution has not submitted any evidence in compliance of the regulations.

- (iii) (a) Applicant Institution while submitting application dated 17.12.2012 did not submit any detail of existing teacher education programme or already submitted application by the Society/Trust. This was perhaps done as NCTE Regulation 2009 by Clause 8(2) laid down that 'An Institution shall be considered for grant of only one course for the basic Unit. Clause 8(3) of the Regulation 2009 laid down that additional Course or additional Unit can be applied for after completion of three academic sessions of the course previously granted.

(b) Appeal Committee noted that with the obvious reason to circumvent the regulatory provisions applicable at that time the appellant did not disclose voluntarily that applicant Society is also making another application for B.Ed. course under the name and title 'B.L. College of Education' proposed to be located in the same premises.

(c) B.L. College of Education and R.N. College of Education having different names cannot be considered and covered under the definition of 'Composite Institution.'

3. Appeal Committee decided that impugned refusal order dated 29.11.2021 deserved to be 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 to confirm the impugned refusal order dated 29.11.2021.

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

  
**Deputy Secretary (Appeal)**

**Copy to :-**

1. The Principal, R. N. College of Education, 177/12, 13, 14, 15/, Pali, Dadri Road, Mahendragarh, Haryana-123029
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.

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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT  
F. No. 89-333/E-231996/2022Appeal/1st Meeting, 2022  
APPLSRC202114030**

Amerda Vikas College of Education, 5/118/120 Gajalnaickanpatti, Tiruchy Main Road, Salem, Tamilnadu-636201 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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<b>Representative of Appellant</b>	<b>Sh. Muthusamy. R. (Secretary)</b>
<b>Respondent by</b>	<b>Regional Director, SRC</b>
<b>Date of Hearing</b>	<b>06/01/2022</b>
<b>Date of Pronouncement</b>	<b>31/01/2022</b>

**ORDER**

**I. GROUND'S OF WITHDRAWAL**

The appeal of Amerda Vikas College of Education, 5/118/120 Gajalnaickanpatti, Tiruchy Main Road, Salem, Tamilnadu-636201 dated 08.05.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS08635/B.Ed./[TN]/2021/124811 dated 10.03.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The Institution has not submitted certified copy of land documents. Sale deed is in the favour of



individual person. Thus, the same is not as per provision of NCTE Regulation 2014. The institution has submitted a notarized building stability certificate as building completion certificate which is not in the prescribed Format of NCTE. The institution is required to submit latest faculty list. Out of 16 three lectures do not have NET/PH. D as per NCTE (recognition norms & procedure) (amendment) regulations, 2017 dated 29.05.2017 notified on 09.06.2017. The institution is required to submit an affidavit clearly stating status about Land & Building and management at the time of recognition. The institution has submitted lease deed as Land document of the of recognition and now submitted land document in the form of sale deed which is in the name of individual person."

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Sh. Muthusamy. R. (Secretary), Amerda Vikas College of Education, 5/118/120 Gajalnaickanpatti, Tiruchy Main Road, Salem, Tamilnadu-636201** appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "Now we are having certified copy of land documents. Land is in the favour of our trust and not in favour of individual person. As documentary evident we are herewith submitting the land document for your verification. Now we have the Building Completion Certificate is in prescribed format of NCTE and approved by the authorized government engineer and attested by notary public. Now we have the latest faculty list and approved by registrar TNTEU Chennai. As per NCT norms. Now we have the original affidavit which notarized by the notary public. Copy enclosed. Our institution own land with extent of 6.44 acres in same survey number i.e., 65. Among this 3.02-acre land is leased for our future establishment of construction of hostel building for our institution. The remaining 3.42 acres is exclusively reserved for college of education purpose in which the college of education is located. Hence the question of lease does not arise."

## **III. OUTCOME OF THE CASE**

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution was granted recognition to conduct B.Ed. programme by issue of a conditional recognition order dated 10.08.2007 and 04.10.2007. Appellant for the purpose of seeking recognition had submitted a Lease Deed dated 21.02.2007 and the Lease agreement was for a period of 30 years commencing from 21.02.2007. The property leased out was located at Survey No. 65/1, Measuring 3.02 acres with a R.C.C. building Measuring 3435 Sq. feet on the ground floor plus 500 Sq. feet on Door No. 5/118. The building plan submitted by appellant was however, for a proposed built-up area

19806 Sq. feet. (1914.93 Sq.Meters). Inspection of the appellant institution was conducted on 27.06.2007. Commenting upon the Land & Building aspect, Visiting Team reported that institution is functioning from its own land and building and resultantly the institution was issued recognition order without stipulating any condition to shift to premises of its own.

2. Appellant with its appeal memoranda has submitted copy of a sale deed with copy of original deed in vernacular language. The deed documents are shown to have been signed on 21.02.2007 which raise a doubt that if sale deed was signed on 21.02.2007 why a lease agreement was submitted to SRC for seeking recognition. The Building Completion Certificate (BCC) submitted by appellant with its appeal Memoranda is not as per proposed built-up area of approved building plan already submitted.

3. Appeal Committee noted that appellant institution has submitted details of faculty approved on 20.04.2021 and replaced 3 faculty members as approved by affiliating University on 16.06.2021/18.06.2021.

4. Appeal Committee considering that appellant institution had failed to submit a Clear cut title of land in the name of institution/Society/Trust and built-up area shown in the building plan is not matching with the area of Building Completion Certificate, decided to confirm the impugned order of withdrawal dated 10.03.2021.

#### 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 confirm the impugned order of withdrawal dated 10.03.2021 issued by SRC.

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

  
Deputy Secretary (Appeal)

#### Copy to :-

1. The Principal, Amerda Vikas College of Education, 5/118/120 Gajalnaickanpatti, Tiruchy Main Road, Salem, Tamilnadu-636201
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 Tamil Nadu.



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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-334/E-229427/2022Appeal/1<sup>st</sup> Meeting, 2022  
APPLSRC202114193

Vagdevi College of Education, 37,/48/2 Malinakuravalli, Kuvempu Road, Thirthahalli, Shimoga, Karnataka-577432 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Prof. Karunakara B. (Administrative Officer)
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of Vagdevi College of Education, 37,/48/2 Malinakuravalli, Kuvempu Road, Thirthahalli, Shimoga, Karnataka-577432 dated 24/11/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APS04705/B.Ed./KA/2020-117804 dated 07.09.2020 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institute has not submitted certified copy of the registered Land. The institution has not submitted the photocopy of building plan but not approved by competent authority the area of multipurpose hall is at adequate as per NCTE norms 2014. The institution has submitted photocopy of site plan but not approved by competent authority. The institution has submitted photocopy of staff list approved by the registrar, Kuvempu University consisting of one principal and five asst. professors submitted dated 26.12.2019. (1). Asst.

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Professor Sl. No. (Sandesh S) and 5 (Shivakashi H Y) do not have NET/Ph. D. as per NCTE (Regulation Norms and Procedure) (Amendment) Regulations, 2017 dated 29.05.2017 notified as on 09.06.2017. (2). The institution has submitted staff list 1 principal 5 Asst. Professors against the full-time staff. (3). The institution has not appointed performing arts and fine arts faculty."

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Prof. Karunakara B. (Administrative Officer), Vagdevi College of Education, 37/48/2 Malinakuravalli, Kuvempu Road, Thirthahalli, Shimoga, Karnataka-577432** appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "The institution is submitting Land documents with notarized authority. (English and Kannada Version). Building Plan approved by the competent authority is enclosed. The institution is submitting photocopy of the site plan with approved by the competent authority. The institution has submitted the latest staff approval approved by the approving authority (Registrar, Kuvempu University)."

## **III. OUTCOME OF THE CASE**

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appeal filed by appellant is delayed by more than one year over and above the permissible time limit for preferring appeal and appellant has stated that delay is due to prevailing Covid Pandemic. Appeal Committee decided to condone the period of delay and take up the appeal on merits.

2. Appeal committee noted that appellant institution is recognised to conduct B.Ed. programme since 2007. Appellant institution had requested to SRC in January, 2016 to reduce intake of the course to 50 seats (One Unit). However, no decision was taken by SRC in this regard even after conducting an inspection on 22.08.2016.

3. Appeal Committee noted that appellant institution has submitted copies of documents i.e. (i) Sale deed of land, (ii) Building Plan, (iii) Building Completion Certificate (BCC), (iv) List of faculty. Appeal Committee noted that date of appointment of all the faculty is shown to be prior to 2017 and faculty at Serial No. 8 and 9 are that of Music and Fine Arts.



4. Appeal Committee decided that appellant institution is required to submit to SRC within 15 days of the issue of appeal order original certified copy of land documents with English Translation thereof and copies of other documents submitted by it with the appeal memoranda. Appellant will also be required to submit BCC indicating area of Multipurpose hall which shall not be less than 2000 Sq. feet. Further as the faculty is shown appointed prior to 2017, appellant institution is required to substantiate its claim by submitting bank statement indicating remittance of salary to staff from the year 2016 in accordance with Clause 10 (2) of NCTE Regulation, 2014

5. Appeal Committee decided to remand back the case to SRC for revisiting the matter. As delay in preferring appeal is on part of appellant institution, the impugned order of withdrawal dated 07.09.2020 effective from academic session 2020-21 will remain valid till a revised order is issued by SRC after revisiting the matter.

#### 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 for revisiting the matter. The impugned order of withdrawal dated 07.09.2020 effective from academic year 2020-21 will remain valid till a revised order is issued by SRC after revisiting the case.

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

  
Deputy Secretary (Appeal)

#### Copy to :-

1. The Principal, Vagdevi College of Education, 37,/48/2 Malinakuravalli, Kuvempu Road, Thirthahalli, Shimoga, Karnataka-577432
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: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**  
 File No. 89-339/E-232710/2022Appeal/1st Meeting, 2022  
 APPLSRC202114205

B.A.K.R. College of Education, 615/B Medaramelta, Korisapdu Prakasam, Andhra Pradesh- 523212 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of B.A.K.R. College of Education, 615/B Medaramelta, Korisapdu Prakasam, Andhra Pradesh-523212 dated 29/11/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.No./SRC/NCTE/APSO7454/B.Ed./{AP}/2015/65569 dated 17.11.2021 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 12.07.2021. The institution failed to submit reply to the final Show Cause Notice."



## II. SUBMISSIONS MADE BY APPELLANT:-

The representative, **B.A.K.R. College of Education, 615/B Medaramelta, Korisapdu Prakasam, Andhra Pradesh-523212** appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "SRC in its 404<sup>th</sup> meeting held on 16<sup>th</sup> & 17<sup>th</sup> November 2021 has decided to withdraw recognition of our institution for conducting B.Ed. course w.e.f. the academic session 2021-22, observing the deficiencies which were already clarified / ratified by our institution. SRC NCTE vide its order dated 01.09.2007 granted recognition to the appellant institution for running the B.Ed. course in the appellant institution with annual intake of 100 students. Further, the revised recognition order dated 26.05.2015 was issued to the appellant institution for conducting B.Ed. course with an annual intake of 100 students from the academic session 2016-17. The appellant institution submitted its compliance vide letter dated 11.03.2016 in compliance vide letter dated 11.03.2016 in compliance of the revised recognition order. That the appellant institution was running successfully thereafter, until the SRC issued show cause notice dated 15.02.2019, directing the appellant institution to submit staff profile of 2015-16 to 2016-18 BCC of Govt. Engineer FDRs of Rs.5 & 7 Lakhs CLU, NEC & Building Plan. Accordingly, the same was submitted. That thereafter, SRC in its 388<sup>th</sup> meeting considered the matter of verifying compliance by the institutions and took a general decision to issue show cause notice to submit a comprehensive compliance. Accordingly issued show cause notice dated 12.07.2021 to the appellant institution directing to submit a compliance. That the appellant institution submitted its compliance vide letter dated 24.07.2021 in compliance of the show cause notice dated 12.07.2021 and along with its reply, the appellant institution submitted the documents as required by the SRC. That it seems that SRC decided to withdraw recognition on the basis of show cause notice dated 15.02.2019 and 12.07.2021 and without considering the documents submitted by the appellant institution vide reply dated 14.03.2016 and 24.07.2021. That while issuing the withdrawal order, the SRC failed to observe that appellant institution is having the requisite infrastructure and faculty for running B.Ed. course with sanctioned intake as per norms of NCTE and recognition was granted by the SRC itself. The appellant institution is enclosing with its appeal, the documents which were asked by the SRC and submitted by the appellant institution. A copy of staff profile of 2015-16 to 2016-18 BCC of Govt. Engineer FDRs of Rs. 5 & 7 Lakhs CLU, NEC & Building Plan are enclosed. That it is submitted that the appellant institution is running since the year 2008 and does not lack any infrastructural and instructional facilities required as per



the NCTE norms and the NRC itself have issued the recognition / revised recognition order to the appellant institution for B.Ed. course."

### III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that copy of impugned order of withdrawal stated to have been issued on 17.11.2021 has neither been furnished by appellant with its appeal memoranda nor it is available on the regulatory file. Draft (unsigned copy) of withdrawal order is available on regulatory file at pp.326-28/cor. Nate portion of the regulatory file is also incomplete and it ends at page 13 with last noting dated 10.07.2021. SRC is required to update the regulatory file.

2. Appeal committee noted from the draft of impugned withdrawal order that recognition is withdrawn from academic session 2021-22 on the ground that appellant has not submitted reply to final Show Cause Notice (FSCN) dated 12.07.2021 wherein a host of documents were required to be submitted to SRC in compliance with the terms and conditions of revised recognition order dated 26.05.2015. Appellant with its appeal memoranda has submitted copy of its reply dated 24.07.2021 submitting therewith (i) Certified copy of land document, (ii) NEC, (iii) LUC, (iv) Building Plan, (v) Building Completion Certificate, (vi) FDRs (vii) Approved Staff list.

3. Appeal Committee noted that the withdrawal order dated 17.11.2021 is not in consonance with proviso 2 of Section 17(1) of NCTE Act, 1993.

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

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

5. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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."*

6. Appeal Committee decided that appellant institution is required to submit to SRC within 15 days of the issue of appeal order (i) Originally certified copy of land documents and (ii) Authenticated Copies of other documents. Appeal Committee further decided to set aside the impugned withdrawal order and remand back the case to SRC for revisiting the matter.

#### 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 set aside the impugned order of withdrawal issued by SRC with direction to revisit the case after considering the reply to Final Show Cause Notice (FSCN) to be submitted by appellant within 15 days of the issue of appeal order.

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

  
Deputy Secretary (Appeal)

#### Copy to :-

1. The Principal, B.A.K.R. College of Education, 615/B Medaramelta, Korisapdu Prakasam, Andhra Pradesh-523212
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.

(34)



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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

**File No. 89-340/E-232717/2022Appeal/1st Meeting, 2022  
APPLSRC202114196**

Audi Sankara College of Education, 987, 992/2A, 992/A2B, 992/B, 1993, 1994, 1006/A, 1006/B2, NH-5 Bypass Road, Gudur Nellore, Andhra Pradesh-524101 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
<b>Representative of Appellant</b>	<b>Mr. K. Anil Kumar (Principal)</b>	
<b>Respondent by</b>	<b>Regional Director, SRC</b>	
<b>Date of Hearing</b>	<b>06/01/2022</b>	
<b>Date of Pronouncement</b>	<b>31/01/2022</b>	

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of Audi Sankara College of Education, 1006/A, 1006/B2, NH-5 Bypass Road, Gudur Nellore, Andhra Pradesh-524101 dated 28.11.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRC/NCTE/APSO7669/B.Ed./AP/2021/124636 dated 08.03.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Land Document not submitted. NEC not submitted. LUC not submitted. BCC & BP not submitted. Site plan & FDR not submitted. Faculty not submitted. Web site & affidavit not submitted."

**II. SUBMISSIONS MADE BY APPELLANT:-**

Mr. K. Anil Kumar (Principal), Audi Sankara College of Education, 1006/A, 1006/B2, NH-5 Bypass Road, Gudur Nellore, Andhra Pradesh-524101 appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "All documents submitted copies enclosed."



### III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme dated 06.05.2015 since 2006-07 and revised recognition order was issued for an annual intake of 100 seats. Appeal Committee noted that impugned order dated 08.03.2021 is on the ground that appellant institution has not replied to Final Show Cause Notice (FSCN) dated 30.12.2020. Appellant did not contend this aspect but has submitted with its appeal Memoranda documents listed below:

- (i) Certified copy of land document.
- (ii) English Translation of NEC
- (iii) L.U.C.
- (iv) Building Completion Certificate.
- (v) Building Plan.
- (vi) Faculty list for 1+9
- (vii) Form 'A'
- (viii) Affidavit

2. Appeal Committee noted that appellant institution had made a request to SRC by a letter a letter (received and diarised in SRC on 11/03/2019) that it requires only one basic Unit (50 Seats) for maintaining two year B.Ed. programme from academic year 2016-17.

3. Appeal Committee decided that appellant institution is required to submit to SRC within 15 days of the issue of appeal order original certified copy of land document, faculty list and notarised/authenticated copies of other of other documents submitted with the appeal memoranda.

4. Appeal Committee noted that impugned order dated 08.03.2021 was issued making withdrawal effective from academic session 2021-22 which is not in consonance with proviso 2 of Section 17(1) of NCTE Act, 1993.

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

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

6. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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"***

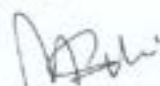
*Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed."*

7. Appeal Committee decided to set aside the impugned withdrawal order and remand back the case to SRC for revisiting the matter keeping in view the earlier request for grant of one Unit (50 Seats) intake.

#### 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 for revisiting the matter.

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

  
Deputy Secretary (Appeal)

#### Copy to :-

1. The Principal, Audi Sankara College of Education, 987,992/2A,992/A2B, 992/B, 1993,1994,1006/A,1006/B2, NH-5 Bypass Road, Gudur Nellore, Andhra Pradesh-524101
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: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**  
**File No. 89-341/E-232936/2022 Appeal/1st Meeting, 2022**  
**APPLSRC202114222**

Susheela College of Education, 05 Rachanapalli, Bellary Road, Ananatpur Rural, Andhra Pradesh-515001 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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<b>Representative of Appellant</b>	<b>Sh. U. Sreenivash (Lecturer)</b>
<b>Respondent by</b>	<b>Regional Director, SRC</b>

<b>Date of Hearing</b>	<b>06/01/2022</b>
<b>Date of Pronouncement</b>	<b>31/01/2022</b>

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of **Susheela College of Education, 05 Rachanapalli, Bellary Road, Ananatpur Rural, Andhra Pradesh-515001** dated 16/12/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No.F.SRO/NCTE/APS07769/B.Ed./{AP}/2021/128744 dated 07.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed.Course on the grounds that "The institution has submitted notarized photocopy site plan and building plan in which area of classroom, multipurpose hall etc. are not readable. The institution has submitted notarized photocopy of building completion certificate approved by

competent authority. The institution has submitted faculty approval letter dated 28.06.2017. The institution has not appointed 1 perspective of education, 1 health and physical education and 1 performing arts. The institution has submitted photocopy of FDRs, the institution has not submitted copy of Form "A" issued by the respective bank manager."

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Sh. U. Sreenivash (Lecturer), Susheela College of Education, 05 Rachanapalli, Bellary Road, Ananatpur Rural, Andhra Pradesh-515001** appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "Submitting readable copy. Submitting building completion certificate approved by competent authority. Submitting latest staff approval copy by affiliating body. Submitting copy of Form "A" issued by the respective bank manager."

## **III. OUTCOME OF THE CASE**

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution was recognised to conduct B.Ed. programme in the year 2007 with an intake of 100 seats. Revised recognition order dated 31.05.2015 was issued for an annual intake of 100 seats (2 Unit). As per norms and standards for 2 year B.Ed. programme, appellant institution is required to possess faculty consisting of one Principal and 15 Assistant Professors.

2. Appeal Committee noted that by issue of impugned order of withdrawal dated 07.10.2021 recognition for the B.Ed. course has been withdrawn from academic session 2021-22 which is not in consonance of proviso 2 of Section 17 (1) of the NCTE Act.

3. Appeal Committee noted that appellant with its appeal memoranda has submitted attested/notarised copies of Site Plan, Building Plan, BCC, Form 'A' and FDRs. The list of faculty submitted by appellant is however, not adequate for intake of 2 Units. Appellant during the course of appeal hearing on 06.01.2022 requested that based on the availability of faculty the institution seeks intake of 50 seats (1 Unit).



4. Appeal Committee decided that appellant institution is required to submit to SRC within 15 days of the issue of appeal order authenticated copies of required documents alongwith a formal request for intake of 50 seats (One Unit). Appeal Committee further decided to remand back the case to SRC for revisiting the matter. The impugned order of withdrawal dated 07.10.2021 will remain effective till the appellant formally applies for reduction in the intake and SRC after revisiting the case issues fresh appropriate orders.

**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 for revisiting the matter.

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

  
Deputy Secretary (Appeal)

**Copy to :-**

1. The Principal, Susheela College of Education, 05 Rachanapalli, Bellary Road, Ananatpur Rural, Andhra Pradesh-515001
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.

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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-343/E-232949/2022Appeal/1st Meeting, 2022  
APPLSRC202114198

S.R. D.Ed. College, Plot No 252/1A, Oguru Village, OV Road Kandukur, Prakasam, Andhra Pradesh-523105 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Mr. Syed Rafiq Ahamed (Chairman)
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of S.R. D.Ed. College, Plot No 252/1A, Oguru Village, OV Road Kandukur, Prakasam, Andhra Pradesh-523105 dated 30/11/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NCTE/Regl018/119/2021-RegulationSection-SRC/AP/128711 dated 05.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that *"The committee perused the letter dt. 25.03.2021 issued by the School Education Department, Govt. of Andhra Pradesh establishing the violation made by 417 TEIs (list enclosed as Annexure 'A' t this minutes). These TEIs have made admissions into D.El.Ed. course during 2018-19 on their own without adhering the rules*



*and regulations. Therefore, the Govt. of Andhra Pradesh in this instant letter recommended SRC, NCTE to de-recognize these TEIs henceforth. The Committee discussed the issue in detail and decided to direct the Regional Director that instead of sending individual Show Cause Notice to all the 417 TEIs to save time particularly in the context of COVID-19 pandemic, all the TEIs to be recognized be uploaded on SRC, NCTE's website alongwith the 13 points schedule asking the managements to furnish the information top the points included in the 13 point schedule within 21 days either online or by post treating it as a Show Cause Notice. Accordingly, Process the withdrawal of recognition as desired by the Govt. of Andhra Pradesh. The committee discussed the matter pertaining to the withdrawal of recognition to the TEIs offering D.El.Ed. programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TEIs who have failed to respond to the notice (published on the NCTE website) and also sent to the TEIs through e-mail."*

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Mr. Syed Rafiq Ahamed (Chairman),S.R. D.Ed. College, Plot No 252/1A, Oguru Village, OV Road Kandukur, Prakasam, Andhra Pradesh-523105**appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that“**Our management established the college in the year 2007-2008 academic year. From that academic year we followed by NCTE and State Government Norms without violation. We filled the students within the intake. We never crossed beyond the intake. The Government of Andhra Pradesh issued G.O. MS. No. 30 Dated 08.07.2015. In the G.O. they mentioned leftover seats are leftover. But as per request of the managements the Government of Andhra Pradesh ratified convener leftover seats from the academic year 2015-16. 2016-17 and 2017-18 by giving relaxation to above said G.O. But in 2018-19 academic year our management applied for the permission of the State Government of Andhra Pradesh vide letter dated 23.08.2018, for ratification of 2018-20 leftover seats as like previous academic years. However, the Government of Andhra Pradesh has failed to consider the same and has issued letter on dated 12.10.2019 negating my application. The inaction of the State Government considering the representation we filled a Writ Petition No.20455/2019, As the Writ petition has been dismissed then we filed a Writ appeal no.257/2020 before the Hon'ble High Court of Andhra Pradesh. And same is consider as pending in Hon'ble High Court of Andhra Pradesh. The**

action of the SRC in de-recognizing my college with in affording and effective opportunity of being heard is not only in violation of principles of natural justice but is also in violation of procedure prescribed. The G.O. MS. 30 dated 08.07.2015 issued by the Andhra Pradesh Government has been challenged before the Hon'ble High Court and the same is pending for consideration. It is not appropriate on part of the authority to initiate action against me when the matter is sub-judice before the Hon'ble High Court of Andhra Pradesh."

### III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution and noted that main ground of withdrawal of recognition to conduct D.El.Ed. programme emerged from a letter dated 25.03.2021 issued by the School Education Department, Government of Andhra Pradesh stating that a number of institution including the appellant institution has without adhering to the rules and regulations have made admissions in D.El.Ed. course during 2018-19. The School Education Department of Govt. of Andhra Pradesh taking the matter as violation of rules relating to admission of students in D.El.Ed. course recommended to NCTE to de-recognise such institutions.

2. Appeal Committee noted that School Education Department of the concerned state government is the affiliating body so far as D.El.Ed. programme is concerned. So far as Admissions to the course and examinations are concerned, the role of affiliating body and its recommendations are very important. It is therefore, binding on the institutions conducting D.El.Ed. programme to adhere to the norms and standards laid down by state government in matter of admission, examination, appointment of faculty and payment of salary as per standards and pay scale approved by the state government.


3. Appeal Committee noted that institutions conducting D.El.Ed. programme should stay turned with the instructions issued by state government from time to time in matter relating to admissions and examinations and in case there is a controversy the same shall be resolved amicably. The recommendations of state government who is an important state holder cannot be ignored. Till the appellant institution gets a clearance from the affiliating body, the impugned order of withdrawal dated 05.10.2021 stays 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 to Confirm the impugned order of withdrawal dated 05.10.2021.

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

  
Deputy Secretary (Appeal)

**Copy to :-**

1. The Principal, S.R. D.Ed. College, Plot No 252/1A, Oguru Village, OV Road Kandukur, Prakasam, Andhra Pradesh-523105
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.

(37)



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

DATE: 31/01/2022

**APPEAL FILED UNDER SECTION 18 OF NCTE ACT**

File No. 89-347/E-233330/2022Appeal/1st Meeting, 2022  
 APPLSRC202114122

SVS College of Education, Yalakkinagara, 59/2 Hosadurga Tarikere Road, Chitradurga, Karnataka-577527 <b>APPELLANT</b>	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.  <b>RESPONDENT</b>
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Representative of Appellant	Dr. M.H. Krushnamurthy (President)
Respondent by	Regional Director, SRC
Date of Hearing	06/01/2022
Date of Pronouncement	31/01/2022

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of SVS College of Education, Yalakkinagara, 59/2 Hosadurga Tarikere Road, Chitradurga, Karnataka-577527 dated 10/09/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. F.SRO/NCTE/APSO2011/B.Ed./{KA}/2021/127937-7944 dated 30.07.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed.Course on the grounds that "The institution has submitted notarized copy of Encumbrance Certificate in regional language. The order date is not mentioned, and the name & designation of the issuing authority is not mentioned. The institution has submitted notarized copy of Building Plan in which Built-up area, Multipurpose Hall and Survey no. are not readable. The institution



has submitted notarized copy of Site Plan in which Survey no. and total extent area is not mentioned. The institution has submitted notarized copy of Building Completion Certificate but not approved by competent authority. The institution has submitted faculty approval letter dated 31.12.2019 approved from the affiliating body in regional language, total faculty approved: 1+9 Lecturers in place of 1+16 which is insufficient. (i) The institution has not appointed 03 Perspective of Education, 01 Fine Arts, 01 Performing Arts and 01 Health & Physical Education. (ii) The date of joining of all staff is not mentioned in Staff list. The institution has not submitted Form 'A'. The tenure of given FDRs are 2 years instead of 5 years."

## **II. SUBMISSIONS MADE BY APPELLANT:-**

**Dr. M.H. Krushnamurthy (President), SVS College of Education, Yalakkinagara, 59/2 Hosadurga Tarikere Road, Chitradurga, Karnataka-577527** appeared online to present the case of the appellant institution on 06/01/2022. In the appeal it is submitted that "Submitted notarized copy of Encumbrance Certificate in regional language. The order date is mentioned, and the name & designation of the issuing authority is mentioned. Latest Building Plan Submitted. Latest Plan Submitted. Submitted notarized copy of Building Completion Certificate approved by competent authority. Submitted Latest approval faculty list. Submitted Form 'A' & FDRs 5+7."

## **III. OUTCOME OF THE CASE**

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution was recognised to conduct B.Ed. programme from academic session 2005-06 and a conditional revised recognition under from an intake of 100 seats from academic session 2015-16 was issued on 29.05.2015.

2. Appeal Committee further noted that Final Show Cause Notice (FSCN) dated 23.10.2019 was issued to appellant institution which was replied to on 02.11.2020. After issue of impugned order of withdrawal appellant with its appeal Memoranda has submitted copies of documents which were found to be deficient in the Show Cause Notice (SCN). From the list of faculty submitted by appellant, Appeal Committee observed that all the faculty is shown appointed on 01.01.2016 and continuing since then. This list was not made available to SRC in reply to Final Show Cause Notice (FSCN) .

3. Appeal committee decided that appellant institution is required to submit to SRC within 15 days of the issue of appeal order, original/authenticated copies of all the documents which

were found to be wanted. Appellant is further required to substantiate the availability of one Principal and 15 faculty by submitting bank statement as evidence of remittance of salary to faculty as required under clause 10(2) of NCTE Regulation 2014.

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

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

5. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 15/12/2020, 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."***

6. Appeal Committee decided to remand back the case to SRC for revisiting the matter as indicated above and in light of proviso 2 of Section 17 (1) of the NCTE Act and regulatory provisions 10 (2) regarding financial management.

#### **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 for revisiting the matter as indicated above and in light of proviso 2 of Section 17 (1) of the NCTE Act and regulatory provisions 10 (2) regarding financial management.

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

  
Deputy Secretary (Appeal)

#### **Copy to :-**

1. The Principal, SVS College of Education, Yalakkinagara, 59/2 Hosadurga Tarikere Road, Chitradurga, Karnataka-577527
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.