



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-333/E-231996/2021 Appeal/1st Meeting, 2023
APPLSRC202114030

Amerda Vikas College of Education, 5/118/120 Gajalnaickanpatti, Tiruchy Main Road, Salem, Tamilnadu-636201	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Muthusamy R, Secretary
Respondent by	Regional Director, SRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS 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 “(i). The Institution has not submitted a certified copy of land documents. Sale deed is in the favour of individual person. Thus, the same is not as per provision of NCTE Regulations, 2014. (ii). The institution has submitted a notarized of building stability certificate as building completion certificate which is not in the prescribed Format of NCTE. (iii). The institution is required to submit latest faculty list. Out of 16, three lectures does not have NET/PH.D as per NCTE (Recognition Norms & Procedure) (Amendment) Regulations, 2017 dated 29.05.2017 notified on 09.06.2017. (iv). The institution is required to submit an affidavit clearly stating status about Land & Building and management at the time of recognition. (v). The institution has submitted Lease Deed as Land document at the time 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: -

Mr. Muthusamy R, Secretary of 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 30.01.2023. In the appeal memoranda it is submitted that “(i). Now we are having certified copy of land documents. We would like to inform you that land is in the favour of our trust not in favour of individual person. As a documentary evident we are here with submitting the land document for your verification. Copy enclosed. (ii). 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. Copy enclosed. (iii). Now we have the latest faculty list and approved by registrar TNTEU Chennai. As per NCT norms.



Copy enclosed. (iv). Now we have the original affidavit which notarized by the notary public. Copy enclosed. (v). 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. Copy enclosed.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for Secondary (B.Ed.) course of one-year duration with an annual intake of 100 students vide order dated 04.10.2007. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 24.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 18.03.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (two basic units) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 10.03.2021.

The instant matter was placed in 1st Meeting of Appellate Committee held on 06.01.2022. The Appellate Committee vide order dated 31.01.2022 rejected the appeal of the appellant institution. The relevant portion of the said order is being reproduced hereunder: -

“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 appellant institution moved a writ petition before the Hon'ble High Court of Judicature at Madras bearing W.P.No. 21905/2022 and W.M.P.Nos. 20934 and 20935 of 2022 titled Amerda Vikas College of Education V/s National Council for Teacher Education & Anr, the Hon'ble High Court vide its order dated 27.10.2022 issued following direction upon the Appellate Authority: -

"...12. However without resorting such method, the respondent appellate authority merely based on the doubts arising in the minds of the officers concerned of the respondent, had decided to reject the appeal filed by the petitioner through the impugned order. Therefore, this Court feels that, the impugned order for the aforestated reasons would not stand in the legal scrutiny.

13. In that view of the matter, this Court is inclined to dispose of this writ petition with the following order:

"That the impugned order is set aside and the matter is remitted back to the respondent for reconsideration. While considering the said issue as discussed herein above with regard to the five queries raised by the NCTE-SRC, it is open to the respondent appellate authority to verify the same, for which, if they want to have an inspection that can also be done either directly by the

 4

appellate authority or through the NCTE-SRC by intimating the date of inspection to the petitioner in advance and after verifying the same, a revised order based on the merits can be passed by the respondent within a period of six weeks from the date of receipt of a copy of this order."

14. With these directions, this writ petition is disposed of No costs. Consequently, connected miscellaneous petitions are closed."

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list dated 20.04.2021 approved by the Registrar, Tamilnadu Teachers Education University, Chennai as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of land documents dated 21.02.2007 and 12.7.2006 alongwith a copy of certificate of Encumbrance on Property issued by Registration Department, Government of Tamilnadu.
- (iii) A copy of Building Completion Certificate approved by the Competent Authority.

The Committee noted that the institution has submitted one lease deed dated 21.02.2007 executed by (1) R. Vijayaragavan son of P. Ramakrishnan, (2) R. Karthikeyan son of P. Ramakrishnan, (3) R. Sriram son of P. Ramakrishnan in favour of M/s Sree Educational and Charitable Trust. It is further observed that prior to execution of lease deed, a registered sale deed dated 12.07.2006 was also executed in favour of Sree Educational and Charitable Trust for Survey No. 65/1A punjai 6.44 acr land. The Committee noted that the institution has taken peace of land on lease and peace of land purchased by virtue of sale deed.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 10.03.2021. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Southern Regional Committee and decision taken accordingly.



Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 10.03.2021 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

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



IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।



Deputy Secretary (Appeal)/उप सचिव (अपील)

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 Tamilnadu.



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-1/E-286005/2023 Appeal/1st Meeting, 2023
APPLERC202214508**

Nirmala Chitta Teacher Training Institute, 1673, Pabra, Paharigora, Tentulhiti, Para, Purulia, West Bengal-723155	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
APPELLANT		RESPONDENT

Representative of Appellant	Representative of the institution
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

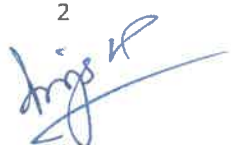
ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Nirmala Chitta Teacher Training Institute, 1673, Pabra, Paharigora, Tentulhiti, Para, Purulia, West Bengal-723155** dated 29.12.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-313.41/ERCAPP3270/B.Ed./WB/2022/66819** dated 24.11.2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has submitted the list of faculty approved by the affiliating University on 18.03.2021. This list of faculty is not in the prescribed format of NCTE. Also, academic & professional educational qualification viz. B.Ed., M.Ed., M.A. (Education) & M.A. etc. and experience of teaching staff is not mentioned therein. (ii). The institution has not uploaded the requisite information on its website as required under clause 7(14) of the NCTE Regulations, 2014 as amended from time to time. (iii). From the Performance Appraisal Report (PAR) for the academic session 2020-21, it is observed that the institution has not updated its website as per NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Nirmala Chitta Teacher Training Institute, 1673, Pabra, Paharigora, Tentulhiti, Para, Purulia, West Bengal-723155** appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that “A. The applicant institution ‘Nirmala Chitta Teachers’ Training Institute’ running under the Society ‘Dibakar Memorial Public Institution’, has been granted recognition by ERC-NCTE for conducting the B.Ed. (ERCAPP3270) and D.El.Ed. (ERCAPP3247) courses from the academic session 2018-2019 onward. B. The applicant Society/Institution is successfully running its 4th academic year (2018-2019, 2019-2020, 2020-2021 & 2021-22) and complies with every notification issued by the ERC-NCTE/NCTE from time to time. Including the Teaching Staff Recruitment, Website Update and Performance Appraisal Report (PAR). C. The application Society/Institution has submitted the Performance Appraisal Report (PAR) and paid the requisite fee on 29.12.2019, (Application Code P2021005601) for the academic session 2020-2021, within the stipulated time as prescribed by the NCTE. D. The applicant Society/Institution has submitted the list of faculty approved by



the Registrar of affiliating University, "The West Bengal University of Teachers' Training, Planning and Administration" (WBUTTEPA) for B.Ed. (ERCAPP3270) course on 18.03.2021, which was not accepted by the ERC-NCTE due to incorrect prescribed format of NCTE. E. In terms of Teaching Staff Recruitment, and Approved Data Sheet as per the NCTE Format, the Concerned University/Board is the sole responsible to complete the entire formalities on the basis of the requirements of the institution and as per the Guideline of NCTE/NCTE Regulation 2014/NCTE Act 1993. Please Note: No institution has any authority power on selection of Teaching Staffs and No Data Sheet (NCTE Format) will be accepted by the ERC-NCTE/NCTE without approval of the concerned University/Board, as per the Guideline of NCTE/NCTE Regulation 2014/NCTE Act 1993. F. The applicant Society/Institution continuously updated the institution website (www.nctti.org.in) with every information and documents from time to time (including the Teaching Staffs and PAR Report) as per the Guideline of NCTE/NCTE Regulation 2014/NCTE Act 1993. G. The applicant Society/Institution, in its reply dated 21/05/2022 in response to the Final Show Cause Notice of ERC/NCTE dated 09/04/2022, has submitted every documents but without having zero deficiencies the ERC-NCTE unfortunately, withdrawn the recognition of B.Ed. (ERCAPP3270) under section 17 (1) of the NCTE Act, 1993, vide order Ref. F.No.ER-313.41/ERCAPP3270/B.Ed./WB/2022/66819, dated 24/11/2022. H. The applicant Society/Institution, immediately intimated to the concerned University "Baba Saheb Ambedkar Education University" (Erstwhile WBUTTEPA), regarding the mistakes of NCTE Teaching Staff Format, Vide Letter Ref. No. NCTTI/B.Ed.063/22, dated 24/12/2022, and get the appropriate NCTE Format, approved by the Registrar on the same date. I. The applicant Society/Institute has no other alternative but to File an Appeal under Section 18 of the NCTE Act against the withdrawal of recognition of B.Ed. (ERCAPP3270) by ERC-NCTE. J. The applicant Society/Institution has every document in hand to satisfy the Hon'ble Appeal Committee, NCTE Head Qtrs. to restore the recognition order of B.Ed. (ERCAPP3270) in the name of Nirmala Chitta Teachers' Training Institute."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 50 students vide order dated 28.07.2017 from the academic session 2018-2019. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 24.11.2022.



The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list in the prescribed format for (1+10) members dated 18.03.2021 approved by the West Bengal University of Teacher's Training Education, Planning and Administration as per provisions of the NCTE Regulations, 2014.
- (ii) A proof of submission of the Performance Appraisal Report.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 24.11.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Eastern Regional Committee and decision taken accordingly.

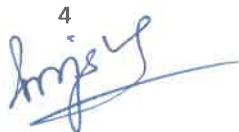
Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 24.11.2022 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

4


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

IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।


Deputy Secretary (Appeal)/ उप सचिव (अपील)

Copy to :-

1. **The Principal, Nirmala Chitta Teacher Training Institute, 1673, Pabra, Paharigora, Tentulhiti, Para, Purulia, West Bengal-723155**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-2/E-286249/2023 Appeal/1st Meeting, 2023
APPLWRC202214470

Shetkari Shikshan Prasarak Mandals College of Physical Education (BPED), 37, Ashti, Nagar Beed Road, PO- Ashti, Beed, Maharashtra-414203	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Dr. B.B Khemgar, Principal
Respondent by	Regional Director, WRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Shetkari Shikshan Prasarak Mandals College of Physical Education (BPED), 37, Ashti, Nagar Beed Road, PO- Ashti, Beed, Maharashtra-414203** dated 29.10.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.WRC/APW0303/114113/MH/280th/2017/189356** dated 07.09.2017 of the Western Regional Committee, withdrawing recognition for conducting B.P.Ed. Course on the grounds that "The case file was seen Show Cause Notice was issued to the institution on 27.10.2016. The institution has not replied till date."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. B.B Khemgar, Principal of **Shetkari Shikshan Prasarak Mandals College of Physical Education (BPED), 37, Ashti, Nagar Beed Road, PO- Ashti, Beed, Maharashtra-414203** appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that "(i). All staff full fill with principal list attached her with profile. (ii). FDR listed with bank statement. (iii). Building Completion submitted."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.P.Ed. Course with an annual intake of 100 students vide order dated 26.07.1999. A revised provisional recognition order was issued to the institution on dt. 30.05.2015 for conducting B.P.Ed. course of two years duration with an annual intake of 100 students. The recognition of the institution for B.P.Ed. programme was withdrawn by the WRC vide order dated 07.09.2017.

The Appeal Committee in its 1st Meeting, 2023 held on 30.01.2023 considered the documents submitted alongwith the Memorandum of Appeal as compliance of



grounds of withdrawal order and observed that the appeal of the institution is still deficient on the following points: -

- (i) The institution has submitted a copy of letter dated 29.1.2022 issued by Dr. Babasaheb Ambedkar Marathwada University approving the faculty of 7 members whereas the actual faculty list submitted in the Format contains details of 8 faculty members which is not sufficient as per provisions of the NCTE Regulations, 2014.
- (ii) As per the staff list submitted by the institution, it has appointed Asstt. Professor as a Principal (In charge), the same is not permissible as per provisions of the NCTE Regulations, 2014. Further, the institution has failed to submit copies of certificates of academic & professional educational qualification viz. B.Ed., M.Ed., NET, Ph.D etc. and experience of teaching staff.

The Appeal Committee noted that the faculty submitted by the institution is not sufficient to run B.P.Ed. programme. The Committee further noted that the institution has not submitted proof to show that the Endowment & Reserve Fund is being maintained by the institution.

The Appeal Committee noted that there are 4 years, 11 months & 22 days delay in filing of instant appeal. The institution has failed to explain the delay, as such the delay cannot be condoned without any justification.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the WRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 07.09.2017 issued by WRC is confirmed.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the WRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 07.09.2017 issued by WRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

- 1. The Principal, Shetkari Shikshan Prasarak Mandals College of Physical Education (BPED), 37, Ashti, Nagar Beed Road, PO- Ashti, Beed, Maharashtra-414203**
- 2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra.**



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

**राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075**

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-3/E-286399/2023 Appeal/1st Meeting, 2023
APPLSRC202314515**

Sri Dattagiri Maharaj College of Education, 40/2, Manhalli Road, Bidar, Karnataka-585403	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Dr. Ramu Daani, Principal
Respondent by	Regional Director, SRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Sri Dattagiri Maharaj College of Education, 40/2, Manhalli Road, Bidar, Karnataka-585403** dated 06.01.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRC/NCTE/APSO/3113/B.Ed./{KA}/ 2022/138132** dated 16.12.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was issued a Final Show Cause Notice (FSCN). The institution has submitted its reply on 16.04.2022 & 18.08.2022. The Committee perused the reply submitted by the institution and found the following deficiencies. (i). Building Plan is not approved by the Competent Authority. (ii). The institution has submitted Building Plan in which Multipurpose Hall area is 90 sq. mt. which is less than the requirement. (iii). Building Plan is not approved by the Competent Authority. (iv). The institution has submitted Building Completion Certificate which is not approved by Competent Authority. (v). The institution has submitted LUC which is not approved by Competent Authority. (vi). The website of the institution is not uploaded with the information required under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014. (vii). The institution did not submit registration certificate and bye laws of the managing society/trust. (viii). The institution did not submit registration certificate and bye laws of the managing society/trust. (ix). The institute failed in submission of the bank statement of all individual faculty and institution’s bank statement of last 1 year duly certified by the concerned bank showing disbursement of salary through bank account to faculty as required under clause 10(3) of NCTE Regulation, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Ramu Daani, Principal of Sri Dattagiri Maharaj College of Education, 40/2, Manhalli Road, Bidar, Karnataka-585403 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that “(i). Approved Building Plan submitted. (ii). The institution has submitted Building Plan in Multipurpose Hall area is 190 Sq.Mtrs clarified. (iii).



2

Approved Building Plan submitted. (iv). The institution submitted Building Completion Certificate approved by Competent Authority. (v). The institution submitted LUC approved by Competent Authority. (vi). Website information uploaded required under clause 7(14)(I), 8(14) and 10(3) of NCTE Regulations, 2014. (vii). The institution submitted bank statement. (viii). The institution submit registration certificate and bye laws of the managing society/trust. (ix). The institution submission of the 1 year bank statement.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for Secondary (B.Ed.) Course of one year duration with an annual intake of 100 students vide order dated 24.12.2005. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 30.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 16.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 50 (one basic units) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 16.12.2022.

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of Building Plan approved by the Competent Authority.
- (ii) A copy of Building Completion Certificate approved by Competent Authority.
- (iii) A copy of Land Use Certificate approved by Competent Authority.
- (iv) A copy of faculty list (1+9) members dated 01.08.2022 approved by the Registrar, Gulbarga University, Karnataka as per provisions of the NCTE Regulations, 2014 along with a copy of bank statement showing disbursement of salary through bank account to faculty as required under clause 10(3) of NCTE Regulation, 2014.
- (v) A copy of screen shot of website showing uploading the requisite documents on the website of the institution.



The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 16.12.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Southern Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

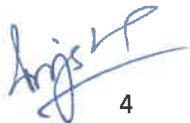
“Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner.”

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 16.12.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

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



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

IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।


Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Sri Dattagiri Maharaj College of Education, 40/2, Manhalli Road, Bidar, Karnataka-585403**
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 /एनसीटीई अपीलीय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

File No. 89-4/E-286520/2023 Appeal/1st Meeting, 2023
APPLERC202214506

Maa Vidya Maa Kushum Teachers Training College, 426,431,495,430, Ijarta, Paipura, Paliganj, Patna, Bihar- 801110	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Representative of the institution
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Maa Vidya Maa Kushum Teachers Training College, 426,431,495,430, Ijarta, Paipura, Paliganj, Patna, Bihar-801110** dated 27.12.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-313.52/ERCAPP2730/B.Ed./BR/2022/66885** dated 24.11.2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). As per provision contained in Section 12 (j) & (k) of the NCTE Act, 1993, the institution was asked to fill up the Performance Appraisal Report (PAR) for the academic session 2020-21, however, the institution has not filled up the same. (ii). Therefore, as per decision taken by ERC in its 306th meeting held on 12th to 13th July, 2022, Show Cause Notice under Section 17(1) of NCTE Act, 1993 was issued to the institution for not filing PAR on the ground that the institution has breached the condition of recognition as per the provision of clause 8(12) of NCTE Regulations, 2014 and also Clause 7(14)(i) of NCTE, Regulations, 2014 which is related to uploading information on the website, if the website of the institution is not working. (iii). Further, as per decision taken by ERC in its 311th meeting held on 11th October, 2022, Final Show Cause Notice was issued to the institution for not submitting the reply of Show Cause Notice issued to it. (iv). The Committee further noted that the institution has not submitted the reply of Final Show Cause Notice.”

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Maa Vidya Maa Kushum Teachers Training College, 426,431,495,430, Ijarta, Paipura, Paliganj, Patna, Bihar-801110** appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that “We have always honored the condition of recognition of our institution as per NCTE Regulations & Norms. As pointed out the SCN and the withdrawal order issued by NCTE, I would like to apprise you on following facts: (i). Previously we have already successfully submitted the PAR for the session 2018-19 (Institution Code: 43006863 & Application Id: P1819008176). (ii). The website of the institution i.e., <https://mvmkttcollege.in/> is properly working and all the information have



been uploaded on the website. (iii). The only reason for not filling up the PAR 2020-21 was the sudden Demise of the person concerned and in-charge for filling the PAR and other legal matters. (iv). The reply to the SCN dt.28.10.2022 was submitted to the NCTE vide our letter dt.12.11.2022 through speed post (Copy enclosed). I would like to appeal before you that we did try to fill the PAR 2020-21 on time but due lack of technical expertise only we could not fill it on time. If, given a chance now, we will submit the PAR as per the Regulations of NCTE. We are ready to present all the relevant documents before the NCTE related to PAR 2020-21. Hence, I humbly request you to please give us a chance to upload the PAR 2020-21 and consider our appeal and restore the recognition of the institution.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course of two year duration with an annual intake of 100 students vide order dated 02.05.2017. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 24.11.2022

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted that the institution has successfully submitted the PAR for the session 2018-19 (Institution Code: 43006863 & Application Id: P1819008176). (ii). The website of the institution i.e., <https://mvmkttcollege.in/> is properly working and all the information have been uploaded on the website. The institution further submitted that the reply to the SCN dt.28.10.2022 was submitted to the NCTE vide our letter dt.12.11.2022 through speed post.

The Appeal Committee noted that the institution was still found deficient in terms of submission of PAR for the session 2020-21. However, in light of the Court order dated 31.01.2023 passed in LPA 190/2021 & LPA 520/2022 by the Hon'ble High court of Delhi, the Appeal Committee decided to remand back the matter with specific direction to ERC to decide the matter with respect to the outcome of LPA 190/2021 &



LPA 520/2022. The relevant extract of the order dated 31.01.2023 is being reproduced hereunder:

**“Learned ASG has fairly stated before this Court that there will be no precipitative action against the Appellant Institutions till the next date of hearing.
Accordingly, list these Applications on the aforesaid date i.e. 01.03.2023”**

In view of above, the Appeal submitted by the institution is allowed and matter is being remand back to ERC to decide the matter afresh.

The Appeal Committee noted that in case matter is being remanded back to Regional Committee, then the Legal issue will be involved, which are as under: -

The Appeal Committee noted that the order dated 08.04.2021 passed in W.P.(C). No. 4382/2021, the Hon'ble High Court of Delhi has directed as under: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 24.11.2022 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter in light of Court order dated 31.01.2023 passed in LPA 190/2021 & LPA 520/2022



Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority. **It is being reiterated that the ERC shall take an appropriate decision with respect to the outcome of the LPA 190/2021 & LPA 520/2022**

IV. **DECISION: -**

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the matter is being remanded back to the ERC in light of the aforesaid order dated 31.01.2023 and the ERC is directed to carefully decide the matter with respect to the outcome of the LPA 190/2021 & LPA 520/2022.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Maa Vidya Maa Kushum Teachers Training College, 426,431,495,430, Ijarta, Paipura, Paliganj, Patna, Bihar-801110**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar.



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-8/E-286933,286934/2023 Appeal/1st Meeting, 2023
APPLWRC202314510**

Govt. Institute of Advanced Studies in Education, Bikaner, Head Post Office Bikaner, Bikaner, Rajasthan-334001	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Dr. Sudhir Rupani, HOD & Reader
Respondent by	Regional Director, WRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Govt. Institute of Advanced Studies in Education, Bikaner, Head Post Office Bikaner, Bikaner, Rajasthan-334001** dated 04.01.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. **File No. WRC/RJ-49/370th/RJ/B.Ed./ 2022/220873** dated 10.11.2022 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution has not submitted faculty list for B.Ed. course in NCTE prescribed format duly approved by the Registrar of concerned affiliating body."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Sudhir Rupani, HOD & Reader of Govt. Institute of Advanced Studies in Education, Bikaner, Head Post Office Bikaner, Bikaner, Rajasthan-334001 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that "Govt. Institute of Advanced Studies in Education, Bikaner-Rajasthan is Pioneer Institute in Teacher Education in the state since 1940. Only two Govt. Institutes of Teacher Education are providing pre service and in service teacher education in Rajasthan to cater the educational needs of the students. Teacher educators are experienced having practical knowledge of real classroom teaching learning process. The institute has ample infrastructure and facilities for the running programmes viz. B.Ed. & M.Ed. The authorized authority for appointment and posting of the academic staff in Govt. IASE. Bikaner are the Director, Secondary Education, Rajasthan, Bikaner on behalf of the State Government. The administrative process for approval of the staff list took time. The interim replies to the earlier notices were sent accordingly. The staff list in NCTE prescribed format duly approved by the Director, Secondary Education Rajasthan, Bikaner and duly approved by the Registrar, Bikaner and duly approved by the Registrar, Maharaja Ganga Singh University, Bikaner on behalf of the affiliating university is enclosed herewith for a favourable decision thereon. We further undertake to abide by the norms and eligibility conditions of staff appointment laid down in regulations of the NCTE from time to time.



For your kind perusal and favourable decision, enclosed herewith are: 1. The staff list in NCTE prescribed format duly approved by the Director, Secondary Education Rajasthan, Bikaner and duly approved by the Registrar, Maharaja Ganga Singh University, Bikaner on behalf of the affiliating university. 2. Webpages of the college website showing profiles of the faculty members. 3. Time table of B.Ed. & M.Ed. classes. 4. Testimonials of academic qualifications of the academic staff. 5. Other relevant documents.”

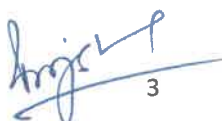
III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course of 1 year duration with an annual intake of 170 students vide order dated 01.06.1998. A revised provisional recognition order and subsequently its Corrigendum was issued to the institution on dt. 14.10.2015 for conducting B.Ed. course of two years duration with an annual intake of 150 students (Three basic units of 50 students each) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the WRC vide order dated 10.11.2022.

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+21) members dated 02.01.2023 approved by the Registrar, M.G.S. University, Bikaner as per provisions of the NCTE Regulations, 2014.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 10.11.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Western Regional Committee and decision taken accordingly.



3

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 10.11.2022 is set-aside and the Appellate Committee has decided to remand back the case to WRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. **The WRC is further directed to verify the list of faculties approved by the affiliating Body w.r.t. to the course concerned running in the institution and take further appropriate action as per the intake granted in compliance the provision of NCTE Regulations, 2014.** The Appellant is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The WRC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Govt. Institute of Advanced Studies in Education, Bikaner, Head Post Office Bikaner, Bikaner, Rajasthan-334001**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

**राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075**

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-9/E-286639/2023 Appeal/1st Meeting, 2023
APPLWRC202314511**

Govt. Institute of Advanced Studies in Education, Bikaner, Head Post Office Bikaner, Bikaner, Rajasthan-334001	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Dr. Sudhir Rupani, HOD & Reader
Respondent by	Regional Director, WRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

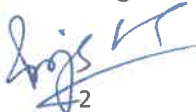
ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Govt. Institute of Advanced Studies in Education, Bikaner, Head Post Office Bikaner, Bikaner, Rajasthan-334001** dated 04.01.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. **File No. WRC/RJ-173/370th/RJ/M.Ed./ 2022/220858** dated 10.11.2022 of the Western Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that "The institution has not submitted faculty list for M.Ed. course in NCTE prescribed format duly approved by the Registrar of concerned affiliating body."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Sudhir Rupani, HOD & Reader of Govt. Institute of Advanced Studies in Education, Bikaner, Head Post Office Bikaner, Bikaner, Rajasthan-334001 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that "Govt. Institute of Advanced Studies in Education, Bikaner-Rajasthan is Pioneer Institute in Teacher Education in the state since 1940. Only two Govt. Institutes of Teacher Education are providing pre service and in service teacher education in Rajasthan to cater the educational needs of the students. Teacher educators are experienced having practical knowledge of real classroom teaching learning process. The institute has ample infrastructure and facilities for the running programmes viz. B.Ed. & M.Ed. The authorized authority for appointment and posting of the academic staff in Govt. IASE. Bikaner are the Director, Secondary Education, Rajasthan, Bikaner on behalf of the State Government. The administrative process for approval of the staff list took time. The interim replies to the earlier notices were sent accordingly. The staff list in NCTE prescribed format duly approved by the Director, Secondary Education Rajasthan, Bikaner and duly approved by the Registrar, Bikaner and duly approved by the Registrar, Maharaja Ganga Singh University, Bikaner on behalf of the affiliating university is enclosed herewith for a favourable decision thereon. We further undertake to abide by the norms and eligibility conditions of staff appointment laid down in regulations of the NCTE from time to time.



For your kind perusal and favourable decision, enclosed herewith are: 1. The staff list in NCTE prescribed format duly approved by the Director, Secondary Education Rajasthan, Bikaner and duly approved by the Registrar, Maharaja Ganga Singh University, Bikaner on behalf of the affiliating university. 2. Webpages of the college website showing profiles of the faculty members. 3. Time table of B.Ed. & M.Ed. classes. 4. Testimonials of academic qualifications of the academic staff. 5. Other relevant documents.”

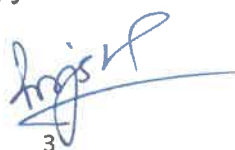
III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for M.Ed. Course of 1 year duration with an annual intake of 30 students vide order dated 05.06.2000. A revised provisional recognition order was issued to the institution on dt. 21.09.2015 for conducting M.Ed. course of two years duration with an annual intake of 50 students for One basic unit of from the academic session 2015-16. The recognition of the institution for M.Ed. programme was withdrawn by the WRC vide order dated 10.11.2022.

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (10) members dated 02.01.2023 approved by the Registrar, M.G.S. University, Bikaner as per provisions of the NCTE Regulations, 2014.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 10.11.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Western Regional Committee and decision taken accordingly.



3

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 10.11.2022 is set-aside and the Appellate Committee has decided to remand back the case to WRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. **The WRC is further directed to verify the list of faculties approved by the affiliating Body w.r.t. to the course concerned running in the institution and take further appropriate action as per the intake granted in compliance the provision of NCTE Regulations, 2014.** The Appellant is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The WRC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।



Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Govt. Institute of Advanced Studies in Education, Bikaner, Head Post Office Bikaner, Bikaner, Rajasthan-334001**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

**राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075**

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-13/E-287176/2023 Appeal/1st Meeting, 2023
APPLERC202314509**

Govt. College of Teacher Education (CTE), 1093-1094, Mangaldai, Magistrate Colony, Chapai, Darrang, Assam-784125 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
--	------------------	---

Representative of Appellant	Dr. Mahindra Kour, Principal
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF REFUSAL

The appeal of **Govt. College of Teacher Education (CTE), 1093-1094, Mangaldai, Magistrate Colony, Chapai, Darrang, Assam-784125** dated 22.12.2022 filed under Section 17 of NCTE Act, 1993 against the Order No. **F.No.NCTE/ERC/2324202205281216/ASSAM/2022/REJC/217** dated 18.11.2022 of the Eastern Regional Committee, refusing recognition for conducting ITEP Course on the grounds that: - “ As per decision taken by ERC in its 311th meeting, Final Show Cause Notice was issued to the institution on certain deficiencies to submit reply within 7 days, however, the institution has not uploaded the reply of the Final Show Cause Notice dated 14.10.2022”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Mahindra Kour, Principal of Govt. College of Teacher Education (CTE), 1093-1094, Mangaldai, Magistrate Colony, Chapai, Darrang, Assam-784125 appear online to present the case of the appellant institution on 30.01.2023. In the appeal Memoranda it is submitted that: - “The fire certificate at ITEP had been received on 20.10.2022 after 4:00 PM.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Eastern Regional Committee for grant of recognition for seeking permission for running the ITEP Course on 31.05.2022. The recognition of the institution for ITEP programme was refused by the ERC vide order dated 18.11.2022.

The Committee noted that the appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January 2023 submitted copies of NOC, Building Plan, BCC etc. alongwith a copy of certificate of Accreditation issued by NAAC valid upto 4.11.2021 as claiming to have rectified the shortcomings



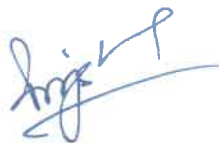
pointed out in the impugned refusal order. The Committee noted that refusal order was passed on the main ground that the certificate of accreditation issued by NAAC which was valid upto 4.11.2021.

The Appeal Committee noted that as per the Selectin Criteria for Institutions/Universities under Pilot of 4 year Integrated Techer Education Programme (ITEP) forwarded by the MoE vide O.M. dated 26th November, 2021 inter-alia provides the following: -

“NAAC grading should have been valid for some period of time in last 2 years in case new applications have been filed.”

After considering the appeal memoranda and documents submitted by the institution, the Committee decided to remand back the matter to the ERC to decide the matter a fresh.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2021, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2021, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।


Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. The Principal, Govt. College of Teacher Education (CTE), 1093-1094, Mangaldai, Magistrate Colony, Chapai, Darrang, Assam-784125
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Assam.



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-14/E-287173/2023 Appeal/1st Meeting, 2023

APPLERC202314528

Sai College of Education, 383/384, Earki, Jehanabad, Jahanabad, Bihar-804408	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Representative of the institution
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Sai College of Education, 383/384, Earki, Jehanabad, Jahanabad, Bihar-804408** 13.01.2023 filed under Section 18 of NCTE Act, 1993 against the Order No. **F.No.ER-316.18/NCTE/ERCAPP1489 & ERCAPP4069/B.Ed. & B.Ed. Add. Intake/BR/2022/67103** dated 04.01.2023 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has not submitted latest list of teaching faculty duly approved by the affiliating university along with affidavit, testimonials, service certificate, marks card etc. (ii). The website of the institution is not operational. (iii). From the Performance Appraisal Report (PAR) for the academic session 2021-21, it is observed that the institution has not updated its website as per NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Sai College of Education, 383/384, Earki, Jehanabad, Jahanabad, Bihar-804408** appeared online to present the case of the appellant institution on 30.01.2023. In the appeal Memoranda it is submitted that “(i). The institution is submitting latest Update Faculty list Counter-sign by Registrar Maulana Mazharul Haque Arabic and Persian University along with affidavit, testimonials service certificate, marks card etc. (ii). The institution also submitting a certificate regarding website which is updated time to time a certificate issue by the concern IT company the institution has been uploaded all the related document regarding PAR on the time given by NCTE.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course of one year duration with an annual intake of 100 students vide order dated 15.05.2015, as per NCTE Regulations, 2014 and addi. Intake of 50 (Existing 100 + Addi. 50 = 150) thus making the sum total intake of 150 (Three basic units) from the academic session 2016-2017 vide order dated 02.05.2016, followed by addi. Intake of 50 (Existing 150 + Addi. 50 = 200) thus making

the sum total intake of 200 (Four basic units of 50 students each) from the academic session 2018-19 vide order dated 15.02.2018 as per NCTE Regulations, 2014. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 04.01.2023.

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

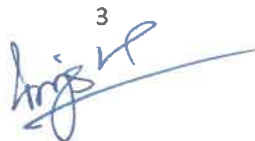
- (i) A copy of faculty list (1+15) members dated 03.11.2022 approved by the Registrar of affiliating University, Bihar as per provisions of the NCTE Regulations, 2014 along with copies of affidavit, testimonials service certificate, marks card etc
- (ii) A copy of faculty list (1+15) members dated 03.11.2022 approved by the Registrar of affiliating University, Bihar as per provisions of the NCTE Regulations, 2014. {for B.Ed. Additional Intake} along with copies of affidavit, testimonials service certificate, marks card etc
- (iii) A copy of screen shot of website showing uploading the requisite documents on the website of the institution.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 04.01.2023. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Eastern Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

3


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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 04.01.2023 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

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

IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।


Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Sai College of Education, 383/384, Earki, Jehanabad, Jahanabad, Bihar-804408**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar.



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलीय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-15/E-287182/2023 Appeal/1st Meeting, 2023
APPLSRC202314522

Vigyan College of Education, 320, Nizampet, Venkatray Nager, Bachupally, Rangareddy, Telangana-500049 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
--	------------------	---

Representative of Appellant	Representative of the institution
Respondent by	Regional Director, SRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Vigyan College of Education, 320, Nizampet, Venkatray Nager, Bachupally, Rangareddy, Telangana-500049** dated 13.01.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRC/NCTE/APSO3876/B.Ed./TS/2022/136983** dated 17.11.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution failed to submit reply to the Final Show Cause Notice dated 10.05.2022."

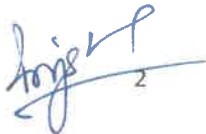
II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Vigyan College of Education, 320, Nizampet, Venkatray Nager, Bachupally, Rangareddy, Telangana-500049** appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that: "Final Showcase Replay is submitted already dated on 30.11.2016."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for Secondary B.Ed. Course of two years duration with an annual intake of 100 students vide order dated 12.04.2007. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 30.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 12.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (two basic units) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 17.11.2022.

The Appeal Committee in its 1st Meeting, 2023 held on 30.01.2023 considered the documents submitted alongwith the Memorandum of Appeal as compliance of



grounds of withdrawal order and observed that the appeal of the institution is still deficient on the following points: -

- (i) As per the faculty list submitted by the institution, the faculty namely Ch. Anitha (as mentioned Sl. No. 3 in the faculty list) is not qualified as per NCTE Regulation. The faculty as mentioned Sl. No. 10 & 11 of the faculty list submitted by the institution, are appointed for visual arts, as such the institution has less faculty for pedagogy subject.
- (ii) The Building Plan submitted by the institution is neither legible nor approved by the Competent Authority.
- (iii) The institution has not submitted a copy of Land Use Certificate (LUC)
- (iv) The institution has not submitted certified/notarised copies of the actual land documents, approved building plan, BCC etc., hence the same is not acceptable since all these documents are photocopy and merely photocopy cannot be relied.
- (v) The institution has not submitted a copy of Form 'A' towards Endowment Fund & Reserve Fund.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 17.11.2022 issued by SRC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 17.11.2022 issued by SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।


Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Vigyan College of Education, 320, Nizampet, Venkatray Nager, Bachupally, Rangareddy, Telangana-500049**

2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Telangana.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलीय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-16/E-287133/2023 Appeal/1st Meeting, 2023
APPLWRC202314517

Government Institute of Advanced Studies in Education, 3766, Ajmer, Jaipur Road, H.O. Ajmer, Ajmer, Rajasthan- 305001 APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
---	------------------	--

Representative of Appellant	Dr. Ram Gopal Sharma, Professor
Respondent by	Regional Director, WRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Government Institute of Advanced Studies in Education, 3766, Ajmer, Jaipur Road, H.O. Ajmer, Ajmer, Rajasthan-305001** dated 06.01.2023 filed under Section-18 of NCTE Act, 1993 is against the Order No. **File No.WRC/RJ-10/370th/RJ/B.Ed./2022/220863** dated 10.11.2022 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has not submitted affidavit in response to Show Cause Notice u/s 17 issued dated 07.03.2021. (ii). The institution has not submitted faculty list for B.Ed. course in NCTE prescribed format duly approved by the Registrar of concerned affiliating body.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Ram Gopal Sharma, Professor of Government Institute of Advanced Studies in Education, 3766, Ajmer, Jaipur Road, H.O. Ajmer, Ajmer, Rajasthan-305001 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal it is submitted that “(i). The institution is not submitting affidavit in response to Show Cause Notice U/s 17 issued dated 07.03.2021 on 07.01.2023. (ii). The institution is not submitting faculty list for B.Ed. course in NCTE prescribed format duly approved by the Registrar of concerned affiliating Body. IASE Ajmer is Pioneer Institute in Teacher Education in the state since 1941. Only tow Govt. Institutes of Teacher Education are providing preservice and in service teacher education in Rajasthan to cater the educational needs of the students. Teacher educators are experienced having practical knowledge of real classroom teaching learning process. The institute has ample infrastructure and facilities for the running programmes (B.Ed.). The authorize authority for appointment and posting of the academic staff in Govt. IASE. Ajmer are the Director, Secondary Education, Rajasthan, Bikaner and the State Government. The administrative process for approval of the staff list took time. The interim replies to the earlier notices were sent accordingly. The staff list in NCTE prescribed format countersigned by the Director, Secondary Education Rajasthan, Bikaner and duly approved by the Registrar,



Maharshi Dayanand Saraswati University, Ajmer on behalf of the affiliating university is enclosed herewith for a favourable decision there on. We further undertake to abide by the norms and eligibility conditions to staff appointment laid down in regulations of the NCTE from time to time. For your kind perusal and favourable decision, enclosed herewith are: 1. The staff list in NCTE prescribed format countersigned by the Director, Secondary Education Rajasthan, Bikaner and duly approved by the Registrar, Maharshi Dayanand Saraswati University, Ajmer on behalf of the affiliating university. 2. Printouts of the web pages of the college website showing profiles of the faculty members. 3. Time table of B.Ed. classes. 4. Testimonials of academic qualifications of the academic staff. 5. Other relevant documents.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course of one year duration with an annual intake of 150 students vide order dated 28.10.1996. A revised provisional recognition order was issued to the institution on dt. 06.08.2015 for conducting B.Ed. course of two years duration with an annual intake of 150 (three basic units) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the WRC vide order dated 10.11.2022.

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+21) members approved by the Registrar, Maharshi Dayanand Saraswathi University, Ajmer as per provisions of the NCTE Regulations, 2014.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 10.11.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds



mentioned in the order of withdrawal, require to be verified by the Western Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

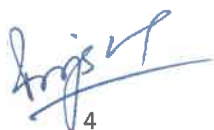
“Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner.”

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 10.11.2022 is set-aside and the Appellate Committee has decided to remand back the case to WRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. **The WRC is further directed to verify the list of faculties approved by the affiliating Body w.r.t. to the course concerned running in the institution and take further appropriate action as per the intake granted in compliance the provision of NCTE Regulations, 2014.** The Appellant is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The WRC is at a liberty to verify the submitted documents from the concerned issuing authority.



IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।



Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. The Principal, Government Institute of Advanced Studies in Education, 3766, Ajmer, Jaipur Road, H.O. Ajmer, Ajmer, Rajasthan-305001
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-17/E-287132/2023 Appeal/1st Meeting, 2023
APPLWRC202314516

Government Institute of Advanced Studies in Education, 3766, Ajmer, Jaipur Road, H.O. Ajmer, Ajmer, Rajasthan- 305002 APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
---	------------------	--

Representative of Appellant	Dr. Ram Gopal Sharma, Professor
Respondent by	Regional Director, WRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Government Institute of Advanced Studies in Education, 3766, Ajmer, Jaipur Road, H.O. Ajmer, Ajmer, Rajasthan-305002** dated 05.01.2023 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. **File No.WRC/RJ-06/370th/RJ/M.Ed./2022/220868** dated 10.11.2022 of the Western Regional Committee, withdrawing recognition for conducting M.Ed. Course on certain grounds. “(i). The institution has not submitted affidavit in response to Show Cause Notice u/s 17 issued dated 07.03.2021. (ii). The institution has not submitted faculty list for M.Ed. course in NCTE prescribed format duly approved by the Registrar of concerned affiliating body.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Ram Gopal Sharma, Professor of Government Institute of Advanced Studies in Education, 3766, Ajmer, Jaipur Road, H.O. Ajmer, Ajmer, Rajasthan-305002 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal Memoranda, the institution submitted that “(i). The institution is now submitting affidavit in response to Show Cause Notice U/s 17 issued dated 07.03.2021 on date 07.01.2023. (ii). The institution is now submitting faculty list for M.Ed. course in NCTE prescribed format duly approved by the Registrar of concerned affiliating body Maharshi Dayanand Saraswati University, Ajmer on date 07.01.2023. IASE Ajmer is Pioneer Institute in Teacher Education in the state since 1941. Only two Govt. Institutes of Teacher Education are providing pre service and in service teacher education in Rajasthan to cater the education needs of the students. Teacher educators are experienced having practical knowledge of real classroom teaching learning process. The institute has ample infrastructure and facilities for the running programmes (M.Ed..). the authorized authority for appointment and posting of the academic staff in Govt. IASE. Ajmer is the Director, Secondary Education, Rajasthan, Bikaner and the State Government. The administrative process for approval of the staff list took time. The interim replies to the earlier notices were sent accordingly. The institute provides research work for the department of education,



M.Ed. level research work and Ph.D. research work on the current educational matters. The staff list in NCTE prescribed format countersigned by the Director, Secondary Education Rajasthan, Bikaner and duly approved by the Registrar, Maharshi Dayanand Saraswati University, Ajmer on behalf of the affiliating university is enclosed herewith for a favourable decision there on. We further undertake to abide by the norms and eligibility conditions of staff appointment laid down in regulations of the NCTE from time to time. For your kind perusal and favourable decision, enclosed herewith are: 1. The staff list in NCTE prescribed format countersigned by the Director, Secondary Education Rajasthan, Bikaner and duly approved by the Registrar, Maharshi Dayanand Saraswati University, Ajmer on behalf of the affiliating university. 2. Printouts of the web pages of the college website showing profiles of the faculty members. 3. Time table of M.Ed. classes. 4. Testimonials of academic qualifications of the academic staff. 5. Other relevant documents.

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for M.Ed. Course of one year duration with an annual intake of 30 students vide order dated 05.06.2000. A revised provisional recognition order was issued to the institution for conducting M.Ed. course of two years duration with an annual intake of 50 (One basic unit of 50 students each) from the academic session 2015-16. The recognition of the institution for M.Ed. programme was withdrawn by the WRC vide order dated 10.11.2022.

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+9) members approved by Registrar, Maharshi Dayanand Saraswati University, Ajmer as per provisions of the NCTE Regulations, 2014.



The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 10.11.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Western Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

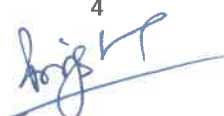
“Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner.”

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 10.11.2022 is set-aside and the Appellate Committee has decided to remand back the case to WRC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. **The WRC is further directed to verify the list of faculties approved by the affiliating Body w.r.t. to the course concerned running in the institution and take further appropriate action as per the intake granted in compliance the provision of NCTE Regulations, 2014.** The Appellant is directed to forward to the WRC the documents submitted in



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

IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Government Institute of Advanced Studies in Education, 3766, Ajmer, Jaipur Road, H.O. Ajmer, Ajmer, Rajasthan-305002**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-20/E-287893/2023 Appeal/1st Meeting, 2023
APPLSRC202314518

Krishna Institution of Teacher Education, 461/AA/A, Narayanpet, Bapunagar, Mahbubnagar, Telangana-509210 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
--	------------------	---

Representative of Appellant	Mr. K. Sudarshan Reddy, Director
Respondent by	Regional Director, SRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

hrgs

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Krishna Institution of Teacher Education, 461/AA/A, Narayanpet, Bapunagar, Mahbubnagar, Telangana-509210** dated 07.01.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No **F.SRC/NCTE/SRCAPP1037/D.El.Ed./TS/2022/(138621-138625)** dated 02.01.2023 of the Southern Regional Committee, withdrawing recognition of D.El.Ed. course on the grounds that: “(i). The institution failed to submit reply to the Final Show Cause Notice dated 08.09.2022. (ii). Further it is also observed that the institution has not filled Performance Appraisal Report (PAR). (iii). Hence the recognition granted Krishna Institute of Teacher Education, Khasra No. 461/AA/A, Plot No.461, Bapu Nagar Street, Narayanpet Village, Post & Taluk, Mahabubnagar, District-509210, Telangana for D.El.Ed. course is withdrawn under Section 17(1) of NCTE Act, 1993 from the next academic session i.e., Clause 8(10) of NCTE Regulation, 2014 by the concerned affiliating body from the next academic session stands withdrawn. (iv). However, the FDRs towards Reserve Fund and Endowment Fund/No Objection Certificate (NOC) for encashment of FDRs will be issued by the Regional Director as per the general resolution taken by the SRC in its earlier meeting.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. K. Sudarshan Reddy, Director of Krishna Institution of Teacher Education, 461/AA/A, Narayanpet, Bapunagar, Mahbubnagar, Telangana-509210 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal Memoranda it is submitted that: “It is to submit that the institution is having website www.kitenrptcollege.com and is functioning without any interruption, however the management of the institution submitted reply to the Show Cause Notice on 22.08.2022 by speed post to the under secretary NCTE along with required documents. As we have submitted the information to the first notice in time, so we did not give response to the final notice dated 08.09.2022. This is for your kind consideration and perusal.”

III. OUTCOME OF THE CASE

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



granted recognition for D.El.Ed. Course with an annual intake of 50 students vide order dated 10.04.2013. The recognition of the institution for D.El.Ed. programme was withdrawn by the SRC vide order dated 02.01.2023.

The Appeal Committee in its 1st Meeting, 2023 held on 30.01.2023 considered the documents submitted alongwith the Memorandum of Appeal as compliance of grounds of withdrawal order and observed that the appeal of the institution is still deficient on the following points: -

- (i) The institution has not submitted latest staff list duly approved by the affiliating body. Further, the institution has failed to submit copies of certificates of academic & professional educational qualification viz. B.Ed., M.Ed., NET, Ph.D etc. and experience of teaching staff.
- (ii) The institution has submitted photocopy of FDRs of Rs 5 lakhs & Rs 7 lakhs which have already been matured on 29.07.2022. The institution did not submit Form 'A' issued by the Respective Bank Manager.
- (iii) The institution has not submitted certified/notarised copies of land documents, NEC, and approved building plan.
- (iv) The institution has not submitted certified/notarised copies of the actual land documents, LUC, BCC., hence the same is not acceptable since all these documents are photocopy and merely photocopy cannot be relied.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 02.01.2023 issued by SRC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 02.01.2023 issued by SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।


Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Krishna Institution of Teacher Education, 461/AA/A, Narayanpet, Bapunagar, Mahbubnagar, Telangana-509210**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Telangana.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-21/E-287897/2023 Appeal/1st Meeting, 2023
APPLERC202314519**

Rajdhani College, Bhuvaneswar, 187, Baramuda, NH-16, Near Fire Station, Khordha, Odisha-751003	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
APPELLANT		RESPONDENT

Representative of Appellant	Representative of the institution
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF REFUSAL

The appeal of **Rajdhani College, Bhubaneswar, 187, Baramuda, NH-16, Near Fire Station, Khordha, Odisha-751003** dated 21.12.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No **F.No.NCTE/ERC/2324202205181096/ODISHA/2022/REJ/97** dated 07.12.2022 of the Eastern Regional Committee, refusing recognition for conducting ITEP Course on the grounds that "The online application of the institution along with other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, was considered by ERC and the Committee observed as under: - As per decision taken by ERC in its 312th meeting, Final Show Cause Notice was issued to the institution on certain deficiencies to submit reply with 7 days, however, the institution has not uploaded the reply of the Final Show Cause notice issued to it. Hence, the Committee decided that the application submitted by the institution for ITEP be rejected under section 14/15 of the NCTE Act, 1993."

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Rajdhani College, Bhubaneswar, 187, Baramuda, NH-16, Near Fire Station, Khordha, Odisha-751003** appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that "I am to inform you that this college has submitted the reply of show cause notice served vide first show cause on 20.09.2022. Submitted the reply on 28.09.2022 through email erc@ncte-india.org as the ITEP was not opened. However, it was also submitted through ITEP portal again final show cause was served on 19.10.2022. Therefore, the case may be considered."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Eastern Regional Committee for grant of recognition for seeking permission for running the ITEP Course on 28.05.2022. The recognition of



the institution for ITEP programme was refused by the ERC vide order dated 07.12.2022.

The Committee noted that the appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January 2023 submitted copies of NOC, Building Plan, BCC etc. alongwith a copy of certificate of Accreditation issued by NAAC valid upto 1.12.2021 as claiming to have rectified the shortcomings pointed out in the impugned refusal order. The Committee noted that refusal order was passed on the main ground that the certificate of accreditation issued by NAAC which was valid upto 1.12.2021.

The Appeal Committee noted that as per the Selectin Criteria for Institutions/Universities under Pilot of 4-year Integrated Techer Education Programme (ITEP) forwarded by the MoE vide O.M. dated 26th November, 2021 inter-alia provides the following: -

“NAAC grading should have been valid for some period of time in last 2 years in case new applications have been filed.”

After considering the appeal memoranda and documents submitted by the institution, the Committee decided to remand back the matter to the ERC to decide the matter a fresh.

Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2021, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2021, guidelines and amendments issued from time to time. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The ERC is at a liberty to verify the submitted documents from the concerned issuing authority.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।



Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Rajdhani College, Bhuvaneswar, 187, Baramuda, NH-16, Near Fire Station, Khordha, Odisha-751003**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Odisha.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलीय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-22/E-288118/2023 Appeal/1st Meeting, 2023
APPLWRC202314532

Guru Hargovind Singh Shiksha Mahavidyalaya, 1815/5/3, Bagota, Chhatarpur, Bagota, Chhatarpur, Madhya Pradesh-471405 APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
---	------------------	--

Representative of Appellant	Krishna Pratap Singh, President
Respondent by	Regional Director, WRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Guru Hargovind Singh Shiksha Mahavidyalaya, 1815/5/3, Bagota, Chhatarpur, Bagota, Chhatarpur, Madhya Pradesh-471405** dated 12.01.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.WRC/APP20166024B/11257/282nd{M.P.}/2017/192628** dated 09.11.2017 of the Western Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "In response to complaint received on 24.05.2017, the case was referred to the Collector/SDM, Chhattarpur. Since there were two conflicting reports from the same SDM, both the reports were referred to the Collector/SDM. The SDM, Chhattarpur had confirmed that the first report dated 13.06.2017 should be considered as the valid report. Since this report is negative with regard to documents, infrastructure etc., Recognition is withdrawn with immediate effect."

II. SUBMISSIONS MADE BY APPELLANT: -

Krishna Pratap Singh, President of Guru Hargovind Singh Shiksha Mahavidyalaya, 1815/5/3, Bagota, Chhatarpur, Bagota, Chhatarpur, Madhya Pradesh-471405 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda, it is submitted that: "With reference to our cited subject, I hereby submitted that the allegation made against my college was fallaciously wrong and because of some serious medical conditions, I was unable to follow up on this matter. I am submitting my humble request to re consider the matter of restoration of recognition by conducting an inspection again. In this regard, we had sent a letter to the SDM office Chhattarpur, enquiring any report/letter issued to NCTE against us, which the SDM office denied in writing. The letter is attached for your reference. Request you to please consider our request to initiate an enquiry on this matter."



III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for D.El.Ed. Course with an annual intake of 100 students vide order dated 04.05.2017. The recognition of the institution for D.El.Ed. programme was withdrawn by the WRC vide order dated 09.11.2017.

The Appeal Committee in its 1st Meeting, 2023 held on 30.01.2023 considered the documents submitted alongwith the Memorandum of Appeal as compliance of grounds of withdrawal order. The relevant para of withdrawal order dated 09.11.2017 is mentioned herein below: -

- (i) **The National Commission for Minority Educational Institutions, New Delhi vide letter dated 19.9.2017 has confirmed the minority status to only seven of these sixteen institutions. Hence, the minority certificate has not been issued by the National Commission for Minority Educational Institutions, New Delhi to the institution.**
- (ii) **In response to complaint received on 24.05.2017, the case was referred to the Collector/SDM, Chhattarpur. Since there were two conflicting reports from the same SDM, both the reports were referred to the Collector/SDM. The SDM, Chhattarpur had confirmed that the first report dated 13.06.2017 should be considered as the valid report. Since this report is negative with regard to documents, infrastructure etc., Recognition is withdrawn with immediate effect."**

The institution failed to explain the deficiency pointed out by WRC in its withdrawal order dated 09.11.2017.

The Appeal Committee noted that there is 5 years delay in filling of instant appeal. The institution has failed to explain the delay, as such the delay cannot be condoned without any justification.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the WRC was justified in withdrawing the recognition and decided that the instant appeal deserves to



be rejected and therefore, the impugned withdrawal order dated 09.11.2017 issued by WRC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the WRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 09.11.2017 issued by WRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।



Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Guru Hargovind Singh Shiksha Mahavidyalaya, 1815/5/3, Bagota, Chhatarpur, Bagota, Chhatarpur, Madhya Pradesh-471405**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh.



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलीय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-23/E-288637/2023 Appeal/1st Meeting, 2023
APPLERC202214491

Dr Shahidullah Institute of Education, 2101, Aminpur, Sondalia, Bahira, North 24-Pargana, West Bengal-743423 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
--	------------------	--

Representative of Appellant	Dr. Jahidul Sarkar, President
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Dr Shahidullah Institute of Education, 2101, Aminpur, Sondalia, Bahira, North 24-Pargana, West Bengal-743423** dated 02.12.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-313.43/NCTE/ERCAPP2610/B.Ed./WB/ 2022/66826** dated 24.11.2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has not submitted the latest list of faculty duly approved by the affiliating University. (ii). The institution has not uploaded the requisite information on its website as required under clause 7(14) of the NCTE Regulations, 2014 as amended from time to time. (iii). From the Performance Appraisal Report (PAR) for the academic session 2020-21, it is observed that the institution has not updated its website as per NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Jahidul Sarkar, President of Dr Shahidullah Institute of Education, 2101, Aminpur, Sondalia, Bahira, North 24-Pargana, West Bengal-743423 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that “With reference to our cited subject, I hereby submitted that the allegation made against my college was fallaciously wrong and because of some serious medical conditions, I was unable to follow up on this matter. I am submitting my humble request to re consider the matter of restoration of recognition by conducting an inspection again. In this regard, we had sent a letter to the SDM office Chattarpur, enquiring any report/letter issued to NCTE against us, which the SDM office denied in writing. The letter is attached for your reference. Request you to please consider our request to initiate an enquiry on this matter.”

III. OUTCOME OF THE CASE

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



granted recognition for B.Ed. Course with an annual intake of 2 units (100 students) vide order dated 03.03.2018. The Appeal Committee further noted that the recognition of the appellant institution was withdrawn by the impugned withdrawal order dated 24.11.2022 for B.Ed. programme.

The Appeal Committee noted that the main ground pertaining to withdrawal of recognition was that the appellant institution submitted a deficient reply to the Final Show Cause Notice dated 09.04.2022 in terms of faculty and up-dation of the its web-site.

Appeal Committee noted that the appellant institution with its appeal memoranda and submission made during online appeal hearing on 30th January 2023 submitted copies of documents which were found to be lacking in the impugned order of withdrawal dated 24.11.2022. These documents including the following:

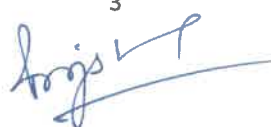
- (i) A copy of faculty list (1+16) members dated 28.9.2022 approved by the Registrar, The West Bengal University of Teachers Training Education, Planning & Administration as per provisions of the NCTE Regulations, 2014.
- (ii) Up-dation of web-site and uploading of requisite documents as per NCTE Regulations, 2014.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 24.11.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Eastern Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

3


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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 24.11.2022 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing alongwith the Appeal, the Appellate Committee observed that the appellant institution has submitted documents as required by the Final Show Cause Notice dated 09.04.2022 and accordingly, the matter be remanded back to the Eastern Regional Committee, Accordingly, the ERC is directed to revisit the matter to take further necessary action as per regulation, 2014. Further, the appellant is directed to submit to ERC the above documents within 15 days from the issue of appeal order.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the appeal deserves to be allowed and the matter be remanded back to ERC. Further, ERC is hereby directed to issue a speaking order after considering the documents submitted by the appellant institution and take an appropriate action with respect to NCTE Regulations, 2014 guidelines and amendment issued from time to time.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Dr Shahidullah Institute of Education, 2101, Aminpur, Sondalia, Bahira, North 24-Pargana, West Bengal-743423**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-24/E-288414/2023 Appeal/1st Meeting, 2023
APPLERC202314530

J N Konar College of Education, 2194, 2195, 2196, 2183, 2192, Alinagar, Badsahi Road, Bamsore, Bhatar, Burdwan, West Bengal-713125 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
--	------------------	---

Representative of Appellant	Mr. Jahid Akhther, Secretary
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **J N Konar College of Education, 2194, 2195, 2196, 2183, 2192, Alinagar, Badsahi Road, Bamsore, Bhatar, Burdwan, West Bengal-713125** dated 15.01.2023 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-313.44/NCTE/ERCAPP3917/B.Ed. Addi. Intake/WB/2022/66833** dated 24.11.2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has submitted the list of faculty approved on 17.11.2020 by the affiliating university in respect of 1+9 teaching staff which is not sufficient for running three units of B.Ed. programme. (ii). The institution has not submitted the latest list of faculty duly approved by the affiliating University. (iii). The institution has submitted Experience Certificate of Principal wherein the total experience is shown only Five years & Nine months (approx.), which is less than 8 years as required under NCTE, Regulations, 2014. (iv). The institution has not appointed teaching faculty for Health and Physical Education, Fine Arts and Performing Arts. (v). The institution has not uploaded the requisite information on its web-site as required under Clause 7(14)(i) of the NCTE Regulations, 2014 as amended from time to time. (vi). From the Performance Appraisal Report (PAR) for the academic session 2020-21, it is observed that the institution has not updated its website as per NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Jahid Akhther, Secretary of J N Konar College of Education, 2194, 2195, 2196, 2183, 2192, Alinagar, Badsahi Road, Bamsore, Bhatar, Burdwan, West Bengal-713125 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal it is submitted that “(i). ERC, NCTE raised the deficiency in its 284th Meeting of our institution for one addi. Intake of 50 only and the same was submitted by approving our present affiliating body i.e., WBUTTEPA University and previous affiliating body i.e., University of Burdwan also. (ii). Our institute already submitted the list of faculties duly approved by the present affiliating



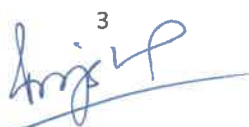
body i.e., WBUTTEPA for total intake of three units, but the same was overviewed by ERC NCTE. (iii). We already submitted the experienced principal as per NCTE Regulation 2014 but ERC NCTE was overviewed the same. (iv). Again, ERC NCTE denied submission of Physical Education teacher and the same is enclosed for your kind perusal. (v). We maintain our website regularly but it may happened that on that day it may not available. (vi). J N Konar College of Education (ERCAPP-1201 & 3917) is updating its entire website as per NCTE Regulations, 2014.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 2 units (100 students) vide order dated 01.08.2013 from the academic session 2013-14 and after promulgation of NCTE Regulations, 2014 giving thereby willingness in an affidavit for its adherence by the institution, a revised recognition order was issued on 26.05.2015 for conducting B.Ed. programme of two years duration with an annual intake of 100 students for two basic units from the academic session 2015-16. The institution was also granted 3rd unit vide order dated 03.03.2018 from the academic session 2018-19 thereby making total annual intake of 150 students. The Appeal Committee further noted that the recognition of the appellant institution was withdrawn by the impugned withdrawal order dated 24.11.2022 for B.Ed. programme.

The Appeal Committee noted that the main ground pertaining to withdrawal of recognition was that the appellant institution submitted a deficient reply to the Final Show Cause Notice dated 09.04.2022 in term of shortage of faculty and up-dation of the its web-site.

Appeal Committee noted that the appellant institution with its appeal memoranda and submission made during online appeal hearing on 30th January 2023 stated that the entire list of faculty was not considered by the office of ERC. The list of faculty in respect of 1+9 staff members mentioned in the withdrawal order dated 24.11.2022 of ERC is the faculty exclusively for 3rd unit in addition to the existing faculty already available for 2 units, submitted by the institution vide its reply dated

3


02.05.2022 as the Show Cause Notice dated 09.04.2022 was issued to 97 institutions which were granted recognition after amendment in NCTE Regulation, 2014 on 09.06.2017. The institution submitted copies of documents which were found to be lacking in the impugned order of withdrawal dated 24.11.2022. These documents include the following:

- (i) A copy of faculty list (1+26) members dated 22.4.2022 approved by the Registrar, The West Bengal University of Teachers Training Education, Planning and Administration as per provisions of the NCTE Regulations, 2014.
- (ii) Up-dation of web-site and uploading of requisite documents as per NCTE Regulation, 2014.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 24.11.2022. The Committee, noting that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Eastern Regional Committee and decision taken accordingly.

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

4 

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 24.11.2022 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

Noting the submission and verbal arguments advanced during the hearing alongwith the Appeal, the Appellate Committee observed that the appellant institution has submitted documents as required by the Final Show Cause Notice dated 09.04.2022 and accordingly, the matter be remanded back to the Eastern Regional Committee, Accordingly, the ERC is directed to revisit the matter to take further necessary action as per regulation, 2014. Further, the appellant is directed to submit to ERC the above documents within 15 days from the issue of appeal order.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the appeal deserves to be allowed and the matter be remanded back to ERC. Further, ERC is hereby directed to issue a speaking order after considering the documents submitted by the appellant institution and take an appropriate action with respect to NCTE Regulations, 2014 guidelines and amendment issued from time to time.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

- 1. The Principal, J N Konar College of Education, 2194, 2195, 2196, 2183, 2192, Alinagar, Badsahi Road, Bamsore, Bhatar, Burdwan, West Bengal-713125**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

**राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075**

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-267/E-283138/2022 Appeal/1st Meeting, 2023
APPLWRC202214480**

Bright India, 62, 63, 66, 70, 71, Boraj, Foyasagar Road, Ajmer, Rajasthan-305005	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Rajaram Meena, Secretary
Respondent by	Regional Director, WRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF REFUSAL

The appeal of **Bright India, 62, 63, 66, 70, 71, Boraj, Foyasagar Road, Ajmer, Rajasthan-305005** dated 22.11.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.NCTE/NRCAPP-5242/D.El.Ed./349th/M.P./2022/221863 to 221865** dated 05.01.2023 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that “(i). Show Cause Notice was issued to the institution vide letter dt. 04.03.2021. (ii). Institution has submitted reply to show cause notice on 26.04.2021. (iii). The institution does not fall in the category of composite institution as per clause 2(b) and 8(1) of NCTE Regulations, 2014. Hence, application cannot be considered for D.El.Ed. programme.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Rajaram Meena, Secretary of Bright India, 62, 63, 66, 70, 71, Boraj, Foyasagar Road, Ajmer, Rajasthan-305005 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that “Institution is already running a degree college also running B.Ed. college in same land building and by same name. Attached herewith.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Western Regional Committee for grant of recognition for seeking permission for running the D.El.Ed. Course on 28.12.2022. The recognition of the institution for D.El.Ed. programme was refused by the WRC vide order dated 05.01.2023.

The Appeal Committee noted that the application of the institution for D.El.Ed. programme was refused vide order dated 05.01.2023 and since then the institution has not been granted recognition. The Committee further noted that General Body of

2 

the NCTE in its 55th meeting held on 14.07.2022 *inter-alia* has taken a following policy decision that the applications pending before the Regional Committees of NCTE shall not be processed further: -

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

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

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

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

- I. ***At present, there are several institutions which have been recognised by the Regional Committees of NCTE wherein courses/ programme, other than diploma level courses, are running. An Expert Committee be constituted to devise the modalities for conversion of these recognised institutions into multidisciplinary institutions in line with NEP 2020.***
- II. ***The applications pending before the Regional Committees of NCTE shall not be processed further. Hence, all such pending applications before RCs at***



any stage of processing be returned along with the processing fee to the concerned institution(s).

- III. In the cases where the applications are being processed/ reopened as per the directions of the Hon'ble Court (s), the concerned Regional Committee shall file a review/appeal before the Hon'ble Court(s) alongwith stay application against the order passed by the Hon'ble Court(s) for processing of application(s) in view of the decision of the Council has taken in II above.**

Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the WRC dated 05.01.2023 refusing recognition for D.El.Ed. programme of the institution is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 05.01.2023 of WRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. The Principal, Bright India, 62, 63, 66, 70, 71, Boraj, Foyasagar Road, Ajmer, Rajasthan-305005
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-154/E-257531/2022 Appeal/1st Meeting, 2023
APPLERC202214378**

College of Teacher Education Bhawanipatna, 171/1319, Parmanandapur, Railway Station Road, Parmanandapur via Gandhichhak Bhawanipatna, Kalahandi, Odisha-766002 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
---	------------------	--

Representative of Appellant	Mr. Garuda Dhawaja Barik, Principal I/C
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **College of Teacher Education Bhawanipatna, 171/1319, Parmanandapur, Railway Station Road, Parmanandapur via Gandhichhak Bhawanipatna, Kalahandi, Odisha-766002** dated 26.05.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-278.41/ERCAPP1850/B.Ed./2020/62146** dated 28/01/2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). List of teaching faculty submitted is less than required as per Appendix-4 of NCTE Regulation, 2014. (ii). Total built up area mentioned in the Building Completion Certificate (BCC) as 16997 Sq. Ft., which is less than required as per NCTE Regulation, 2014. (iii). Building Plan (BP) duly signed by the competent authority has not submitted. (iv). Requisite information of the institutional website has not updated as per clause 7(14)(i) of the NCTE Regulation, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Garuda Dhawaja Barik, Principal I/C of College of Teacher Education Bhawanipatna, 171/1319, Parmanandapur, Railway Station Road, Parmanandapur via Gandhichhak Bhawanipatna, Kalahandi, Odisha-766002 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that: “Recruitment process is going on by Odisha Public Service Commission for 385 posts of lecturer in education (TE), teaching faculty will be appointed very soon.”

III. OUTCOME OF THE CASE

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



basic units). The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 28.01.2020.

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty list (1+11) duly approved by Registrar, Kalahandi University as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of Building Plan duly approved by the Competent Authority.
- (iii) A copy of Building Completion Certificate Built-up area 16997 sq.ft.

The Appeal Committee noted that the institution has submitted written representation dated 29.12.2022 considering for allotment of one basic unit only. Accordingly, the Appeal Committee decided that the institution shall file a representation before the Regional Committee in this regard and the ERC is directed to scrutinize the representation along with requisite documents. Accordingly, the matter is being remanded back.

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

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Order dated 28.01.2020. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the impugned order, require to be verified by the Eastern Regional Committee and decision taken accordingly.



3

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 28.01.2020 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

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



IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।



Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. The Principal, College of Teacher Education Bhawanipatna, 171/1319, Parmanandapur, Railway Station Road, Parmanandapur via Gandhichhak Bhawanipatna, Kalahandi, Odisha-766002
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Odisha.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

**राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075**

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-188/E-259527/2022 Appeal/1st Meeting, 2023
APPLSRC202214371**

Katipally Ravinder Reddy College of Education, 6-2- 157/28, Nizamabad, Subash Nagar, Nizamabad, Telangana- 503002. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
--	------------------	---

Representative of Appellant	No one presented
Respondent by	Regional Director, SRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

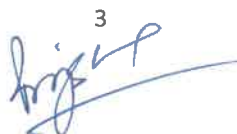
The appeal of **Katipally Ravinder Reddy College of Education, 6-2-157/28, Nizamabad, Subash Nagar, Nizamabad, Telangana-503002** dated 20.05.2022 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. **F.SRO/NCTE/APSO2678/B.Ed./TS/2019** dated 02.07.2019 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on certain grounds. “(i). The institution was granted recognition vide order dt.23.03.2005 in a rented premise with the condition that the institution shall shift to its own premise/building within three years from the date of recognition. On physical verification carried out on 16.09.2021 it was found that the institution is still running in a rented premise in House No. 6-2-157/28, Subash Nagar, Nizamabad and the land is on leased basis. Further, vide letter dt. 15.09.2021 the institution requested that they could not construct own building due to Corona. The Plea taken by the institution is not a valid ground that they had not constructed their own building since 2005 till date. (ii). It is reported by the visiting team that the college name board is not seen but in the same campus Ravi Public School is running. Hence, there is no accommodation available exclusively to run the B.Ed. course. (iii). The VT Team also reported that there is no proper infrastructure and instructional facilities for B.Ed. course. (iv). At the time of inspection, expect one lecturer no other staff member and no students were present in the campus. (v). All labs are ill equipped. (vi). Sports facilities are not available. (vii). The institution is not having sufficient number of faculty for B.Ed. course duly approved by the affiliating university. (viii). FDRs towards Endowment and Reserve Funds are not being maintained as required under NCTE Regulations, 2014. (ix). The website of the institution is not functional and not uploaded with the information required to be uploaded under NCTE Regulations, 2014. (x). The management given in writing confirming the above shortcomings observed by the Sub-Committee. (xi). After careful consideration of the report given by the Sub-Committee, the SRC resolved that the institution do not deserve merit for grant of fresh recognition. Further, the SRC advised the Regional Director, SRC to immediately write a letter to the Secretary, Chairman, Telangana State Council of Higher Education, Hyderabad and Registrar, Telangana University, Nizamabad,

2 

Telangana not to allow the institution to admit any students for the academic year 2021-22.”

II. SUBMISSIONS MADE BY APPELLANT: -

No one from Katipally Ravinder Reddy College of Education, 6-2-157/28, Nizamabad, Subash Nagar, Nizamabad, Telangana-503002 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal Memoranda, the institution submitted that “(i). The NCTE-SRC passed impugned orders dt.17-12-2021, No. F. SRO/NCTE/APSO2678/B.Ed./TS/2021 without notice/hearing contrary to orders passed in WP 22284/2019, dt.08-03-2021, Sec.17 of NCTE Act and not served copy till today, thereby violated principles of natural justice, hence order dt.17-12-2021 is liable to be set aside. (ii).It is mandatory to give opportunity to the management before passing impugned orders dt.17-12-2021, as per the directions passed in WP 22284-2019, dt.08-02-2021 extracted hereunder:- “.....an opportunity is to be given before withdrawing recognition to nay College and since impugned order is passed contrary to the said Regulations and as it is violative of the principles of natural justice, only on this short point, impugned order dated 02-07-2019 passed by respondent No.5, and as confirmed vide order dated 26-09-2019 passed by respondent No.6, both are liable to be set aside, and the matter is remanded to National Council of Teacher Education, New Delhi, to consider the case of the petitioner College for grant of recognition afresh and pass appropriate orders in accordance with law within a reasonable period of time, preferably within a period of eight weeks form the date of receipt of this order.....” Hence order dt 17-12-2021 are liable to be set aside on this ground alone without further hearing. (iii). The orders dt 17-12-2021 does not disclose marking of copy to the Institution or sent Reg. Post. Act till today which is mandatory as per Sec. 17 of the Act, hence it is total violation of principles of natural justice, unsustainable. (iv). The Sub-committee report is not at all prepared in our presence nor served copy to comply objections, or before passing orders dt.17-12-2021. (v). After coming to know the orders dt.17-12-2021, the Institution filed WP 35201/2021. The Hon’ble High Court, Hyderabad passed in term orders on 17-01-2022 and allowed to participate in B.Ed. counseling for the academic year 2021-2022. (vi). The High Court directed on 20-12-2021 in WP 3520/2021 to comply objections pointed in proc.

3


Dt.17-12-2012. Accordingly, the Institute send compliance report dt.21-12-2021 to NCTE-SRC served on 27-12-201, stating that the management was not aware about deficiencies as no Report copy is given by Sub-committee or NCTE-SRC before passing orders dt.17-12-2021 calling to rectify said defects as done in earlier occasions. (vii). The NCTE-SRC filed Writ Appeal No. 189/2022 against orders dt.17-01-2022 passed in WP 35201/2021 alleged that Institute is running by giving false information, do not deserve recognition as no sign board and no proper infrastructure/website available and submitted report dt.21-12-2021, to admit students for the year 2021-22, which shows that they got knowledge of orders dt 17-12-2021. The Division Bench dismissed WA 189/2022, dt 21-03-2022 for violation of Sec.17 of NCTE Act, as per law no person shall be condemned without notice/hearing. (viii). The management did not give any letter nor confirmed short-comings and such letter copy is not furnished to us, to verify the correctness. In fact, the committee members demanded huge money to give favorable report, which was not obliged, hence they submitted incorrect/false report which caused great prejudice to us and led to pass such adverse order dt.17-12-2021 by NCTE-SRC, without notice/hearing, which is also not communicated to till today. It is well known fact that due to mismanagement, the NCTE-SRC was shifted to Delhi from Bangalore. Under these circumstances, NCTE-SRC orders dt.17-12-2021, No.F.SRO/NCTE/APS02678/B.Ed. /TS/2021 may be set aside or remand the matter for fresh disposal, by giving opportunity at every stage before passing any orders as per law. (ix). The Sub-committee or NCTE-SRC not given any notice with report to comply deficiencies i.e., false information, nature of fraud, damage to students till today, hence committee report can't be relied upon to pass orders dt.17-12-2021. (x). The appeal is filed with in limitation which was extended by Hon'ble Supreme Court in Suo Moto WP in MA No 21/2022 in Suo moto WP (C) 3/2020, dt 10-01-2022, due to covid-19, the order may be verified, for the purpose of this Appeal. (xi). The NCTE-SRC not obeyed orders dt.08-03-2021 passed in WP 22284/2019, and no opportunity given to us. The orders dt.17-12-2021, may be stayed pending disposal of appeal, as new academic year 2022-23 is going to start shortly, otherwise it will result in grave injustice."

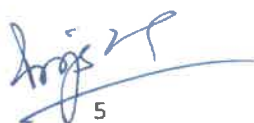


III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 23.03.2005. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 02.02.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 11.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 02.07.2019.

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the matter was taken up by the Appeal committee for hearing in its 9th meeting held on 19th November, 2022 and further taken up in its 11th meeting held on 29th December 2022, but nobody has appeared to represent the institution. Further, the matter was again taken up in 1st Meeting held on 30th January 2023, however, on the said date also nobody has appeared to represent the institution before the Appellate Committee. The Committee decided not to grant another date for hearing to the institution and decided to consider the documents and passed appropriate order on the basis of material available on record.

The Appeal Committee in its 1st Meeting, 2023 held on 30.01.2023 considered the documents submitted alongwith the Memorandum of Appeal as compliance of grounds of withdrawal order. The Appeal Committee noted that the SRC constituted a sub-committee to visit the institution alongwith a Senior Professor from Osmania University and also the Registrar of Telangana University. The Sub-Committee visited the institution on 16.09.2021 and found that it's a big fraud committed by the management and running the institution by furnishing all false information and causing great damage to the students and their future.



5

“The Sub Committee noticed the following deficiencies: -

1. The institution was granted recognition vide order dt.23.03.2005 in a rented premise with the condition that the institution shall shift to its own premise/building within three years from the date of recognition. On physical verification carried out on 16.09.2021 it was found that the institution is still running in a rented premise in House No. 6-2-157/28, Subash Nagar, Nizamabad and the land is on leased basis. Further, vide letter dt. 15.09.2021 the institution requested that they could not construct own building due to Corona. The plea taken by the institution is not a valid ground that they had not constructed their own building since 2005 till date.
2. It is reported by the visiting team that the college name board is not seen but in the same campus Ravi Public School is running. Hence, there is no accommodation available exclusively to run the B.Ed. course.
3. The VT Team also reported that there is no proper infrastructure and instructional facilities for B.Ed. course.
4. At the time of inspection, except one lecturer no other staff member and no students were present in the campus.
5. All labs are ill equipped.
6. Sports facilities are not available.
7. The institution is not having sufficient number of faculty for B.Ed. course duly approved by the affiliating university.
8. FDRs towards Endowment and Reserve Funds are not being maintained as required under NCTE Regulations, 2014.
9. The website of the institution is not functional and not uploaded with the information required to be uploaded under NCTE Regulations, 2014.
10. The management given in writing confirming the above shortcomings observed by the Sub-Committee.

After careful consideration of the report given by the Sub-Committee, the SRC resolved that the institution do not deserve merit for grant of fresh recognition.

Further, the SRC advised the Regional Director, SRC to immediately write a letter to the Secretary, Chairman, Telangana State Council of Higher Education, Hyderabad and Registrar, Telangana University, Nizamabad, Telangana not to allow the institution to admit any students for the academic year 2021-22.”

In view of the above decision, the SRC vide letter dated 17.12.2021 written to the Chairman, Telangana State Council of Higher Education, Telangana not to allow the institution namely Katipally Ravinder Reddy College of Education, 6-2-157/28, Subhash Nagar, Nizamabad-503002, Telangana to admit any students for the academic year 2021-22.

The Committee further noted that as per decision of SRC in its 410th Meeting held on 25-26 April 2022, the withdrawal order dated 02.07.2019 passed by SRC will be effective from 2022-2023 onwards.



The Appeal Committee noted that the institution has not submitted any documents to show as to whether the institution has been shifted to its own building or not.

The Appeal Committee further noted that the institution has failed to explain this deficiency as pointed out by the SRC in its withdrawal order dated 02.07.2019 even during the hearing of online appeal.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 02.07.2019 issued by SRC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 02.07.2019 issued by SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Katipally Ravinder Reddy College of Education, 6-2-157/28, Nizamabad, Subash Nagar, Nizamabad, Telangana-503002**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Telangana.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

**राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075**

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-191/E-260824/2022 Appeal/1st Meeting, 2023
APPLNRC202214422**

Gramoddhar Mahavidyalaya, 397, Nagla Parsi, Dadon Aligarh Road, Dadon, Atrauli, Aligarh, Uttar Pradesh-202133. APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
---	------------------	---

Representative of Appellant	No one presented
Respondent by	Regional Director, NRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Gramoddhar Mahavidyalaya, 397, Nagla Parsi, Dadon Aligarh Road, Dadon, Atrauli, Aligarh, Uttar Pradesh-202133** dated 02.07.2022 filed under Section 18 of NCTE Act, 1993 is preferred against the Order No. **F.No./NRC/NCTE/UP-1281-B.Ed./365th (Part-2)(Blended Mode) Meeting/2022/217906** dated 11.04.2022 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the ground that “(i). The institution has not submitted latest approved faculty list in original with qualifications and experience. (ii). The institution has not submitted the last six-month salary statement of the faculty members with details of the account numbers. (iii). The faculty list uploaded on the website of the college also is not matching with the list submitted.”

II. SUBMISSIONS MADE BY APPELLANT: -

No one from Gramoddhar Mahavidyalaya, 397, Nagla Parsi, Dadon Aligarh Road, Dadon, Atrauli, Aligarh, Uttar Pradesh-202133 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal Memoranda, the appellant institution has made submission that: “(i). Neither in the show cause notice dated 10.06.2019 nor in the withdrawal order dated 21.09.2020, there was any ground mentioned regarding non-submission of “latest approved faculty list in original”. In fact, after issuance of withdrawal order dated 21.09.2020, no further show cause notice was issued to the institution. It is further submitted that as per the norms and procedure of the affiliating university, the affiliating university grants approval to the faculty only by way of letter in which name of the approved faculty is mentioned. The institution vide its letter dated 08.06.2016 had submitted the approved faculty list of 8 faculty as communicated by letter dated 04.09.2004 of the affiliating university namely Dr. Bhimrao Ambedkar University, Agra. Further, the institution had submitted the letter dated 02.09.2019 of Dr. Bhimrao Ambedkar University, Agra granting approval of 10 faculty. A copy of faculty approval letters dated 04.09.2004 and 02.09.2019 submitted by the institution to the NRC are attached as Annexure – 1 & 2 respectively. The said

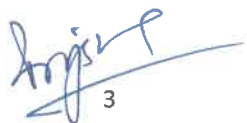
approved faculty is the latest faculty of the institution. (ii). As a matter of fact, the institute had submitted the salary statement of approved teachers to the appellate authority in the earlier appeal proceedings and the salary statement of teachers for six months will also be produced at the time of hearing of the appeal. (iii). The faculty list and other information as required under NCTE Regulations, 2014 is uploaded on the institution's website namely www.gramodharmahavidhyalaya.com. A copy of printout of the website of institution is annexed as Annexure – 3.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 24.08.2004. A revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course of two years duration with an annual intake 2 units of 50 students each from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the NRC vide order dated 11.04.2022.

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the matter was taken up by the Appeal committee for hearing in its 9th meeting held on 19th November, 2022 and further taken up in its 11th meeting held on 29th December 2022, but nobody has appeared to represent the institution. Further, the matter was again taken up in 1st Meeting held on 30th January 2023, however, on the said date also nobody has appeared to represent the institution before the Appellate Committee. The Committee decided not to grant another date for hearing to the institution and decided to consider the documents and passed appropriate order on the basis of material available on record.

The Appeal Committee in its 1st Meeting, 2023 held on 30.01.2023 considered the documents submitted alongwith the Memorandum of Appeal as compliance of



3

grounds of withdrawal order and observed that the appeal of the institution is still deficient on the following points: -

- (i) The institution has submitted one letter dated 4.9.2004 and 02.09.2019 issued by Dr. B.R. Ambedkar University.
- (ii) A copy of screenshot of website.

The Appeal Committee noted that the institution has not submitted latest faculty list duly approved by the affiliating University as per NCTE Regulation, 2014. The Committee further noted that the institution has also not submitted proof of salary disbursement of faculty, which is mandatory in terms of NCTE Regulation, 2014.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the NRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 11.04.2022 issued by NRC is confirmed.

IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Gramoddhar Mahavidyalaya, 397, Nagla Parsi, Dadon Aligarh Road, Dadon, Atrauli, Aligarh, Uttar Pradesh-202133**
2. **The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**

3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-201/E-262950/2022 Appeal/1st Meeting, 2023
APPLERC202214402

Radhanath Institute of Advanced Studies in Education, 1457, Sahebzada Bazar, Bhasakosa Lane, Chandinichowk, Cuttack, Odisha-753002. APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
--	------------------	--

Representative of Appellant	Representative of the institution
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF ORDER

The appeal of **Radhanath Institute of Advanced Studies in Education, 1457, Sahebzada Bazar, Bhasakosa Lane, Chandinichowk, Cuttack, Odisha-753002** dated 18.05.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No **F.No.ER-295.1/(OR-S/E-10/96)/B.Ed./2021/64422** dated 31.08.2021 of the Eastern Regional Committee whereby the ERC decided restoration of recognition order for B.Ed. course with an annual intake of 50 (one basic unit).

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Radhanath Institute of Advanced Studies in Education, 1457, Sahebzada Bazar, Bhasakosa Lane, Chandinichowk, Cuttack, Odisha-753002** appeared online to present the case of the appellant institution on 30.01.2023. In the appeal Memoranda it is submitted that: "As per Govt. instruction."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 128 students vide order dated 16.10.1996. A revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 150 (Three unit) from the academic session 2015-16. The institution preferred Appeal and remanded back the case. The ERC allowed the institution restoration of recognition for B.Ed. course with an annual intake of 50 students.

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned order:



- (i) A copy of faculty list (1+15) members dated 03.01.2023 approved by the Registrar, Utkal University, Vani Vihar, Bhubaneswar, as per provisions of the NCTE Regulations, 2014.

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

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

IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Radhanath Institute of Advanced Studies in Education, 1457, Sahebzada Bazar, Bhasakosa Lane, Chandinichowk, Cuttack, Odisha-753002**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Odisha.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-200/E-262950/2022 Appeal/1st Meeting, 2023
APPLERC202214403

Radhanath Institute of Advanced Studies in Education, 1457, Sahebzada Bazar, Bhasakosa Lane, Chandinichowk, Cuttack, Odisha-753002. APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
--	------------------	---

Representative of Appellant	Representative of the institution
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

II. GROUND OF WITHDRAWAL

The appeal of **Radhanath Institute of Advanced Studies in Education, 1457, Sahebzada Bazar, Bhasakosa Lane, Chandinichowk, Cuttack, Odisha-753002** dated 19.05.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No **F.No.ER/278.42/OR-SO/E-3/99/M.Ed./2020/62148** dated 28.01.2020 of the Eastern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that "The ERC in its 278th meeting held on 16th – 18th January, 2020 after considering the matter and observed that the institution is still deficient on the following ground: - "Non-compliance of Final Show Cause notice issued on 18.06.2019."

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Radhanath Institute of Advanced Studies in Education, 1457, Sahebzada Bazar, Bhasakosa Lane, Chandinichowk, Cuttack, Odisha-753002** appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that "No instruction received from the Government for Appeal."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for M.Ed. Course with an annual intake of 24 students vide order dated 06.04.2000. A revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting M.Ed. course of two years duration with an annual intake of 50 (One unit) from the academic session 2015-16. The recognition of the M.Ed. programme was withdrawn by the ERC vide order dated 28.1.2020.

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January,



2

2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+9) members dated 19.05.2022 approved by the Registrar, Utkal University, Vani Vihar, Bhubaneswar as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of Building Completion Certificate approved by the Assistant Engineer, Tulsipur (R & B) Section, Cuttack on dated 30.07.2021.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 28.01.2020. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Eastern Regional Committee and decision taken accordingly.

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

“Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order



automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed."

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 28.01.2020 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

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

IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।



Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Radhanath Institute of Advanced Studies in Education, 1457, Sahebzada Bazar, Bhasakosa Lane, Chandinichowk, Cuttack, Odisha-753002**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Odisha.



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

**राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075**

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-206/E-263596/2022 Appeal/1st Meeting, 2023
APPLNRC202114118**

A.N.D. Teacher Training P.G. College, 118/1, Sitapur, Lucknow Road, Bijwar, Sitapur, Uttar Pradesh-261001 APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
---	------------------	---

Representative of Appellant	Dr. Pranita Singh, Associate Professor
Respondent by	Regional Director, NRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **A.N.D. Teacher Training P.G. College, 118/1, Sitapur, Lucknow Road, Bijwar, Sitapur, Uttar Pradesh-261001** dated 08/09/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No./NRC/NCTE/UP-311(UP-03)/M.Ed./338th Meeting (Part-2)/2021/215197** dated 10/08/2021 of the Northern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that “(i). 1st Show Cause Notice was issued on 22.02.2018 for non-compliance of the Revised Recognition Order. (ii). 2nd Show Cause Notice was issued on 11.10.2020 for non-compliance of the Revised Recognition Order.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Pranita Singh, Associate Professor of A.N.D. Teacher Training P.G. College, 118/1, Sitapur, Lucknow Road, Bijwar, Sitapur, Uttar Pradesh-261001 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda, it is submitted that: “It was not cleared from your letter.No.NRC/NCTE/Common Order/RRO/2021/213799 Date 30/03/2021 from your emails that where the detail of compliance has to be submitted. Even the first show cause notice referenced SCN dated 23/03/2018 was not received by us. So, we requested you to provide the details of SCN and the notice on under mentioned email id – acharyandev-ttc@rediffmail.com the copy of email in this regard which we had sent to you is also enclosed with this appeal.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for M.Ed. Course with an annual intake of 25 students vide order dated 25.07.2000. A revised provisional recognition order was issued to the institution on dt. 08.06.2015 for conducting M.Ed. course of two years duration with an annual intake of 50 (One unit) from the academic session 2015-16. The recognition of the institution was withdrawn vide order dated 10.08.2021.



The Appeal Committee in its 1st Meeting, 2023 held on 30.01.2023 considered the documents submitted alongwith the Memorandum of Appeal as compliance of grounds of withdrawal order and observed that the appeal of the institution is still deficient on the following points: -

- (i) A copy of letter dated 20.01.2023 addressed to the Registrar, Lucknow University requesting therein to give name of the panel expert for the purpose of appointment of faculty for M.Ed. programme.
- (ii) A copy of advt. for appointment of faculty published in the newspaper.

The Appeal Committee noted that the institution has also not submitted faculty list duly approved by the affiliating University, however, the institution has submitted only advertisement for appointment of faculty published in the newspaper alongwith a copy of letter dated 20.01.2023 addressed to the Registrar, Lucknow University, the same are in contingent nature as such the advertisement for the appointment of faculty cannot be relied upon at this stage.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the NRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 10.08.2021 issued by NRC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the NRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 10.08.2021 issued by NRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।


Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, A.N.D. Teacher Training P.G. College, 118/1, Sitapur, Lucknow Road, Bijwar, Sitapur, Uttar Pradesh-261001**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-212/E-264595/2022 Appeal/1st Meeting, 2023
APPLSRC202214430**

Priyadarshini College of Education (B.Ed.), 405/44, Armour, Housing Board Colony, Nizamabad, Telangana-503224 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
---	------------------	---

Representative of Appellant	No one presented
Respondent by	Regional Director, SRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

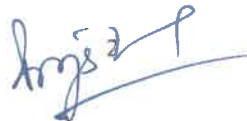
ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Priyadarshini College of Education (B.Ed.), 405/44, Armoor, Housing Board Colony, Nizamabad, Telangana-503224** dated 25/07/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APSO7134/B.Ed./TS/2019** dated 02.07.2019 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i) The College was permitted during 2004-05 with a condition to shift to new building constructed as per NCTE norms. The management has not complied with. (ii) Though repeatedly asked to submit all the relevant documents including Building Plan. The management is taking shelter under some pretext or the other. (iii) Even communication was sent to pay the fee for causing inspection. The management not responded.”

II. SUBMISSIONS MADE BY APPELLANT: -

No one from **Priyadarshini College of Education (B.Ed.), 405/44, Armoor, Housing Board Colony, Nizamabad, Telangana-503224** appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that “(i). The NCTE-SRC passed ex-parte orders dt.13.01.2021 without notice/hearing withdrawn recognition to 2-year B.Ed. course, is totally illegal and contrary to law. (ii). The copy of letter dt.12.01.2021 sent by Telangana University, Nizamabad not served by NCTE-SRC or by university till date. (iii). The institute came to know withdrawing recognition dt.02.07.2019 by proc. Dt. 13.01.2021, both copies are not served till date. It is mandatory to communicate said orders to institute by NCTE-SRC through reg. Post, otherwise it can't withdraw recognition to B.Ed. course, hence both orders are liable to be set aside by allowing institution to admit students into 2 years B.Ed. course from 2022-2023 academic year onwards. (iv). Appellant is not aware on what ground, facts/law, the recognition was withdrawn by said orders dt.02/07/2019, hence it is not binding on the appellant. The NCTE-SRC can't withdraw recognition by proc. Dt.02/07/2019, 13/01/2021 unilaterally by keeping the appellant in dark, hence both orders are unsustainable under law, being violative of Sec. 17 of



NCTE Act. (iv). The NCTE-SRC orders dt.02.07.2019 seems to have not communicated to university also, hence affiliation given to appellant also for 2021-22 by Lr No. 457/B.Ed./Ext. Affil/DAA/2021-22, dt.28/09/2021 and check approved staff by Lr No. 380/REG-DAA/TU/NZB/B.Ed.-Appr. Of staff/2022, dt 14/06/2022, otherwise the university could not given affiliation, if the orders dt.02.07.2019 were communicated to Telangana University, Nizamabad – TS. It is clear cut evidence to support appellant's version. (v). It is mandatory to serve notice and hear the appellant before passing orders dt.02.07.2019, 13.01.2021, otherwise NCTE-SRC can't withdraw recognition at all, hence permit the institute to admit the students from 2022-2023 academic year onwards. (vi). The orders dt.02/07/2019, 13/01/2021, does not disclose that NCTE-SRC withdrawn recognition to 2 years B.Ed. course after serving notice/hearing as per Sec. 17, hence it is total violation of law, principles of natural justice and liable to be set aside forthwith. (vii). The NCTE-SRC not given any notice to appellant to deficiencies in running institute till today. (viii). The appeal period is liable to be excluded from 15.03.2020 to 28.02.2022 as held by Apex court in *Suo Moto WP in MA No 20/2022* in *Suo Moto WP (c) 3/2020*, dt.10.01.2022, due to covid-19. (ix). In similarly situated case, Hon'ble High Court, Hyderabad set aside orders of NCTE-SRC, dt.02.07.2019 in *WP 22284/2019*, dt 08.03.2021. (x). The delay of 84 days caused in filing this Appeal for not serving said 2 order copies by NCTE-SRC and correspondent was also not well due to Jaundice and filing this Appeal after his recovery, hence delay of 84 days may be condoned, in the ends of justice. (xi). The appellate prays to stay the orders No.F.No.SRC/NCTE/122948-2945, dt.13.02.2021, No.F.SRO/NCTE/APS07314/B.Ed./ TS/2019/106388-6393, dt.02/07/2019 pending the Appeal. The other grounds will be urged at the time of hearing. Therefore, it is prayed that this Hon'ble authority may be pleased to set aside impugned orders dt.13.01.2021, dt.02.07.2019, No.F.No.SRC/NCTE/122948-2945, No.F.SRO/NCTE/APS07314/B.Ed./TS/2019/1063 88-6393, passed without notice, hearing appellant and pass such other orders as deemed fit and proper in the circumstances of case, otherwise it will result in grave miscarriage of justice."




III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 01.10.2007. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 23.01.2018 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 06.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution was withdrawn vide order dated. 02.07.2019.

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the matter was taken up by the Appeal committee for hearing in its 9th meeting held on 19th November, 2022 and further taken up in its 11th meeting held on 29th December 2022, but nobody has appeared to represent the institution. Further, the matter was again taken up in 1st Meeting held on 30th January 2023, however, on the said date also nobody has appeared to represent the institution before the Appellate Committee. The Committee decided not to grant another date for hearing to the institution and decided to consider the documents and passed appropriate order on the basis of material available on record.

The Appeal Committee in its 1st Meeting, 2023 held on 30.01.2023 considered the documents submitted alongwith the Memorandum of Appeal as compliance of grounds of withdrawal order and observed that the appeal of the institution is still deficient on the following points: -

- (i) A copy of letter dated 14.06.2022 and 24.2.2020 issued by Telangana University regarding faculty. This institution has not submitted list of faculty in the prescribed format of NCTE. Further, the institution has failed to submit copies of certificates of academic & professional educational qualification viz. B.Ed., M.Ed., NET, Ph.D etc. and experience of teaching staff.



The Appeal Committee noted that the institution has not submitted any documents to show as to whether the institution has been shifted to its own building or not.

The Appeal Committee further noted that the institution has failed to explain this deficiency as pointed out by the SRC in its withdrawal order dated 02.07.2019 even during the hearing of online appeal.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 02.07.2019 issued by SRC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 02.07.2019 issued by SRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

- 1. The Principal, Priyadarshini College of Education (B.Ed.), 405/44, Armoor, Housing Board Colony, Nizamabad, Telangana-503224**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Telangana.



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-234/E-273248/2022 Appeal/1st Meeting, 2023
APPLSRC202214457

Rangumudri College of Education, 165-9 & 165-10, Iruvada, Sai Lakshmi Nagar, Chilakalapalli, Vangara, Srikakulam, Andhra Pradesh-535557 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
---	------------------	---

Representative of Appellant	Mr. Rellu Ganapathi Rao, Director of Admin
Respondent by	Regional Director, SRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Rangumudri College of Education, 165-9 & 165-10, Iruvada, Sai Lakshmi Nagar, Chilakalapalli, Vangara, Srikakulam, Andhra Pradesh-535557** dated 21/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order **F.SRC/NCTE/APSO0276/B.Ed./AP/2022/132939** dated 25/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution failed to submit reply to the last reminder letter 08.03.2021."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Rellu Ganapathi Rao, Director of Admin, Rangumudri College of Education, 165-9 & 165-10, Iruvada, Sai Lakshmi Nagar, Chilakalapalli, Vangara, Srikakulam, Andhra Pradesh-535557 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that "Herewith we are submitting the latest approved staff list issued by the registrar, Dr. B.R. Ambedkar University, Srikakulam Dist. for your kind perusal and orders."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 03.03.2003. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 31.12.2014 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 26.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16.



The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 30th January, 2023 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+16) members dated 21.09.2022 approved by the Registrar, Dr. B. R. Ambedkar University, Etcherla, Srikakulam, Andhra Pradesh as per provisions of the NCTE Regulations, 2014.

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021, passed in W.P. (C) 4382/2021 has observed as follows: -

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

Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 30.07.2021, passed in W.P. (C) 7260/2021 has observed as follows: -

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

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



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

IV. DECISION: -

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

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

- 1. The Principal, Rangumudri College of Education, 165-9 & 165-10, Iruvada, Sai Lakshmi Nagar, Chilakalapalli, Vangara, Srikakulam, Andhra Pradesh-535557**
- 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 / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-237/E-274833/2022 Appeal/1st Meeting, 2023
APPLWRC202214281

Aaryan D.El.Ed. College, 829/2, Jagdishpura, Dabla Road, Sarund, Kotputli, Jaipur, Rajasthan-303108 APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
--	------------------	--

Representative of Appellant	No one presented
Respondent by	Regional Director, WRC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF REFUSAL

The appeal of Aaryan D.El.Ed. College, 829/2, Jagdishpura, Dabla Road, Sarund, Kotputli, Jaipur, Rajasthan-303108 dated 10/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order NRCAPP5147/347th/2021-{218851-218852} dated 24/12/2021 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that “(i). The institute has not submitted the proof of submission of initial application as mentioned in the point no.2 of the Show Cause Notice dt.03.08.2021. (ii). The institute has not submitted the proof of rejection of initial application as mentioned in point no.3 of the Show Cause Notice dt.03.08.2021.”

II. SUBMISSIONS MADE BY APPELLANT: -

No one from Aaryan D.El.Ed. College, 829/2, Jagdishpura, Dabla Road, Sarund, Kotputli, Jaipur, Rajasthan-303108 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that “(i). We submitted original file with all documents attached no.1 to 17 as on 01.01.2013 in NRC office. This receipt is attached with this appeal. (ii). We submitted the rejection order by NRC dt.19.06.2013 reply with Hon'ble in the High Court of Delhi in New Delhi as on 22.02.2021 with all documents. We submitted Show Cause Notice dt.03.08.2021 reply with all documents as on 31.08.2021.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution had submitted an application to the Western Regional Committee for grant of recognition for seeking permission for running the D.El.Ed. course on 28.12.2012. The said application was refused vide order dated 24.12.2021.



Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the matter was taken up by the Appeal committee for hearing in its 9th meeting held on 19th November, 2022 and further taken up in its 11th meeting held on 29th December 2022, but nobody has appeared to represent the institution. Further, the matter was again taken up in 1st Meeting held on 30th January 2023, however, on the said date also nobody has appeared to represent the institution before the Appellate Committee. The Committee decided not to grant another date for hearing to the institution and decided to consider the documents and passed appropriate order on the basis of material available on record.

The Appeal Committee noted that the application of the institution for D.El.Ed. programme was refused vide order dated 24.12.2021 and since then the institution has not been granted recognition. The Committee further noted that General Body of the NCTE in its 55th meeting held on 14.07.2022 *inter-alia* has taken a following policy decision that the applications pending before the Regional Committees of NCTE shall not be processed further: -

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

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

- The NEP 2020 lays down that teacher education institutions will be gradually moved into multidisciplinary colleges and universities by 2030. By 2030, the minimal qualification for a person to become a teacher will be the 4 Year integrated B.Ed. degree.
- The 2 Year B.Ed. program will also be offered only for those who have already obtained Bachelor's Degrees in other specialized subjects and the 1 Year B.Ed. program for those who have completed the equivalent of 4 Year multidisciplinary Bachelor's Degrees or who have obtained a Master's degree in a specialty and wish to become a subject teacher in that specialty.
- As per provision of Section 12 of NCTE Act, 1993 it shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of Teacher Education.




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

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

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

Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution and, therefore, the order of the WRC dated 24.12.2021 refusing recognition for D.El.Ed. programme of the institution is confirmed.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 24.12.2021 of WRC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।



Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. The Principal, Aaryan D.El.Ed. College, 829/2, Jagdishpura, Dabla Road, Sarund, Kotputli, Jaipur, Rajasthan-303108
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan.



IN THE NCTE APPELLATE AUTHORITY / एनसीटीई अपीलिय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-239/E-274971/2022 Appeal/1st Meeting, 2023
APPLERC202214455

Sahid Khudiram College of Education, Dakshin Mechogram, NH-6, Uttar Mechogram, Tamluk, Midnapur, West Bengal-721139 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
---	------------------	--

Representative of Appellant	Dr. Shubhasis Samai, Trustee Member
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Sahid Khudiram College of Education, Dakshin Mechogram, NH-6, Uttar Mechogram, Tamluk, Midnapur, West Bengal-721139** dated 20/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order **ERC/306.14/ERCAPP3965/B.Ed./2022/65944** dated 22/07/2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has submitted Land Documents wherein the total land area is only 3078.41 sq. mt. for two units of B.Ed. programme and two units of D.El.Ed. programme. As per NCTE Regulations, the land area of 3500 sq. mt. is required for 2-unit B.Ed. Course and 2-unit D.El.Ed. Course. Hence, the institution does not fulfil the land requirement as per NCTE Regulations, 2014 as amended from time to time.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Shubhasis Samai, Trustee Member of Sahid Khudiram College of Education, Dakshin Mechogram, NH-6, Uttar Mechogram, Tamluk, Midnapur, West Bengal-721139 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that “(i). It is stated that receiving the notification of the withdrawal of recognition from the next academic session the college authority, being the appellant after rigorous effort and with its limitation of financial capacity managed to buy a land of 15.433 decimal on 16.09.2022 to recover the short fall of land area as required under the said regulation and by now the college is fulfilling the land criteria as required under the statute. The details of the land purchased after the notification of De-recognition is as follow: All the piece and parcel of land lying and situated in district Purba Midnapur, P.S and ADSR Panskura, Mouza Dakshin Mechogram, JL No.74, R.S Khatian No.349, L.R Khatian No.5751, Rs and L.R Plot No.1553, area measuring 15.433 decimals. The deed is executed and registered before the additional District Sub Registrar Panskura, District-Purba Midnapur and recorded in book no. 1, CD Volume No.1111-2022, pages from 140078-140089, being No.111108675 for the year 2022. Now the total land of the college is 76 + 15.433 = 91.433 decimal or 3699.82 Sq. meter (ii). For that the college is having no deficiency of land area and it is satisfying all the criteria required to get recognition under



NCTE Regulation of 2014. (iii). For that the college has all infrastructural facility and 4023.44 sq. meter build up area from the beginning of the college to undergo training course in terms of regulation of NCTE 2014 and therefore the recognition of 2-unit B.Ed. and 2-unit D.El.Ed. to be restored. (iv). For that the college is running with a student's strength of 400 students (200 each year) as per the existing capacity. The students would be worst sufferer if the recognition is withdrawn from the next session as there is no such college in the vicinity which can cope up the increasing demand of trained teachers and moreover these the employees will lose their job. (v). For that if the recognition for the next academic session is not granted then college will suffer irreparable loss and injury as the trust which runs the college has invested a lot of money which cannot be recovered unless the colleges run to its full capacity. (vi). It is stated that the impugned notification was issued on 22.7.22 and this appeal is preferred within 60 days in terms of the regulation of NCTE and hence there is no delay in preferring this appeal and the same is well within the stipulated period of time. In the circumstances stated above the appellant most respectfully prays that the notification vide ERC/306.14/ERCAPP3965/B.Ed../2022/665944 dated 22.07.2022 issued by the regional director, ERC, NCTE, New Delhi is set aside, cancelled, quashed and an order be passed for directing the NCTE authorities to grant restoration of recognition to the college for 2 unit B.Ed. (100 seat) and 2-unit D.El.Ed. (100 seat) Course for the next academic year. (vii). It is stated that receiving the notification of the withdrawal of recognition from the next academic session the college authority, being the appellant after rigorous effort and with its limitation of financial capacity managed to buy a land of 15.433 decimal on 16.09.2022 to recover the short fall of land area as required under the said regulation and by now the college is fulfilling the land criteria as required under the statue. The details of the land purchased after the notification of De-recognition is as follows: all the piece and parcel of land lying and situated in district purba Midnapur, P.S and ADSR Panskura, Mouza Dakshin Mechogram, JL No.74, R.S Khatian No.349, L.R Khatian No.5751, RS and L.R Plot No.1553, area measuring 15.433 decimal. The deed is executed and registered before the additional, District Sub Registrar Panskura, District-Purba Midnapur and Recorded in Book No.1, CD Volume No.1111-2022, pages from 140078-140089, being no.111108675 for the year 2022. Now the total land of the college is $76 + 15.433 = 91.433$ decimal or 3699.82 sq. meter. (viii). For that the college is now having no deficiency of land area and it is satisfying all the criteria required to get recognition under NCTE Regulation of 2014. (ix). For that the college has all infrastructural facility and 4023.44 sq meter build ap area from the beginning of the college to undergo training course in terms of regulation of NCTE 2014 and therefore the recognition of 2-unit B.Ed. and 2-unit D.El.Ed. to be restored. (x). For that the college is running with a student's strength of 400 students (200



each year) as per the existing capacity. The students would be worst sufferer if the recognition is withdrawn from the next session as there is no such college in the vicinity which can copy up the increasing demand of trained teachers and moreover these the employees will lose their job. (xi) For that if the recognition for the next recognition for the next academic session is not granted then college will suffer irreparable loss and injury as the trust which runs the college has invested a lot of money which cannot be recovered unless the colleges run to its full capacity. (xii). It is stated that the impugned notification was issued on 22.07.2022 and this appeal preferred within 60 days in terms of the regulation of NCTE and hence there is no delay in preferring this appeal and the same is well within the stipulated period of time. In the circumstances stated above the appellant most respectfully prays that the notification vide ERC/306.15/ERCAPP3950/D.El.Ed.2022/65950 dated 22.07.2022 issued by the regional director, ERC, NCTE, New Delhi is set aside, cancelled, quashed and an order be passed for directing the NCTE authorities to grant restoration of recognition to the college for 2 unit B.Ed. and 2 unit D.El.Ed. course for the next academic year.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 26.04.2017. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 22.07.2022.

The Appeal Committee in its 1st Meeting, 2023 held on 30.01.2023 considered the documents submitted alongwith the Memorandum of Appeal as compliance of grounds of withdrawal order and observed that the appeal of the institution is still deficient on the following points: -

- (i) The institution has submitted land documents dated 16.9.2022 for additional land of 15.433 decimal after withdrawal of recognition by the ERC. The land was purchased subsequently after the withdrawal of recognition which contravenes the provisions of the clause 5 (3) of the NCTE Regulations 2014 amended vide notification dated 5.5.2022 which states that the society or institution applying for the programme possesses land on the date of application issued by competent authority.



Hence, the Appeal Committee is of the view that the appellant institution did not possess the requisite land at the time of its recognition. Further the land was purchased after the withdrawal of recognition of the institution and the same is not acceptable with respect to NCTE Regulations, 2014. The Appeal Committee concluded that the ERC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 22.07.2022 issued by ERC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the ERC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 22.07.2022 issued by ERC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Sahid Khudiram College of Education, Dakshin Mechogram, NH-6, Uttar Mechogram, Tamluk, Midnapur, West Bengal-721139**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.



IN THE NCTE APPELLATE AUTHORITY /एनसीटीई अपीलीय प्राधिकरण में

NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)

G-7, Sector-10, Dwarka, New Delhi-110075

राष्ट्रीय अध्यापक शिक्षा परिषद् (एन.सी.टी.ई.)
जी-7, सेक्टर-10, द्वारका, नई दिल्ली-110075

Date /दिनांक - 09/02/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-238/E-274970/2022 Appeal/1st Meeting, 2023
APPLERC202214456

Sahid Khudiram College of Education, Dakshin Mechogram, NH-6, Uttar Mechogram, Tamluk, Midnapur, West Bengal-721139 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
---	------------------	--

Representative of Appellant	Dr. Shubhasis Samai, Trustee Member
Respondent by	Regional Director, ERC
Date of Hearing	30.01.2023
Date of Pronouncement	09.02.2023

ORDER/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Sahid Khudiram College of Education, Dakshin Mechogram, NH-6, Uttar Mechogram, Tamluk, Midnapur, West Bengal-721139** dated 20/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order **ERC/306.15/ERCAPP3950/D.El.Ed./2022/65950** dated 22/07/2022 of the Eastern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "(i). The institution has submitted Land Documents wherein the total land area is only 3078.41 sq. mt. for two units of B.Ed. programme and two units of D.El.Ed. programme. As per NCTE Regulations, the land area of 3500 sq. mt. is required for 2-unit B.Ed. Course and 2-unit D.El.Ed. Course. Hence, the institution does not fulfil the land requirement as per NCTE Regulations, 2014 as amended from time to time."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Shubhasis Samai, Trustee Member of Sahid Khudiram College of Education, Dakshin Mechogram, NH-6, Uttar Mechogram, Tamluk, Midnapur, West Bengal-721139 appeared online to present the case of the appellant institution on 30.01.2023. In the appeal memoranda it is submitted that "(i). It is stated that receiving the notification of the withdrawal of recognition from the next academic session the college authority, being the appellant after rigorous effort and with its limitation of financial capacity managed to buy a land of 15.433 decimal on 16.09.2022 to recover the short fall of land area as required under the said regulation and by now the college is fulfilling the land criteria as required under the statue. The details of the land purchased after the notification of De-recognition is as follow: All the piece and parcel of land dying and situated in district Purba Midnapur, P.S and ADSR Panskura, Mouza Dakshin Mechogram, JL No.74, R.S Khatian No.349, L.R Khatian No.5751, Rs and L.R Plot No.1553, area measuring 15.433 decimals. The deed is executed and registered before the additional District Sub Registrar Panskura, District-Purba Midnapur and recorded in book no. 1, CD Volume No.1111-2022, pages from 140078-140089, being No.111108675 for the year 2022. Now the total land of the college is 76 + 15.433 = 91.433 decimal or 3699.82 Sq. meter (ii). For that the college is not having no deficiency of land area and it is satisfying all the criteria required to get recognition under



NCTE Regulation of 2014. (iii). For that the college has all infrastructural facility and 4023.44 sq. meter build up area from the beginning of the college to undergo training course in terms of regulation of NCTE 2014 and therefore the recognition of 2-unit B.Ed. and 2-unit D.El.Ed. to be restored. (iv). For that the college is running with a student's strength of 400 students (200 each year) as per the existing (200 each year) as per the existing capacity. The students would be worst sufferer if the recognition is withdrawn from the next session as there is no such college in the vicinity which can cope up the increasing demand of trained teachers and moreover these the employees will lose their job. (v). For that if the recognition for the next academic session is not granted then college will suffer irreparable loss and injury as the trust which runs the college has invested a lot of money which cannot be recovered unless the colleges run to its full capacity. (vi). It is stated that the impugned notification was issued on 22.7.22 and this appeal is preferred within 60 days in terms of the regulation of NCTE and hence there is no delay in preferring this appeal and the same is well within the stipulated period of time. In the circumstances stated above the appellant most respectfully prays that the notification vide ERC/306.15/ERCAPP3950/D.El.Ed./2022/65950 dated 22.07.2022 issued by the regional director, ERC, NCTE, New Delhi is set aside, cancelled, quashed and an order be passed for directing the NCTE authorities to grant restoration of recognition to the college for 2 unit B.Ed. and 2 unit D.El.Ed. Course for the next academic year. (vii). It is stated that receiving the notification of the withdrawal of recognition from the next academic session the college authority, being the appellant after rigorous effort and with its limitation of financial capacity managed to be buy a land of 15.433 decimal on 16.09.2022 to recover the short fall of land area as required under the said regulation and by now the college is fulfilling the land criteria as required under the statue. The details of the land purchased after the notification of De-recognition is as follows: all the piece and parcel of land lying and situated in district purba Midnapur, P.S and ADSR Panskura, Mouza Dakshin Mechogram, JL No.74, R.S Khatian No.349, L.R Khatian No.5751, RS and L.R Plot No.1553, area measuring 15.433 decimal. The deed is executed and registered before the additional district sub registrar Panskura, District Sub Registrar Panskura, District-Purba Midnapur and Recorded in Book No.1, CD Volume No.1111-2022, pages from 140078-140089, being no.111108675 for the year 2022. Now the total land of the college is $76 + 15.433 = 91.433$ decimal or 3699.82 sq. meter. (viii). For that the college is now having no deficiency of land area and it is satisfying all the criteria required to get recognition under NCTE Regulation of 2014. (ix). For that the college has all infrastructural facility and 4023.44 sq meter build ap area from the beginning of the college to undergo training course in terms of regulation of NCTE 2014 and therefore the recognition of 2-unit B.Ed. and 2-unit D.El.Ed. to be restored. (x). For that the college is running with a



student's strength of 400 students (200 each year) as per the existing capacity. The students would be worst sufferer if the recognition is withdrawn from the next session as there is no such college in the vicinity which can copy up the increasing demand of trained teachers and moreover these the employees will lose their job. (xi) For that if the recognition for the next recognition for the next academic session is not granted then college will suffer irreparable loss and injury as the trust which runs the college has invested a lot of money which cannot be recovered unless the colleges run to its full capacity. (xii). It is stated that the impugned notification was issued on 22.07.2022 and this appeal preferred within 60 days in terms of the regulation of NCTE and hence there is no delay in preferring this appeal and the same is well within the stipulated period of time. In the circumstances stated above the appellant most respectfully prays that the notification vide ERC/306.14/ERCAPP3965/B.Ed./2022/6544 dated 22.07.2022 issued by the regional director, ERC, NCTE, New Delhi is set aside, cancelled, quashed and an order be passed for directing the NCTE authorities to grant restoration of recognition to the college for 2 unit B.Ed. (100 seat) and 2 unit D.El.Ed. (100 seat) course for the next academic year."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for D.El.Ed. Course with an annual intake of 100 students vide order dated 02.05.2017. The recognition of the institution for D.El.Ed. programme was withdrawn by the ERC vide order dated 22.07.2022.

The Appeal Committee in its 1st Meeting, 2023 held on 30.01.2023 considered the documents submitted alongwith the Memorandum of Appeal as compliance of grounds of withdrawal order and observed that the appeal of the institution is still deficient on the following points: -

- (i) The institution has submitted land documents dated 16.9.2022 for additional land of 15.433 decimal after withdrawal of recognition by the ERC. The land was purchased subsequently after the withdrawal of recognition which contravenes the provisions of the clause 5 (3) of the NCTE Regulations 2014 amended vide notification dated 5.5.2022 which states that the society or institution applying for the programme possesses land on the date of application issued by competent authority.




Hence, the Appeal Committee is of the view that the appellant institution did not possess the requisite land at the time of its recognition. Further the land was purchased after the withdrawal of recognition of the institution and the same is not acceptable with respect to NCTE Regulations, 2014. The Appeal Committee concluded that the ERC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 22.07.2022 issued by ERC is confirmed.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the ERC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 22.07.2022 issued by ERC is confirmed.

The above decision is being communicated on behalf of the Appeal Committee/ उपरोक्त निर्णय अपील समिति की ओर से सूचित किया जा रहा है।



Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

- 1. The Principal, Sahid Khudiram College of Education, Dakshin Mechogram, NH-6, Uttar Mechogram, Tamluk, Midnapur, West Bengal-721139**
- 2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.**
- 4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.**