



**IN THE NCTE APPELLATE AUTHORITY**  
**NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)**  
 G-7, Sector 10, Dwarka, New Delhi-110 075

Date: 10/09/2021

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

**File No. 89-202/E-191474/2021 Appeal/19<sup>th</sup> Meeting, 2021**  
**Appeal No. APPLWRC202114054**

Late Dagadabai Champalal Biyani Shaikshanik Vika, Bhusawal Sanchalit Biyani B.Ed. College, Mirgavhan, 96/1/2/3, Bhusawal, Jamner Road, Jalgaon, Maharashtra – 425201	<b><u>Vs</u></b>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
<b><u>(APPELLANT)</u></b>		<b><u>(RESPONDENT)</u></b>

<b>Representative of Appellant</b>	Sh. Sunil Pihul, Representative
<b>Respondent by</b>	Regional Director, WRC
<b>Date of Hearing</b>	16/08/2021
<b>Date of Pronouncement</b>	10/09/2021

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of Late Dagadabai Champalal Biyani Shaikshanik Vika, Bhusawal Sanchalit Biyani B.Ed. College, Mirgavhan, 96/1/2/3, Bhusawal, Jamner Road, Jalgaon, Maharashtra dated 23/06/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. WRC/APW02728/123324/321<sup>st</sup>/2020/212464-212470 dated 10.12.2020 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Recognition was granted to the institution on 01.07.2008 on rented premises with a condition to shift the institution in its own premises within a period of three years from the date of issue of recognition order. The institution has not shifted the

*tesy hope*

institution in its own premises till date. Accordingly, Show Cause Notice was issued to the institution on 09.10.2020. The institution has not submitted the reply of the Show Cause Notice till date. In view of above, the Committee decided that the recognition of B.Ed. programme of the institution be withdrawn under clause 7(15) from the next academic session 2021-2022."

## II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Sunil Pihul, Representative, Late Dagadabai Champalal Biyani Shaikshanik Vika, Bhusawal Sanchalit Biyani B.Ed. College, Mirgavhan, 96/1/2/3, Bhusawal, Jamner Road, Jalgaon, Maharashtra presented online the case of the appellant institution on 16/08/2021. In the appeal and during online presentation it was submitted that "The Appellant is a trust namely Late Dagadabai Champalalji Biyani Shaikshanik Vikas Mandal, Bhusawal. In the year 2007-08, the Appellant made application to the National Council for Teacher Education to open and establish B.Ed. College at Mirgavhan, Bhusawal, Dist. Jalgaon (Maharashtra State). Along with application, the Appellant had submitted relevant documents, and paid required Fees. Appellant submits that, by Order dated 1.7.2008 the Regional Director, National Council for Teacher Education, Western Regional Committee granted recognition to Late Dagadabai Champalalji Biyani Shaikshanik Vikas Mandal, Bhusawal to establish Biyani B.Ed. College at Mirgavhan, Near Govt ITI, Jamner Road, Bhusawal, Tq. Bhusawal, Dist. Jalgaon, Maharashtra State with the intake capacity of the students mentioned in the Recognition Order. Appellant submits that, subsequently revised Recognition Order was issued by the Regional Director, National Council for Teacher Education, Western Regional Committee on 27.8.2015. Appellant submits that, the North Maharashtra University, Jalgaon granted affiliation to the Appellant-Trust to run the B.Ed. Course from the academic year 2008-2009 and subsequently every year extension of affiliation was granted by the North Maharashtra University, Jalgaon. Appellant submits that, necessary Government Resolution was issued by the State of Maharashtra pursuant to the Recognition Order issued by the National Council for Teacher Education and accordingly, every year the students were allotted to the Appellant- Institution from Centralized Admission Process conducted by the Director of Higher & Technical Education, State of Maharashtra,

*Karup 9/10/21*



Mumbai. Appellant submits that, the Withdrawal Order dated 10.12.2020 was received in the College which was placed before the Management by the authorities in the month of January 2021. Appellant most respectfully submits that, the Appellant did not receive any Show Cause Notice issued by the Western Regional Committee dated 9.10.2020 and therefore, could not answer the same. Appellant submits that, the order of withdrawal of recognition passed by the Western Regional Committee is without following the principles of natural justice. At no point of time, opportunity was given to the Appellant to respond to the deficiencies, if any, observed by the Western Regional Committee. The Appellant at the cost of repetition submits that, at no point of time the Appellant has received Show Cause Notice dated 9.10.2020 and therefore, there is no occasion to the Appellant to reply the Show Cause Notice. Appellant further submits that, though initially the Appellant was in rented premises, subsequently they have shifted in its own place since 2010. 7/12 Extract of the said property categorically shows that the Appellant- Trust has its own land where B.Ed. Course is conducted. Copy of the 7/12 Extract of the land belonging to Appellant- Trust where the B.Ed. Course is conducted is annexed herewith. Appellant submits that, the requisite construction to conduct the B.Ed. Course is available with the Appellant- Institute and all the students of B.Ed. Course are imparting education at the same place in a building constructed on the land owned by the Appellant- Trust. Copies of the details regarding plan of the building and area along with Certificate of Architect are annexed herewith and marked as Exhibit-E Collectively. Appellant most respectfully submits that, as the Appellant did not receive the Show Cause Notice, it could not point out all these facts before the Western Regional Committee and without there being opportunity to the Appellant, the Withdrawal Order dated 10.12.2020 was issued which is not legal and proper. Appellant submits that, due to Covid-19 pandemic situation, there is some delay in filing the present appeal which is not deliberate or intentional and therefore, the delay in filing the present appeal deserved to be condoned in the facts and circumstances of the case. Appellant submits that at present there are 50 Students in 1st Year and 50 Students in 2nd Year in the Appellant- Institute imparting education in B.Ed. Course. As well, the Appellant has employed necessary staff and also constructed its own building for conducting the B.Ed. Course. In such circumstances, without there being any reason, if the recognition of the Petitioner- Institute to run B.Ed. Course is abruptly

Resg. Y. K. P.



withdrawn, the Appellant- Trust will be put to irreparable loss. Appellant submits that, in the facts and circumstances mentioned hereinabove, the Appellant-Trust prays the Appellate Authority to grant necessary permission and Recognition Order to the Appellant- Trust to continue and conduct the B.Ed. Course in the academic year 2021-22 by quashing and setting aside the Withdrawal Order dated 10.12.2020 issued by the Regional Director, Western Regional Committee."

### III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution was granted recognition for conducting B.Ed. programme with an intake of 100 seats by an order issued on 01/07/2008. Committee on perusal of the above order dated 01/07/2008 could not find any condition making it obligatory on part of the appellant institution to shift the premises in a time bound manner. The revised recognition order dated 27/08/2015 also did not contain any condition regarding the obligation to shift.

2. Appeal Committee noted that Show Cause Notice (SCN) dated 09/10/2020 was issued quoting the condition to shift was on wrong context. Appellant has denied to have received this Show Cause Notice due to Covid pandemic condition. 2<sup>nd</sup> Show Cause Notice (SCN) was not issued by WRC. Issuing impugned withdrawal order dated 10/12/2020 on grounds of non shifting and non submission of reply of Show Cause Notice dated 09/10/2020 is neither justified nor sustainable.

3. Appeal Committee noted from the submissions made by appellant that appellant institution had shifted in year 2010 from the address where initial recognition was granted. Regulatory file does not contain any application made by appellant to seek approval of the Regional Committee to change the premises. Change in the address of institution without proper approval is irregular and not in accordance with Clause 8 (9) NCTE, Regulation. Regional Committee while revisiting the case should consider this aspect.

*Resg 9/12/20*



4. Appeal Committee decided to remand back the case to WRC for revisiting the mater. As the institution is not functioning from the address where it was granted recognition and also there is no official approval to shift, the impugned order of withdrawal will continue to be in force till the case is revisited after granting opportunity to the appellant to make written representation within a period of 15 days from the date of issue of appeal order.

#### IV. DECISION:-

**NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and submissions made during online presentation of the appeal case, Appeal Committee of the Council concluded to remand back the case of Late Dagadabai Champalal Biyani Shaikshanik Vika, Bhusawal Sanchalit Biyani B.Ed. College, Mirgavhan, 96/1/2/3, Bhusawal, Jamner Road, Jalgaon, Maharashtra to the WRC, NCTE, for necessary action as indicated above.**

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

**(Mrs. Kesang Yangzom Sherpa)**  
Member Secretary

#### Copy to: -

1. The President, Late Dagadabai Champalal Biyani Shaikshanik Vika, Bhusawal Sanchalit Biyani B.Ed. College, Mirgavhan, 96/1/2/3, Bhusawal, Jamner Road, Jalgaon, Maharashtra – 425201.
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, Mumbai.





**IN THE NCTE APPELLATE AUTHORITY**  
**NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)**  
 G-7, Sector 10, Dwarka, New Delhi-110 075

Date: 10/09/2021

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

**File No. 89-191/E-190167/2021 Appeal/19<sup>th</sup> Meeting, 2021**  
**Appeal No. APPLSRC202114055**

Chinmay Chandramathi College of Education, Devara Konda, 337, Nalgonda, Telangana - 508248	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
<b><u>(APPELLANT)</u></b>		<b><u>(RESPONDENT)</u></b>

<b>Representative of Appellant</b>	Sh. Sreedhar Laxman, Correspondent
<b>Respondent by</b>	Regional Director, SRC
<b>Date of Hearing</b>	16/08/2021
<b>Date of Pronouncement</b>	10/09/2021

**ORDER**

**I. GROUND OFS OF WITHDRAWAL**

The appeal of Chinmay Chandramathi College of Education, Devara Konda, 337, Nalgonda, Telangana dated 24/06/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APSO4253/B.Ed./{TS} /2020/126619-6619 dated 10.06.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "at the time of recognition on 05.07.2005, the managing society was Mahahlakshmi Devi Educational Society and different / another society namely Zarine Educational Society is shown while submission of reply of Final Show Cause Notice. The SRC observed the clear change in management which is not permissible under NCTE Act, rules and Regulations, 2014. The Building Plan submitted

*Keyf*



by the institution is not legible. The proforma of the staff submitted by the institution signed by the Registrar, Mahatma Gandhi University but the Date of the Approval is not mentioned over it. Six faculty namely N. Spandana, G. Saidulu, B. Saidhaiha, K. Venkat Reddy, G. Ganapathi and Anitha.M (6 faculty) have joined / appointed after 09.06.2017 do not possess the NET qualification, hence, are not qualified as per NCTE Regulations, 2014 (Amended vide its notification dated 09.06.2017 of NCTE)."

## II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Sreedhar Laxman, Correspondent, Chinmay Chandramathi College of Education, Devara Konda, 337, Nalgonda, Telangana presented online the case of the appellant institution on 16/08/2021. In the appeal and during personal presentation it was submitted that "Society is not changed our clerical error he sent by mistake other society documents on that time. Now we are sending Rs. 100 affidavit. The institution society is not changed. Blueprint is submitted fully legible. The latest staff approval from the University is submitting as per NCTE norms 2017. All six members is passed State Eligibility Teachers Test it also valid like net/slet and University also approved."

## III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that application seeking recognition for conducting B.Ed. programme was made by the Mahalakshmi Devi Education Society. Recognition granted to the appellant institution on the basis of documents submitted i.e. Building Completion Certificate, FDRs and affidavits, Inspection Report etc. mentioned the name of society as 'The Mahalakshmi Devi Education Society.' Appeal Committee noted that appellant in response to a Show Cause Notice (SCN) dated 25/11/2019 submitted documents on 20/12/2019 which contained Building Completion Certificate, FDRs, Land Use Certificate which were in the name of Zareen Educational Society. There is also no reason as to why 'Zareen Education Society' got FDRs prepared in the year 2019 to be submitted to SRC in joint name with Regional Director, SRC. Obviously, the FDRs, C.L.U. and Building Completion Certificate in the name of other society with same address cannot be a clerical error. Appellant with its

*Respectfully,  
[Signature]*



appeal memoranda has submitted copies of documents which are quite old and were submitted by the original and previous society while seeking recognition.

2. Appeal Committee decided to confirm the impugned order of withdrawal dated 10/06/2021. SRC is required to thoroughly examine the case to find whether 'Zareen Education Society' co exists conducting other teacher education programmes in the vicinity of Survey No. 137 where the appellant institute exists.

#### IV. DECISION:-

**NOW THEREFORE, after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Appeal Committee of the Council concluded that the SRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the SRC is confirmed.**

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

**(Mrs. Kesang Yangzom Sherpa)**  
Member Secretary

#### Copy to: -

1. The Secretary, Chinmay Chandramathi College of Education, Devara Konda, 337, Nalgonda, Telangana - 508248.
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, Hyderabad.





**IN THE NCTE APPELLATE AUTHORITY**  
**NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)**  
 G-7, Sector 10, Dwarka, New Delhi-110 075

Date: 10/09/2021

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

**File No. 89-192/E-190546/2021 Appeal/19<sup>th</sup> Meeting, 2021**  
**Appeal No. APPLWRC202114062**

Shri G.H. Patel College of Education, Hajipur, 287/1P2, Runi, Hajipur, Patan, Gujarat – 384265	<b><u>Vs</u></b>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi – 110075.
<b><u>(APPELLANT)</u></b>		<b><u>(RESPONDENT)</u></b>

<b>Representative of Appellant</b>	Sh. Sachin D. Patel, Trustee
<b>Respondent by</b>	Regional Director, WRC
<b>Date of Hearing</b>	16/08/2021
<b>Date of Pronouncement</b>	10/09/2021

**ORDER**

**I. GROUND OF RESTORATION**

The appeal of Shri G.H. Patel College of Education, Hajipur, 287/1P2, Runi, Hajipur, Patan, Gujarat dated 06/07/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. WRC/APW02629/323311/B.Ed./301<sup>st</sup>/GUJ/2018/201324 dated 05.02.2019 of the Western Regional Committee, restoring recognition for conducting B.Ed. Course on the grounds that "Show Cause Notice dated 18.09.2018 was issued to the institution. The institution in its reply dated 01.11.2018 has submitted a staff profile of 1+14 faculty members in original, which is sufficient for one unit. Staff at S. No. II (1) does not have the NET/Ph.D. qualification as per NCTE Regulations, 2014. FDRs for Rs.

*Key Note*

12.00 lakhs submitted. Hence, Recognition is restored for one unit (50 seats) of B.Ed. course.”

## II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Sachin D. Patel, Trustee, Shri G.H. Patel College of Education, Hajipur, 287/1P2, Runi, Hajipur, Patan, Gujarat presented online the case of the appellant institution on 16/08/2021. In the appeal and during personal presentation it was submitted that “We had permission of two units of B.Ed. course and only one unit was restored, and the second unit of B.Ed. course is pending so request to kindly restore second unit of B.Ed. course”

## III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution with its appeal memoranda has submitted copy of a letter dated 25/11/2019 by which it had submitted the particulars of faculty of Fine Arts approved by affiliating University on 19/11/2019.

2. Appeal Committee noted that recognition for conducting B.Ed. course was withdrawn by WRC by an order dated 21/02/2018. Appellate Authority by its order dated 07/08/2018 remanded back the case to WRC to revisit the case on merits. WRC after revisiting the case, issuing Show Cause Notice dated 18/09/2018 and considering the documents submitted by appellant issued a restoration order dated 05/02/2019. As the list of faculty submitted by appellant did not contain adequate number of faculty the restoration order restricted the intake as one unit (50 seats). Appeal Committee after a lapse of more than 2 years do not find any reason to restore the 2<sup>nd</sup> unit. Appellant institution is however, at liberty to apply for additional intake afresh as and when NCTE issues notification inviting applications for the course. The impugned order of restoration dated 05/02/2019 is confirmed.

*K. S. G. / M. S. G.*



IV. DECISION:-

NOW THEREFORE, after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Appeal Committee of the Council concluded that the WRC was justified in restoring recognition and therefore, the appeal deserved to be rejected and the order of the WRC is confirmed.

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

(Mrs. Kesang Yangzom Sherpa)  
Member Secretary

Copy to: -

1. The Managing Trustee, Shri G.H. Patel College of Education, Hajipur, 287/1P2, Runi, Hajipur, Patan, Gujarat – 384265.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



**IN THE NCTE APPELLATE AUTHORITY**  
 NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)  
 G-7, Sector 10, Dwarka, New Delhi-110 075

Date: 10/09/2021

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

**File No. 89-193/E-190528/2021 Appeal/19<sup>th</sup> Meeting, 2021**  
**Appeal No. APPLNRC202114058**

Prabhat Academy, Lohangpur, 145 - 146, Biharganj, Amethi Allahabad Road, Sadar, Partapgarh, Uttar Pradesh – 230001	<b><u>Vs</u></b>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
<b><u>(APPELLANT)</u></b>		<b><u>(RESPONDENT)</u></b>

<b>Representative of Appellant</b>	Dr. Prabhat Kumar Sharma, Director
<b>Respondent by</b>	Regional Director, NRC
<b>Date of Hearing</b>	16/08/2021
<b>Date of Pronouncement</b>	10/09/2021

**ORDER**

**I. GROUND'S OF REFUSAL**

The appeal of Prabhat Academy, Lohangpur, 145-146, Biharganj, Amethi Allahabad Road, Sadar, Partapgarh, Uttar Pradesh dated 01/07/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/NRCAPP-10096/336<sup>th</sup> Meeting/2021/214361-66 dated 28.06.2021 of the Northern Regional Committee, refusal recognition for conducting for B.Ed. Course on the grounds that "detailed information of the institution has not been uploaded in the website of the institution which is mandatory as per clause 7(14)(i) of NCTE of the NCTE Regulations 2014. Experience certificate of the Principal/HOD not submitted. Latest faculty list duly approved by the Registrar of the

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concerned affiliating body not submitted. Hence, the Committee decided that the application is rejected / refused and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

## II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Prabhat Kumar Sharma, Director, Prabhat Academy, Lohangpur, 145-146, Biharganj, Amethi Allahabad Road, Sadar, Partapgarh, Uttar Pradesh presented online the case of the appellant institution on 16/08/2021. In the appeal and during personal presentation it was submitted that "(i) Detailed information of the institution has not been uploaded on website – In this regard, I have to state that all relevant documents uploaded on website. Madam during the inspection, members had taken the print out from the website which copies were sent to the NRC/NCTE. Sir I think without observation of the website 7 (13) is not issued. Sir some technical issue may be during virtual meeting. Screenshot regarding website was sent in your office on 04/03/2021. Website is already Hyperlinked. (ii) Regarding Experience Certificate of H.O.D. – In this regard, I have to say that two times experience certificate is sent in your office on 25/03/2021 by registered speed post and second time submitted on 06/04/2021 in your office. Copy is attached herewith. (c) Latest faculty duly approve by registrar of affiliating University – In this regard I have to say that latest faculty duly approved by registrar of the affiliating University submitted in your office on 11/11/2020 & 06/04/2021 copy is attached here with."

## III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution submitted application in the year 2015 seeking recognition for conducting B.Ed. programme. Committee further noted that a Letter of Intent (L.O.I.) was issued to appellant institution on 16/09/2020. Appellant institution submitted compliance in response to the L.O.I. by its letters dated 30/09/2020, 11/11/2020, 10/12/2020. Appellant further submitted reply to the Show Cause Notice dated 10/03/2021.

*Prabhat Kumar Sharma*

2. Appeal Committee noted that impugned refusal order dated 28/06/2021 is on grounds of (i) non uploading of detailed information on website as required under Clause 7 (14) (i) of the NCTE Regulation, 2014, (ii) Experience Certificate of Principal/H.O.D., (iii) Latest faculty list approved by Registrar.
3. Appeal Committee noted that for deficiency pointed out at (i) above, the appellant with its appeal memoranda has submitted printout of website pages. The website as per Clause 7(14)(i) requires to contain information on sanctioned programmes, annual intake, details of faculty, names of students admitted, fee charged, infrastructural facilities, number of books in Library etc. Information relating to fee charged and number of students admitted can be placed on website only after commencement of programme post recognition.
4. Appellant has submitted with its appeal memoranda copies of staff approval letter and the experience certificate of the H.O.D. Committee further noted that appellant had already submitted to NRC copies of staff approval letter and list of faculty approved by the affiliating body. However, originals of these documents were not submitted.
5. Appeal Committee decided that appellant institution is required to submit to NRC within 15 days of the issue of appeal order (i) originals of the faculty approval letter and list and printout of the website on relevant points. Appeal Committee decided to remand back the case to NRC for revisiting the matter after the appellant submits originals of approval letter of faculty, list of faculty approved by affiliating University and the printout of website pages.

#### IV. DECISION:-

**NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and submissions made during online presentation of the appeal case, Appeal Committee of the Council concluded to remand back the case of Prabhat Academy, Lohangpur, 145-146, Biharganj, Amethi Allahabad Road, Sadar,**

*For 4/5/21*



Partapgarh, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)  
Member Secretary

**Copy to: -**

1. The Secretary, Prabhat Academy, Lohangpur, 145-146, Biharganj, Amethi Allahabad Road, Sadar, Partapgarh, Uttar Pradesh – 230001.
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, Lucknow.



**IN THE NCTE APPELLATE AUTHORITY**  
**NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)**  
 G-7, Sector 10, Dwarka, New Delhi-110 075

Date: 10/09/2021

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

**File No. 89-194/E-190621/2021 Appeal/19<sup>th</sup> Meeting, 2021**  
**Appeal No. APPLSRC202114019**

SUM College of Education, Muzhapalla, Mamba, Kannur, Kerala – 670611	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
<b><u>(APPELLANT)</u></b>		<b><u>(RESPONDENT)</u></b>

<b>Representative of Appellant</b>	Dr. C.V. Jayasree, Principal
<b>Respondent by</b>	Regional Director, SRC
<b>Date of Hearing</b>	16/08/2021
<b>Date of Pronouncement</b>	10/09/2021

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of SUM College of Education, Muzhapalla, Mamba, Kannur, Kerala dated 29/04/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APSO0711/B.Ed./397<sup>th</sup>/KL/2021/125365-5372 dated 06.04.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Institution has not submitted Certified Land Documents. The institution has submitted photocopy of Land Use Certificate which is Change of Land Use (CLU) in proper format. The institution has submitted photocopy of NEC not approved by Competent Authority. The institution has submitted Building Plan in photocopy which is not Approved by Competent Authority and build up area is less than 1500 Sq.mtr and supporting document stated that build up area is 2049.46 on plan paper without any

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attestation. The institution submitted Site Plan which is not approved by Competent Authority. The institution has submitted incomplete Building Completion Certificate photocopy and also is not approved by Competent Authority. The institution has submitted photocopy of form "A" and photocopies of FDRs. The FDRs are not converted into joint account with RD, SRC as required under NCTE Regulations, 2014. The institution has submitted photocopy of faculty list. The Affiliating University letter is not attached. The following points also noted:- Faculty of Physical Education has appointed on Part time basis. The faculty of fine Arts and performing Art are not appointed."

## II. SUBMISSIONS MADE BY APPELLANT:-

Dr. C.V. Jayasree, Principal, SUM College of Education, Muzhapalla, Mamba, Kannur, Kerala presented online the case of the appellant institution on 16/08/2021. In the appeal and during personal presentation it was submitted that "all documents are submitted."

## III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme since the year 2006 and the present intake sanctioned by revised recognition order dated 20/05/2015 is 1 unit (50 seats). The regulatory file contains a certificate dated 07/03/2003 issued by Gram Panchayat, Kannur stating that Kerala Building rules 1984 are not enforced in Anjarakandy Gram Panchayat and hence no previous permission for construction of building is necessary. The above certificate was accepted at the time of grant of recognition and the present building plan submitted by appellant with its appeal memoranda authenticated by Secretary, Gram Panchayat is thus an acceptable document. The Building Completion Certificate (B.C.C.) dated 02/10/2020 submitted by appellant is, however, neither in the prescribed performa nor does it indicate the built up area floor wise and the area of Multipurpose hall.

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2. Appeal Committee noted that appellant with its appeal memoranda has submitted copies of land documents, faculty list approved by affiliating body, FDRs, Form A, Change of Land Use Certificate and Non Encumbrance Certificate. Appeal Committee decided that appellant institution is required to submit to SRC within 15 days of the issue of appeal order. (i) Originally certified copy of land document with notarised English version and (ii) copies of other documents submitted by it with its appeal memoranda. Appellant is also required to obtain and submit the Building Completion Certificate in prescribed performa duly signed by the Competent Authority.

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."***

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

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

5. Appeal Committee decided to set aside the impugned order of withdrawal dated 06/04/2021 issued by SRC and remand back the case for revisiting the matter.

#### IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and submissions made during online presentation of the appeal case, Appeal Committee of the Council concluded to set aside the impugned order of

*Karey 4 Days*



withdrawal dated 06/04/2021 issued by SRC and remand back the case of SUM College of Education, Muzhapalla, Mamba, Kannur, Kerala to the SRC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)  
Member Secretary

**Copy to: -**

1. The Secretary, SUM College of Education, Muzhapalla, Mamba, Kannur, Kerala – 670611.
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 Kerala, Thiruvananthapuram.



**IN THE NCTE APPELLATE AUTHORITY**  
**NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)**  
 G-7, Sector 10, Dwarka, New Delhi-110 075

Date: 10/09/2021

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

**File No. 89-195/E-190620/2021 Appeal/19<sup>th</sup> Meeting, 2021**  
**Appeal No. APPLSRC202113905**

Sagar Gangotri Education institution, Sagar, 23/1, J.C. Road, Sagar, Shimoga, Karnataka – 577401	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
<b><u>(APPELLANT)</u></b>		<b><u>(RESPONDENT)</u></b>

<b>Representative of Appellant</b>	Representative
<b>Respondent by</b>	Regional Director, SRC
<b>Date of Hearing</b>	16/08/2021
<b>Date of Pronouncement</b>	10/09/2021

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of Sagar Gangotri Education institution, Sagar, 23/1, J.C. Road, Sagar, Shimoga, Karnataka dated 30/01/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APSO3683/B.Ed/KA/392<sup>nd</sup>/2020/121170 dated 18.12.2020 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Institute submitted a copy of Building Plan, but it is neither approved nor legible. The institute submitted only 11 faculty against the requirement of 16 under NCTE Regulation. The institution has also not appointed faculty for Fine Arts. The institution did not submit copy of FDRs along with 'Form A'. The institute submitted a copy of home page of website. Other details of uploading the requisite information on website have not been submitted as required under NCTE Regulations."

*Resg 18/9/21*



## II. SUBMISSIONS MADE BY APPELLANT:-

The representative of Sagar Gangotri Education institution, Sagar, 23/1, J.C. Road, Sagar, Shimoga, Karnataka presented online the case of the appellant institution on 16/08/2021. In the appeal and during personal presentation it was submitted "Latest copy of approved Building Plan. (ii) Latest copy of approved facility. (iii) Fine Arts faculty. (iv) FDRs and Form A, we are uploading all the information in website [www.sigandooreducation.com](http://www.sigandooreducation.com)"

## III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme since 2007 and revised recognition order was issued on 18/05/2015 for conducting B.Ed. programme with an intake of 100 seats (2 units of 50 each). Appeal Committee noted that appellant with its appeal memoranda has submitted copies of (i) sale deed registered in 2008, (ii) Non Encumbrance Certificate, (iii) Building Plan approved by Panchayat Development Officer (PDO), (iv) Building Completion Certificate with built up area of 2831 sq. meters issued by P.D.O. , (v) C.L.U., (vi) List of faculty and (vii) Form 'A' issued by Canara Bank, (viii) FDRs and (ix) Print out of website.

2. Appellant is required to submit to SRC within 15 days of the issue of appeal order original of certified copy of land documents, faculty list and copies of remaining documents as listed above. Appeal Committee decided to remand back the case to SRC for revisiting the matter.

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."***

*Key 9/8/21*

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


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

5. Appeal Committee decided to set aside the impugned order of withdrawal dated 18/12/2020 till the case is revisited and fresh orders are issued by SRC.

#### **IV. DECISION:-**

**NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and submissions made during online presentation of the appeal case, Appeal Committee of the Council concluded to set aside the impugned order of withdrawal dated 18/12/2020 and remand back the case of Sagar Gangotri Education institution, Sagar, 23/1, J.C. Road, Sagar, Shimoga, Karnataka to the SRC, NCTE, for necessary action as indicated above.**

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

  
(Mrs. Kesang Yangzom Sherpa)  
Member Secretary

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

- 1. The President, Sagar Gangotri Education institution, Sagar, 23/1, J.C. Road, Sagar, Shimoga, Karnataka – 577401.**
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, Bengaluru.





**IN THE NCTE APPELLATE AUTHORITY**  
 NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)  
 G-7, Sector 10, Dwarka, New Delhi-110 075

Date: 10/09/2021

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

**File No. 89-199/E-191100/2021 Appeal/19<sup>th</sup> Meeting, 2021**  
**Appeal No. APPLSRC202114064**

A.M. Linganna College of Education, Kodigenahalli, 254-2, Sevamandir, Parigi, Ananatpur, Andhra Pradesh – 515212	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
<b><u>(APPELLANT)</u></b>		<b><u>(RESPONDENT)</u></b>

Representative of Appellant	Sh. K. T. Sreedhar, Correspondent
Respondent by	Regional Director, SRC
Date of Hearing	16/08/2021
Date of Pronouncement	10/09/2021

**ORDER**

**I. GROUND'S OF WITHDRAWAL**

The appeal of A.M. Linganna College of Education, Kodigenahalli, 254-2, Sevamandir, Parigi, Ananatpur, Andhra Pradesh dated 09/07/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRC/NCTE/APS07416/B.Ed/AP/397<sup>th</sup>/2021/125969 dated 13.04.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "the land document submitted at the time of initial recognition was sale Deed executed on 29.10.1940 in favour of "Kuruba Business linganna". Whereas the land document submitted in compliance of RPRO is a Gift Deed executed on 25.05.2015 in favor of "Sevamandir Society" with survey No.254-2. The same is contradictory. The institution has submitted copy of Building Plan in which Multipurpose Hall is not sufficient

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as per NCTE Regulations 2014 and not approved by competent authority. The institution has submitted approval letter of faculty issued by the Registrar Sri Krishnadevaraya University vide dated 15.02.2021. (i) 2 Assistant Professor do not have NET/Ph.D. as per NCTE (Recognition Norms & Procedure) (Amendment) Regulations, 2017 dated 29.05.2017 notified on 09.06.2017. The institution has not submitted Form A towards creation of FDR for Endowment Fund & Reserve Fund."

## II. SUBMISSIONS MADE BY APPELLANT:-

Sh. K.T. Sreedhar, Correspondent, A.M. Linganna College of Education, Kodigenahalli, 254-2, Sevamandir, Parigi, Anantapur, Andhra Pradesh presented online the case of the appellant institution on 16/08/2021. In the appeal and during personal presentation it was submitted that "On 29-10-1940 the property with an extent of Ac.3-06 cents out of Ac.5-69 cents in Sy.No.254-2 in Kodigenahalli Revenue Village Polam, Parigi Mandal was in the name of Kuruba Business Linganna. Subsequently he died leaving behind his son namely K. Thippeswamy as his legal heir. During the life of K. Thippeswamy, he was in possession and succeeded the same property of Late Kuruba Business Linganna. On 21-06-2010 the said K. Thippeswamy executed a registered gift deed in the name of his son namely K.T. Sreedhar and delivered the same property in the name of K.T. Sreedhar. The said K.T. Sreedhar accepted the gift and took possession of the same. Again on 25-05-2015 the said K.T. Sreedhar executed the same property under a registered Gift deed in favour of Sevamandir Society and delivered the same in the name of Sevamandir Society. The A.M. Linganna College of Education is a part of the Sevamandir Society. Deficiency mentioned is addressed and the Institution is going to submit Notarized copy regarding the land documents. The Institution is going to submit a certified copy of Building Plan, Building Completion Certificate and the Multi-purpose Hall Area has been suitably expanded to meet the requirement of NCTE, 2014 Regulations. Approval of 3 newly appointed Faculty has been taken from the Registrar, Sri Krishnadevaraya University, Anantapuram (Affiliating University) and is being submitted for your perusal. 1. One faculty for Perspectives of Education (Sociology) with M.Ed., M.A. (Sociology) and UGC-NET in Education qualification 2. One faculty for Pedagogy of Telugu with M.Ed., M.A. (Telugu) and Ph.D. in Telugu qualification and 3. One faculty for

*Keerthi*



Pedagogy of English with M.Ed., M.A. (English) and APSET in Education qualification are appointed as per NCTE, 2014 Regulations and its Amendments (Enclosed as Annexure-III). The Institution is going to submit Notarized copy of Form A towards creation of FDR for Endowment Fund & Reserve Fund."

### III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution was granted recognition for conducting B.Ed. programme with an intake of 100 seats from academic session 2006-07. The name of the applicant society from the very beginning is 'Sevamandir Society'. There has been no change in the survey number of land which was initially held in individual name and now has been gifted to the applicant society by the successors of the owner of land.

2. Appellant with its appeal memoranda has further submitted documents such as a modified building plan, Building Completion Certificate, Form 'A' and faculty list adequate for conducting B.Ed. programme with an intake of one unit (50 seats).

3. Appeal Committee decided that appellant institution is required to submit to SRC within 15 days of the Appeal hearing copy of documents submitted with its appeal memoranda.

4. 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."***

5. 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***

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

6. Appeal Committee decided to set aside the impugned order of withdrawal dated 13/04/2021 and remand back the case to SRC for revisiting the matter.

#### IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and submissions made during online presentation of the appeal case, Appeal Committee of the Council concluded to set aside the impugned order of withdrawal dated 13/04/2021 and remand back the case of A.M. Linganna College of Education, Kodigenahalli, 254-2, Sevamandir, Parigi, Ananatpur, Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above.

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

  
(Mrs. Kesang Yangzom Sherpa)  
Member Secretary

#### Copy to: -

1. The Secretary & Correspondent, A.M. Linagnna College of Education, Kodigenahalli, 254-2, Sevamandir, Parigi, Ananatpur, Andhra Pradesh – 515212.
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, Amaravati.





**IN THE NCTE APPELLATE AUTHORITY**  
**NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)**  
 G-7, Sector 10, Dwarka, New Delhi-110 075

Date: 10/09/2021

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

**File No. 89-201/E-191445/2021 Appeal/19<sup>th</sup> Meeting, 2021**  
**Appeal No. APPLSRC202113997**

MAET B.Ed. Training College, Peeroorkada, 377/27, Nettayam, Thiruvananthapuram, Kerala – 695013	<b><u>Vs</u></b>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
<b><u>(APPELLANT)</u></b>		<b><u>(RESPONDENT)</u></b>

<b>Representative of Appellant</b>	Sh. Satheesh Babu S, Principal
<b>Respondent by</b>	Regional Director, SRC
<b>Date of Hearing</b>	16/08/2021
<b>Date of Pronouncement</b>	10/09/2021

**ORDER**

**I. GROUND OF WITHDRAWAL**

The appeal of MAET B.Ed. Training College, Peeroorkada, 377/27, Nettayam, Thiruvananthapuram, Kerala dated 29/03/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APSO0437/B.Ed./395<sup>th</sup>/KL/2021/124511-4517 dated 08.03.2021 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that “Committee noted that due to non-compliance of Email dated 26.02.2020 for submission of requisite documents to verify infrastructure & instructional facilities a Final Show Cause Notice dated 05.08.2020 was issued to the institution. However, the institution failed to submit the requisite documents as per Final Show Notice dated 05.08.2020.”

*K. S. S. S.*

## II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Satheesh Babu S, Principal, MAET B.Ed. Training College, Peeroorkada, 377/27, Nettayam, Thiruvananthapuram, Kerala presented online the case of the appellant institution on 16/08/2021. In the appeal and during personal presentation it was submitted that "we were compelled to shut down the centre because of nil admission and huge financial loss towards the salary payment to faculty members in that year. Now the general body of the trust has resolved that as part of the social responsibility and commitment, the B.Ed. course shall be continued in MAET Training College to help socially and financially weak students. So, we humbly request you to reconsider the decision of the withdrawal of the recognition granted and permit to continue the bed course from the academic year 2021-2022."

## III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution by a letter dated 11/09/2017 informed SRC that due to less admission and heavy losses, the Trust is constrained to close down the college. SRC after seeking clarifications and issuing final Show Cause Notice dated 05/08/2020 which was not responded to by the appellant institution issued impugned withdrawal order which is made effective from the academic session 2021-22.

2. Appeal Committee noted that the present appeal contains a request made by the applicant Trust stating that Trust now resolves to continue the course. Appeal Committee noted that as stated by appellant in its letter dated 11/09/2017 due to less admissions, the institution was not able to pay salary and other dues to the faculty from 2017. As such it is clear that faculty appointed earlier is not in position. Appellant had also not replied to the final Show Cause Notice dated 05/08/2020.

3. Appeal Committee decided to confirm the impugned order of withdrawal. Appellant, if it so desires, may make a fresh application, seeking recognition for B.Ed. programme, as and when NCTE issues notification inviting applications for Teacher Education programme.

*Keep Hope*



**IV. DECISION:-**

**NOW THEREFORE**, after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Appeal Committee of the Council concluded that the SRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the SRC is confirmed.

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



**(Mrs. Kesang Yangzom Sherpa)**  
Member Secretary

**Copy to: -**

- 1. The Principal, MAET B.Ed. Training College, Peeroorkada, 377/27, Nettayam, Thiruvananthapuram, Kerala – 695013.**
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 Kerala, Thiruvananthapuram