



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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-77/E-246051/2022 Appeal/11th Meeting, 2022
APPLSRC20221430**

Sri Venkateshwara College of Education, 5/152, 5/153 Cuddapah, Ravindra Nagar, Cuddapah Andhra Pradesh-516003 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. V. V. Sambasiva Rao (Principal)
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Sri Venkateshwara College of Education, 5/152, 5/153 Cuddapah, Ravindra Nagar, Cuddapah Andhra Pradesh-516003** dated 08/03/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APSO0006/B.Ed./{AP}/2021/128707** dated 04.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution was issued a Last Reminder (Letter) on 01.07.2021. The institution failed to submit reply to the Last Reminder (Letter). This institution not submitted land document. This institution not submitted LUC. This institution not submitted BCC. This institution not submitted Building Plan and Site Plan. This institution not submitted faculty. This institution not submitted FDRs & Form "A"."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. V. V. Sambasiva Rao, Principal of Sri Venkateshwara College of Education, 5/152, 5/153 Cuddapah, Ravindra Nagar, Cuddapah Andhra Pradesh-516003 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that "Now submitted land document. LUC submitted. BCC submitted. Building Plan and Site Plan submitted. Faculty list submitted. FDRs & Form "A" submitted NEC submitted."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition of the appellant institution was withdrawn on the grounds of not submitting reply to the last reminder letter issued on 01.07.2021 whereas the appellant institution has explained that they had submitted the reply by its letter dated 13.07.2021 sent through courier receipt No. H98623089 to RD, NCTE, New Delhi. As an evidence of having sent the reply, a copy of Courier receipt dated 13.07.2021 has been furnished by the appellant in the appeal. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 04.10.2021.



The instant matter was placed in 4th meeting of Appellate Committee held on 27.04.2022. The Appellate Committee vide order dated 26.05.2022 decided the following: -

“Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the recognition of the appellant institution was withdrawn on the grounds of not submitting reply to the last reminder letter issued on 01.07.2021 whereas the appellant institution has explained that they had submitted the reply by its letter dated 13.7.2021 sent through courier receipt No. H98623089 to RD, NCTE, New Delhi. As an evidence of having sent the reply, a copy of Courier receipt dated 13.07.2021 has been furnished by the appellant in the appeal.

In view of the above submissions and oral arguments advanced during hearing, the Appeal Committee interinely decided to seek clarification form SRC as to whether the reply sent by the appellant was received or not. A copy of the letter dated 13.7.2021 alongwith courier receipt may be forwarded to Regional Office, SRC for reference and providing the clarification at the earliest to the Appeal Committee so that the instant appeal may be disposed of accordingly within the prescribed time limits.

In these circumstances, the Appeal Committee decided to reserve its final decision on the instant appeal and defer the case to the next meeting of Appeal Committee till receipt of aforementioned clarification from SRC.”

The instant matter was further placed in 5th meeting of Appellate Committee held on 11.06.2022. The Appellate Committee vide order dated 12.07.2022 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. The Appeal Committee noted that the recognition of the appellant institution was withdrawn on the grounds of not submitting reply to the last reminder letter issued on 1.7.2021 whereas the appellant institution has explained that they had submitted the reply by its letter dated 13.7.2021 sent through courier receipt No. H98623089 to RD, NCTE, New Delhi. As an evidence of having sent the reply, a copy of Courier receipt dated 13.07.2021 has been furnished by the appellant in the appeal.

In view of the above submissions and oral arguments advanced during hearing, the Appeal Committee interinely decided to seek clarification form SRC as to whether the reply sent by the appellant was received or not. A copy of the letter dated 13.7.2021 alongwith courier receipt may be forwarded to Regional Office, SRC for reference and providing the clarification at the earliest to the Appeal Committee so that the instant appeal may be disposed of accordingly within the prescribed time limits.



The Appeal Committee considered the matter again on 11.06.2022. The Appeal Committee noted that the SRC vide Interim Appellate Order dated 26.05.2022 was asked to provide the clarification on the points mentioned above. Accordingly, the SRC vide letter dated 07.06.2022 has informed that *"the reply was not received by SRC. The SRC had no other alternative except to withdraw the recognition of all institution for non-filing of reply"*.

In these circumstances, the Appeal Committee concluded that the SRC was justified in withdrawing recognition of the appellant institution and therefore the instant appeal deserved to be rejected and impugned order 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 recognition of the appellant institution and therefore the instant appeal deserved to be rejected and impugned order is confirmed."

The appellant institution moved a writ petition before the Hon'ble High Court of Delhi bearing W.P.C. no. 15438/2022 titled Sri Venkateshwara College of Education V/s National Council for Teacher Education & Anr, the Hon'ble Court vide its order dated 10.11.2022 issued following direction upon the Appellate Authority: -

"...3. The approach of the Appellate Authority is evidently contrary to the settled position in law relating to consideration of additional material presented in the course of deciding an appeal. This Court in several matters has allowed additional material(s)/ document(s) to be produced before the respective regional committee/ Appellate Authority.

4. The Appellate Authority proceeded to reject the Petitioner's appeal solely on the ground that the reply to the last reminder/ SCN sent by SRC was not received, instead of considering the same on merits. In light of the fore-going and judgements referred above, impugned appellate order is not sustainable in eyes of law.

5. Accordingly, the following directions are issued: -

(a) Impugned appellate order dated 12th July, 2022 is set-aside and the appeal stands restored. Appellate Authority shall decide the appeal afresh, as expeditiously as possible, but not later than three months from today.

(b) Appellate Authority shall consider the documents submitted by Petitioner-Institute along with the appeal report dated 08th March, 2022.

(c) Since the withdrawal order dated 04th October, 2021 shall come into effect from the end of the academic session 2022-23, Petitioner shall be entitled to take benefit of the proviso to Section 17(1) of NCTE Act, 1993 and is thus, entitled to admit students for B.Ed. programme in academic session 2022-23.

(d) Respondents shall within one week update Petitioner's status on the portal and sent an intimation in respect thereof to the affiliating university of Petitioner as well as to the concerned Department of Education to enable them to participate in counselling and admission process for academic session 2022-23.



6. It is clarified that the Court has not examined merits of the case and all rights and contentions of the parties are left open.

7. With the above directions, the present petition is disposed of along with pending application."

The Appeal Committee noted that the Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty Members (1+15) signed by Registrar, Yogi Vemana University, Kadapa-516003 on dated 22.10.2021.
- (ii) A copy of Land Document (Sale Deed) in Regional language and English version
- (iii) A copy of LUC signed by Tahsildar, Kadapa Mandal, Y.S.R (Dist.). on dated 05.10.2021.
- (iv) A copy of Building Completion Certificate is signed by Assistant Engineer (M.P.) Panchayat Raj, Kadapa.
- (v) A copy of NEC issued by Registration and Stamps Department on dated 17.10.2020.
- (vi) A copy of Building Plan signed by Assistant Engineer (M.P.) Panchayat Raj, Kadapa.
- (vii) A copy of Site Plan signed by Tahsildar, Kadapa Mandal, Y.S.R. (Dist.).
- (viii) A copy of Form 'A' and FDRs (Amount Rs.5,00,000/- and amount Rs. 7,00,000/- issued from Indian Bank) Total Amount Rs. 12,00,000/-.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 04.10.2021. 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 04.10.2021 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, Sri Venkateshwara College of Education, 5/152, 5/153 Cuddapah, Ravindra Nagar, Cuddapah Andhra Pradesh-516003**
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.

A handwritten signature in blue ink, appearing to be 'hijir', with a long horizontal stroke extending to the right.



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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-42/E-240547/2022 Appeal/11th Meeting, 2022
APPLSRC202214269**

Dr. Rajalakshmi College of Education, 681 Palavedu Village, Avadi Thiruvallur, Tamilnadu-600055 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Ms. T. Kanimozhi, Academic Advisor
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Dr. Rajalakshmi College of Education, 681 Palavedu Village, Avadi Thiruvallur, Tamilnadu-600055** dated 02.02.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No **F.SRO/NCTE/APSO4657/B.Ed./{TN}/2022/130207** dated 07.02.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution was directed to submit the proof/bank statement showing disbursement of salary through bank account as required under clause 10(2) of NCTE Regulation, 2014 as the Visiting Team Report dated 24.10.2016 establishes the disbursement of salary through cash. The institution only submitted the details of disbursement of salary under the signature of its chairman only. The institution did not submit the bank statement of each faculty showing disbursement of salary through bank account. The institution submitted a copy of extract of newspaper dated 31.10.2021 regarding advertisement for filling up the posts in the institution. This establishes that the institution has not appointed the sufficient faculty as required under Appendix-4 of NCTE Regulation, 2014. The institution submitted the proforma of faculty approved by the Registrar, TTEU on 21.12.2017. the institution did not submit latest approval of faculty issued by the affiliating University. The Visiting Team Report dated 24.10.2016 highlighted the deficiency regarding (i) furniture in the college need to be strengthened and (ii) Equipment's in the various labs need to be strengthened. The institution in its reply only mentioned that "the institution has enough infrastructure and facilities as per the norms." The institution did not submit any proof / documents establishing the removal of deficiency. As per the building plan submitted by the institution the multipurpose hall is not available. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix-4 of NCTE Regulations, 2014 for B.Ed. course. The website of the institution is not uploaded with the information required under clauses 7(14) (i), 8(14) and 10(3) of NCTE Regulation, 2014."

II. SUBMISSIONS MADE BY APPELLANT: -

Ms. T. Kanimozhi, Academic Advisor of Dr. Rajalakshmi College of Education, 681 Palavedu Village, Avadi Thiruvallur, Tamilnadu-600055 appeared



online to present the case of the appellant institution on 29.12.2022. In the appeal it is submitted that "That the SRC vide its Minutes of 405th Meeting of the SRC held on 13 & 14 December 2021 has withdrawn our recognition of our college observing deficiencies which were already clarified / rectified by our institution. Since we have not yet received withdrawal order till date, Minutes of 405th Meeting of the SRC held on 13 & 14 December 2021 of SRC is enclosed as Enclosure 1. 2. That in order to appreciate various contentions and averments being raised hereinafter by the Appellant, it is necessary to state the following few relevant facts in brief. 3. That the SRC NCTE vide its order dated 01.12.2009 granted recognition to the appellant institution for running the B.Ed. course in the appellant institution with annual intake of 100 students. Further, a revised recognition order dated 17.03.2015 with intake of 100 students was issued to the appellant institution. A True Copy of the Recognition Order and Revised Order are being enclosed herewith as enclosure 2 Colly. 4. That it is submitted that firstly the SRC issued a Show Cause Notice dated 08.06.2021 and accordingly the institution responded to the reply dated 19.06.2021. True Copy of the Show Cause Notice dated 08.06.2021 is being enclosed herewith as enclosure 3 and True Copy of the reply dated 19.06.2021 is being enclosed herewith as enclosure- 4. 5. That it is submitted that the SRC failed to consider the reply submitted by the institution. 6. That it is submitted that the SRC issued a Final Show Cause Notice dated 03.11.2021 and accordingly the institution responded to the reply dated 08.11.2021. True Copy of the Show Cause Notice dated 03.11.2021 is being enclosed herewith as enclosure 5 and A True Copy of the reply dated 08.11.2021, is being enclosed herewith as enclosure. 7. That it is submitted that despite the submission of all the documents, the SRC decided to withdraw the recognition observing the following deficiencies: (i). The institution was directed to submit the proof / bank statement showing disbursement of salary through bank account. (ii). The institution has not appointed the sufficient faculty as required. (iii). The institution did not submit latest approval of faculty issued by the affiliating University. (iv). Deficiency regarding (v) furniture in the college need to be strengthened and (vi) Equipment's in the various labs need to be strengthened. As per the building plan, submitted by the institution the multipurpose hall is not available. (vii). The institution did not submit details of administrative and professional staff. (viii). The website of the institution is not uploaded with the information required. That it is submitted that institution is herein submitting the following documents to show the fact that the above deficiencies pointed out by the SRC are not correct. The proof / bank statement showing disbursement of salary through bank account to teaching faculty, Administrative and professional staff. List of faculties newly appointed to fulfill the vacant position with approval from the affiliating University. Latest approval of all faculty issued by the affiliating University. Proof / document establishing



strengthening furniture in the college and equipment in the various labs. Approved building plan showing newly constructed multipurpose hall. 6. Screenshot of the website uploaded with the information required. True Copy of the proof / bank statement showing disbursement of salary through bank account to teaching faculty, Administrative and Professional staff. List of faculties newly appointed to fulfill the vacant position with approval from the affiliating University. Latest approval of all faculty issued by the affiliating University. Proof / document establishing strengthening furniture in the college and equipment in the various labs. Approved building plan showing newly constructed multipurpose hall and screenshot of the website uploaded with the information required are enclosed herewith as Enclosure Colly. That it is submitted that though appellant institution vides its reply letters submitted the desired documents to the SRC as asked by them vide Show Cause Notices, however, the SRC rejected the appeal of the Appellant institution. That now the appellant institution is again enclosing with its appeal, the documents which were desired by the SRC through Show Cause Notices and submitted by the petitioner institution with its replies to the SRC. That it is submitted that withdrawal order issued by the SRC is totally devoid of merit and is not as per statutory provisions, as mandated under NCTE Act, 1993. That it is submitted that the petitioner institution does not lack infrastructural and instructional facilities required as per the NCTE norms. That it appears that SRC proceeded in arbitrary manner without considering the documents properly. That it is submitted that thus, the withdrawal order dated: Minutes of 405th Meeting of the SRC held on 13th & 14th December 2021 of SRC is not maintainable and the appeal committee is requested to revert the decision taken by SRC and direct the SRC to restore the recognition of Appellant institution thereby granting an opportunity to the appellant institution to submit documents desired by the SRC. 15. Due to pandemic COVID-19 and because of frequent lockdown. We are unable to file the appeal on time. Kindly condone the delay and we seek apologies for late submission.”

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 vide SRC order dated 01.12.2009 was granted recognition for B.Ed. course with an annual intake of 100 seats and after promulgation of NCTE Regulation, 2014 giving thereby its willingness by an affidavit for its adherence the revised provisional recognition order was issued on 17.03.2015 for 100 students (two units) for the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 07.02.2022.



The instant matter was placed in 4th meeting of Appellate Committee held on 27.04.2022. The Appellate Committee vide order dated 26.05.2022 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 the appellant institution vide SRC order dated 01.12.2009 was granted recognition for B.Ed. course with an annual intake of 100 seats and after promulgation of NCTE Regulation, 2014 giving thereby its willingness by an affidavit for its adherence the revised provisional recognition order was issued on 17.03.2015 for 100 students (two units) for the academic session 2015-16.

The Appeal Committee noted that the appellant institution was given reasonable opportunity in the shape of Show Cause Notices issued on certain grounds on 02.08.2021 and 03.11.2021, respectively to submit their written representations to make the so called deficiencies good in the given time.

Appeal Committee further noted that the appellant institution in the appeal alongwith memoranda of appeal has submitted the following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order

- (i) Salary Disbursement Certificate issued by Indian Ban Avadi Chennai vide***
- (ii) letter dated 05.12.2021.***
- (iii) List of faculty members (1+15) approved by Registrar of Affiliating Body***
- (iv) vide dated 12.01.2022.***
- (v) 8 faculty for Non-Teaching Staff (Administrative and Professional Staff)***
- (vi) Photographs of Infrastructure and Facilities of Multipurpose Hall, Lab***
- (vii) Equipment's, Furniture, Classrooms and Library.***
- (viii) Printout of website screenshot.***
- (ix) Notarized Building Plan.***

Appeal Committee observed from the submitted documents that the details of disbursement of salary to the Teaching staff (16 members) in the month of December, 2021 forwarded by a letter dated 05.12.2021 issued by Sh. Ravi Ranjan Singh, Chief Manager, Indian Bank, Avadi Branch is not counter signed by the concerned authority/ Bank whereas the list of Non-Teaching staff is signed by him, some of the faculty is not qualified as per NCTE Regulation, 2014 and guidelines/amendment from time to time. The website of the appellant institution is still not properly maintained and the required information under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014.

Noting the submission and oral arguments advanced during the hearing by the appellant, the Appeal Committee observes that the appellant is still found to be deficient on the above points and reached the conclusion that the SRC was justified in withdrawing the recognition and therefore the instant appeal deserves to be rejected and impugned withdrawal order of SRC is confirmed.”



The appellant institution moved a writ petition before the Hon'ble High Court of Madras bearing W.P.C. no. 15187/2022 titled Dr. Rajalakshmi College of Education V/s National Council for Teacher Education & Anr, the Hon'ble Court vide its order dated 14.12.2022 issued following direction upon the Appellate Authority: -

"...3. However, in their meeting dated 13.12.2021 and 14.12.2021 the second respondent had withdrawal the recognition granted to the petitioners. The petitioners had a remedy to file a regular appeal before the 3rd respondent. It is complained by the learned counsel for the petitioners, Mr. K. Selvaraj that the hearing in the appeals were conducted online and the necessary documents could not be furnished at the time of such online hearing.

4. Questioning such orders, the writ petitioners had been filed.

5. Let me not enter into a discussion whether the petitioners have the necessary building plan and whether they had uploaded in their website requisite details of the colleges. I would rather confine myself to direct to refer the matter back to the 3rd respondent who may hear the appeals afresh. The representatives of the petitioner may be physically present before the 3rd respondent and urge whatever points they want to urge. Let the Appropriate Authority pass any order deemed fit on the basis of the documents presented and on the basis of the grounds raised.

6. The 3rd respondent may receive the appeals and issue notice to the petitioners. The petitioners may appear without fail and participate in the proceedings.

7. Learned counsel for the 2nd and 3rd respondents had raised objections that even though the appeals were heard on-line there were not denial of opportunity to the petitioners. The effect of a physical hearing stands apart from any hearing conducted through on-line. I am confident that the 3rd respondent would appreciate that fact.

8. These writ petitions stands disposed with the above observations. No costs."

Appeal Committee further noted that the appellant institution in the appeal alongwith memoranda of appeal has submitted the following documents as claiming to have rectified the shortcomings: -

- (i) A list of faculty members (1+15) dated 12.01.2022 approved by Registrar of Affiliating Body as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of salary disbursement certificate issued by Indian Bank Avadi, Chennai
- (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 07.02.2022. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the Regional Committee and decision taken accordingly.



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

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

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

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 07.02.2022 is set-aside and the Appellate Committee has decided to remand back the case to SRC for revisiting the matter.

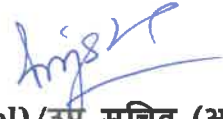
Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to SRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the 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, Dr. Rajalakshmi College of Education, 681 Palavedu Village, Avadi Thiruvallur, Tamilnadu-600055**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-43/E-240549/2022 Appeal/11th Meeting, 2022
APPLSRC202214271**

Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Ms. T. Kanimozhi, Principal
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

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Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071** dated 03/02/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APS08367/B.Ed./TN/2022/130157** dated 04.02.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution vide Final Show Cause Notice dated 30.11.2021 was informed to submit the latest approval of faculty (for B.Ed., M.Ed. and B.Sc. B.Ed. courses) issued by the affiliating University but the institution had submitted the old approval of faculty issued by the University in 2017, 2018 and 2019. Accordingly, the institution failed in submission of latest approval of faculty. The building plan submitted by the institution is neither approved nor legible. The institution submitted the BCC wherein the built-up area for B.Ed., B.Sc. B.Ed. and M.Ed. have been shown as 2039.68 sq.mtrs., 2146.7 sq.mtrs. and 483.97 sq.mtrs. respectively. The built-up area 483.97 sq.mtrs. is not sufficient as stipulated under clause 7.1 of Appendix-5 of NCTE Regulation, 2014. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulation, 2014. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix-4 of the NCTE Regulations, 2014. The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Ms. T. Kanimozhi, Principal of Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “i.e., that the SRC vide its order dated Minutes of 406th Meeting of the SRC held on 19th January 2022 has withdrawn our recognition of our college observing deficiencies which were already clarified / ratified by our institution. Since we have not yet received withdrawal order till date, Minutes of 406th Meeting of the SRC held on 19th January 2022 of



SRC is annexed as Annexure 1. 2. That in order to appreciate various contentions and averments being raised hereinafter by the Appellant, it is necessary to state the following few relevant facts in brief. 3. That the SRC NCTE vide its order dated 17.12.2007 granted recognition to the appellant institution for running the B.Ed. course in the appellant institution with annual intake of 100 students, vide its order dated 29.08.2018 granted recognition to the appellant institution for running the M.Ed. course in the appellant institution with annual intake of 50 students and vide its order dated 02.05.2017 granted recognition to the appellant institution for running the B.Sc. B.Ed. course in the appellant institution with annual intake of 100 students. Further, a revised recognition order dated 30.04.2015 for running the B.Ed. course with intake of 100 students, was issued to the appellant institution. A True Copy of the Recognition orders and Revised order are being annexed herewith as Annexure 2 Colly. 4. That it is submitted that firstly the SRC issued a Show Cause notice dated 08.06.2021 and accordingly the institution responded to reply dated 19.06.2021. True Copy of the Show Cause Notice dated 08.06.2021 is being annexed herewith as Annexure 3 and True Copy of the Reply dated 19.06.2021 is being annexed herewith as Annexure-4 5. That it is submitted that the SRC failed to consider the reply submitted by the institution. 6. That it is submitted that the SRC issued a Final Show Cause notice dated 30.11.2021 and accordingly the institution responded to the reply dated 08.12.2021. True copy of the show cause notice dated 30.11.2021 is being annexed herewith as Annexure 5 and a true copy of the reply dated 08.12.2021, is being annexed herewith as Annexure 6. 7. That it is submitted that despite the submission of all the documents, the SRC decided to withdraw the recognition observing the following deficiencies: 1. The latest approval of faculty (for B.Ed., M.Ed., and B.Sc. B.Ed. courses) issued by the affiliating University are not submitted. 2. The building plan submitted by the institution is neither approved nor legible. 3. The buildup area is not sufficient as per the BCC. 4. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account. 5. The institution did not submit details of administrative and professional staff. 6. The website of the institution is not uploaded with the information required. 8. That it is submitted that institution is herein submitting the following documents to show the fact that the above deficiencies pointed out by the SRC are not correct. 1. Latest complete faculty list approved by the affiliating University. 2. Building plan approved by the competent authority. 3. The Building Completion Certificate showing the built-up area of 4670.35 square meters for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area of 4670.35 square meters. for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area used for B.Ed. plus M.Ed. programme is 2523.65 square meters and for B.Sc. B.Ed. programme the built-up area is 2146.70 square meters. The building plan and the BCC reveal that the total construction



area is 4670.35 square meters for running B.Ed., M.Ed., and B.Sc. B.Ed. programme. 4. Proof of disbursement of salary to faculty and non-teaching staff through bank account. 5. Details of Administrative and professional staff. 6. Screenshot of the website of the institution uploaded with necessary information. True copy of latest complete faculty list approved by the affiliating University, building plan approved by the competent authority, The Building Completion Certificate showing the built-up area of 4670.35 square meters for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area for B.Ed. plus M.Ed. programme as 2523.65 square meters and for B.Sc. B.Ed. programme the built-up area as 2146.70 square meters are highlighted. The building plan and the BCC reveal that the total construction area is 4670.35 square meters for running B.Ed., M.Ed. and B.Sc. B.Ed. Programme, Proof of disbursement of salary to faculty and non-teaching staff through bank account, Details of Administrative and professional staff and screenshot of the website of the institution uploaded with necessary information are annexed herewith as Annexure 7 Colly 9. That it is submitted that though appellant institution vide its reply letters submitted the desired documents to the SRC as asked by them vide show cause notices, however, the SRC rejected the appeal of the Appellant institution. 10. That now the appellant institution is again enclosing with its appeal, the documents which were desired by the SRC through Show Cause Notices and submitted by the petitioner institution with its replies to the SRC. 11. That it is submitted that withdrawal order issued by the SRC is totally devoid of merit and is not as per statutory provisions, as mandated under NCTE Act, 1993. 12. That it is submitted that the petitioner institution does not lack infrastructural and instructional facilities required as per the NCTE norms. 13. That it appears that SRC proceeded in arbitrary manner without considering the documents properly. 14. That it is submitted that thus, the withdrawal order as recorded in the Minutes of 406th Meeting of the SRC held on 19th January 2022 of SRC is not maintainable and the appeal committee is requested to revert the decision taken by SRC and direct the SRC to restore the recognition of Appellant institution thereby granting an opportunity to the appellant institution to submit documents desired by the SRC."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 seats on 17.12.2007 and after promulgation of NCTE Regulation, 2014 giving thereby willingness in the Affidavit dated 23.01.2015 for its adherence, a revised recognition order was issued by SRC on dated 30.04.2015 with an annual intake of 100 students (two basic units each)



for the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 04.02.2022.

The instant matter was placed in 4th meeting of Appellate Committee held on 27.04.2022. The Appellate Committee vide order dated 26.05.2022 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. The Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 seats on 17.12.2007 and after promulgation of NCTE Regulation, 2014 giving thereby willingness in the Affidavit dated 23.01.2015 for its adherence, a revised recognition order was issued by SRC on dated 30.04.2015 with an annual intake of 100 students (two basic units each) for the academic session 2015-16.

Appeal Committee further noted that appellant institution was given reasonable opportunities in the shape of First Show Cause Notice and Final Show Cause Notice issued on 26.04.2019 and 30.11.2021, respectively to submit its written representation for rectifying the deficiencies pointed out in the said Show Cause Notices.

Appeal Committee further noted that the impugned withdrawal order came into operation due to non-curing the deficiencies despite giving on ample opportunities to the appellant as per laid down provisions.

Appeal Committee noted that the appellant has submitted documents related to the grounds of withdrawal in the appeal out of which the appellant still found to be deficient on the following grounds that submitted copy of print-out of Home page of its website only which does not establish that the required information under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014 are uploaded on the website for all stake holders or not. Copies as an proof of having uploaded and availability of essential information's under the said clauses were required to be submitted. The website is not properly mentioned and hyperlinked with NCTE on its Regional Committee concerned.

Appeal Committee noted that the appellant institution has submitted a photocopy of Building Plan in the appeal which is neither legible nor approved by the Competent Authority.

The Appeal Committee noted that name of teaching staff approved by Registrar (I/C), Tamilnadu Teachers Education University at Serial No. 15 and 16 do not reflect in the list of salary disbursement for the month of December, 2021 issued by Chief Manager, Indian Bank, Avadi Branch. Each page of enclosed list with letter dated 05.12.2021 issued by Sh. Ravi Ranjan Singh, Chief Manager, Indian Bank, Avadi. Bank is not signed by the Authority Concerned.

Noting the submission and oral arguments advanced during the hearing by the appellant, the Appeal Committee observes that the SRC was justified in withdrawing recognition and therefore decided to reject the instant appeal of the appellant and confirmed the order of withdrawal issued by SRC.”



The appellant institution moved a writ petition before the Hon'ble High Court of Madras bearing W.P.C. no. 15182/2022 titled Sathyasai B.Ed. College V/s National Council for Teacher Education & Anr, the Hon'ble Court vide its order dated 14.12.2022 issued following direction upon the Appellate Authority: -

"...3. However, in their meeting dated 13.12.2021 and 14.12.2021 the second respondent had withdraw the recognition granted to the petitioners. The petitioners had a remedy to file a regular appeal before the 3rd respondent. It is complained by the learned counsel for the petitioners, Mr. K. Selvaraj that the hearing in the appeals were conducted online and the necessary documents could not be furnished at the time of such online hearing.

4. Questioning such orders, the writ petitioners had been filed.

5. Let me not enter into a discussion whether the petitioners have the necessary building plan and whether they had uploaded in their website requisite details of the colleges. I would rather confine myself to direct to refer the matter back to the 3rd respondent who may hear the appeals afresh. The representatives of the petitioner may be physically present before the 3rd respondent and urge whatever points they want to urge. Let the Appropriate Authority pass any order deemed fit on the basis of the documents presented and on the basis of the grounds raised.

6. The 3rd respondent may receive the appeals and issue notice to the petitioners. The petitioners may appear without fail and participate in the proceedings.

7. Learned counsel for the 2nd and 3rd respondents had raised objections that even though the appeals were heard on-line there were not denial of opportunity to the petitioners. The effect of a physical hearing stands apart from any hearing conducted through on-line. I am confident that the 3rd respondent would appreciate that fact.

8. These writ petitions stands disposed with the above observations. No costs."

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings: -

- (i) A copy of faculty list (1+15) members dated 6.10.2021 and 24.2.2022 approved by Registrar of Affiliating Body as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of salary disbursement certificate issued by Indian Ban Avadi Chennai.
- (iii) A copy of approved building plan.
- (iv) 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 04.02.2022. 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 04.02.2022 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, Sathyasai B.Ed. College, No.7.Rajaji Street, Avadi, Kamaraj Nagar, Avadi Chennai, Tamilnadu-600071
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

File No. 89-39/E-240290/2022 Appeal/11th Meeting, 2022

APPLSRC202214272

Sathyasai B.Ed. College, Rajaji Street, Kamaraj Nagar, Avadi, Chennai, Tamilnadu-600071 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Ms. T. Kanimozhi, Principal
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Sathyasai B.Ed. College, Rajaji Street, Kamaraj Nagar, Avadi, Chennai, Tamilnadu-600071** dated 03.02.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No **F.SRO/NCTE/SRCAPP201630219/M.Ed./TN /2022/130155** dated 04.02.2022 of the Southern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that "The institution vide Final Show Cause Notice dated 30.11.2021 was informed to submit the latest approval of faculty (for B.Ed., M.Ed. and B.Sc. B.Ed. courses) issued by the affiliating University but the institution has submitted the old approval of faculty issued by the University in 2017, 2018 and 2019. Accordingly, the institution failed in submission of latest approval of faculty. The building plan submitted by the institution is neither approved nor legible. The institution submitted the BCC wherein the built-up area for B.Ed., B.Sc. B.Ed. and M.Ed. have been shown as 2039.68 sq.mtrs., 2146.7 sq.mtrs. and 483.97 sq.mtrs. respectively. The built-up area 483.97 sq.mtrs. is not sufficient as stipulated under clause 7.1 of Appendix-5 of NCTE Regulations, 2014. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulation, 2014. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix-4 of the NCTE Regulation, 2014. The website of the institution is not uploaded with the information required under clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014."

II. SUBMISSIONS MADE BY APPELLANT: -

Ms. T. Kanimozhi, Principal of Sathyasai B.Ed. College, Rajaji Street, Kamaraj Nagar, Avadi, Chennai, Tamilnadu-600071 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal Memoranda it is submitted that "i.e., that the SRC vide its order dated Minutes of 406th Meeting of the SRC held on 19th January 2022 has withdrawn our recognition of our college observing deficiencies which were already clarified / ratified by our institution. Since we have not yet received Withdrawal order till date, Minutes of 406th Meeting of the SRC held on 19th January 2022 of SRC is annexed as Annexure 1. 2. That in order to appreciate various contentions and



averments being raised hereinafter by the Appellant, it is necessary to state the following few relevant facts in brief. 3. That the SRC NCTE vide its order dated 17.12.2007 granted recognition to the appellant institution for running the B.Ed. course in the appellant institution with annual intake of 100 students, vide its order dated 29.08.2018 granted recognition to the appellant institution for running the M.Ed. course in the appellant institution with annual intake of 50 students and vide its order dated 02.05.2017 granted recognition to the appellant institution for running the B.Sc. B.Ed. course in the appellant institution with annual intake of 100 students. Further, a revised recognition order dated 30.04.2015 for running the B.Ed. Course with intake of 100 students, was issued to the appellant institution. A True Copy of the Recognition Orders and Revised Order are being annexed herewith as Annexure 2 Colly. 4. That it is submitted that firstly the SRC issued a Show Cause Notice dated 08.06.2021 and accordingly the institution responded to the reply dated 19.06.2021. True Copy of the Show Cause Notice dated 08.06.2021 is being annexed herewith as Annexure 3 and True Copy of the reply dated 19.06.2021 is being annexed herewith as Annexure-4. 5. That it is submitted that the SRC failed to consider the reply submitted by the institution. 6. That it is submitted that the SRC issued a Final Show Cause Notice dated 30.11.2021 and accordingly the institution responded to the reply dated 08.12.2021. True Copy of the Show Cause Notice dated 30.11.2021 is being annexed herewith as Annexure 5 and A True Copy of the reply dated 08.12.2021, is being annexed herewith as Annexure 6. 7. That it is submitted that despite the submission of all the documents, the SRC decided to withdraw the recognition observing the following deficiencies: 1. The latest approval of faculty (for B.Ed. M.Ed. and B.Sc. B.Ed. courses) issued by the affiliating University are not submitted. 2. The building plan submitted by the institution is neither approved nor legible. 3. The built-up area is not sufficient as per the BCC. 4. The institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account. 5. The institution did not submit details of administrative and professional staff. 6. The website of the institution is not uploaded with the information required. 8. That it is submitted that institution is herein submitting the following documents to show the fact that the above deficiencies pointed out by the SRC are not correct. 1. Latest complete faculty list approved by the affiliating University. 2. Building plan approved by the competent authority. 3. The Building Completion Certificate showing the build-up area of 4670.35 square meter for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The built-up area used for B.Ed. plus M.Ed. programme is 2523.65 square meters and for B.Sc. B.Ed. programme the built-up area is 2146.70 square meters the building plan and the BCC reveal that the total construction area is 4670.35 square meters for running B.Ed., M.Ed. and B.Sc. B.Ed. programme. 4. Proof of disbursement of salary to faculty and



non-teaching staff through bank account. 5. Details of Administrative and professional staff. 6. Screenshot of the website of the institution uploaded with necessary information. True copy of latest complete faculty list approved by the affiliating University, building plan approved by the competent authority. The Building Completion Certificate showing the built-up area of 4670.35 square meters for running B.Sc. B.Ed. and M.Ed. in combination with B.Ed. programme. The build-up area for B.Ed. plus M.Ed. programme as 2523.65 square meters and for B.Sc. B.Ed. programme the built-up area as 2146.70 square meters are highlighted. The building plan and the BCC reveal that the total construction area is 4670.35 square meters for running B.Ed., M.Ed. and B.Sc. B.Ed. programme, proof of disbursement of salary to faculty and non-teaching staff through bank account, Details of Administrative and professional staff and Screenshot of the website of the institution uploaded with necessary information are annexed herewith as Annexure 7 Colly 9. That it is submitted that though appellant institution vides its reply letters submitted the desired documents to the SRC as asked by them vide Show Cause Notices, however, the SRC rejected the appeal of the Appellant institution. 10. That now the appellant institution is again enclosing with its appeal, the documents which were desired by the SRC through Show Cause Notices and submitted by the petitioner institution with its replies to the SRC. 11. That it is submitted that withdrawal order issued by the SRC is totally devoid of merit and is not as per statutory provisions, as mandated under NCTE Act, 1993. 12. That it is submitted that the petitioner institution does not lack infrastructural and instructional facilities required as per the NCTE norms. 13. That it appears that SRC proceeded in arbitrary manner without considering the documents properly. 14. That it is submitted that thus, the withdrawal order dated Minutes of 406th Meeting of SRC held on 19th January 2022 of SRC is not maintainable and the appeal committee is requested to revert the decision taken by SRC and direct the SRC to restore the recognition of Appellant institution thereby granting an opportunity to the appellant institution to submit documents desired by the SRC.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the recognition to the appellant institution with an annual intake of 50 seats was granted on 29.08.2018. The recognition of the institution for M.Ed. programme was withdrawn by the SRC vide order dated 04.02.2022.

The instant matter was placed in 4th meeting of Appellate Committee held on 27.04.2022. The Appellate Committee vide order dated 26.05.2022 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 the recognition to the appellant institution with an annual intake of 100 seats was granted on 09.01.2008 and after promulgation of NCTE Regulation, 2014 giving thereby willingness in an affidavit for its adherence a revised provisional recognition order for 100 students (two units) was issued on 13.01.2015.

The Appeal Committee further noted that the appellant was given reasonable opportunities in shape of Show Cause Notices issued on 26.4.2019 and 30.11.2021 to submit its written representation for rectifying the shortcomings in given time period.

The Appeal Committee noted that the impugned withdrawal order came into operation due to not rectifying the deficiencies despite giving ample opportunities.

Appeal Committee noted that submitted salary details of M.Ed. Teaching staff for the month of December, 2021 does not match with the list of faculty (10 members) approved by the Registrar (I/C) of Tamilnadu Teachers Education University on 12.01.2022. The name of Dr. M. Marieswari and Mrs. E. Prasanna do not reflect in the said salary statement issued by Chief Manager, Indian Bank, Avadi Branch. Hence contradictory statement submitted by the appellant is not acceptable. There must be possibility that they have not been appointed resulting in Short of faculty for M.Ed. course. Also, the salary statement of Teaching staff from the month of December, 2021 is not signed by the Competent Authority in the bank through which the salary being paid.

Appeal Committee noted that the appellant institution has submitted a print-out of home page of its website only which does not establish that the required information under clause 7(14)(i), 8(14) and 10(3) of NCTE Regulation, 2014 are uploaded on the website for all stake holders or not. Copies as a proof of having uploaded and availability of essential information's under the said clauses were required to be submitted. The website is not properly mentioned and hyperlinked with NCTE on its Regional Committee concerned.

Appeal Committee noted that the appellant institution has submitted a photocopy of Building Plan in the appeal which is neither legible nor approved by the Competent Authority.

Appeal Committee noted that the appellant is still found to be deficient on the above grounds and has not rectified these short comings.

Noting the submission and oral arguments advanced during the hearing by the appellant, the Appeal Committee observes that the SRC was justified in withdrawing recognition and therefore decided to reject the instant appeal of the appellant and confirmed the order of withdrawal issued by SRC.”

The appellant institution moved a writ petition before the Hon'ble High Court of Madras bearing W.P.C. no. 15182/2022 titled Sathyasai B.Ed. College V/s National



Council for Teacher Education & Anr, the Hon'ble Court vide its order dated 14.12.2022 issued following direction upon the Appellate Authority: -

"...3. However, in their meeting dated 13.12.2021 and 14.12.2021 the second respondent had withdrawal the recognition granted to the petitioners. The petitioners had a remedy to file a regular appeal before the 3rd respondent. It is complained by the learned counsel for the petitioners, Mr. K. Selvaraj that the hearing in the appeals were conducted online and the necessary documents could not be furnished at the time of such online hearing.

4. Questioning such orders, the writ petitioners had been filed.

5. Let me not enter into a discussion whether the petitioners have the necessary building plan and whether they had uploaded in their website requisite details of the colleges. I would rather confine myself to direct to refer the matter back to the 3rd respondent who may hear the appeals afresh. The representatives of the petitioner may be physically present before the 3rd respondent and urge whatever points they want to urge. Let the Appropriate Authority pass any order deemed fit on the basis of the documents presented and on the basis of the grounds raised.

6. The 3rd respondent may receive the appeals and issue notice to the petitioners. The petitioners may appear without fail and participate in the proceedings.

7. Learned counsel for the 2nd and 3rd respondents had raised objections that even though the appeals were heard on-line there were not denial of opportunity to the petitioners. The effect of a physical hearing stands apart from any hearing conducted through on-line. I am confident that the 3rd respondent would appreciate that fact.

8. These writ petitions stands disposed with the above observations. No costs."

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings: -

- (i) A list of faculty members (10 nos.) dated 6.10.2021 approved by Registrar of Affiliating Body as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of salary disbursement certificate issued by Indian Bank, Avadi, Chennai.
- (iii) A copy of approved building plan.
- (iv) A copy of website screenshot as per clauses 7(14)(i), 8(14) and 10(3) of NCTE Regulations, 2014.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 04.02.2022. 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 04.02.2022 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, Sathyasai B.Ed. College, Rajaji Street, Kamaraj Nagar, Avadi, Chennai, Tamilnadu-600071
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-268/E-283686/2022 Appeal/11th Meeting, 2022
APPLSRC202214489**

Kalpataru College of Education, 152, Kanchaghatta, B H Road, K R Extension Tiptur, Tumkur, Karnataka-572201 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. Malikarjana MB, Admin Officer
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Kalpataru College of Education, 152, Kanchaghatta, B H Road, K R Extension Tiptur, Tumkur, Karnataka-572201** dated 01/12/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRC/NCTE/APSO1885/B.Ed./{KA}/2022/135893** dated 10/10/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution was given Show Cause Notice dated 23.05.2019. The institution has not submitted any reply in response to the Show Cause Notice. Thereafter a Final Show Cause Notice was issued on 03.06.2022 however the institution has not submitted any reply in response to the Final Show Cause Notice. (i). Staff list duly approved by the affiliating body as per the prescribed Format has not been submitted. (ii). Original Form "A" alongwith FDR of Rs. 7 lakh and 5 lakh, totalling Rs.12 lakh towards Endowment Fund & Reserve Fund into joint account for a duration of 5 years has not been submitted. (iii). A copy of the approved Building Plan (if institution is running more than one Teacher Education Programme, it shall be required to submit an exclusive earmarked building plan for each of the recognised Teacher Education programme) has not been submitted. (iv). Building Completion Certificate as per prescribed Format has not been submitted. (v). The institution has not been submitted certified copy of land documents. (If the same are in Regional Language the institution is also required to submit notarised copy of English version of land documents. (vi). Land Use Certificate issued by the Competent Authority has not been submitted. (vii). Non-Encumbrance Certificate issued by the Competent Authority has not been submitted."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Malikarjana MB, Admin Officer of Kalpataru College of Education, 152, Kanchaghatta, B H Road, K R Extension Tiptur, Tumkur, Karnataka-572201 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that "The institution has replied to show cause notice on 12-06-2019 and for final show cause notice on 23-06-2-22 through both postal and mail service including all necessary documents mentioned us to submit at show cause notice. We have received an acknowledgement from NCTE that our letter has reached you, but now our institution recognition has withdrawal on



grounds of the institution has not replied to show cause notice. Therefore, we are appealing with you to consider our request and give us a chance to present our explanation in front of you.”

III. OUTCOME OF THE CASE

Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 24.12.2004. The SRC in its 239th Meeting, held on 26th & 27th February 2013 decided to withdraw recognition of the B.Ed. course. Accordingly, as per decision of SRC Withdrawal Order was issued vide order no. F.SRO.NCTE/APSO1885/B.Ed./KA/2012-13/50344 on dt. 03.04.2013 to the institution. Aggrieved by the order of the SRC, the institution preferred an Appeal before the Appellate Authority of the NCTE. The appellate Authority vide order No. 89-312/2014 Appeal/12th Meeting-2014 dated 25.11.2014 appeal committee concluded that with the issue of Appeal Order dated 08.07.2014 the recognition for grant of B.Ed. course given to the appellant institution in 2004-05 stands restored and the withdrawal order dated 20.06.2014 becomes non-existent. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 03.01.2015 for its willingness for adherence of provisions of new Regulations. An order was issued to the institution on 29.01.2015 for restored/continued the recognition. A revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (two basic units) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 10.10.2022.

The Appeal Committee in its 11th meeting held on 29.12.2022 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 staff list submitted by the institution the faculty Shri Harisha. A.N. is not qualified as per provisions of the NCTE Regulations, 2014 and subsequent amendment issued from time to time. The submitted staff list shows that the 13 faculty was appointed before 9th June, 2017 and the same was approved on 27.12.2022. The proof regarding



- disbursement of salary of the teaching staff, whether it is being paid through cheque/online payment has also not been submitted.
- (ii) The validity of the submitted FDR towards Endowment Fund & Reserve Fund has expired on 18.07.2022.

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 10.10.2022 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 10.10.2022 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, Kalpataru College of Education, 152, Kanchaghatta, B H Road, K R Extension Tiptur, Tumkur, Karnataka-572201**
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 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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-269/E-283688/2022 Appeal/11th Meeting, 2022

APPLERC202214496

Matri Prem College of Education, 1243, 1244, Chilhari, Baruna Station Road, Purana Bhojpur, Dumraon, Buxar, Bihar-802133 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Hulkar, Treasurer, Indian Computer Education Society
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Handwritten signature

Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Matri Prem College of Education, 1243, 1244, Chilhari, Baruna Station Road, Purana Bhojpur, Dumraon, Buxar, Bihar-802133** dated 08/12/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.NO.ER-313.53/ERCAPP3459/B.Ed./BR/2022/66892** 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) of NCTE Regulations, 2014 which is related to uploading information on the website, if the web site 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 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: -

Mr. Hulkar, Treasurer, Indian Computer Education Society of Matri Prem College of Education, 1243, 1244, Chilhari, Baruna Station Road, Purana Bhojpur, Dumraon, Buxar, Bihar-802133 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “Matri Prem College of Education fulfills the conditions of recognition granted for B.Ed. Intake 200 by NCTE vide Letter No. F.No.ERC/266.611/ERCAPP3459/B.Ed. (Addl.Intake)2019/59339 dated 14.02.2019 and fulfills the condition of recognition granted for D.El.Ed. Course Intake 100 by NCTE vide Letter No.F.No.ER-207.6.49/ERACPP2399/ D.El.Ed.(Addl.Course)/2016/44330 dated 03.03.2016. The Institute got registered on NCTE PAR Portal for filling up the PAR



Application with user ID- Matiprem and Password – Matri@8651. The copy of email received from NCTE E-Governance Cell is attached as Annexure-3. Due to Technical error in online payment system and Data Entry System of NCTE PAR Portal, our PAR Application could not be submitted. The data entry on our NCTE Web portal application was not functioning on 02.04.2022, and while making online payment of Rs.15000/- as PAR fees on 02.04.2022, Rs.15010/- were deducted from our Indian Bank account number 50374451853 but our PAR Application did not show as- SUBMITTED. When we tried to make online payment again, the payment option was disabled and was not shown on our online PAR Application portal. The deducted amount of Rs.15010/- in NCTE PAR portal on 02.04.2022 got returned back in our bank account on 05.04.2022. The copy of Bank Statement of Bank Account is attached as Annexure-4. Due to non- functioning of NCTE web portal we could not fill up all data and could not make online payment & could not submit the PAR Application. The applicant Institution has all the documents and information required to be filled up in the PAR Application. The applicant institution is ready to show and submit every document or information whenever demanded by NCTE. The copy of Land documents of the Institution is attached as Annexure-5. Copy of change of Land Use Certificate is attached as Annexure-6. Copy of Approved Building Plan is attached as Annexure-7. Copy of Building Completion Certificate is attached as Annexure-8. Copy of list of Approved Teaching Staff is attached as Annexure-9. Copy of List of Students is attached as Annexure-10. The reply of first show cause notice dated 05.08.2022 could not be submitted because the NCTE Show cause letters remained in sealed envelopes due to carelessness of college staff and these show cause notices were not in the notice of Management. The applicant Institution has not received the final show cause notice till now. The Final opportunity to represent our reply against the final show cause notice was not granted to us. You are therefore requested to kindly set-aside the withdrawal orders issued by Eastern Regional Committee, NCTE, New Delhi and kindly restore the recognition of applicant 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 with an annual intake of 100 students vide order dated 15.05.2015 followed by additional intake of 100 students (existing 100 intake + additional 100 intake), thus making the total intake of 200 (Two hundred) from the academic session 2019-20 vide order dated 14.02.2019. The recognition of the



institution for B.Ed. programme was withdrawn by the ERC vide order dated 24.11.2022.

The Committee noted that the institution has not submitted/filled the PAR, which is mandatory in terms of NCTE, Regulations, 2014. The Hon'ble Supreme Court vide order dated 25.04.2022 in Misc App No 701/2022 in SLP(C) No. 5479/2022 has decided as under: -

“....While dismissing the petition challenging the impugned interim order dated 25.02.2022, we had taken note of the fact that the High Court had provided for compliance by 31.03.2022; and only because the petitions before us came up for consideration on 01.04.2022, we extended time for compliance by the next day, i.e., 02.04.2022. That additional and excessive indulgence cannot be allowed to be utilized for further enlargement of time on any specious ground like slowing down of server. In fact, compliance ought to have been made much earlier.

The applications for impleadment and for granting further time stand rejected....”

In view of the above direction given by Hon'ble Supreme Court, the institution shall not be exempted for non-filing the Performance Appraisal Report (PAR) on the technical error or non-functioning of server etc. It leading to violation of mandatory direction of the NCTE as well as the direction of the Hon'ble Supreme Court. Hence the Appeal Committee decided to reject the instant Appeal of the applicant institution.

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 24.11.2022 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, Matri Prem College of Education, 1243, 1244, Chilhari, Baruna Station Road, Purana Bhojpur, Dumraon, Buxar, Bihar-802133**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-270/E-283451/2022 Appeal/11th Meeting, 2022
APPLERC202214494**

P K Roy Memorial College, 67, Dhanbad, Main Road, Saraidhela, ISM, Dhanbad, Jharkhand-826004 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. M.K. Pandey, Assistant Professor
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF REFUSAL

The appeal of **P K Roy Memorial College, 67, Dhanbad, Main Road, Saraidhela, ISM, Dhanbad, Jharkhand-826004** dated 07/12/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.NO.NCTE/ERC/2324202205281210/Jharkhand/ 2022/REJC/211** dated 14/10/2022 of the Eastern Regional Committee, refusing recognition for conducting ITEP Course on the grounds that "As per decision taken by ERC in its 308th Meeting Show Cause Notice was issued to the institution on the ground that the institution is neither having a minimum accreditation of NAAC "B" nor having certificate of Institutes of Eminence/Institutions of National Importance, which was the basic criteria to apply for ITEP. The institution has not submitted the reply of the Show Cause Notice, as such, the institution does not fulfil the basic criteria to apply for ITEP. Hence, the committee decided that the application submitted by the institution for ITEP be rejected under the section 14/15 of NCTE Act, 1993."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. M.K. Pandey, Assistant Professor of P K Roy Memorial College, 67, Dhanbad, Main Road, Saraidhela, ISM, Dhanbad, Jharkhand-826004 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that "The institution is already accredited by NAAC (Grade-B) in both first and second cycle and the same document had been submitted during the time of submission of application i.e., 31.05.2022. Despite that, a SCN for some unknown reason was issued on 08.09.2022 and the college has submitted the reply on 24.09.2022. Further, it should be noted that our college is a premier college of Jharkhand Government."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The recognition of the institution for ITEP programme was refused by the ERC vide order dated 14.10.2022.



The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned order:

- (i) A copy of NAAC "B" Grade certificate valid upto 19.10.2026

The Committee noted that refusal order was passed on the ground that the institution is neither having a minimum accreditation of NAAC "B" nor having certificate of institutes of Eminence/Institutions of National Importance, which was the basic criteria to apply for ITEP. The institution has now submitted the required documents alongwith Memorandum of Appeal fulfilling the basis criteria to apply for ITEP.

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, P K Roy Memorial College, 67, Dhanbad, Main Road, Saraidhela, ISM, Dhanbad, Jharkhand-826004
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 Jharkhand.



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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-271/E-283901/2022 Appeal/11th Meeting, 2022

APPLERC202214498

Baharagora College, 224, Kotsole, Baharagora, Matihana, East Singhbhum, Jharkhand- 832101 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. Balakrishna Behera, Principal
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

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Order/आदेश

I. GROUND OF REFUSAL

The appeal of **Baharagora College, 224, Kotsole, Baharagora, Matihana, East Singhbhum, Jharkhand-832101** dated 01/12/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.NO.NCTE/ERC/2324202205301231/Jharkhand/2022/REJC/232** dated 21/10/2022 of the Eastern Regional Committee, refusing recognition for conducting ITEP Course on the grounds that "As per decision taken by ERC in its 309th Meeting Show Cause Notice was issued to the institution on the ground that the institution is neither having a minimum accreditation of NAAC "B" nor having certificate of Institutes of Eminence/Institutions of National Importance, which was the basic criteria to apply for ITEP. The institution has not submitted the reply of the Show Cause Notice, as such, the institution does not fulfil the basic criteria to apply for ITEP."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Balakrishna Behera, Principal of Baharagora College, 224, Kotsole, Baharagora, Matihana, East Singhbhum, Jharkhand-832101 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that "This institution is accredited with NAAC "B" grade and the certificate was uploaded at the time of application, hard copy of the same also send to the NCTE, New Delhi through regd. Post and e-mail after the First Show Cause. Therefore, kindly consider our case positively."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The recognition of the institution for ITEP programme was refused by the ERC vide order dated 21.10.2022.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned order:

hjs 24

- (i) A copy of NAAC "B" Grade certificate

The Committee noted that refusal order was passed on the ground that the institution is neither having a minimum accreditation of NAAC "B" nor having certificate of institutes of Eminence/Institutions of National Importance, which was the basic criteria to apply for ITEP. The institution has now submitted the required documents alongwith Memorandum of Appeal fulfilling the basis criteria to apply for ITEP.

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, Baharagora College, 224, Kotsole, Baharagora, Matihana, East Singhbhum, Jharkhand-832101**
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 Jharkhand.



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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-272/E-284371/2022 Appeal/11th Meeting, 2022
APPLSRC202214499**

PTM Teacher Training Institute, 425/2, Chalavara, Puliyaanam Kunnu Po, Ottapalam, Palakkad, Kerala – 679505 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Sakkeer Babu C.K., Manager
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **PTM Teacher Training Institute, 425/2, Chalavara, Puliyaanam Kunnu Po, Ottapalam, Palakkad, Kerala – 679505** dated 15/12/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRC/NCTE/APSO2465/D.El.Ed./(KL)/ 2022/137495** dated 24/11/2022 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that “(i). The institution failed to submit reply to the Final Show Cause Notice dated 07.09.2022. (ii). Further it is also observed that the institution has not filled Performance Appraisal Report (PAR).”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Sakkeer Babu C.K., Manager of PTM Teacher Training Institute, 425/2, Chalavara, Puliyaanam Kunnu Po, Ottapalam, Palakkad, Kerala – 679505 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “Delay for getting some documents from the State Government.”

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 Elementary (D.Ed.) D.El.Ed. Course of two year's duration with an annual intake of 50 students vide order dated 18.08.2006. The recognition of the institution for D.El.Ed. programme was withdrawn by the SRC vide order dated 24.11.2022.

The Committee noted that the institution has not submitted/filled the PAR, which is mandatory in terms of NCTE, Regulations, 2014. The Hon'ble Supreme Court vide order dated 25.04.2022 in Misc App No 701/2022 in SLP(C) No. 5479/2022 has decided as under: -



“.... While dismissing the petition challenging the impugned interim order dated 25.02.2022, we had taken note of the fact that the High Court had provided for compliance by 31.03.2022; and only because the petitions before us came up for consideration on 01.04.2022, we extended time for compliance by the next day, i.e., 02.04.2022. That additional and excessive indulgence cannot be allowed to be utilized for further enlargement of time on any specious ground like slowing down of server. In fact, compliance ought to have been made much earlier.

The applications for impleadment and for granting further time stand rejected....”

The Committee noted that the recognition of the institution was withdrawn vide SRC order dated 24.11.2022 and the last date for filing of the PAR was 02.04.2022, hence the institution submission that due to discontinuation of course, the institution could not submit the PAR is not accepted.

In view of the above direction given by Hon'ble Supreme Court, the institution shall not be exempted for non-filing the Performance Appraisal Report (PAR). It leading to violation of mandatory direction of the NCTE as well as the direction of the Hon'ble Supreme Court. Hence the Appeal Committee decided to reject the instant Appeal of the applicant institution.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on records 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 24.11.2022 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, PTM Teacher Training Institute, 425/2, Chalavara, Puliyaanam Kunnu Po, Ottapalam, Palakkad, Kerala – 679505**
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.



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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-273/E-284664/2022 Appeal/11th Meeting, 2022**

APPLSRC202214374

Deccan College of Education B.Ed.,1, Pamulapatarthy, Warangal, Medak, Telangana- 502279 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. V. Madhusudhan Reddy, Correspondent
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

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Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Deccan College of Education B.Ed.,1, Pamulapatharthy, Warangal, Medak, Telangana-502279** dated 22/05/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APS07746/B.Ed./TS/2022/(131594-131598)** dated 20/04/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The Institution submitted a proforma of 15 faculty for B.Ed. Programme signed by the Registrar, Osmania University but the date of approval is not mentioned, and an approval staff letter issued by Registrar has not been submitted. (ii). Out of 15 faculty, two lecturers namely, Ch. Raju and Ch. Srikanth are not NET/Ph.D. qualified and appointed after 09.06.2017, hence, not eligible for appointment as per NCTE Regulations, 2014 (amended vide notification dated 09.06.2017). (iii). The Institution did not submit Form ‘A’ issued by the Bank for maintenance of FDRs for EF & RF. (iv). The Institution has submitted matured FDRs of Rs.7lakhs & 5 lakhs. (v). As per Building Plan, the size of multi-purpose hall is only 141.30 sqm. $(15.46 \times 9.14) = (1520.94 \text{ sq.ft.})$ which is less than the requirement laid down under NCTE Regulations, 2014. (vi). The building plan is not approved by the competent authority and location of building also not mentioned. (vii). An affidavit in original is not submitted. (viii). Notarized copy of land documents not submitted. Only Self attested copies submitted. (ix). The website of the Institution is not uploaded with the information required under clauses 7(14(i), 8(14) and 10(3) of NCTE Regulations, 2014. (x). The Institution did not submit registration, bye-laws etc. related to the managing society/trust. (xi). The Institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. V. Madhusudhan Reddy, Correspondent of Deccan College of Education B.Ed.,1, Pamulapatharthy, Warangal, Medak, Telangana-502279 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “(i). Latest staff approval as per NCTE norms is



enclosed. (ii). Staff is relived as per latest norms and fresh appointment is taken. (iii). Form A and FDR is enclosed. (iv). Revalidated 5 and 7 FDR is enclosed. (v). Latest updated BP with signed by approving authority is enclosed. (vi). BP location and updated details is enclosed. (vii). Affidavit original is enclosed. (viii). Notarized copy of land documents is submitted. (xi). Website screen shot is enclosed. (x). Society Registration Copy is enclosed. (xi). Salary disbursement proof is not submitted.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 30.08.2008. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 28.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 06.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (two basic units) from the academic session 2015-16. A corrigendum dated 6.9.2017 was issued to the institution for reduction of intake from 2 units to 1 unit. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 20.04.2022.

The Appeal Committee in its 11th meeting held on 29.12.2022 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 photocopy of the sale deed submitted by the institution the same is not registered by the registering competent authority.
- (ii) As per the staff list submitted by the institution the Principal is not qualified as per provisions of the NCTE Regulations, 2014. The submitted staff list shows that the 12 faculty was appointed before 9th June, 2017 and the same was approved on 8.9.2022. The proof regarding disbursement of salary of the teaching staff, whether it is being paid through cheque/online payment has also not been submitted.
- (iii) As per the photocopy of the building plan submitted by the institution, the seal of the competent govt. authority is not legible. Hence the same is not acceptable since the authenticity of the same is questionable.



- (iv) The Building Completion Certificate submitted by the institution; the seal of the competent govt. authority is not legible. Hence the same is not acceptable since the authenticity of the same is questionable.

Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 20.04.2022 issued by SRC is confirmed.

IV. DECISION: -

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

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



Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Deccan College of Education B.Ed.,1, Pamulapatathy, Warangal, Medak, Telangana-502279**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

File No. 89-274/E-284778/2022 Appeal/11th Meeting, 2022

APPLERC202214504

Renuka Debi Shikshak Shikshan Mahavidyalaya, 2, Ujirpur, Barnia Chanderghat Road, Barnia, Tehatta, Nadia, West Bengal-741156 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Bidhan Chandra Mondal, Secretary
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Renuka Debi Shikshak Shikshan Mahavidyalaya, 2, Ujirpur, Barnia Chanderghat Road, Barnia, Tehatta, Nadia, West Bengal-741156** dated 18/12/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-312.57/NCTE/ERCAPP3952/B.Ed./WB/2022/66667** dated 19/10/2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The Institution has not submitted any reply of the Show Cause Notice dated 12.08.2022 and Final Show Cause Notice dated 22.09.2022 issued to it.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Bidhan Chandra Mondal, Secretary of Renuka Debi Shikshak Shikshan Mahavidyalaya, 2, Ujirpur, Barnia Chanderghat Road, Barnia, Tehatta, Nadia, West Bengal-741156 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “Secretary of the college Mr. Bidhan Chandra Mondal who was the custodian of all the official papers and documents, had been suffering from Dengue Fever from 10.08.2022 to 15.10.2022 severely and he was admitted to the nursing home for his treatment for the said period.”

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 (One basic unit of 50 students each) vide order dated 02.05.2017 from the academic session 2017-18. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 19.10.2022.

The Appeal Committee in its 11th meeting held on 29.12.2022 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 faculty list approved by affiliating University. The institution submitted a faculty list which was approved on 26.4.2017. The institution has also not submitted proof of disbursement of salary of teaching & non-teaching staff for the period of last 3 years. The specific direction was given to the institution during the hearing of online appeal, However, the institution has failed to do so.

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 ERC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 19.10.2022 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 19.10.2022 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, Renuka Debi Shikshak Shikshan Mahavidyalaya, 2, Ujirpur, Barnia Chanderghat Road, Barnia, Tehatta, Nadia, West Bengal-741156**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.



IN THE NCTE APPELLATE AUTHORITY / 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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-209/E-264415/2022 Appeal/11th Meeting, 2022

APPLSRC202114239

Infant Jesus College of Education, K Kallikudi, Manapparai Main Road, Ramjee Nagar, Srirangam, Tiruchirapali, Tamilnadu-620009. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Chinnadurai, Assistant Professor
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

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Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Infant Jesus College of Eduaction, K Kallikudi, Manapparai Main Road, Ramjee Nagar, Srirangam, Tiruchirapali, Tamilnadu-620009** dated 29.12.2021 filed under Section 17 of NCTE Act, 1993 against the Order No. **F.SRO/NCTE/APS09784/B.Ed./TN/2021/129354** dated 01.12.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that: - "The institution was issued a Final Show Cause Notice on 31.8.2021. The institution failed to submit reply to the Final Show Cause Notice (FSCN).

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Chinnadurai, Assistant Professor of Infant Jesus College of Eduaction, K Kallikudi, Manapparai Main Road, Ramjee Nagar, Srirangam, Tiruchirapali, Tamilnadu-620009 appear online to present the case of the appellant institution on 29.12.2022. In the appeal Memoranda it is submitted that: - (i). Now we are having necessary faculty list, which is approved by the registrar, TNTEU Chennai, Tamilnadu as per the NCTE norms of two basic units. Copy enclosed. (ii). Now we are having approved building plan which is legible. Copy enclosed. (iii). Now we are having English version of notarized latest NEC issued by the competent authority. Copy enclosed. (iv). We have website which is functional now. Copy enclosed. (v). Now we are having Form A with FDR for EF and RF (Total 5+7 12 lakhs) issued by IOB Trichy Karumandapam Branch. Copy enclosed. (vi). Now we are having qualified approved faculty list from TNTEU, Chennai. Copy enclosed. (vii). Now we are having registered sale deed which contains 11 survey no. as mentioned in LUC, copy enclosed. (viii). Now we are having details of total land and build up area recognized teacher education programme. Copy enclosed. (ix). Now we are having consolidated qualified staff list approved by the Registrar TNTEU Chennai. Copy Enclosed. (x). Now we are having original notarized affidavit which contains all necessary required details. Copy Enclosed.



III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 24.04.2009. Thereafter, promulgation of NCTE Regulations, 2014 and as per affidavit submitted by the institution dt. 27.02.2015 and the provisional revised recognition order was issued on 23.03.2015 to the institution for conducting B.Ed. programme of two years duration with an annual intake of 100 students for two basic units of 50 students each from the academic session 2015-16.

The Appellant institution moved to the Hon'ble Delhi High Court by the way of W.P.C No. 14127/2022 titled Infant Jesus College of Education V/s National Council for Teacher Education & Anr and the court vide its order dated 06.10.2022 issued following directions: -

“...Accordingly, the present petition is disposed of with the following directions: - Appellate Authority shall decide the appeal of petitioner-institute as expeditiously as possible but not later than three months from today...”

In compliance of the Court order dated 06.10.2022 in W.P.C No. 14127/2022 titled Infant Jesus College of Education V/s National Council for Teacher Education & Anr, the instant matter was taken up by the Appeal Committee and the Committee noted that the appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list which is approved by the Registrar, TNTEU Chennai, Tamilnadu as per the NCTE norms of two basic units.
- (ii) A copy of Deed of Gift in favour of the Trust
- (iii) A copy of approved building plan, Land Use Certificate and Building Completion Certificate.
- (iv) A copy of English version of notarized latest NEC issued by the competent authority.
- (v) A copy of Form A with FDR for EF and RF (Total 5+7 12 lakhs) issued by IOB Trichy Karumandapam Branch



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

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

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

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

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

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

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



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

IV. DECISION: -

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

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



Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

- 1. The Principal, Infant Jesus College of Education, K Kallikudi, Manapparai Main Road, Ramjee Nagar, Srirangam, Tiruchirapali, Tamilnadu-620009**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-181/E-258824/2022 Appeal/11th Meeting, 2022**

APPLERC202214394

Anandpur Anchalik Training College, 5475/7379 & 5476, Fakirpur, Anandpur, Keonjhar, Odisha-758022. APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Dr. Manoj Kumar Pradhan, Associate Professor
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Handwritten signature

Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Anandpur Anchalik Training College, 5475/7379 & 5476, Fakirpur, Anandpur, Keonjhar, Odisha-758022** dated 28.05.2022 filed under Section-18 of NCTE Act, 1993 is against the Order No. **F.No.ER-275.14.43/OR-S/E-3/96 & ERCAPP1849/B.Ed./2019/61436** dated 28.08.2019 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). Principal is not appointed. (ii). Only four faculty members as against the requirement 1 (Principal) + 15 (lecturers) under NCTE Regulations, 2014 and subsequent amendment dated 09.06.2017 for running 100 intake of B.Ed. course. (iii). One guest faculty appointed is not accepted. (iv). Building plan is not submitted.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Manoj Kumar Pradhan, Associate Professor of Anandpur Anchalik Training College, 5475/7379 & 5476, Fakirpur, Anandpur, Keonjhar, Odisha-758022 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal it is submitted that “(i). Principal has been appointed. (ii). The Odisha Public Service Commission the competent authority has published advertisement vide no. 09 of 2021-2022 for recruitment of 385 assistant professor (Teacher Education) stage-I in government teacher education institutions under higher education department. Now in some subjects, the successful list has been published. Other successful list shall be published soon. So, the vacant posts of teaching faculties are likely to be filled up very soon i.e., perhaps by July 2022 (Copy Enclosed). (iii). There is no guest faculty now. (iv). Building plan is submitted duly signed by the appropriate authority (Copy Enclosed).

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 31.05.1996, 17.10.1996, 01.07.1998, 18.02.1999, 02.09.1999, 06.04.2000, 02.02.2001 and 24.02.2014 respectively. Thereafter, a revised provisional recognition



order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 28.08.2019.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 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 22.11.2022 approved by the Registrar of affiliating University 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 28.08.2019. The Committee noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the 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. In view of the above, the Committee accepted the submission made by the institution regarding the delay in filling of appeal and accordingly, the Committee decided to condone the delay.

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

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

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



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

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

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

IV. DECISION: -

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

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

Deputy Secretary (Appeal)/उप सचिव (अपील)

Copy to :-

1. **The Principal, Anandpur Anchalik Training College, 5475/7379 & 5476, Fakirpur, Anandpur, Keonjhar, Odisha-758022**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-213/E-265021/2022 Appeal/11th Meeting, 2022**

APPLWRC202214436

Maulana Azad Shiksha Mahavidyalaya, 74/1, 74/2, Bilaspur, Sadar Bazar, Bilaspur, Chattisgarh-495001 APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	The Representative of the institution
Respondent by	Regional Director, WRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Handwritten signature in blue ink.

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Maulana Azad Shiksha Mahavidyalaya, 74/1, 74/2, Bilaspur, Sadar Bazar, Bilaspur, Chattisgarh-495001** dated 29/07/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.WRC/APWO0266/723003/366th/C.G./B.Ed./2022/{220473-220478}** dated 04/10/2022 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "First Show Cause Notice was issued on 8.8.2016 and the Final Show Cause Notice was issued on 11.12.2020. Reply of Final Show Cause was not received within stipulated time. The institution has not submitted the original staff list approved by the affiliating body. The institution has not uploaded the necessary information on its official website. The institution has also not submitted the filled copy of the performance appraisal report."

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Maulana Azad Shiksha Mahavidyalaya, 74/1, 74/2, Bilaspur, Sadar Bazar, Bilaspur, Chattisgarh-495001** appeared online to present the case of the appellant institution on 29.12.2022. In the appeal it is submitted that "The institution has already submitted staff profile duly approved by the affiliating university on 09/01/2021 along with the university approval letter. However, the list was not sent in regular format of NCTE. The university vide letter no 03/ac/21 issued on dated 04/01/2021 issued the earlier approved staff profile in regular format as required by NCTE for the year 2015-16. There after the deficiencies were removed regularly by filling the post through the selection committee by the affiliating university. The institution has already uploaded all the necessary information on the official website by time to time. The institution has filled the performance appraisal report on 2 April 2022 at 8.25. The institution has received successful submission report."

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 28.10.2005. A revised provisional recognition order was issued to the institution on dt. 27.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the WRC vide order dated 04.10.2022.

The Appeal Committee in its 11th meeting held on 29.12.2022 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 failed to submit a consolidated list of faculties duly approved by the Registrar of the affiliating University as per provisions of the NCTE Regulations, 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 WRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 04.10.2022 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 04.10.2022 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, Maulana Azad Shiksha Mahavidyalaya, 74/1, 74/2, Bilaspur, Sadar Bazar, Bilaspur, Chattisgarh-495001**
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 Chattisgarh.



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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-223/E-268517/2022 Appeal/11th Meeting, 2022**

APPLNRC202114071

Maa Sukali Devi Degree College Sahjaur, 476, Sahjaur, 0, Malkauli, Gorakhpur, Deoria, Uttar Pradesh-274505 APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Ms. Nishtha Singh, Accountant
Respondent by	Regional Director, NRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUND OF REFUSAL

The Appeal Committee noted that the institution has not submitted the impugned order against which the present appeal is preferred. The Appeal Committee also requested the NRC for their official comments on the said issue. On perusal of the documents and records, the NRC found that no hard copy of the application pertaining to **Maa Sukali Devi Degree College Sahjaur, 476, Sahjaur, 0, Malkauli, Gorakhpur, Deoria, Uttar Pradesh-274505** was ever received in the office of the NRC.

II. SUBMISSIONS MADE BY APPELLANT: -

Ms. Nishtha Singh, Accountant of Maa Sukali Devi Degree College Sahjaur, 476, Sahjaur, 0, Malkauli, Gorakhpur, Deoria, Uttar Pradesh-274505 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that "NA"

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution and noted that no hard copy of the application pertaining to **Maa Sukali Devi Degree College Sahjaur, 476, Sahjaur, 0, Malkauli, Gorakhpur, Deoria, Uttar Pradesh-274505** was ever received in the office of the NRC.

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.***

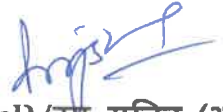
Noting the above decision of the General body of the NCTE, the Appeal Committee decided not to entertain the Appeal of the applicant institution.



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.

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 Sukali Devi Degree College Sahjaur, 476, Sahjaur, 0, Malkauli, Gorakhpur, Deoria, Uttar Pradesh-274505**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-229/E-271405/2022 Appeal/11th Meeting, 2022
APPLSRC202214454

Nirmala Training College, 305/3, Kanayannoor, OC Kuriakose Kor-Episcopa Road, Thalacode, Kanayannoor, Ernakulam, Kerala-682314 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Representative of the institution
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Arjo

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Nirmala Training College, 305/3, Kanayannoor, OC Kuriakose Kor-Episcopa Road, Thalacode, Kanayannoor, Ernakulam, Kerala-682314** dated 15/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APSO0475/B.Ed./{KL}/2022/132654** dated 20/07/2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was issued a Final Show Cause Notice on 08.04.2021. The institution failed to submit reply along with the requisite documents/information to the Final Show Cause Notice (FSCN). The Committee also noted that the institution has not even filed Performance Appraisal Report (PAR).”

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Nirmala Training College, 305/3, Kanayannoor, OC Kuriakose Kor-Episcopa Road, Thalacode, Kanayannoor, Ernakulam, Kerala-682314** appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “Delay in getting certificates from authorities.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 23.02.2005. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 19.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 15.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 20.07.2022.



The Committee noted that the institution has not submitted/filled the PAR, which is mandatory in terms of NCTE, Regulations, 2014. The Hon'ble Supreme Court vide order dated 25.04.2022 in Misc App No 701/2022 in SLP(C) No. 5479/2022 has decided as under: -

“....While dismissing the petition challenging the impugned interim order dated 25.02.2022, we had taken note of the fact that the High Court had provided for compliance by 31.03.2022; and only because the petitions before us came up for consideration on 01.04.2022, we extended time for compliance by the next day, i.e., 02.04.2022. That additional and excessive indulgence cannot be allowed to be utilized for further enlargement of time on any specious ground like slowing down of server. In fact, compliance ought to have been made much earlier.

The applications for impleadment and for granting further time stand rejected....”

In view of the above direction given by Hon'ble Supreme Court, the institution shall not be exempted for non-filing the Performance Appraisal Report (PAR). It leading to violation of mandatory direction of the NCTE as well as the direction of the Hon'ble Supreme Court. Hence the Appeal Committee decided to reject the instant Appeal of the applicant institution.

IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 20.07.2022 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, Nirmala Training College, 305/3, Kanayannoor, OC Kuriakose Kor-Episcopa Road, Thalacode, Kanayannoor, Ernakulam, Kerala-682314**
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.



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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-32/E-239083/2022 Appeal/11th Meeting, 2022**

APPLSRC202214250

Al-Momin College of Education, Plot No.1113/ID, Podili Village, Rajupalem Road, Podili, Prakasam, Andhra Pradesh- 523240 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	No one presented
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023


Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **AI-Momin College of Education, Plot No.1113/ID, Podili Village, Rajupalem Road, Podili, Prakasam, Andhra Pradesh-523240** dated 17/01/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No. NCTE-Regl018/119/2021/-Regulation Section-SRC/AP/128711** dated 05.10.2021 of the Southern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "The Committee discussed the matter pertaining to withdrawal of recognition to the TEIs offering D.El.Ed programme in Andhra Pradesh as desired by the School Education Department, Govt. of Andhra Pradesh. It is resolved to withdraw the recognition of all such TEIs who have failed to respond to notice (published on the NCTE Website) and also sent to the TEIs through E-mail. The RD, SRC is advised to serve withdrawal order accordingly."

II. SUBMISSIONS MADE BY APPELLANT: -

No one from **AI-momin College of Education, Plot No.1113/ID, Podili Village, Rajupalem Road, Podili, Prakasam, Andhra Pradesh-523240** appeared online to present the case of the appellant institution on 29.12.2022. In the appeal it is submitted that "Our Management established the college in the academic year 2016. From the academic year 2016 our management followed by NCTE and state Government norms without violation. Filled the students within the intake only. We never crossed beyond the intake. The government of Andhra Pradesh issued G.O. MS. NO. 30 dated 08.07.2015. In the G.O. they mentioned leftover seats are leftover. But as per request of the managements the government of Andhra Pradesh ratified convener leftover seats from the academic year 2015-16, 2016-17 and 2017-18 by giving relaxation to above said G.O. but in 2018-19 academic year our management applied for the permission of the state government of Andhra Pradesh vide letter dated 23.08.2018, for ratification of 2018-20 leftover seats as like previous academic years. However, the government of Andhra Pradesh has considered for the academic year 2018-19 also on dated 15.12.2021 with Memo No. ese02-22025/43/2020-SCERT. The action of the SRC in de-recognizing my college within affording and effective opportunity of being heard is not



only in violation of principles of natural justices but is also in violation of processor prescribed.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Committee noted that a letter No. RC. No.ESE02-22025/43/2020-(SCERT) TRG-DSE dated 25.03.2021 was received from Sri. V. Chinaveerabhadru, I.A.S. Director, School Education, Andhra Pradesh, Amaravati inter-alia recommending the de-recognition of various private D.El.Ed. college on the ground of violation of admission rules stipulated by the State Government. The recognition of the institution for D.El.Ed. programme was withdrawn by the SRC vide order dated 05.10.2021.

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 4th meeting held on 26th April 2022 and further taken up in its 9th meeting held on 20th November 2022, but nobody has appeared to represent the institution. Further, the matter was again taken up in 11th Meeting held on 29th December 2022, 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 11th meeting held on 29.12.2022 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 failed to explain the G.O. Ms. No. 30 School Education (Prog.IIO Dept., dated 8.7.2015) issued by the Government of Andhra Pradesh as the institution itself violating the admission rules stipulated by State Government.
- (ii) The institution has failed to submit latest faculty list approved by the affiliating body.



Hence, the Appeal Committee is of the view that the appellant institution is still lacking on the above grounds. The Appeal Committee concluded that the SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 05.10.2021 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 appeal deserves to be rejected and therefore, the impugned withdrawal order 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, Al-momin College of Education, Plot No.1113/ID, Podili Village, Rajupalem Road, Podili, Prakasam, Andhra Pradesh-523240**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-97/E-249526/2022 Appeal/11th Meeting, 2022

APPLSRC202214315

Vishwa Bharathi College of Education, 4/127, Village Morappur, Kambainallur Road, Harur Taluk, Dharmapuri Tamilnadu-635305 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. K.K. Satshathipathi, Correspondent
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Vishwa Bharathi College of Education, 4/127, Village Morappur, Kambainallur Road, Harur Taluk, Dharmapuri Tamilnadu-635305** dated 15.02.2022 filed under Section 18 of NCTE Act, 1993 is against the Order **F.SRO/NCTE/APSO4624/B.Ed./{TN} 2021/128416** dated 27.08.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “The institution was issued a Final Show Cause Notice (FSCN) on 21.10.2020. The institution failed to submit reply to the Final Show Cause Notice. of written representation along with all required documents in response to Final Show Cause Notice.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. K.K. Satshathipathi, Correspondent of Vishwa Bharathi College of Education, 4/127, Village Morappur, Kambainallur Road, Harur Taluk, Dharmapuri Tamilnadu-635305 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “We did not reply to the show cause notice due to covid-19 pandemic. Now we are ready to submit all the required 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 with an annual intake of 100 students vide order dated 09.01.2007. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 12.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 05.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 students for two basic unit of 50 students from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 27.08.2021.



The Appeal Committee in its 11th meeting held on 29.12.2022 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 Appeal Committee noted that the institution has not submitted latest faculty list approved by affiliating University. The Committee further noted that the institution has submitted only one letter dt. 14.02.2022 written to the Registrar TNTEU, but has not submitted approved faculty list at the time of submission of Appeal or during the hearing of the 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 27.08.2021 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 27.08.2021 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, Vishwa Bharathi College of Education, 4/127, Village Morappur, Kambainallur Road, Harur Taluk, Dharmapuri Tamilnadu-635305**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-98/E-249528/2022 Appeal/11th Meeting, 2022
APPLSRC202214330**

Vishwa Bharathi College of Education, 4/127 Village Morappur, Kambainallur Road, Harur Taluk, Dharmapuri Tamilnadu-635305 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. K.K. Satshathipathi, Correspondent
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Vishwa Bharathi College of Education, 4/127 Village Morappur, Kambainallur Road, Harur Taluk, Dharmapuri Tamilnadu-635305** dated 25.03.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APSO8682/M.Ed./TN/2020/119893-119899** dated 21.10.2020. of the Southern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that "The institution was issued a Final Show Cause Notice (FSCN) dated 27.11.2019. The institution has failed in submission of written representation along with all required documents in response to Final Show Cause Notice."

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. K.K. Satshathipathi, Correspondent of Vishwa Bharathi College of Education, 4/127 Village Morappur, Kambainallur Road, Harur Taluk, Dharmapuri Tamilnadu-635305 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal Memoranda it is submitted that "We did not reply to the show cause notice due to Covid-19 pandemic. Now we are ready to submit all the required 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 with an annual intake of 25 students vide order dated 12.12.2007. Further, the enhancement of intake from existing 25 to 35 was permitted vide NCTE/s order dt. 25.08.2010. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 12.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 25.05.2015 for conducting M.Ed. course of two years duration with an annual intake of 50 students from the academic session 2015-16. The recognition of the institution for M.Ed. programme was withdrawn by the SRC vide order dated 21.10.2020.



The Appeal Committee in its 11th meeting held on 29.12.2022 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 Appeal Committee noted that the institution has not submitted latest faculty list approved by affiliating University. The Committee further noted that the institution has submitted only one letter dt. 14.02.2022 written to the Registrar TNTEU, but has not submitted approved faculty list at the time of submission of Appeal or during the hearing of the 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 21.10.2020 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 21.10.2020 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, Vishwa Bharathi College of Education, 4/127 Village Morappur, Kambainallur Road, Harur Taluk, Dharmapuri Tamilnadu-635305**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

File No. 89-104/E-250402/2022 Appeal/11th Meeting, 2022

APPLWRC202214324

Late Shri Dnyaneshwarji Menghare Shikshan Mahavidyalaya, Survey No. 202/2, Village Desaiganj (Wadsa), street, Bramhapuri road, Post Office Desaiganj (Wadsa), Gadchiroli, Maharashtra-441207 APPELLANT	<u>Vs</u>	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. Arun L. Motghare, Representative of the institution
Respondent by	Regional Director, WRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

[Handwritten signature]

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Late Shri Dnyaneshwarji Menghare Shikshan Mahavidyalaya, Survey No. 202/2, Village Desaiganj (Wadsa), street, Bramhapuri road, Post Office Desaiganj (Wadsa), Gadchiroli, Maharashtra-441207** dated 24.03.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **WRC/APW02792/123356/B.Ed./339th/2021/217248-217252** dated 28.08.2021 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "This is a RPRO case and same was remanded back by the Appellate Authority. The WRC noted that the institution has requested to give 3-4 years' time limit to complete the construction of the permanent building. The WRC decided that as per provisions of NCTE Regulations, the institution was to shift to its own building within 3 years of recognition i.e., on or before 30th July, 2010, hence the request of the institution is not acceptable. In view of the above, the committee decided that the decision for withdrawal taken by WRC in its 322nd meeting stands in respect of B.Ed. Course."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Arun L. Motghare, Representative of Late Shri Dnyaneshwarji Menghare Shikshan Mahavidyalaya, Survey No. 202/2, Village Desaiganj (Wadsa), street, Bramhapuri road, Post Office Desaiganj (Wadsa), Gadchiroli, Maharashtra-441207 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that "After the reminder order no show cause notice was issued by the WRC and WRC issued the withdrawal order without any opportunity to show cause and response. As per the sop issued by the NCTE Two show cause notice are required before taking before the decision of withdrawal. As per the judgement of Hon'ble High Court of Delhi in its judgement dated 18.11.2020 High Court has held that the lease cannot be ground of rejection for the old colleges before the year 2008 as and when the lease was applicable for the grand of recognition. Accordingly, our college can run on the same premises unless shift to another premises."



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. (Co-Ed) Course with an annual intake of 100 students vide order dated 30.07.2007 in a rented premises with a condition to shift to its own premises within three years of such recognition. After promulgation of the NCTE Regulations, 2014, a Revised Recognition order was issued to the institution vide order dated 31.5.2015 for B.Ed. of two year duration from the academic session 2015-2016.

The recognition of the institution was withdrawn by the WRC vide order dated 20th December, 2020 for B.Ed. course.

The institution preferred an Appeal against the decision of WRC and the Appellate authority vide order dated 12.03.2021 remanded the case to WRC with a direction to consider the reply of the appellant institution which is required to send again by the appellant to WRC within 15 days of the issue of the appeal order. The recognition of the institution for B.Ed. programme was again withdrawn by the WRC vide order dated 28.08.2021.

The appellant institution had moved to the Hon'ble Delhi High Court by the way of W.P.C. No. 11508/2021 titled Late Shri Dnyaneshwarji Menghare Shikshan Mahavidyalaya V/s National Council for Teacher Education & Anr. The Hon'ble Court vide order dated 07.10.2021 issued following directions: -

“....7. The Appellate Committee of the NCTE may also endeavour to dispose of the petitioner's appeal as expeditiously as possible and practicable and will in any event do so not later than three months from today.”

The Appeal Committee in its 11th meeting held on 29.12.2022 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 case of the institution was placed before the WRC in its 339th Meeting held on 28-30 July 2021, whereby it is informed that the institution requested to 3 – 4 years' time limit to complete the construction of permanent building. This clearly shows that still the institution has not shifted to its own building and institution has also not explained this position in the Appeal.

The Appeal Committee also noted that after promulgation of the NCTE Regulations, 2014 viz a viz willingness for adherence of NCTE Regulations, 2014 by the institution, a Revised Provisional Recognition Order (RPRO) indicating the requirement to be adhered to as per provisions of the NCTE Regulations, 2014 was issued to the institution. The same is still not adhered by the institution as on date.

The Appeal Committee also noted that this leads to the violation of the provisions of the NCTE Regulations, 2014, as despite the ample opportunity given to the institution by way of SCN & FSCN, the institution has not complied the terms & conditions imposed in RPRO even after lapse of more than 7 years.

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 28.08.2021 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 28.08.2021 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, Late Shri Dnyaneshwarji Menghare Shikshan Mahavidyalaya, Survey No. 202/2, Village Desaiganj (Wadsa), street, Bramhapuri road, Post Office Desaiganj (Wadsa), Gadchiroli, Maharashtra-441207**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-114/E-250980/2022 Appeal/11th Meeting, 2022**

APPLNRC202214350

RRCM College of Education, 77, 11/1, 11/2, Kosli, Malesiyawas Road, Kosli, Rewari, Haryana-123302	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	No one presented
Respondent by	Regional Director, NRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUND OF REFUSAL

The appeal of **RRCM College of Education, 77, 11/1, 11/2, Kosli, Malesiyawas Road, Kosli, Rewari, Haryana-123302** dated 14.04.2022 filed under Section 18 of NCTE Act, 1993 is against the Order **NRC/NCTE/NRCAPP-3284-B.Ed./364th (Vol. I) Meeting/2022/1217584-591** dated 11.03.2022 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "In the approved faculty list, marks of M.Ed. of Sh. Mehtab is not mentioned. Marks of Sh. Ranveer Singh in his Post Graduation is not provided. Experience Certificates of that the Principal is not provided. Affidavit of Rs. 10/- rupees of appointed faculties are not furnished. Building Completion Certificate is not approved by Competent Government Authority i.e., Government Engineer. The Qualification and staff list submitted by the institution differs from the list uploaded on the website."

II. SUBMISSIONS MADE BY APPELLANT: -

No one from RRCM College of Education, 77, 11/1, 11/2, Kosli, Malesiyawas Road, Kosli, Rewari, Haryana-123302 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that "In compliance of letter of intent issued by NRC on 13.09.2018, the institute undertook the exercise of selection & appointment of faculty. Thereafter, the selected faculty (1+15) was approved by the affiliating university namely Indira Gandhi University, Meerpur. A copy of approved faculty list attached. As per clause 5(B) of appendix IV of NCTE Regulations, 2014, the following qualification is prescribed for the faculty: - B. Perspectives in Education or Foundation Courses (i) Postgraduate degree in social sciences with minimum 55 marks and (ii) M.Ed. degree from a recognized university with minimum 55 marks OR (i) Postgraduate (MA) degree in Education with minimum 55 marks and (ii) B.Ed./B.El.Ed. degree with minimum 55 marks. The faculty namely Sh. Mehtab Singh fulfils the following qualification: - (i) M.A. Education with 62.4 marks (ii) B.Ed. with 64 marks and (iii) NET qualified it is submitted that Sh. Mehtab Singh has not done M.Ed. and in view of the aforesaid fulfilment of qualification, the same is not required. The faculty list approved by the University, due to inadvertent typographical



error against the M.Ed. qualification, instead of “No”, “Yes” is mentioned. So far as faculty namely Sh. Ranveer Chaudhary is concerned, he is the faculty for Physical Education. As per clause 5(d) of Appendix IV of NCTE Regulations, the following qualification is required for faculty for physical Education: - D. Specialized Courses Physical Education (i) Master of Physical Education (M.P.Ed.) with minimum 55 marks (Training/qualification in yoga education shall be desirable) It is submitted that Sh. Ranveer Chaudhary fulfils the following qualification: - (i) B.P.Ed. with 78.08 marks (ii) M.P.Ed. with 72.34 marks and (iii) NET qualified A copy of faculty list approved by the university along with qualification certificates of Sh. Mehtab Singh (M.A. Education, B.Ed. and NET) and qualification certificates of Sh. Ranveer Chaudhary (B.P.Ed., M.P.Ed. and NET) are attached as ANNEXURE – 1. The principal is duly approved by the affiliating university and fulfils the requisite experience. The experience certificate of Principal was submitted to the NRC. A copy of the experience certificate of the principal is attached as ANNEXURE – 2. Affidavit of Rs. 10/- of all approved faculty (1+15) has already been submitted to the NRC. A copy of the affidavits of each faculty are attached as ANNEXURE – 3. The institution is situated in the rural area which does not come under the purview of District & Town Planning (DTP). Therefore, the Building Completion Certificate in respect of the building situated in the concerned area where the institute is situated, is Sub-Divisional Engineer, PWD Kosli and Sarpanch, Gram Panchayat, Kosli. The building completion certificate duly approved by said competent authorities has already been submitted to NRC. A copy of the building completion certificate is again attached as ANNEXURE -4. On the website of the institute, the details of the same staff (1+15) as approved by the affiliating University along with their qualification regarding NET/Ph.D. was uploaded. It is submitted that additionally the approved faculty list in the prescribed format is also posted on the website 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 had submitted an application to the Northern Regional Committee for grant of recognition for seeking permission for running the B.Ed. Course on 19.12.2012. The recognition



of the institution for B.Ed. programme was refused by the NRC vide order dated 11.03.2022.

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 5th meeting held on 11th June 2022 and further taken up in its 9th meeting held on 20th November 2022, but nobody has appeared to represent the institution. Further, the matter was again taken up in 11th Meeting held on 29th December 2022, 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 B.Ed. programme was refused vide order dated 11.03.2022 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 NRC dated 11.03.2022 refusing recognition for B.Ed. programme of the institution is confirmed.



IV. DECISION: -

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing and in the light of decision taken by the General Body of the NCTE in its 55th meeting held on 14.07.2022, the Appeal Committee of the Council concluded that the appeal of the institution cannot be entertained. Hence, the instant appeal deserves to be rejected and impugned refusal order dated 11.03.2022 of 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, RRCM College of Education, 77, 11/1, 11/2, Kosli, Malesiyawas Road, Kosli, Rewari, Haryana-123302**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana.



IN THE NCTE APPELLATE AUTHORITY / 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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

File No. 89-178/E-258652,258653/2022 Appeal/11th Meeting, 2022

APPLNRC202214409

Shri Radha Rani Degree College, 73K, 73KH, 74,75, Julahpur, NH91, Kachora, Aligarh, Mahamaya Nagar, Uttar Pradesh-204215 APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Representative of the institution
Respondent by	Regional Director, NRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Shri Radha Rani Degree College, 73K, 73KH, 74,75, Julahpur, NH91, Kachora, Aligarh, Mahamaya Nagar, Uttar Pradesh-204215** dated 07/06/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.NO/NRC/NCTE/UP-930-B.Ed./365TH (Part-2) (Blended Mode) Meeting/2022/217846-854** dated 08.04.2022 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “In compliance of order dated 06.09.2021 of the Hon’ble High Court of Delhi at New Delhi vide W.P.(C) 9691/2021, the committee has considered the decision and decided as under: 1. The institution is permitted to participate in the counselling process for admitting student for current session 2021-22 for 100 students (Two Units of 50 students each). 2. The status of the institution is hereby re-stored and stands recognise subject to the final decision of the NRC. The status of the petitioner-institution as a recognised institution will be reflected on the website and will be communicated to the affiliating university.”

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of **Shri Radha Rani Degree College, 73K, 73KH, 74,75, Julahpur, NH91, Kachora, Aligarh, Mahamaya Nagar, Uttar Pradesh-204215** submitted that “1. Because this Hon’ble High Court of Delhi in para 5 of the aforesaid order dated 06.09.2021, has clearly set aside the order dated 09.10.2020 issued by NRC, and has restored the status of the SHREE RADHA RANI DEGREE COLLEGE, recognized for all the purposes. However, the NORTHERN REGIONAL COMMITTEE, NATIONAL COUNCIL FOR TEACHER EDUCATION instead of issuing the restoration order to SHREE RADHA RANI DEGREE COLLEGE, has given effect to the aforesaid already quashed order dated 09.10.2021 by making it effective from the end of the academic session 2022-23. 2. Because NORTHERN REGIONAL COMMITTEE, NATIONAL COUNCIL FOR TEACHER EDUCATION in its impugned decision taken in its 365th meeting, has observed that the withdrawal order issued on 09.10.2020 stands effective from the end 42 of the academic session 2022-23. It is submitted that such



observation / decision of the NRC, would have applicability, only if the said order dated 09.10.2020 would not have been quashed by this Hon'ble High Court of Delhi vide its order dated 06.09.2021. 3. Because the NORTHERN REGIONAL COMMITTEE, NATIONAL COUNCIL FOR TEACHER EDUCATION vide its aforesaid decision has given effect to the order dated 09.10.2020 issued earlier by it, which, subsequently has been set aside by this Hon'ble High Court of Delhi vide its order dated 06.09.2021 passed in Writ Petition (C) No.9691/2021, preferred by SHREE RADHA RANI DEGREE COLLEGE. It is submitted that an order once set aside by an appropriate Court, has no effect and thus becomes voidable and accordingly, the same cannot be reviewed / revived by the NATIONAL COUNCIL FOR TEACHER EDUCATION and revival thereof by giving effect to the same, is an illegal and unjustifiable exercise of the NORTHERN REGIONAL COMMITTEE, NATIONAL COUNCIL FOR TEACHER EDUCATION which is not only bad in eye of law, but also contemptuous to the order passed by this Hon'ble High Court of Delhi. 4. Because while taking the aforesaid decision, NORTHERN REGIONAL COMMITTEE, NATIONAL COUNCIL FOR TEACHER EDUCATION failed to appreciate that the effect of quashing an order of withdrawal by this Hon'ble High Court of Delhi is to restore the same position of the SHREE RADHA RANI DEGREE COLLEGE, as it stood on the date, prior to passing of the order already quashed. It is submitted that it is a well-established principle of law that the order of a competent authority remains effective and operative only until the same is set aside or quashed by due process of law and once it is quashed, it is deprived of all legal effects, right from its inception and its effect would be ceased to exist as a result of which, the institution would be entitled to all consequential benefits and would be deemed to be recognized ever since. 5. Because the NORTHERN REGIONAL COMMITTEE, NATIONAL COUNCIL FOR TEACHER EDUCATION while taking the aforesaid impugned decision in its 365th meeting, failed to appreciate that if an institution has been able to remedy the defects due to which its recognition was withdrawn, then, there is no reason as to why the aspect should not be considered by the authority concerned. However, the NRC has given effect to the already quashed order without considering the matter/documents of SHREE RADHA RANI DEGREE COLLEGE, which were considered by the appeal committee and after having satisfied by same, the appeal committee had remanded the matter back to NRC for reconsideration. It is submitted



that NRC has adopted a contradictory view to appeal committee's observation in perusing documents. 6. Because NORTHERN REGIONAL COMMITTEE, NATIONAL COUNCIL FOR TEACHER EDUCATION while taking the aforesaid impugned decision in its 365th meeting, failed to appreciate the observations of this Hon'ble High Court of Delhi that the SHREE RADHA RANI DEGREE COLLEGE will be treated as a recognized institution for all purposes and will participate in counselling and admit students for the academic year 2021-22 and for all subsequent years, until and unless a fresh order of withdrawal is passed against it. It is submitted that this Hon'ble High Court of Delhi had also directed the NORTHERN REGIONAL COMMITTEE, NATIONAL COUNCIL FOR TEACHER EDUCATION to issue an order of restoration of recognition of the petitioner 44 institution, however, non-issuance of such an order, appears to be overlapping the directions issued by this Hon'ble High Court of Delhi vide the order dated 06.09.2021. It is also submitted that non issuance of order of restoration of order, is creating anxiety / chaos amongst the students already admitted as well as desiring to be admitted in the SHREE RADHA RANI DEGREE COLLEGE. 7. Because on 07.05.2019, NCTE issued the Standard Operating Procedures (SOPs) and directed its all the Regional Committees to follow the same for processing of applications wherein it has been categorically provided that 2nd show cause notice should be issued before proceeding for the withdrawal of the recognition of the recognised institution whereas in the instant case the NRC has failed to adhere with the SOPs. 8. Because though in the aforesaid impugned decision taken by NRC in its 365th meeting, the NRC has pointed out certain deficiencies, however, no show cause notice, in terms of the aforesaid SOP, has been issued by the NRC with regard to said deficiencies. It is submitted that upon quashing of such an order, the status of an institution would be deemed to be recognized ever since, and also this Hon'ble High Court of Delhi while restoring the recognition of SHREE RADHA RANI DEGREE COLLEGE, has held that the status of the SHREE RADHA RANI DEGREE COLLEGE will be treated as recognized, until a fresh decision is taken by the NRC, therefore, the NRC was 45 required to serve the SHREE RADHA RANI DEGREE COLLEGE with a fresh show cause notice with opportunity to rectify the same. 9. Because so far as the deficiencies pointed out in the impugned decision taken by NRC in its 365th meeting regarding the approved list of faculties and their details pertaining to qualification and salary etc. is concerned, it is



submitted that the NRC failed to appreciate that the SHREE RADHA RANI DEGREE COLLEGE vide letter dated 22.02.2020 requested the affiliating university to certify the approved staff list dated 22.02.2020 issued by the University and simultaneously, SHREE RADHA RANI DEGREE COLLEGE vide affidavit dated 06.03.2020 submitted faculty list along with their salary proof, to the NRC. 10. Because the NRC failed to observe that since the approval of the latest faculty was pending before the affiliating university itself, therefore, the previously approved list available on the website of SHREE RADHA RANI DEGREE COLLEGE, was not in consonance with the list submitted by SHREE RADHA RANI DEGREE COLLEGE before the University for approval and before the NRC, as reply. Consequently, the salaries being disbursed to staff as per the bank statement, is not in consonance with the list available on the website of the SHREE RADHA RANI DEGREE COLLEGE. It is submitted that as when, the affiliating university accords its approval to the faculty of SHREE RADHA RANI DEGREE COLLEGE, the SHREE RADHA RANI DEGREE COLLEGE will submit the same, at the earliest. 46 11. Because if the NRC was initiating any action against the SHREE RADHA RANI DEGREE COLLEGE on the behest of a letter issued by the affiliating university, then, it ought to have forward the reply of SHREE RADHA RANI DEGREE COLLEGE submitted against the show cause notice, to the affiliating university of the SHREE RADHA RANI DEGREE COLLEGE, for their reference and record as it was the University who failed to accord its approval to the faculty appointed in SHREE RADHA RANI DEGREE COLLEGE. 12. Because in many identical cases the appeal committee of the NCTE has granted the opportunity to institutions by remanding back their refused application to the concerned regional committee for the purposes of reconsideration and compliance needed at the end of the institutions. It is submitted that in one of the identical case NCTE vide its order dated 18.02.2019, remanded back the application of the institution observing that the delay in submission of the compliance of the LOI i.e. the approved staff list, was due to the reason beyond the control of the applicant which has happened due to the strike in the Kurukshetra University. 13. Because even otherwise, the impugned decision taken by the NRC does not survive in light of the 2nd proviso to 47 Section 17 of NCTE Act, 1993, which provides the applicability of an order issued by the Regional Committee either withdrawing or refusing recognition. 14. Because the SHREE RADHA RANI DEGREE COLLEGE is an



old institution and running since the year 2003 and the NRC itself had granted recognition to SHREE RADHA RANI DEGREE COLLEGE after satisfying with infrastructural & instructional facilities available in 49 the SHREE RADHA RANI DEGREE COLLEGE and adherence by the SHREE RADHA RANI DEGREE COLLEGE with norms of NCTE in respect of running the B.Ed. programme. Further, the NRC has never violated any of the norms prescribed either by the NCTE / NRC or the State Govt. or the Affiliating University, for the purpose of running the B.Ed. course 15. Institution replied of First SHOWCAUSE NOTICE dated 24-06-2019 with all supporting documents on date 20/07/2019 in sufficient time by SPEED POST. Speed post number- EU414944920IN IVR: 6985414944920 16. Institution replied of Second SHOWCAUSE NOTICE dated 26-12-2019 with all supporting documents on date:- 01/01/2020 in sufficient time by SPEED POST . Speed post number - EU979187318IN IVR: 6985979187318 17. The institute maintain sufficient staff which are approved by affiliating university (dr. Br Ambedkar university Agra & raja Mahendra Pratap university Aligarh). Institution attached the original approved faculty list with their academic qualification and experience certificate, etc 18. The institution has submitted the details of salary disbursed to the faculty along with bank statement. The institute already maintain each faculty member account details with their bank passbook. Institute already maintain the balance sheet which is approved by chartered accountant. 19. The institution maintaining the website as the clause 7(14) of NCTE rules and regulation (2014-17). The website of institute is governed by the following full conditions of NCTE letter no. Rd/nrc/ncte/2020/208419 dated 09/07/2020.”

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 22.07.2003. The revised recognition order for two years B.Ed. course was not issued to this institution due to non-submission the required affidavit in NRC office. The recognition of the institution for B.Ed. programme was withdrawn by the NRC vide order dated 08.04.2022.



The Appeal Committee in its 11th meeting held on 29.12.2022 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 faculty list through email on 29.12.2022, however, this faculty list is not approved by the affiliating University.
- (ii) The institution has also not submitted individual bank account details of each & every faculty (Teaching & Non-Teaching) staff.

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 08.04.2022 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 08.04.2022 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, Shri Radha Rani Degree College, 73K, 73KH, 74,75, Julahpur, NH91, Kachora, Aligarh, Mahamaya Nagar, Uttar Pradesh-204215**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-127/E-252910/2022 Appeal/11th Meeting, 2022

APPLERC202214359

Raidighi College, 4609, Raidighi, South 24-Pargana, West Bengal-743383 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	No one presented
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Raidighi College, 4609, Raidighi, South 24-Pargana, West Bengal-743383** dated 27/04/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ERC-303.3/APE00674/B.Ed./2022/65545** dated 27.04.2022 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution has appointed (librarian including 1+15 teaching staff. Librarian is not teaching faculty as per Regulations, 2014. The website of the institution not functional/updated as per clause 7(14)(i) of Regulation, 2014."

II. SUBMISSIONS MADE BY APPELLANT: -

No one from Raidighi College, 4609, Raidighi, South 24-Pargana, West Bengal-743383 in the appeal Memoranda submitted that "The institution has appointed the faculty (1+15) as per norms of NCTE. Thus, the institution fulfils the requirement of teaching faculty as per NCTE Regulations, 2014. The institute has also appointed additional three faculties. The faculty list approved by affiliating university will be produced before the appellate authority. Further, it is submitted that in the show cause notice dated 29.04.2021, no such ground was raised by the ERC. The website of the institution is functional and also updated as per Clause 7(14)(i) of NCTE Regulations, 2014. The institute has updated all the details of the institution as required under NCTE Regulations. Further, it is submitted that in the show cause notice dated 29.04.2021, no such ground was raised by the ERC."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 30.08.2008. A revised provisional recognition order was issued to the institution on dt. 29.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the



institution for B.Ed. programme was withdrawn by the ERC vide order dated 27.04.2022.

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 7th meeting held on 7th & 8th October 2022 and further taken up in its 9th meeting held on 20th November 2022, but nobody has appeared to represent the institution. Further, the matter was again taken up in 11th Meeting held on 29th December 2022, 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 11th meeting held on 29.12.2022 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 staff list, however there is no name and seal of the Registrar of the Affiliating University.
- (ii) As per the faculty list submitted for (1+15) faculty in which faculty at Sl. No. 11 i.e. Mr. Indra Narayan Bhadra is Librarian, however, his name is showing as teaching staff. The submitted staff list shows that the 7 faculty was appointed before 9th June, 2017, the proof regarding disbursement of salary of the teaching staff, whether it is being paid through cheque/online payment has also not been submitted.

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 27.04.2022 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 appeal deserves to be rejected and therefore, the impugned withdrawal order 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, Raidighi College, 4609, Raidighi, South 24-Pargana, West Bengal-743383**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-156/257535/2022 Appeal/11th Meeting, 2022**

APPLERC202214393

Nalini Devi Womens College of Teacher Education, 913, Kharvelnagar, Kharvelnagar, Bhubaneswar GPO, Khurda, Odisha-751001 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. Gayatri Mohanty, Principal
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Nalini Devi Womens College of Teacher Education, 913, Kharvelnagar, Kharvelnagar, Bhubaneswar GPO, Khurda, Odisha-751001** dated 28/05/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-283.2/(OR-S/E-5/99)/M.Ed./2020/62989** dated 08/09/2020 of the Eastern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that "The institution has submitted 1+8 teaching faculty against the requirement of 10 for running one unit of M.Ed. course as per Appendix-5 of Regulation-2014/Norms & Standards. Total built up area mentioned in the Building Plan (BP) is 789.84 Sq. Mts., which is not sufficient to run one unit of M.Ed. course."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Gayatri Mohanty, Principal of Nalini Devi Womens College of Teacher Education, 913, Kharvelnagar, Kharvelnagar, Bhubaneswar GPO, Khurda, Odisha-751001 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that "Building Completion Certificate of this college duly signed by Govt. Engineer is submitted vide letter no 141 dt. 13.02.2020. Building Plan is duly signed by the Govt. Engineer will be submitted at the time of verification. Regular Principal is appointed by Govt. vide Govt. order no 23816 dt. 18.06.2021."

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 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 from the academic session 2015-16. The recognition of the institution for M.Ed. programme was withdrawn by the ERC vide order dated 08.09.2020.



The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+10) members dated 29.12.2022 approved by the Registrar, Utkal University, Vani Vihar, Bhubaneswar as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of Building Plan and Building Completion Certificate.

The Appeal Committee noted that the institution has now rectified the deficiencies, as such Committee decided to remand back the matter to Regional Committee.

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 Withdrawal Order dated 08.09.2020. 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.

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 08.09.2020 is set-aside and the Appellate Committee has decided to remand back the case to ERC for revisiting the matter.

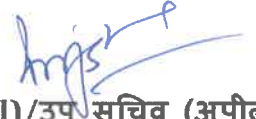
Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to ERC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the 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, Nalini Devi Womens College of Teacher Education, 913, Kharvelnagar, Kharvelnagar, Bhubaneswar GPO, Khurda, Odisha-751001
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-169/E-258169/2022 Appeal/11th Meeting, 2022

APPLERC202214385

Govt. B.Ed. Training College, 241, Kalinga, G.Udayagiri, Kandhamal, Odisha-762022 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Mr. Jayandra Nath Swain, Principal
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Govt. B.Ed. Training College, 241, Kalinga, G.Udayagiri, Kandhamal, Odisha-762022** dated 28/05/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-282.20/ERCAPP941/B.Ed./2020/162805** dated 16/07/2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “List of teaching faculty member is less against the requirement of 1+15 for running two units of B.Ed. course as per Appendix-4 of NCTE Regulation, 2014. Building Plan (BP) has not been duly signed by the competent authority.”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Jayandra Nath Swain, Principal of Govt. B.Ed. Training College, 241, Kalinga, G.Udayagiri, Kandhamal, Odisha-762022 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “Department of Higher Education, Govt. of Odisha notification number – 09, dtd-27/07/2021 has taken steps for recruitment of teaching faculties as per NCTE Norms. The OPSE interview of 04 subjects i.e. (Pedagogy) Math, Geography, Political Science, Botany have completed. All the required teachers according to NCTE Norms will join very soon. The B.Ed. college building is constructed by Pa, Itda, Balliguda, Kandhamal as it comes under ST & Sc dev. Dept and Pa, Itda, Balliguda, Kandhamal is the final competent authority regarding building plan and building completion certificate. The building completion certificate in prescribed format attached with the final show cause notice. However, the building plan is attached herewith for necessary action.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 13.08.2012. A revised recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course of two years duration with an annual intake of



100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 16.07.2020.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+9) members dated 18.11.2022 approved by the Registrar, Berhampur University as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of Building Plan (BP) duly signed by the competent authority.

The Appeal Committee noted that institution has submitted faculty (1+9) members, which are sufficient to run B.Ed. one unit, as such, the Appeal Committee decided to remand back the matter to ERC to consider the matter for one basic unit.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Order dated 16.07.2020. 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.

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

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



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

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

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

In view of the afore-mentioned extracts of the court orders, the impugned withdrawal order dated 16.07.2020 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, Govt. B.Ed. Training College, 241, Kalinga, G.Udayagiri, Kandhamal, Odisha-762022**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

File No. 89-160/2022 Appeal/11th Meeting, 2022

APPLERC202214386

Nabakrushna Choudhury College of Teacher Education, 1527,1531,1532, 1652, 1564, Hakimpada, Angul, Odisha- 759122 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. Purnachandra Behera, Associate Professor in Education
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Nabakrushna Choudhury College of Teacher Education, 1527,1531,1532, 1652, 1564, Hakimpada, Angul, Odisha-759122** dated 19/05/2022 filed under Section 18 of NCTE Act, 1993 is against the impugned Order No. **F.No.ER-295.7/(OR-S/E-7/96, APE00754 & ERCAPP1857)/B.Ed./2021/64427** dated 31.8.2021 of the Eastern Regional Committee, whereby the recognition has been granted for one basic unit only.

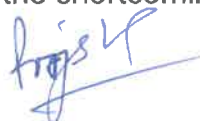
II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Purnachandra Behera, Associate Professor of Education of Nabakrushna Choudhury College of Teacher Education, 1527,1531,1532, 1652, 1564, Hakimpada, Angul, Odisha-759122 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “List of teaching faculty has been approved by affiliating body.”

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 14.03.2008 and an additional intake of 200 students vide order dated 30.05.2008. 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 200 (Four unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 28.01.2020. Subsequently the ERC, vide order dated 31.8.2021 restored the recognition of the institution for 1 unit.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings: -



- (i) A copy of faculty list (1+21) members dated 17.11.2022 approved by the Registrar, Utkal University, Vani Vihar, Bhubaneswar as per provisions of the NCTE Regulations, 2014.

The Appeal Committee noted that institution has submitted faculty list of (1+21) members, which are sufficient to run B.Ed. two unit, as such, the Appeal Committee decided to remand back the matter to ERC to consider the matter for grant of additional one unit of B.Ed. programme to the institution.

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, Nabakrushna Choudhury College of Teacher Education, 1527,1531,1532, 1652, 1564, Hakimpada, Angul, Odisha-759122**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-159/257539/2022 Appeal/11th Meeting, 2022

APPLERC202214387

Nabakrushna Choudhury College of Teacher Education, 1527,1531,1532, 1652, 1564, Hakimpada, Angul, Odisha- 759122 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Dr. Purnachandra Behera, Associate Professor in Education
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of Nabakrushna Choudhury College of Teacher Education, 1527,1531,1532, 1652, 1564, Hakimpada, Angul, Odisha-759122 dated 19/05/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No **F.No.ER-284.12/APE00448/M.Ed./2020/63065** dated 28/09/2020 of the Eastern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that "Final Show Cause Notice issued on 27.01.2020 and no reply has been received as on date."

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Purnachandra Behera, Associate Professor in Education of Nabakrushna Choudhury College of Teacher Education, 1527,1531,1532, 1652, 1564, Hakimpada, Angul, Odisha-759122 appeared online to present the case of the appellant institution on 20.11.2022. In the appeal memoranda it is submitted that "List of teaching faculty has been approved by the concerned affiliating body/institution website updated."

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 23.06.2005. A revised 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 institution for M.Ed. programme was withdrawn by the ERC vide order dated 28.09.2020.

The Appeal Committee in its 11th meeting held on 29.12.2022 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 failed to submit faculty list as per provisions of the NCTE Regulations, 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 ERC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 28.09.2020 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 28.09.2020 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, Nabakrushna Choudhury College of Teacher Education, 1527,1531,1532, 1652, 1564, Hakimpada, Angul, Odisha-759122**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-170/E-258172/2022 Appeal/11th Meeting, 2022**

APPLERC202214384

College of Teacher Education, 253, Chandragadi, Zilla School Road, Balasore Head Post Office, Balasore Sadar, Balasore, Odisha-756001 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Prof. (Dr.) Maheswar Panda, Principal
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF APPEAL

The appeal of **College of Teacher Education, 253, Chandragadi, Zilla School Road, Balasore Head Post Office, Balasore Sadar, Balasore, Odisha-756001** dated 27/05/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-295.6/(OR-S/E-1/1996)/B.Ed./2021/64426** dated 31.8.2021 of the Eastern Regional Committee, whereby the recognition has been granted for one basic unit only.

II. SUBMISSIONS MADE BY APPELLANT: -

Prof. (Dr.) Maheshwar Panda, Principal of College of Teacher Education, 253, Chandragadi, Zilla School Road, Balasore Head Post Office, Balasore Sadar, Balasore, Odisha-756001 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that "The guest faculties have already been disengaged. The faculties whose list uploaded on the institution website are qualified & have been appointed by Govt. of Odisha duly selected by Odisha Public Service Commission, Odisha. They are all regular faculties having nearly 23 years of teaching experience in government colleges. Further, for filling of vacancies of faculties in teacher education institution including this college, the government of Odisha in the higher education department have already requested OPSC, Odisha for recruitment of 385 assistant professors in teacher education out of which 74 numbers of faculties have already been selected and the rest will be very shortly selected and will be appointed by the government. (Copies of supporting documents attached). Requisite information of the institutional website has been updated as per clause 7(14) (i) of the NCTE Regulation, 2014. (Refer to <http://scertodisha.nic.in/ctebalasore>)"

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 28.06.2001. A revised provisional recognition order was issued to the institution on dt.



31.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 28.1.2020. Subsequently, the ERC vide order dated 31.08.2021 restored the recognition of the institution for 1 unit.

The Committee noted that the recognition granted to the institution was withdrawn by the ERC on 28.01.2020 due to lack of faculty. The institution has challenged the said withdrawal order before the Appeal Committee and vide its order dated 19.08.2021 has set aside the said withdrawal order and matter was remanded back to ERC to revisit the matter for restoration of recognition of one unit. In view of the same the ERC has issued restoration order for one basic unit.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+15) members dated 17.11.2022 approved by the Registrar of the Affiliating Body, Balasore as per provisions of the NCTE Regulations, 2014.

The Appeal Committee noted that institution has submitted faculty list of (1+15) members, which are sufficient to run B.Ed. two unit, as such, the Appeal Committee decided to remand back the matter to ERC to consider the matter for grant of additional one unit of B.Ed. programme to the institution.

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, College of Teacher Education, 253, Chandragadi, Zilla School Road, Balasore Head Post Office, Balasore Sadar, Balasore, Odisha-756001**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-171/E-258174/2022 Appeal/11th Meeting, 2022**

APPLERC202214389

Utkalmani Gopabandhu College of Teacher Education, 139- 1,144,145,150, Hemachandrapur, University Road, Takatpur, Baripada, Mayurbhanj, Odisha-757003 APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. Sanjay Kumar Dey, Principal
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Utkalmani Gopabandhu College of Teacher Education, 139-1,144,145,150, Hemachandrapur, University Road, Takatpur, Baripada, Mayurbhanj, Odisha-757003** dated 28/05/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ER-278.83/OR-S/E-4/96 & ERCAPP1874/B.Ed./2020/62152** dated 28/01/2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “Original list of teaching faculty duly signed by the affiliating body as per NCTE Regulation, 2014 has not been submitted. Building Completion Certificate (BCC) in the prescribed proforma duly signed by the competent Govt. authority has not submitted. Plot No., total land area and total built up area has not mentioned in the Building Plan (BP) submitted by the institution.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Sanjay Kumar Dey, Principal of Utkalmani Gopabandhu College of Teacher Education, 139-1,144,145,150, Hemachandrapur, University Road, Takatpur, Baripada, Mayurbhanj, Odisha-757003 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “The higher education department of government of Odisha has already taken decision in recruitment of 385 regular faculties for teacher education colleges. Accordingly, OPSC Odisha is already in the process of selection of assistant professors for teacher education colleges. By this date already the list of the assistant professors of different pedagogy subjects is finalized and published by the OPSC. The total process of selection is going on and the process of recruitment is expected to be completed very soon. Supporting documents attached. All the part time faculties have been disengaged. The built-up area was 1626 sq. mts. government has allocated funds for construction of different infrastructural facilities like boys’ hostel and girls’ hostel which is in the process of implementation of the project as well as for the shortage of built-up area planning and estimate is made by concerned engineering department and very soon the administrative approval and funds will be released, and the construction of the building



will be completed soon. The building plan in readable font and in legible form is being uploaded in the college website. (Website: <http://scertodisha.nic.in/ctebaripada/>).”

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. A revised provisional recognition order was issued to the institution on dt. 31.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two basic unit) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 28.01.2020.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of teaching faculty (1+12) duly signed by the affiliating body as per NCTE Regulation, 2014.
- (ii) The institution submitted that it has a built-up area 1626 sq. meters.

The Appeal Committee noted that institution has submitted faculty list of (1+12) members, which are sufficient to run B.Ed. one unit, as such, the Appeal Committee decided to remand back the matter to ERC to consider the matter for one basic unit.

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, Utkalmani Gopabandhu College of Teacher Education, 139-1,144,145,150, Hemachandrapur, University Road, Takatpur, Baripada, Mayurbhanj, Odisha-757003**
- 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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-231/E-272530/2022 Appeal/11th Meeting, 2022

APPLERC202214459

University of Kalyani, B-13, Kaylani Gosh Para, Kalyani, Nadia, West Bengal-743235	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
APPELLANT		RESPONDENT

Representative of Appellant	Mr. Bijan Sarkar, Teacher of the institution
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **University of Kalyani, B-13, Kaylani Gosh Para, Kalyani, Nadia, West Bengal-743235** dated 22/09/2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No.ERC-284.20/APE00236/M.Ed./2020/63123** dated 05/10/2020 of the Eastern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that **“Two show cause notice issued on 20.04.2018 & 05.03.2020 and no reply has been received as on date.**

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Bijan Sarkar, Teacher of University of Kalyani, B-13, Kaylani Gosh Para, Kalyani, Nadia, West Bengal-743235 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “(i) The University of Kalyani, established in the year 1960, is a Government of West Bengal administered, University Grants Commission affiliated and NAAC accredited University. The University has been imparting education in different courses including Master of Education (M.Ed.). The university is governed by the University of Kalyani Act, 1981, amended in the year 2017 up to date, with Statute, Regulations, Order etc. for upliftment of education of the people at large. (ii) The Department of Education, University of Kalyani, has been imparting education of M.Ed. courses upon obtaining recognition vide ERC Order No. 3582 dated 08.12.2004, with an intake of students. Subsequently extended and revised from time to time, up to date, as per NCTE Regulations, 2014 (iii) The Department of Education, University of Kalyani has been fulfilling all criteria as prescribed by the Eastern Regional Director, NCTE, and to that effect, has submitted from time to time, all the documents, as required i.e. approved faculty list, documents of Building Completion Certificate Plan, Fixed Deposits, updates regarding Website, Fire Safety Certificate, Affidavit etc. through the letter dated 04.05.2018. (iv) The ERC, NCTE has granted recognition to continue the course of M.Ed. since 2004 and extended the intake of students and revised recognition from time to time and lastly on 22.01.2019. It appears from the said letter issued by Regional Director, ERC that, ERC in its 265th Meeting held on 08th-09th



January, 2019 has decided that, the institution in question has fulfilled all criteria, as per NCTE Regulations, 2014 in compliance to revised recognition order. (v) That on the basis of compliance report NCTE on its 265th meeting held on 08-09th January 2019 has decided that institution in question has fulfilled all criteria as per NCTE regulation 2014. (vi) The Department of Education, University of Kalyani has been continuing the course of M.Ed. upon fulfilling all criteria, as prescribed in NCTE Regulation, 2014 up to date. All of a sudden, without considering the order dated 22.01.2019, the ERC, NCTE has issued a Show Cause Notice on 20.04.2018 to the University. In reply to the said Show Cause Notice, the University has replied to the said Notice, upon annexing all the documents and submitted the same before ERC, NCTE through PAR on 31.12.2019, in spite of that, the ERC, NCTE, has issued the second Show Cause Notice, on repetition of same issue, on 06.03.2020, although, due to COVID-19 pandemic and lockdown, the session of the teaching and learning has been postponed.” (vii) The ERC, NCTE, without considering the documents and records in hand, has been pleased to issue an order dated 05.10.2020. It reveals from the said order that, the ERC, NCTE did not consider the order dated 22.01.2019, the documents submitted by the University upon fulfilling all criteria, as per NCTE Regulations, 2014, the documents further submitted by the University through PAR on 31.12.2019, and as such, the order dated 05.10.2020 is a clear act of non-consideration of documents in hand and non-application of mind and as such, the same should be revoked, quashed, modified and/or set aside for ends of justice. (viii) The University of Kalyani stating all facts, has submitted a prayer on 12.02.2021 before the Regional Director, ERC, NCTE to re-consider the matter and had requested to issue revised Recognition Order in favor of Department of Education, University of Kalyani for upcoming session, but all in vain.”

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 08.12.2004. A revised provisional recognition order was issued to the institution on dt. 30.05.2015 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 institution for M.Ed. programme was withdrawn by the ERC vide order dated 05.10.2020.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+9) members approved by the affiliating University.
- (ii) A copy of FDR towards endowment fund and reserved fund after conversion into joint operation mode as prescribed in the NCTE Regulations, 2014.
- (iii) A copy of Fire Safety Certificate duly signed by competent authority.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 05.10.2020. 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.

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 05.10.2020 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, and also to verify substantial appointment of faculty.

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, and also to verify substantial appointment of faculty.

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, University of Kalyani, B-13, Kaylani Gosh Para, Kalyani, Nadia, West Bengal-743235**
- 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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

**File No. 89-151/E-256912/2022 Appeal/11th Meeting, 2022
APPLSRC202114241**

Sa-Ya-Gosh College of Education, 218,219,220, Pudumariamman Koli, Sa-Ya-Gosh Nagar, Dharampuri, Dharmapuri, Tamilnadu-635205 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	No one presented
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Sa-Ya-Gosh College of Education, 218,219,220, Pudumariamman Koli, Sa-Ya-Gosh Nagar, Dharampuri, Dharmapuri, Tamilnadu-635205** dated 19.11.2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRC/NCTE/APSO4318/B.Ed./TN/2021/125193** dated 16.03.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The Committee noted that due to non-compliance of SCN dated 15.03.2019 for submission of requisite documents to verify infrastructure & instructional facilities a Final Show Cause Notice dated 10.08.2020 was issued to the institution. However, the institution failed to submit the requisite documents as per Final Show Notice dated 10.08.2020. Further the SRC also given the last opportunity for submission of written representation/reply by way of last Reminder letter dated 21.09.2020 and the institution failed to submit the reply to the last reminder letter."

II. SUBMISSIONS MADE BY APPELLANT: -

No one from **Sa-Ya-Gosh College of Education, 218,219,220, Pudumariamman Koli, Sa-Ya-Gosh Nagar, Dharampuri, Dharmapuri, Tamilnadu-635205** appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that "Because the appellant fulfils all the requirements under the provisions of NCTE Act, Rules and relevant Regulations including the Norms and Standards for the concerned Teacher Education Programme such as instructional facilities, infrastructural facilities, library, land, accommodation, financial resources, laboratory, etc. for running the programme and has selected-appointed duly qualified teaching staff as per NCTE Norms and as per the approval of faculty given by the affiliating bodies. Because the appellant/institution has duly complied with all the terms and conditions stipulated in the Revised Recognition Order. Because the respondent has failed to apply its mind while passing impugned withdrawal order No. **F.SRC/NCTE/APSO4318/B.Ed./{TN}/2021/125193** dated 16.03.2021, whereby the respondent has withdrawn the recognition granted to appellant Sa-Ya-Gosh College of Education for conducting B.Ed. course w.e.f. the next academic



session i.e., 2021-2022. Hence, the impugned withdrawal order is liable to be set aside in the facts and circumstances of the present case. Because the Hon'ble High Court of Delhi at New Delhi vide judgement dated 23.02.2017 passed in W.P.(C)No.3231/2016, titled 'Rambha College of Education vs. National council for Teacher Education & Anr.' has directed the NCTE to consider the subsequent development. Because the Hon'ble High Court in W.P. (c) No.9744/2020 titled as Asha Devi Mahavidyalaya & Anr. Vs. National Council for Teacher Education has directed the respondent to consider the subsequent development, which were submitted during the pendency of the application before the Regional Committee or in the course of hearing of the appeal vide order dated 03.12.2020. Because the ground for the withdrawal is totally based on wrong analysis and incorrect consideration of the prevailing law enforced and wrong examination of the documents. Because Appellant is an old institution, which is conducting B.Ed. course since 2006 and has invested huge amount of capital and manpower for development of infrastructure and facilities at its institution and respondent is illegally blocking it from running the course which clearly unwarranted and unlawful."

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 26.07.2006. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 23.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 05.05.2015 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 16.03.2021.

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 7th meeting held on 7th & 8th October 2022 and further taken up in its 9th meeting held on 20th November 2022, but nobody has



appeared to represent the institution. Further, the matter was again taken up in 11th Meeting held on 29th December 2022, 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 11th meeting held on 29.12.2022 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 Land Use Certificate submitted by the institution is in the name of Tmt. M. Kalpana, Managing Trustee of the Trust which is in individual name and not in favour of the Trust/institution.
- (ii) The Building Completion Certificate is in the name of Chairman of the institution whereas the LUC is in the name of Tmt. M. Kalpana, Managing Trustee, as such both are self-contradictory.
- (iii) The institution has submitted two Building Completion Certificate (BCC). In one of the BCC it shows the built up area of 956.90 sq.mtrs for running M.Ed. programme. Another BCC shows total built up area of 22767 sq. ft. for running B.Ed. M.Ed. programme. The same is not sufficient to run 2 unit of B.Ed. programme and 1 unit of M.Ed. programme as per provisions of the NCTE Regulations, 2014.
- (iv) The institution submitted staff list dated 17.10.2020 which is not the latest one. Moreover, all the faculty members have been shown appointed before 9th June, 2017, however, the proof regarding disbursement of salary of the teaching staff, whether it is being paid through cheque/online payment has also not been submitted.

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 16.03.2021 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 16.03.2021 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, Sa-Ya-Gosh College of Education, 218,219,220, Pudumariamman Koli, Sa-Ya-Gosh Nagar, Dharampuri, Dharmapuri, Tamilnadu-635205**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील

89-248/E-277843/2022 Appeal/11th Meeting, 2022

APPLSRC202114059

Kasthurba Gandhi Kanya Gurukulam College for Women, 635/B,636/B,637/2, Maharajapuram East, Vedaranyam, Nagapattinam, Tamilnadu-614810. APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Sri. S. Jayaprakash, Administrative Officer
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.03.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Kasthurba Gandhi Kanya Gurukulam College for Women, 635/B,636/B,637/2, Maharajapuram East, Vedaranyam, Nagapattinam, Tamilnadu-614810** dated 05.07.2021 filed under Section 17 of NCTE Act, 1993 against the Order No. **F.SRO/NCTE/APS03576/B.Ed./{TN}/2021/125225** dated 16.03.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that: - “(i). The institution has submitted LUC which is regional language. The institution is required to submit notarized translated copy of LUC duly approved by the competent authority. (ii). The NEC submitted is in regional language. The institution is required to submit notarized copy of latest NEC. (iii). The institute submitted a copy of building plan which is neither approved nor legible. Further, the size of classrooms are less than the requirement and multipurpose hall is not available. (iv). The institute has not submitted BCC in prescribed format as per NCTE Guidelines. The photocopy submitted by the institution is not approved by the Competent Authority. (v). The institute submitted only 1+10 faculty against the requirement 1+15 under NCTE Regulation. The faculty is not approved by the Affiliating Body. (vi). Details of uploading requisite information on website not submitted. (vii). The Committee noted that the institution failed to submit the requisite documents as per Final Show Cause Notice dated 04.08.2020.”

II. SUBMISSIONS MADE BY APPELLANT: -

Sri. S. Jayaprakash, Administrative Officer of Kasthurba Gandhi Kanya Gurukulam College for Women, 635/B,636/B,637/2, Maharajapuram East, Vedaranyam, Nagapattinam, Tamilnadu-614810 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal Memoranda it is submitted that: - “(i). We are submitted translated copy of LUC duly approved by the competent authority. (ii). We are submitted notarized copy of latest NEC. (iii). We Are Submitted Latest Building Plan. (iv). We Are Submitted Latest Building Completion Certificate. (v). We are submitted approved faculty affiliating body. (vi). We Are Uploading Requisite Information on Website.”



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 with an annual intake of 100 students vide order dated 30.06.2009. Thereafter, promulgation of NCTE Regulations, 2014 the institution consented to come under new Regulations vide a notarized affidavit dated 24.01.2015. A provisional revised recognition order was issued on 23.05.2015 to the institution for conducting B.Ed. programme of two years duration with an annual intake of 100 students (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 16.03.2021.

The appellant institution had moved to the Hon'ble Madras High Court by the way of W.P.(C) No. 28348/2022 titled Kasthurba Gandhi Kanya Gurukulam College for Women V/s National Council for Teacher Education & Anr, the Hon'ble Court vide order dated 02.11.2022 issued following directions: -

"...11. In that view of the matter, this Court is inclined to dispose of this writ petition with the following orders: (i) That it is open to the petitioner to make a hard copy appeal to the 1st respondent of the online appeal of the petitioner dated 05.07.2021 within a period of two weeks from the date of receipt of a copy of this order. On receipt of such hard copy of the appeal from the petitioner, the 1st respondent shall process the same and pass orders thereon on merits and in accordance with law after giving an opportunity of being heard to the petitioner within a period of four weeks thereafter. (ii) It is needless to mention that, depending upon the outcome of the decision to be made in the appeal by the 1st respondent, the further relief sought for by the petitioner, if he is advised to do so, can be persuaded before the concerned authority in accordance with law..."

In compliance of Court order dated 02.11.2022 passed by Hon'ble Madras High Court in W.P.(C) No. 28348/20215690/2022 titled Kasthurba Gandhi Kanya Gurukulam College for Women V/s National Council for Teacher Education & Anr,



The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+15) members dated 22.12.2022 approved by the Registrar, Tamilnadu Teachers Education University, Chennai as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of Land Use Certificate signed by Tahsildar, Vedaraniyam.
- (iii) A copy of Non-Encumbrance Certificate in English Version.
- (iv) A copy of approved Building Plan
- (v) A copy of Building Completion Certificate approved by Competent Authority. in prescribed format as per NCTE Guidelines.
- (vi) 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 16.03.2021. 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 16.03.2021 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, Kasthurba Gandhi Kanya Gurukulam College for Women, 635/B,636/B,637/2, Maharajapuram East, Vedaranyam, Nagapattinam, Tamilnadu-614810**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
89-248/E-196690/2021 Appeal/11th Meeting, 2022
APPLERC202114106

Chandradev Narayan College, 216, Rampurasli, Sahebganj, Karnaul, Muzaffarpur, Bihar- 843125. APPELLANT	<u>Vs</u>	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. RESPONDENT
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Representative of Appellant	Dr. Suman Kumar Jha, HOD
Respondent by	Regional Director, ERC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Chandradev Narayan College, 216, Rampurasli, Sahebganj, Karnaul, Muzaffarpur, Bihar-843125** dated 28.08.2021 filed under Section 17 of NCTE Act, 1993 against the Order No. **F.No.ER-295.13/ERCAPP1704/B.Ed./ 2021/64438** dated 03.09.2021 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that:- “(i). Latest teaching faculty list approved by the concerned affiliating body along with requisite testimonials to be submitted. (ii). Building Plan (BP) duly approved by the Govt. competent authority to be submitted. (iii). Building Completion Certificate (BCC) duly signed by the Govt. competent authority to be submitted. (iv). Original FDRs towards Endowment fund and Reserve fund after as prescribed in the NCTE Regulation, 2014 to be submitted. (v). Requisite information of the institutional website as per clause 7(14)(i) of NCTE Regulation, 2014 to be updated.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. Suman Kumar Jha, HOD of Chandradev Narayan College, 216, Rampurasli, Sahebganj, Karnaul, Muzaffarpur, Bihar-843125 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal Memoranda it is submitted that: - “(i). The ERC by its order dated 03.03.2014 granted recognition to the institute for conducting B.Ed. Course with annual intake of 100 students from the academic session 2014-15. After notification of NCTE Regulations, 2014, the ERC issued the revised recognition order date 23.05.2015 for two basic units (100 seats) of B.Ed. Course. The ERC issued a show cause notice dated 20.04.2018 to our institute on five specific grounds and we by our letter No. PR/B.Ed./23 dated 05.05.2018 submitted pointwise reply to the said show cause notice. Along with the reply, we submitted following documents: - a. Approved faculty list by the concerned affiliating body. b. Approved building plan by the concerned competent authority c. Affidavit against completion of building by the concerned competent authority. d. FDR of Rs. 12,00,000/- (Twelve Lakh) as per NCTE Regulations, 2014. e. A print of Website updates of the institution f. A copy of Letter No. 62/17 dated 11.05.2017



against submission of all details of the Director, NCTE, Delhi. Our aforesaid reply dated 05.05.2018 was dispatched to the Regional Director, ERC by speed-post dated 06.05.2018. A copy of letter dated 05.05.2018 alongwith speed post receipt is attached as Annexure – 1. The documentary evidence regarding compliance mentioned at (a) to (f) in our reply dated 05.05.2018 will be produced at the time of hearing of the appeal by the appellate committee. It is submitted that after submission of the aforesaid reply dated 05.05.2018, our institution which is a constituent college, has not received any show cause notice from the ERC. Further, ERC in its decision taken in 295th Meeting held on 21st August, 2021 has neither considered our reply nor given any reason whatsoever in support of its decision to take drastic action of withdrawal of recognition of our institution. (ii). It is submitted that 2nd proviso of Section 17 of NCTE Act, 1993, provides as under regarding the effective date of coming into force of a withdrawal order: - “provided further that the order withdrawing or refusing recognition passed by the Regional Committee shall come into force only with effect from the end of the academic session next following the date of communication of such order.” Further, Section 17(2) of NCTE Act, 1993 specifically mandates that every withdrawal order passed by Regional Committee under Section 17(1) “shall be published in the Official Gazette for general information.” It is submitted that ERC vide its decision taken in 295th Meeting held on 21st August 2021 has withdrawn recognition of B.Ed. course of our institution w.e.f. academic session 2021-22 itself particularly when our institution is in the midst of the counselling and admission process for the present academic year 2021-22. The aforesaid decision of ERC to withdraw recognition of B.Ed. Course from the present academic year 2021-22 is contrary to the provision contained in 2nd proviso to section 17(1) of NCTE Act, 1993. As per the said provision, the withdrawal can be effective only from the end of the academic session next following the date of communication of such order. Further, the withdrawal order has also not been published on Official Gazette as mandated under Section 17(2) of NCTE Act, 1993.”

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 03.03.2014. A provisional revised recognition order was issued on 23.05.2015 to the institution for conducting B.Ed. programme of two years duration with an annual intake of 100 students (Two basic units) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the ERC vide order dated 03.09.2021.

The Appeal Committee noted that the instant matter was placed before the Appeal Committee in its 4th Meeting, 2022 held on 26.04.2022 wherein the Appeal Committee decided the following: -

"..that the appellant institution has failed to submit reply to any of the Show Cause Notices/Letter. If the appellant has submitted reply to SCN dated 20.04.2018, as claimed, then they should have submitted duplicate copy of the same to ERC as asked for and, in the Appeal, too alongwith memoranda of appeal to justify their claim.

Notting the submission and verbal arguments advanced during the hearing, the Appeal Committee is of the view that the ERC was justified in withdrawing the recognition of the institution and therefore decided to reject the instant appeal and confirm the impugned withdrawal order issued by ERC."

The appellant institution had moved to the Hon'ble Delhi High Court by the way of W.P.(C) No. 15268/2022 titled Chandradev Narain College v/s National Council for Teacher Education & Anr, the Hon'ble Court vide order dated 04.11.2022 issued following directions: -

"... 11. Since the documents were also placed on record but were not taken into consideration by Appellate Committee and keeping in view the aforementioned submissions, the instant petition is allowed with the following directions: (i) Appeal order dated 26th May, 2022 is set aside and appeal before the Appellate Committee is restored. (ii) Petitioner-college shall furnish another set of documents along with the latest approved faculty list to Appellate Committee within the period of two weeks from today. (iii) Appellate Committee shall take into consideration, the afore-said documents furnished by Petitioner-college, and thereafter pass an appropriate order, in accordance with law and dispose of the appeal as expeditiously as possible, but not later than three months from the date of receipt of documents to be submitted by Petitioner-college..."

In compliance of Court order dated 04.11.2022 passed by Hon'ble Delhi High Court in W.P.(C) No. 15268/2022 titled Chandradev Narain College V/s National Council for Teacher Education & Anr, the Appeal Committee considered the case.



The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A list of faculty members (1+15) Approved by Registrar of Affiliating Body vide dated 04.01.2022.
- (ii) A copy of Building Completion Certificate dated 10.2.2022.
- (iii) A copy of FDRs of Rupees (7,00,000+4,00,000+1,00,000 = 12,00,000/-) issued by State Bank of India.
- (iv) 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 03.09.2021. 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 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 03.09.2021 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, Chandradev Narayan College, 216, Rampurasli, Sahebganj, Karnaul, Muzaffarpur, Bihar-843125**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-247/E-277848/2022 Appeal/11th Meeting, 2022

APPLSRC202114145

Basaveshwara College of Education, Site No.140, Magadi Road, Chord Road Layout Village, 14th Main Road, Vijayanagar, Bangalore, Karnataka-560040 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Ms. Reshma Salik, Representative of the institution
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Basaveshwara College of Education, Site No.140, Magadi Road, Chord Road Layout Village, 14th Main Road, Vijayanagar, Bangalore, Karnataka-560040** dated 29/09/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APSO3206/B.Ed./{KA}/2021/127783-7790** dated 29/07/2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution had submitted a copy of Lease Deed dt. 20.07.1974 executed between City Improvement Trust, Bangalore and the Managing Society. The Lease Deed was for the period of 30 years which is expired. (ii). The building plan submitted by the institute is neither approved by the competent authority nor legible. (iii). Faculty of the institute is not approved by the affiliating body. (iv). As per the record issued by the Bruhat Bengaluru Mahangara Palike a School and pre-University College is also being run in the same premise. The institute did not submit the demarcated building plan for all courses and the build – up area is also not sufficient to run the school, pre-university College and B.Ed. course. (v). The institute did not submit documents related to its managing society/trust. (vi). The institute did not submit the NEC. (vii). The institution has submitted photocopy of FDRs which are matured. The institution has not submitted Form “A” issued by the bank manager towards creation of FDRs of Rs. 7.00 lakh and Rs. 5.00 lakh towards endowment fund and reserve fund. (viii). The details of website of the institute have not been submitted.”

II. SUBMISSIONS MADE BY APPELLANT: -

Ms. Reshma Salik, Representative of Basaveshwara College of Education, Site No.140, Magadi Road, Chord Road Layout Village, 14th Main Road, Vijayanagar, Bangalore, Karnataka-560040 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “All are enclosed.”



III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the appellant institution was granted recognition for B.Ed. Course with an annual intake of 100 students vide order dated 31.01.2006. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 28.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 16.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 students for two basic units of 50 students each from the academic session 2015-16. A Corrigendum dated 9.12.2015 was issued for reduction of intake of the institution from 2 unit to 1 unit. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 29.07.2021.

The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list (1+15) members dated 11.7.2022 approved by the Asst. Registrar, Dr. B.R. Ambedkar University, Agra as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of Sale Deed from the City Improvement Trust, Bangalore
- (iii) A copy of approved building plan and Building Completion Certificate.
- (iv) A copy of Form 'A' issued by the bank manager towards creation of FDRs of Rs. 7.00 lakh and Rs. 5.00 lakh towards endowment fund and reserve fund.
- (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 29.07.2021. The Committee, noted that the document submitted in appeal *vis a vis* the grounds mentioned in the order of withdrawal, require to be verified by the 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 29.07.2021 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, Basaveshwara College of Education, Site No.140, Magadi Road, Chord Road Layout Village, 14th Main Road, Vijayanagar, Bangalore, Karnataka-560040**
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 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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-251/E-277976/2022 Appeal/11th Meeting, 2022

APPLNRC202214474

Smt. Gomati Smarak Vigyan Mahavidyalaya, 128, 298, Nawab Nagar, Parson, Etah, Uttar Pradesh-207001. APPELLANT	<u>Vs</u>	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Representative of the institution
Respondent by	Regional Director, NRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUND OF WITHDRAWAL

The appeal of **Smt. Gomati Smarak Vigyan Mahavidyalaya, 128, 298, Nawab Nagar, Parson, Etah, Uttar Pradesh-207001** dated 18.10.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.No./NRC/NCTE/UP-515-B.Ed./365th (Vol-II) (Blended Mode) Meeting/2022/217865** dated 08.04.2022 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has not submitted latest approved faculty list. (ii). The institution has submitted the last six-month salary statement of the faculty members with details of the account numbers, but the statement is of 13 faculty members only that is up to March 2021. (iii). The faculty list uploaded on the website of the college also is not matching with the list submitted. (iv). Website is also not update.”

II. SUBMISSIONS MADE BY APPELLANT: -

The representative of Smt. Gomati Smarak Vigyan Mahavidyalaya, 128, 298, Nawab Nagar, Parson, Etah, Uttar Pradesh-207001 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “(i). That NRC vide its order dated 08.04.2022 has withdrawn the recognition of appellant institution herein for conducting the B.Ed. course, observing the deficiencies which were already clarified / ratified by the appellant institution. A copy of Withdrawal order dated 08.04.2022 issued by NRC is enclosed as Enclosure 1. (ii). That it is necessary to point out here that NRC vide its order dated 10.01.2003 granted recognition to the appellant institution for running the B.Ed. course with annual intake of 120 students from academic session 2002-03. Subsequently, appellant institution approached Dr. Bhimrao Ambedkar University, Agra for the affiliation and the said University after due compliance of verification / inspection, granted affiliation to the appellant institution vide order dated 30.10.2003. After promulgation of new NCTE Regulations, 2014, a revised recognition order dated 05.06.2015 was issued to the institution for running the B.Ed. course with an annual intake of 100 students. Subsequently, our institution vide letter dated 20.05.2016 submitted its compliance to the conditions contained in revised recognition order. (iii). That thereafter, the NRC



issued withdrawal order dated 10.07.2020 withdrawing recognition of the appellant institution stating therein the alleged ground of non-submission of reply by the appellant institution to the show cause notices issued. The appellant institution filed appeal u/s 18 against the withdrawal order dated 10.07.2020 and the appeal committee vide its order dated 20.11.2020 remanded the matter back to NRC for reconsideration of the matter of the appellant institution. A copy of appeal order dated 20.11.2020 is enclosed as Enclosure 2. (iv). That, accordingly, the NRC in its 325th meeting held on 8th – 9th January, 2021 considered the matter of our institution and issued show cause notice dated 23.02.2021, to which, appellant institution submitted its reply dated 20.03.2021 (on 21.03.2021) alongwith documents sought by the NRC. A copy of reply dated 20.03.2021 is enclosed as Enclosure 3. (v). That thereafter, since our institution was not being permitted to participate in the counselling, we approached the Hon. Delhi High Court by filing W.P. No.10934/2021 wherein the Hon. Court passed its order dated 27.09.2021 quashed the withdrawal order dated 10.07.2020 of the NRC. The Hon. Court also directed the NRC to treat the appellant institution as recognised, ever since. A copy of order dt. 27.09.2021 of the Hon'ble Court is enclosed as Enclosure 4. (vi). That thereafter, the NRC again took up the matter of the appellant institution in 365th Meeting and issued the withdrawal order dated 08.04.2022 withdrawing recognition of the appellant institution from the end of academic session 2022-23. (vii). That once the status of our institution was restored by the NRC as the earlier withdrawal order was quashed by the Hon. High Court, therefore, matter of our institution was required to be considered afresh by NRC and thus, NRC was required to issue another Show Cause Notice in terms of SOP issued by NCTE. (viii). That so far as the aforesaid deficiencies are concerned, it is submitted that all the deficiencies are inter-related and concerned with the faculty, their salary, uploadation of faculty list on website and non-updating of website accordingly. (ix). That it is submitted that appellant institution has adequate number of faculties for running B.Ed. course of two units, approval whereof have been granted by the Dr. B.R.A. University, Agra from time to time. A copy of approvals granted from the University are enclosed as Enclosure 5. (x). That so far as the salary statement of faculty members of appellant institution is concerned, the appellant institution is paying salary to all its faculty through Bank. A copy of bank statement showing disbursement



of salary to the appointed staff of appellant institution is enclosed as Enclosure 6. (xi). That it is submitted that though, appellant institution has adequate number of faculty, however, as per direction of the NRC, appellant institution vide its letter dated 26.04.2022 has requested the B.R.A. university to nominate the subject experts for according the fresh / latest approval of faculty of the appellant institution. (xii). That it is submitted that the appellant institution had also submitted a list of 16 faculties in response to show cause notice. The said list is also duly approved by affiliating university and the NRC cannot ignore the same. A copy of list of faculty approved by the affiliating university is enclosed as Enclosure 7. (xiii). That the approval of faculty from affiliating body is a long process which includes the submission of application before the affiliating body alongwith other supporting documents including separate affidavits of faculties and their educational testimonials which, the committee constituted by the affiliating body for the said purpose, considers the same and recommends thereafter for approval of the faculty and on recommendations of such committee, the affiliating body accord its approval to the faculty. (xiv). That it is submitted that procedure of fresh approval of faculty will take approx. six months to complete and the appellant institution has published the advisements in newspaper on 10.04.2022 for appointment of additional faculty. (xv). That renewal of approval of the faculty, is a long and time taking process and is likely to consume approx. 6 months' time as the affiliating body at present, is engaged with counselling & admission process for the present academic session 2022-23. The approval of faculty is a long process and the same is beyond the control of the petitioner institution. (xvi). That so far as the deficiencies pointed out in withdrawal order are concerned, it is submitted that the same are inter-related and once the renewed and approved list of faculties is issued by the affiliating university, the same will match with the salary statement submitted to NRC earlier and accordingly, the said renewed and approved list will be uploaded on the website and accordingly, the website will be updated. (xvii). That it is submitted that since no 2nd show cause notice is issued to appellant institution, therefore, the appellant institution vide letters dated 16.06.2022 and 22.07.2022 has submitted the documents to NRC, however, no response is received from NRC. Accordingly, appellant institution is filing the instant appeal with a short delay. (xviii). That it is submitted that the appellant institution is running since the year 2003 and



does not lack any infrastructural and instructional facilities required as per the NCTE norms and the NRC itself have issued the recognition / revised recognition order to the appellant institution for B.Ed. course. (xix). That it is submitted that thus, withdrawal order dated 08.04.2022 of NRC is not maintainable and the appeal committee is requested to revert the decision taken by NRC with further direction to NRC to restore the recognition of appellant institution thereby granting an opportunity to the appellant institution to submit documents desired by the NRC. (xx). The appeal is being filed with a short delay as some time has been consumed in following the process of subject experts, which is in the administrative control of the affiliating university. The appellant institution vide its letters dated 16.06.2022 & 15.07.2022, had informed the said aspect to NRC / NCTE and sought extension of time for submission of appeal. A copy of letters dated 16.06.2022 & 15.07.2022 is enclosed as Enclosure 8. (xxi). That, therefore, appellant institution is preferring the online appeal u/s 18 of the NCTE Act, 1993.”

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 120 students vide order dated 10.01.2003. A revised provisional recognition order was issued to the institution on dt. 05.06.2015 for conducting B.Ed. course of two years duration with an annual intake of two units of 50 student each was issued to the institution with certain conditions. The recognition of the institution for B.Ed. programme was withdrawn by the NRC vide order dated 10.7.2020 and the same was remanded back by the Appeal Authority vide order dated 20.11.2020. The NRC again withdrawn the recognition of the institution vide order dated 08.04.2022.

The Appeal Committee in its 11th meeting held on 29.12.2022 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 approved faculty list approved by affiliating University. The institution has submitted photocopy of faculty through email dt 29.12.2022, however, this is not approved by affiliating University.

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 08.04.2022 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 08.04.2022 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, Smt. Gomati Smarak Vigyan Mahavidyalaya, 128, 298, Nawab Nagar, Parson, Etah, Uttar Pradesh-207001**
- 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 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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-257/E-280126/2022 Appeal/11th Meeting, 2022

APPLSRC202214471

Srimathi AKD Sakkaniamma College of Education for Women, 160/3, Rajapalayam, Shenbagathoppu road, Rajapalayam taluk, Virudh Nagar, Tamilnadu-626117 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Dr. M. Vaidyanathan, Academic Advisor
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Loggs

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Srimathi AKD Sakkaniamma College of Education for Women, 160/3, Rajapalayam, Shenbagathoppu road, Rajapalayam taluk, Virudh Nagar, Tamilnadu-626117** dated 28.10.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRO/NCTE/APS04899/B.Ed./{TN}/2022/134389** dated 31.08.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution has submitted a self-attested copy of faculty list not approved by the affiliating university consisting of one Principal and 5 Assistant Professors which are not sufficient as per NCTE Norms for 2 basic units. (ii). The institution has submitted a photocopy of Land Use Certificate in which Land area and purpose of use is not mentioned in the certificate. (iii). The institution has submitted Building Plan not approved by competent authority and built-up area is not sufficient for B.Ed. 2 basic units. (iv). The institution has submitted photocopy of Building Completion Certificate in which date of inspection not mentioned and built-up area not sufficient for B.Ed. 2 basic units and mismatched with building plan.”

II. SUBMISSIONS MADE BY APPELLANT: -

Dr. M. Vaidyanathan, Academic Advisor of Srimathi AKD Sakkaniamma College of Education for Women, 160/3, Rajapalayam, Shenbagathoppu Road, Rajapalayam taluk, Virudh Nagar, Tamilnadu-626117 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal Memoranda it is submitted that “(i). The first deficiency that deals with the non-approval by the affiliating university consisting of one principal and five assistant professors which are not sufficient as per NCTE norms for two basis units is concerned, it is submitted that the Appellant herein has written a letter dated 16-06-2022 to the Registrar Tamilnadu Teachers Education University, Chennai requesting to provide the approval of the staff and the formal approval is awaited from the said TN Teachers Education University. A copy of the letter dated 16-06-2022 is annexed hereto and marked as Annexure-D however, it is submitted that vide communication dated 27-10-2017 issued by the



Registrar-in-Charge to the Appellant herein the said university had granted approval of qualifications of the teaching faculty members appointed by the Management for B.Ed. programme of two-year duration with an annual intake of hundred students only (two units of fifty each) after verification and in the said approval it has been mentioned that the University had granted approval keeping in view the requirement by the NCTE with regard to the faculty members of six assistant professors. That since the University had taken into consideration of the requirement of the NCTE and has approved the qualifications of the six assistant professors. A copy of the approval dated 27-10-2017 is annexed hereto and marked as Annexure-E. It is further submitted that vide communication dated 10-10-2018 issued by the TN Teachers Education University approval as required by the NCTE with regard to the qualifications of the principal was also issued to the Appellant which is annexed hereto as Annexure-F. In view of the above, once the University has granted approval for one Principal and six assistant professors as regards to their qualification, the Respondent cannot state that there has been violation thereof. It is further submitted that in so far as the student teacher ratio, it is submitted that since 2015-16 after the NCTE Act came into force the B. Ed. Course duration got increased from one year to two years and in the year 2015-16 the ratio of pupil-teacher stood as 70:7 and in the year 2016-17 it was 39:6 in the year 2017-18 it was 24:7, 2018-19 it was 79:6, 2019-2020 it was 83:8, 2020-21 it was 52:8, and in 2021-22 it was 61:7. Thus from the details provided herein it is clear that the Appellant has been maintaining the correct ratio of pupil-teacher and that the Appellant college has been producing wonderful result of over 95 success in the last few years. In view of this, the Appellant has not been found wanting in any area in relation to providing education in B. Ed. Course. However, the Appellant is willing and ready to fill up the lacuna, if any, if the Respondent insists for filing up the same. This is not a case where the Appellant has been admitting students over and above the class strength. The ratio of teacher-pupil is required to be maintained only when the class strength is 100 but since the Appellant did not get enough students for the previous academic sessions, the teacher-pupil ratio has been maintained in terms of the number of students who were admitted in the past years and hence the students did not suffer at any time since the successful pass percentile is nearly 95 over the years. Hence it is submitted that the first issue can be decided in the favour of the Appellant. (ii). In so far



as the second point namely not providing the land use certificate in which the land area and the purpose for which the land was being put to use is concerned, it is submitted that the Appellant had already provided copies of certificate as well as the no encumbrance certificate to the Respondent while replying to the Show Cause Notices. In so far as the certificates issued by the Tehsildar is concerned (which is in vernacular language namely Tamil) it has clearly been stated therein that the land in question is being used only for college purposes. The Respondent however without calling for the translation of the said documents issued by the Tehsildar, has without application of mind come to the conclusion that the land use certificate does not indicate the purpose of use. For the benefit of the Appellate Authority, English translated document of the certificate issued by the Tehsildar way back in 2014 and the present status as well as the land that is being used is reflected in the certificate dated 06.10.2022 issued by the Tehsildar, Rajapalayam. The copy of the translation of document given by the Tehsildar in 2014 and the Certificate dated 06.10.2022 are annexed hereto and marked as Annexure-G (Colly). Thus, the second issue also has been cleared in this ground. (iii). In so far as the third issue is concerned i.e., building plan has not approved by competent authority and that built-up area is not sufficient for B. Ed. Two basic units, it is submitted that the Appellant had already submitted building plan while giving reply to the Show Cause Notice. However, the plans and the details thereof with regard to the built-up area etc., that are attested by the Revenue Authorities in whose records the building plan and the built-up area for running the B. Ed. Two basic units in the college are attached herewith and marked as Annexure-H (Colly). From the bare perusal of the plan showing the RCC roofed college building in First Floor is concerned, it is seen that the Plinth Area 1830.63 Square Meter and the total land area earmarked for Teacher Training Program is 5.25 Acres. The areas specified are as per NCTE norms and therefore the objection raised cannot be termed as violation. Hence, it is submitted that the third issue also stands complied with fully both in terms of approval granted by the competent authority for the sanctioned plan as well as the built-up area. (iv). As regards the fourth objection is concerned this is purely an inadvertent mistake on the part of the Engineer who has failed to incorporate the date of inspection in Column No. 18 of his certificate dated 16-09-2014. It is submitted that the inspection and the building completion certificate was issued on 16-



09-2014. This by no means can be taken against the Appellants in as much as the BDO of Melapattam Karisalkulam area has vouched for the inspection carried out by the Engineer concerned who has signed the Building Completion Certificate on 16-09-2014 which in law would be sufficient evidence for having carried out the inspection of the building where the college is being run. Hence, this objection also stands explained.”

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 23.12.2006. 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. 30.04.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (Two basic units 50 each student each) from the academic session 2015-16. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 31.08.2022.

The Appeal Committee in its 11th meeting held on 29.12.2022 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: -

- (ii) The institution has submitted a copy of the Building Completion Certificate (BCC), which shows that the total built-up area is 1410.15 sq. meter, which is not sufficient to run B.Ed. two unit in terms of NCTE Regulations, 2014.
- (iii) The institution failed to submit latest staff list as per provisions of the NCTE Regulations, 2014. The institution has submitted (1+5) faculty members staff list and the same is approved in the year 2017, which is also not sufficient to run B.Ed. 2-unit programme in terms of NCTE Regulations, 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 SRC was justified in withdrawing the recognition and decided that the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 31.08.2022 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 31.08.2022 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, Srimathi AKD Sakkaniamma College of Education for Women, 160/3, Rajapalayam, Shenbagathoppu Road, Rajapalayam taluk, Virudh Nagar, Tamilnadu-626117**
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 - 11/01/2023

APPEAL FILED UNDER SECTION 18 OF NCTE ACT/

**एनसीटीई अधिनियम की धारा 18 के तहत दायर अपील
File No. 89-259/E-280883/2022 Appeal/11th Meeting, 2022**

APPLSRC202214478

Guthikonda Sreeramulu College of Education, 1055/1, 1056, 1057/2A, 1058/3B, Ramachandrapuram, Buchireddypalem, Nellore, Andhra Pradesh-524305 APPELLANT	<u>Vs</u>	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. RESPONDENT
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Representative of Appellant	Mr. Varikunta Ganesh, Administrative Officer
Respondent by	Regional Director, SRC
Date of Hearing	29.12.2022
Date of Pronouncement	11.01.2023

Order/आदेश

I. GROUNDS OF WITHDRAWAL

The appeal of **Guthikonda Sreeramulu College of Education, 1055/1, 1056, 1057/2A, 1058/3B, Ramachandrapuram, Buchireddypalem, Nellore, Andhra Pradesh-524305** dated 18.11.2022 filed under Section 18 of NCTE Act, 1993 is against the Order No. **F.SRC/NCTE/APSO7006/B.Ed./AP/2022/(134501-134505)** dated 05.09.2022 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “(i). The institution failed to submit reply to the Final Show Cause Notice dated 13.11.2019. (ii). Further it is also observed that the institution has not filled Performance Appraisal Report (PAR).”

II. SUBMISSIONS MADE BY APPELLANT: -

Mr. Varikunta Ganesh, Administrative Officer of Guthikonda Sreeramulu College of Education, 1055/1, 1056, 1057/2A, 1058/3B, Ramachandrapuram, Buchireddypalem, Nellore, Andhra Pradesh-524305 appeared online to present the case of the appellant institution on 29.12.2022. In the appeal memoranda it is submitted that “All documents submitted. Appraisal Report (PAR) 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 Secondary (B.Ed.) Course with an annual intake of 100 students vide order dated 12.04.2007. Thereafter, on promulgation of NCTE Regulations, 2014 the institution has submitted affidavit dt. 21.01.2015 for its willingness for adherence of provisions of new Regulations. A revised provisional recognition order was issued to the institution on dt. 06.05.2015 for conducting B.Ed. course of two years duration with an annual intake of 100 (two basic units) from the academic session 2015-16. Subsequently vide Corrigendum dated 25.6.2015, the intake of the institution was reduced from 2 unit to 1 unit. The recognition of the institution for B.Ed. programme was withdrawn by the SRC vide order dated 05.09.2022.



The Appellant institution with its appeal memoranda and submissions made during online appeal hearing on 29th December, 2022 submitted copies of following documents as claiming to have rectified the shortcomings pointed out in the impugned withdrawal order:

- (i) A copy of faculty list members dated 12.8.2021 approved by the Registrar, Vikrama Simhapuri University, Nellore as per provisions of the NCTE Regulations, 2014.
- (ii) A copy of Land Use Certificate signed by Tehsildar.
- (iii) A copy of Building Completion Certificate approved by Deputy Executive Engineer.
- (iv) A copy of Building Plan approved by Deputy Executive Engineer with Site Plan.
- (v) A copy of Form 'A' along with FDRs receipt issued by State Bank of India on dated.15.10.2022.

The Appeal Committee noted that the recognition was withdrawn on the ground as mentioned herein above including non-submission of PAR. The Committee on perusal of the Appeal Memorandum found that the institution has filled the PAR. The Appeal Committee further noted that the intake of the institution was reduced from 2 unit to 1 unit vide SRC order dated 25.6.2015 and during the online hearing the institution was agreed to run B.Ed. programme with 1 unit only.

The Appeal Committee noted that the institution submitted documents with respect to points mentioned in the Withdrawal Order dated 05.09.2022. 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 05.09.2022 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, Guthikonda Sreeramulu College of Education, 1055/1, 1056, 1057/2A, 1058/3B, Ramachandrapuram, Buchireddypalem, Nellore, Andhra Pradesh-524305**
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.
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