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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-243/E-196223/2021 Appeal/21st Meeting, 2021
APPLWRC202114095

Sneh Teachers Training College, 1262, Muhana, Sanganer, Newta Road, Balaji Bazar, Sanganer, Jaipur, Rajasthan – 302029 **APPELLANT**	**Vs**	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	-
Respondent by	**Regional Director, NRC (Now WRC)**
Date of hearing	**28/09/2021**
Date of pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF REFUSAL/RETURNING APPLICATION

The appeal of Sneh Teachers Training College, 1262, Muhana, Sanganer, Newta Road, Balaji Bazar, Sanganer, Jaipur, Rajasthan – 302029 dated 16/08/2021 filed under Section 18 of NCTE Act, 1993 is against the letter Old App/RJ___/231/2017/169523 dated 23.03.2017 of the Northern Regional Committee, returning application for conducting D.El.Ed. Course on the grounds that "**In cases where the institutions have**

submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014".

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

The Representative, Sneh Teachers Training College, 1262, Muhana, Sanganer, Newta Road, Balaji Bazar, Sanganer, Jaipur, Rajasthan – 302029 presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"Because large number of identical cases involving similar issue of State ban, were pending adjudication before the Hon'ble High Court of Delhi and all the said writ petitions were allowed by Hon'ble High Court vide order dated 18.10.2019 in W.P. (Civil) No. 8820 of 2019 titled as Sir Chhotu Ram Jat College of Education vs. National Council for Teacher Education &Anr. etc., whereby Hon'ble High Court of Delhi has been pleased to direct concerned Regional Committees to reconsider the applications of the petitioners without being burdened by the fact that various State Governments have imposed a ban on setting up of new institutions and granting recognition to new courses. moreover, applications will be considered by the NCTE on their own their merit as expeditiously as possible. the appellant was under the legitimate expectation that its application would be consider in just and reasonable manner and it would able to get recognition for conducting D.El.Ed. course/programme as the appellant is having adequate Financial Resources, Land, Accommodation, Library etc. as prescribed in the norms and standards and fulfils all such other conditions relating to infrastructural facilities as required for proper functioning of the institution for the purpose of Teacher Education course."**

III. **OUTCOME OF THE CASE**

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that impugned letter dated

23.03.2017 has been appealed against by the appellant society on 16.08.2021. Appellant for the reason to justify the delay in preferring appeal has enclosed copy of **order dated 06.04.2021 issued by the Hon'ble High Court of Delhi in WP [C] 4068/2021. Effective part of the order of Hon'ble High Court is reproduced as follows** :

"Court has not expressed any opinion on the merits of the petitioner's case or on the question of limitation of filing of the appeal. Both the questions are left open to be decided by the appellate Committee in accordance with law."

2. Appeal Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under the above-mentioned Sections of the Act may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor; provided such an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfied the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

3. Appeal committee noted that appeal filed by appellant is delayed by more than four years and 2 months and the appellant has further taken more than four months' time after getting the orders dated 06.04.2021 of Hon'ble Court to file an appeal.

4. Appeal Committee noting that the appellant institution has not given any satisfactory reason for the delay, the delay after the Court's verdict dated 18.10.2019 referred to by appellant cannot be condoned. Hence the delay is not condoned and the appeal is not admitted. Appellant is however, free to apply afresh as and when NCTE issues notification inviting application for the course as per extant regulations.

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during online presentation of the appeal, Appeal Committee concluded not to accept the appeal on grounds of delay and hence the appeal is not admitted.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Sneh Teachers Training College, 1262, Muhana, Sanganer, Newta Road, Balaji Bazar, Sanganer, Jaipur, Rajasthan – 302029**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-**244/E-196326**/2021 Appeal/21st Meeting
APPLWRC202114103

Poddar BSTC College, Lili 115/1, 115/2, Laxmangarh Road, Laxmangarh, Alwar, Rajasthan – 321607 **APPELLANT**	**Vs**	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. Vijay Poddar, President**
Respondent by	**Regional Director, WRC**
Date of hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF REFUSAL

The appeal of Poddar BSTC College, Lili 115/1, 115/2, Laxmangarh Road, Laxmangarh, Alwar, Rajasthan – 321607 dated 25/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. RJ...../(D.El.Ed.)2021/217003 dated 14.08.2021 of the Western Regional Committee, refusing recognition for conducting for D.El.Ed. Course on the grounds that **"The institution has not submitted the Land Possession / Mutation Certificate;")The institution has submitted the land documents registered on 16.01.2007 for 2500 sqm. land area, whereas the Change of Land Use is only for 1790 sqm. which is less than required as per Regulations.**

In view of the above, the Committee decided that application of the institution be refused u/s 14(3)(b) of the NCTE Act for D.El.Ed. programme."

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Vijay Poddar, President, Poddar BSTC College, Laxmangarh, Alwar, Rajasthan – 321607 presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"Institution has applied for grant of recognition of D.El.Ed. course to NCTE on 31.10.2008 with required processing fees of Rs. 40000/- and other relevant documents. Instead of processing the application for grant of recognition for D.El.Ed. course to this institution, NRC, NCTE had returned the application of this institution for grant of recognition of D.El.Ed. course on 07.03.2009 on arbitrary, unjustified, illegal and unconstitutional basis. Aggrieved from the action of NRC, NCTE, this institution filed a S.B. Civil Writ Petition No. 6480/2019 in the Hon'ble High Court of Rajasthan, Jaipur. Hon'ble High Court of Rajasthan, Jaipur directed to petitioner to file an appeal to the Appellate Authority and Appellate Authority was directed to deal with same as expeditiously as possible, in accordance with law. In compliance to the Court Order this institution had filed an appeal to Appellate Authority, NCTE u/s 18 of NCTE Act, 1993 against the returning letter dated 07.03.2009 issued by NRC, NCTE. Appeal Authority rejected the Appeal of this institution vide order dated 11.06.2019. Aggrieved from the order of Appellate Authority, NCTE, this institution had filed a W.P. (C) 10004/2020 in the Hon'ble High Court, New Delhi. Hon'ble Court had accepted the Writ Petition of this institution and relief sought in prayer clause (a) is allowed as per judgment given in W.P. (C) No. 8820/2019, titled Sir Chhotu Ram Jat College of Education v. National Council of Teacher Education &Anr. on 18.10.2019. In compliance to the order of Hon'ble court this institution submitted application for grant of recognition of D.El.Ed. course along with all required documents along with processing fees of Rs. 1,50,00/- vide D. D. No. 154156 dated 11.12.2020 to WRC, NCTE on 14.12.2020. WRC, NCTE considered the case of this institution vide item No. 113 in it's 329th meeting held from 17-19 February, 2021 and WRC, NCTE**

decided to issue a Show Cause Notice on certain grounds. This institution submitted detailed reply of Show Cause Notice on the basis of minutes on 24.02.2021 to WRC, NCTE. WRC, NCTE issued a Show Cause Notice vide letter No. RJ-/ 215860 dated 31.05.2021 to this institution. This institution has submitted the reply of Show Cause Notice dated 31.05.2021 to WRC, NCTE on 09.06.2021. WRC, NCTE has not considered the reply and documents submitted by this institution and rejected the application of this institution for grant of recognition of D.El.Ed. course on other grounds which were not communicated to this institution prior to rejection of application vide order No. R.J.... / (D.E1.Ed.) 2021 / 217003 dated 14.08.2021. This institution had submitted application for grant of recognition for D.El.Ed. course from the session 2009-2010 to NRC, NCTE on 31.10.2008 as per NCTE Regulations, 2007. As per clause 5.1 (5.1.1) of Appendix-4 of NCTE Regulations, 2007 the requirement of land area is 2500 Sqm. and built up area for B.Ed. and D.El.Ed. course was 2500 Sqm. Copy of Regulations, 2007 is annexed. 2500 Sqm. land was available on ownership basis in the name of society at the time of making application for grant of recognition of D.El.Ed. course to NRC, NCTE as required by NCTE Regulations, 2007. Certified copy of land documents was submitted to WRC, NCTE on 14.12.2020 along with application. 6600 Sqm. land has been donated to this institution through Registered Gift Deed on 20.02.2013. Copy of NazriNaksha, CLU, Non-Encumbrance Certificate, Building Completion Certificate, Building Safety Certificate, Fire Safety Certificate and Certificate for Disabled person was submitted to WRC, NCTE along with application on 14.12.2020. That Director Elementary Education Rajasthan, Bikaner has issued N.O.C. for D.El.Ed. course on 30.05.2019. The name of this institution is mentioned at Serial No. 24. This institution is running B.Ed. course. Copy of recognition order issued by NCTE and copy of affiliation letter issued by affiliating University are annexed and mark as Annexure-20."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Committee noted that appellate Authority by an order dated 11.06.2019 upheld the order dated 07.03.2009 issued by Northern Regional Committee

(NRC) (now Western Regional Committee WRC). While confirming and upholding the decision of Regional Committee to return the application made by appellant institution in 2008 reliance was made on the orders of Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India in so far as consideration of negative recommendation of the State Government/Union Territory and the mandate of NCTE to achieve planned and coordinated development of Teacher Training Institutions is concerned.

2. Appeal Committee noted that appellant institution resubmitted its application to NRC on 14.12.2020 based on the orders dated 18.10.2019 in WP [C] No. 8820/2019 and dated 08.12.2020 in WP [C] 10004/2020 which referred to the case titled Sir Chhotu Ram Jat College of Education Vs NCTE and another.

3. Appeal Committee noted that application dated 31.10.2008 resubmitted by appellant institution on 14.12.2020 was considered by WRC and a Show Cause Notice (SCN) dated 31.05.2021 was issued on the ground that land was registered on 20.02.2013. Appellant institution submitted in reply to the SCN that copy of application dated 14.12.2020 is again submitted.

4. Appeal Committee noted that impugned refusal order dated 14.08.2021 is on following two grounds namely.

(i) The Institution has not submitted the land possession/Mutation Certificate.

(ii) Land documents registered on 16.01.2007 are for 2500 Sq. Meter land area, whereas the change of land use is onlyfor 1790 Sq. Meters which is less than required as per Regulations.

5. Appeal Committee noted that application seeking recognition for D.El.Ed. Programme originally belonged to year 2008 and was first returned on 07.03.2009. Ironically, the application was not processed due to negative recommendations of the State Government and during the prolonged period applicant kept on resubmitting the application under various decisions of the Court of law. Appeal Committee has now two basic questions to adjudicate and as raised by appellant which are :

(i) Whether the appellant has adequate land converted for educational purpose as on the date of application.

(ii) Which date shall be treated as crucial as the date of submission of application.

6. Appeal Committee noted that presently NCTE Regulation, 2014 are in vogue and no new recognition can be granted quoting the norms and standards of NCTE Regulations, 2007 and 2009. All applicants have to comply with norms and standards of NCTE Regulation, 2014. Appeal Committee further noted that appellant institution was required to submit land documents and connected papers in one go and the impugned refusal order dated 14.08.2021 only referred to deficiencies connected with land documents submitted by the appellant. Appellant institution is recognized to conduct B.Ed. Programme with an intake of 2 units and with its application for seeking recognition for 2 Unit of D.El.Ed. programme, it requires a minimum of 3000 Sq. Meters of land.

7. Appeal Committee noted that after promulgation of NCTE Regulations, 2014 application for D.El.Ed. programmes were invited twice in the year 2015 and 2016 under extant regulations of 2014. Appeal Committee noted that it would have been appropriate for the appellant to have applied afresh fulfilling the norms and standards for D.El.Ed. Programme as per 2014 Regulations.

8. Appeal Committee noted that as on date, recognition for teacher education courses can be granted strictly in accordance with the NCTE Regulation, 2014 as amended thereafter from time to time. Appellant institution has been found deficient on account of land documents. Appeal Committee, therefore decided to confirm the impugned order of refusal dated 14.08.2021 issued by WRC. Appellant Institution is free to apply afresh as and when NCTE issues notification inviting applications for the course.

IV. **DECISION**:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and online argument advanced during the Appeal hearing, Appeal Committee concluded to confirm the impugned order of withdrawal dated 14.08.2021.

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

(**T. Pritam Singh**)
Deputy Secretary

Copy to :-

1. **The Principal, Poddar BSTC College, Lili 115/1, 115/2, Laxmangarh Road, Laxmangarh, Alwar, Rajasthan – 321607**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-250/E-196899/2021 Appeal/21st Meeting, 2021
APPLWRC202114107

Savitri Bai Phule ShikshakPrashikshanMahavidyalaya, Bagwara, 1394, 1396, Moriza, Bagwara Road, Amber, Jaipur, Rajasthan – 303805 **APPELLANT**	Vs	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. **RESPONDENT**

Representative of Appellant	**Sh. Subhash Chander Saini**
Respondent by	**Regional Director, WRC**
Date of hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF REFUSAL

The appeal of Savitri Bai Phule ShikshakPrashikshanMahavidyalaya, Bagwara, 1394, 1396, Moriza, Bagwara Road, Amber, Jaipur, Rajasthan – 303805 dated 29/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. RJ.../D.El.Ed./2021/216954 dated 13.08.2021 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "**As on date of application, the institution is having only 2500 sqm. of land, which is less than**

required for the existing B.Ed. and proposed D.El.Ed. course(s). The total built up area in the institution of 3030.55 sqm. is not sufficient for running B.Ed. (two units) and proposed for D.El.Ed. (two units) Course (s). In view of the above, the Committee decided that application of the institution be refused u/s 15(3)(b) of the NCTE Act for D.El.Ed. programme."

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

Sh. Subhash Chander Saini, representative Savitri Bai Phule ShikshakPrashikshanMahavidyalaya, Bagwara, 1394, 1396, Moriza, Bagwara Road, Amber, Jaipur, Rajasthan presented online the case of the appellant institution on 29/08/2021. In the appeal and during personal presentation it was submitted that **"Institution has applied for grant of recognition of D.El.Ed. course to NCTE on 30.10.2008 with required processing fees of Rs. 40000/- and other relevant documents. NRC, NCTE returned the application of recognition for D.El.Ed. course to this institution on 07.03.2009. This institution has filed a S.B. Civil Writ No. 7545/2011 in the Hon'ble High Court of Rajasthan, Jaipur. Hon'ble Court had passed an order on 31.05.2011 in which court had directed the petitioner to file an application before NRC, NCTE for grant of recognition of D.El.Ed. course and also directed to NRC, NCTE to process the application of recognition for D.El.Ed. course as per direction given in D.B. Civil Special Appeal (Writ No.890/2009) and D.B. Civil Review Petition No. 5950/2011 dated 26.05.2011. This institution has submitted the required documents and processing fees to NRC, NCTE in compliance to the order of Hon'ble Court on 13.06.2011. NRC, NCTE constituted the visiting team for inspection of this college. Accordingly, Inspection Letter dated 28.04.2016 was issued by NRC. Inspection was conducted by the visiting team for grant of recognition of D.El.Ed. course to this college on 08.05.2016. Instead of granting recognition for D.El.Ed. course to this institution, NRC, NCTE issued a Show Cause Notice to this institution on 31.03.2017. This institution had submitted a detailed reply along with required documents to NRC, NCTE on 25.04.2017. Instead of granting recognition for D.El.Ed. course to this institution, NRC, NCTE had rejected the application of this institution for grant of recognition**

of D.El.Ed. course. That this institution had submitted a representation along with appeal order to NRC, NCTE for taking action as per direction of Appellate Authority on 2.08.2018. NRC, NCTE had considered the matter of this institution in its 288th Meeting and issue a Show Cause Notice on 20.09.2018. This institution had submitted all required documents to NRC, NCTE on 19.10.2018 in compliance to Show Cause Notice dated 20.09.2018 That the matter of recognition of D.El.Ed. course of this institution was considered vide item No. 224 in 295th Meeting of NRC, NCTE held from 6-11 February, 2019 and decided to issue show cause notice on certain grounds. This institution had submitted reply to NRC, NCTE along with required documents on 01.03.2019 on the basis of Minutes uploaded on the website of NRC, NCTE. NRC, NCTE had issued show cause notice to this institution on 28.02.2019. This institution had submitted all required documents to NRC, NCTE on 09.03.2019 in compliance to Show Cause Notice dated 28.02.2019. NRC, NCTE had not taken any action on the recognition matter of this institution. Being aggrieved from the action of NRC, NCTE, this institution had filed a W.P. (C) 2440/2020 in the Hon'ble High Court, New Delhi. Hon'ble Court had accepted the Writ Petition of this institution and directed to WRC, NCTE to process the petitioner's application at the earliest, if possible, in the next meeting that the WRC convenes qua such like cases. On compliance to the order of Hon'ble court this institution has submitted representation to R.D., WRC, NCTE and Member Secretary, NCTE to take action as directed by Hon'ble Court. WRC, NCTE has considered the case of this institution vide item No. 1 in it's 325th meeting held from 9 January, 2021 and WRC, NCTE has decided to issue a Show Cause Notice on certain grounds. WRC, NCTE issued a Final Show Cause Notice vide letter No. WRC/NRCRJ.../RJ / 325th /2020/ 213715 dated 22.01.2021 to this institution. This institution has submitted the reply of Final Show Cause Notice dated 22.01.2021 to WRC, NCTE on 02.02.2021. WRC, NCTE has not considered the reply and documents submitted by this institution and rejected the application of this institution for grant of recognition of D.El.Ed. course on other grounds which were not communicated to this institution prior to rejection of application vide order No. RJ..../D.E1.Ed./2021/216954 dated 13.08.2021. This institution had submitted application for grant of recognition for D.El.Ed. course from the session 2009-2010

to NRC, NCTE on 30.10.2008 as per NCTE Regulations, 2007. As per clause 5.1 (5.1.1) of Appendix-4 of NCTE Regulations, 2007 the requirement of land area is 2500 Sqm. and built up area for B.Ed. and D.El.Ed. course was 2500 Sqm. 2500 Sqm. land was available on ownership basis in the name of society at the time of making application for grant of recognition of D.El.Ed. course to NRC, NCTE as required by NCTE Regulations, 2007. Certified copy of land documents was submitted to WRC, NCTE on 01.03.2019 along with reply of show cause notice. That 500 Sqm. land has been purchased by this institution through Registered sale deed on 28.12.2012. Director Elementary Education Rajasthan, Bikaner has issued N.O.C. for D.El.Ed. course on 26.02.2019. This institution is running B.Ed. course. It is prayed that the refusal order dated 13.08.2021 issued by WRC, NCTE be set aside and direction be issued to WRC, NCTE for further processing of the application of this institution for grant of recognition for D.El.Ed. course."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that the present impugned refusal order dated 13.8.2021 is on the grounds that :-

(i) As on the date of application, the institution was having 2500 Sq.Meters of land which is inadequate for the existing B.Ed. programme and proposed D.El.Ed. programme.

(ii) Built up area is 3030 Sq.Mtrs. which is not sufficient for running 2 units of B.Ed. and 2 Units of proposed D.El.Ed. programmes.

2. Appeal Committee noted that impugned refusal order dated 13.8.2021 was issued after considering the reply dated 30.1.2021 submitted by appellant in response to the SCN dated 22.1.2021.

3. Appeal Committee in order to cross check the details furnished by the appellant perused the documents available on regulatory file with reference to the adequacy of built up area. Committee observed that appellant institution had submitted a Building Completion Certificate (BCC) prepared by an approved licenced surveyor and countersigned by Sarpanch, Village Panchayat. As per this BCC the land area is 3000 Sq.Mtrs. and built up area is 2136 + 1894 Sq.Mtrs. on first and second floor. Total built up area is thus 4030 Sq. Mtrs. Appellant institution had furnished few photographs taken at the time of inspection which clearly show that building inspected had only the ground

floor and there is no first floor. Committee further noted that appellant institution had furnished a different BCC at the time of inspection issued under the signatures of Sarpanch, Barware which reflected a total built up area of 3030 Sq. Mtrs. In wake of the facts stated above, Appeal Committee concludes that BCCs issued were compromised and appellant institution lacks built up area required for conducting existing B.Ed. Programme and the proposed D.El.Ed. programme.

4. Appeal Committee therefore, decided to confirm that impugned refusal order dated 13.8.2021 issued by WRC. Western Regional Committee may further consider initiating suitable action against the appellant institution under clause 7(3) of NCTE Regulations, 2014.

IV. DECISION:-

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

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Savitri Bai Phule ShikshakPrashikshanMahavidyalaya, Bagwara, 1394, 1396, Moriza, Bagwara Road, Amber, Jaipur, Rajasthan – 303805**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-251/E-196882/2021 Appeal/21st Meeting, 2021
APPLWRC202114110

Green Valley College of Education, Banjari, 300/1, Sarvadharam, Sector C/Sarvadharam Near J.K. Hospital, Kolar Bhop, Huzur, Bhopal, Madhya Pradesh – 462042 **APPELLANT**	**Vs**	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Ms. Meena Yadav, Director**
Respondent by	**Regional Director, WRC**
Date of hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Green Valley College of Education, Banjari, 300/1, Sarvadharam, Sector C/Sarvadharam Near J.K. Hospital, Kolar Bhop, Huzur, Bhopal, Madhya Pradesh – 462042 dated 31/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. WRC/APW01399/223236/337th/M.P./B.Ed./2021/216336 dated 23.07.2021 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed.

Course on the grounds that ""**The original file of the institution alongwith other related documents were carefully considered and examined by WRC in the light of NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the following observation were made:**

1. **"The Show Cause Notice was issued to the institution on 7th April 2021 with a direction to submit reply within 30 days, as per the decision of WRC.**
2. **The reply to show cause notice submitted by the institution is not acceptable."**

In view of the above, the Committee decided that recognition of the institution be withdrawn from the academic session 2022-2023 u/s 17 of the NCTE Act for B.Ed. programme."

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

Ms. Meena Yadav, Director, of Green Valley College of Education, Banjari, 300/1, Sarvadharam, Sector C/Sarvadharam Near J.K. Hospital, Kolar Bhop, Huzur, Bhopal, Madhya Pradesh presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "**Show cause notice was issued to the institution on 7th April 021 with a direction to submit reply within 30 days, The reply to the Show Cause notice submitted by the institution is not acceptable. Grounds & Submissions in Appeal: It is submitted that on invitation of applications by NCTE, the Appellant institution submitted its application to WRC for starting the B.Ed. Course. The NCTE regulations requires that an institution alongwith its application, will submit the entire land documents alongwith building plan, CLU, NEC, etc. The Appellant also, submitted copy of its application alongwith all the relevant documents as per the NCTE Regulations. After processing and verifying the entire documents as per Regulations, the WRC conducting the expert visit for inspecting the Appellant institution and after verifying the infrastructural & instructional facilities available in the Appellant institution, issued a letter of intent to the Appellant institution directing to appoint**

the faculties as per the norms before issuance of final recognition order. After receipt of LOI, the Appellant approached the affiliating University for approval of the faculties and the affiliating university approved the faculties of the Appellant institution which was submitted before the NCTE for issuance of formal recognition order. Accordingly, after being satisfied that the Appellant fulfilled all the norms and standards for running the B.Ed. Programme, the WRC vide its order dated 27.06.2005 granted recognition to the Appellant institution for running the B.Ed. course with an annual intake of 100 students. That it is submitted that thereafter, the new NCTE (Recognition Norms and Procedure) Regulations, 2014 came into force on 01.12.2014. That it is submitted that after coming into force the new NCTE Regulations 2014, the WRC issued revised recognition order dated 31.05.2015 to the Appellant institution for conducing the B.Ed. programme of two years duration with an annual intake of 100 seats (two units) from the academic session 2015-16. That it is submitted that thereafter, the WRC in its 237th meeting held on 21-22 December 2015, considered the matter of the Appellant institution and thereafter issued show cause notice dated 05.01.2016. The Appellant institution vide its letter dated 04.02.2016 submitted its reply to the said show cause notice dated 05.01.2016. That it is submitted that in order to comply with the conditions contained in the revised recognition order dated 31.05.2015 regarding the requisite number of faculty for conducting two units (100 intake) of B.Ed. course as per new NCTE Regulations, 2014, the Appellant institution issued an advertisement on 22.02.2016 in daily newspapers namely Rozgar Samachar and Peoples Samachar, for appointment of additional faculty in the Appellant institution. That it is submitted that since as per rules, the appointment of faculty needs to be done by the selection committee consisting of subject experts nominated by the affiliating university (Barkatullah University for Appellant), therefore, the Appellant institution vide its letter dated 08.03.2016 informed its affiliating university regarding publishing of advertisement and further requested to constitute the selection committee at the earliest. That it is submitted that thereafter, the affiliating university of the Appellant, constituted a Selection Committee on 07.04.2016 for selection of faculties to be appointed in the Appellant institution and accordingly, the said Selection Committee selected 8 candidates

for the post of (Assistant Professor). Accordingly, the Assistant Registrar of the affiliating university vide notification dated 10.06.2016 accorded its approval to the aforesaid 8 faculties. That it is submitted that since the Appellant was already running the B.Ed. course with 8 faculties and further obtained approval of 8 new faculties vide university notification dated 10.06.2016, accordingly, the Appellant vide its letter dated 15.06.2016 submitted the duly approved staff list of 16 faculties to the WRC prior to 01.07.2016. That it is submitted that the WRC vide its letter dated 16.06.2016 without considering the staff list submitted by the Appellant institution, reduced the intake of Appellant institution for conducting the B.Ed. course from the existing intake of 100 students to reduced intake of 50 students, from the academic session 2017-18. That it is submitted that being aggrieved by the said reduction in intake, the Appellant approached the High Court of Madhya Pradesh, Bench at Jabalpur by filing the Writ Petition No.10114/2016 and the High Court vide its order dated 27.06.2016 disposed of the said writ petition with liberty to Appellant to prefer the statutory appeal before the NCTE under section 18. That it is submitted that accordingly, the Appellant institution submitted its online appeal before the NCTE on 29.06.2016 under section 18 of the NCTE Act against the order dated 16.06.2016. Thereafter, the Appellant institution submitted hardcopy of the online appeal alongwith the memo of appeal containing the grounds in support of the appeal. That it is submitted that the appeal of the Appellant institution was heard by the appeal committee of NCTE on 25.07.2016 when the Director of the Appellant Institution presented the stand of the Appellant institution and submitted its written representation dated 25.07.2016 in support of its appeal before the appeal committee clearly clarifying the inaccuracies in the order dated 16.06.2016 issued by the WRC. That it is submitted that the NCTE appeal committee vide its order dated 02.09.2016 rejected the appeal of the Appellant institution and confirmed the order dated 16.06.2016 of WRC reducing the intake of Appellant 's institution from 100 to 50, without considering the faculty approval and submission thereof by the Appellant institution before the WRC. That it is relevant to state that Single Judge and Division Bench of Hon'ble High Court of Delhi in many of the cases, has clearly directed the appeal committee to take into the account all the events, however, the

appeal committee despite of observing the fact that the Appellant had already submitted the staff profile of 16 faculties, failed to remand the application of the Appellant institution. That accordingly petitioner filed W.P. (C) No. 6162/2020 before Hon'ble High Court of Delhi and Hon'ble Court vide its order dated 09.09.2020 directed WRC to treat the Writ Petition as representation and to re consider the case of the appellant. A True Copy of the Order dated 09.09.2020 passed in W.P. (C) No. 6162/2020 is annexed That since the WRC failed to comply with the order passed by the High Court therefore appellant filed contempt case. That thereafter the WRC considered the case of the appellant and after going through the documents issued the Show cause notice dated 20.01.2021 to submit the faculty list and approval letter. A True Copy of the Show Cause notice dated 20.01.2021 is annexed That the appellant submitted the response of the show cause notice alongwith the documents. That again the WRC issued the show cause notice dated 07.04.2021 to the institution observing that the institution has not submitted latest staff list in format duly approved by the university and approval letter indicating the date of notification of Ph.D./NET of each faculty member. That the appellant vide its letter dated 24.04.2021 sought one month time extension from the WRC in light of the covid19 pandemic and stated that they had approached the university for the latest staff list and same is time taking process. Appellant also submitted the supporting letters. A True Copy of the Appellant letter dated 24.04.2021 is That since in light of ongoing Pandemic when the University was working in a limited manner, the appellant vide its letter dated 09.06.2021 again sough the time extension. A True Copy of the Appellant letter dated 09.06.2021 is annexed. That the WRC without considering the letters/request of the institution vide its order dated 23.07.2021 withdrew the recognition granted. It was surprising that the appellant was struggling for the grant of restoration of the recognition for the second unit and for the same reason the High Court remanded the matter to WRC, however, WRC withdrew the entire intake of the institution. A True Copy of the Withdrawal Order dated 23.07.2021 is annexed That it is submitted that University vide its letter dated 11.08.2021 approved the additional faculties in the institution under Code 28. That it is submitted that the appellant herein is again producing the comprehensive staff list approved by the

University alongwith the approval letter of the university under code 28. A true Copy of the faculty list duly approved by the University alongwith the approval letter is being annexed. That it is submitted that the Appellant institution does not lack infrastructural and instructional facilities required as per the NCTE norms. PRAYER It is, therefore, most respectfully prayed that appeal committee of the NCTE after considering the documents presented herein may quash the withdrawal order and direct the WRC for the restoration of the recognition for the 100 intake."

III.OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution was granted recognition for conducing B.Ed. programme with an intake of 100 seats in the year 2007. Appeal Committee further noted that after issue of revised recognition order dated 9.11.2015 for an intake of 100 seats (2 units), the intake granted was reduced to 50 seats (1 unit) for the reasons that appellant institution could not submit list of faculty as per NCTE Regulations, 2014 till the cut off date. After the appellant approached Hon'ble High Court of Delhi and the court issued order dated 9.9.2020 in W.P. (C) 6162/2020 and 22.84/2020, WRC reconsidered the case and issued a final show cause notice (SCN) dated 7.4.2021 seeking approved latest staff list. Appellant institution by its letters dated 24.4.2021 and 9.6.2021 sought extension of time to submit list of faculty approved by affiliating university as concerned university was not functioning properly due to Corvid pandemic.

2. Appeal Committee noted that appellant institution with its appeal memoranda has submitted 2 faculty lists for session 2021-22 approved by the affiliating university. The first list contains the name of one Principal and seven faculty appointed between the years 2014 to 2016. The second list contains the names of 8 faculty. 5 faculty of second list are shown appointed in August, 2021 are NET qualified and the remaining three faculty are related to subjects like Music, Drawing and Physical Science for which NET/Ph.d. is not required.

3. Appeal Committee noted that appellant institution has no evidence of having appointed requisite faculty for an intake of 2 units from 2016 to 2020-21. As such the reduction of intake ordered by WRC by order dated 16.6.2016 and subsequently confirmed by an appellate order dated 2.9.2016 was justified and hence stands operative. Appeal Committee decided to remand back the matter to WRC with a direction that faculty list submitted by appellant with its appeal Memoranda is required to be submitted by appellant to WRC alongwith approval letters of University within 15 days of the issue of appeal order and thereafter WRC will be required to revisit the case expeditiously and issue speaking order will before the start of next academic year.

4. As the impugned order of withdrawal dated 23.7.2021 is operative from the academic year 2022-23, there is no need to clarify the status of withdrawal order at this stage.

IV. DECISION:-

NOW THEREFORE, After perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to remand back the case of Green Valley College of Education, Banjari, 300/1, Sarvadharam, Sector C/Sarvadharam Near J.K. Hospital, Kolar Bhop, Huzur, Bhopal, Madhya Pradesh to WRC, NCTE for necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Green Valley College of Education, Banjari, 300/1, Sarvadharam, Sector C/Sarvadharam Near J.K. Hospital, Kolar Bhop, Huzur, Bhopal, Madhya Pradesh**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-105/E-180238/2021 Appeal/21st Meeting, 2021
APPLSRC202113966

KondapalliPydithallinaidu College of Education, 283/14, Gantyada Main Road, Gantiyada, Vizianagaram, Andhra Pradesh – 535215 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. S. Krishna Kishore, (Administrative Director)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of KondapalliPydithallinaidu College of Education, Gantyada Main Road, Gantiyada, Vizianagaram, Andhra Pradesh dated 24/02/2021 is against the Order No. SRO/NCTE/APS00348/B.Ed./{AP}/2021/122734 dated 08.01.2021 of the

Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "**Institution has submitted copy of building plan in which multipurpose hall size is not mentioned. The institution is required to submit a Letter regarding approval of faculty issued by the affiliating body submitted. (i) The Principal does not have NET/Ph.D. as per NCTE Recognition. (ii) 3 Assistant Professor do not have NET/Ph.D. as per NCTE (Recognition Norms & Procedure) (Amendment) Regulations, 2017 dated 29.05.2017 notified on 09.06.2017. (iii) The institution has not appointed the faculty of Performing Arts. The institution has submitted photocopy of FDRs Rs.7 Lakhs and 5 Lakhs. (i) FDR No. 013340 Rs.7 Lakhs is matured on 30.05.2020. (ii) FDR No. 013341 Rs. 5 Lakhs is matured on 30.05.2020. The institution has not submitted "Form A" issued by the respective Bank Manger towards creation of 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 along with a copy of the FDRs.**"

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. S. Krishna Kishore, Administrative Director, KondapalliPydithallinaidu College of Education, Gantyada Main Road, Gantiyada, Vizianagaram, Andhra Pradesh presented the case of the appellant institution online on 01/04/2021, 23.07.2021 and 28.09.2021In the appeal and during personal presentation it was submitted that "**We are herewith submitting a new plan in which it is clearly mentioned that 2156 sq. ft. The principal & staff are recruited before 2017 Regulation, as per 2014 Norms and continuing in the institution, the Principal having 15 years' experience and working in the same institute from 2010. However, the management now appointed a new principal having Ph.D. and copies of certificates are enclosed. The institute extended the maturity date of same FDRs to 30-05-2030 the copy enclosed for your reference. Previously we have not submitted, but now we are here with enclosed form 'A' given by our bank.**"

III OUTCOME OF THE CASE:-

Appeal Committee noted the submissions made by Sh. Krishan Kishore, Administrative Director on 28/09/2021 on behalf of the appellant institution. Appeal Committee further noted that appellant institution was recognised to conduct B.Ed. programme in the year 2003 with an intake of 100 seats. Further a provisional revised recognition order dated 06/05/2015 was issued with an intake of 2 units (100 seats) which was subsequently reduced to 1 unit (50 seats) by an order dated 21/07/2017.

2. Appeal Committee noted that after noting the minutes of 384th Meeting of SRC held on 12 – 13 February 2020, appellant institution by its letter dated 24/02/2020 had submitted to SRC most of the documents sought for in the Show Cause Notice dated 26/02/2020. Appellant with its appeal memoranda further submitted copy of a revised Building Plan, FDRs, and Form 'A'. Appeal Committee in its Meeting held on 23.07.2021 asked the appellant to submit information on certain points and decision on the appeal case was kept pending to be reviewed subsequently by the Appeal Committee. Appellant institution was asked to submit list of faculty continuing on year to year basis since 2016-17, approval conveyed by the affiliating body and evidence of salary paid to these faculty.

3. Appeal Committee noted that appellant institution, despite being given an additional opportunity to submit year-wise list of faculty approvals conveyed by the affiliating university to their appointment and authenticated Bank Statement as evidence of having remitted salary into the accounts of faculty, has not submitted the list of faculty. Most of the faculty shown as appointed from 2010 onwards are seen conditionally approved for one year by the affiliating body and there is no date assigned on the approval letter. Appellant has also not furnished the evidence of payment of salary as prescribed under clause 10(2) of NCTE Regulations, 2014. Appeal Committee therefore decided to confirm the impugned order of withdrawal dated 08.01.2021 issued by SRC.

IV. DECISION:-

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

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, KondapalliPydithallinaidu College of Education, 283/14, Gantyada Main Road, Gantiyada, Vizianagaram, Andhra Pradesh – 535215**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-35/E-175697/2021 Appeal/21st Meeting, 2021
APPLSRC202113893

Ramalakshmi College of Education, 190/1, Vinukonda, Door No. 11-447, Thimmayapalem Road, Vinukonda, Guntur, Andhra Pradesh – 522647 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. D. Andineyulu,** **Office Manager**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Ramalakshmi College of Education, 190/1, Vinukonda, Door No. 11-447, Thimmayapalem Road, Vinukonda, Guntur, Andhra Pradeshdated 22/01/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO / NCTE / SRCAPP2660 / B.Ed. /{AP} / 2020 /121604 dated 22.12.2020 of the Southern Regional

Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that **"The institution has submitted notarized copy of building plan wherein the size of the multipurpose hall is not mentioned. Principal & eleven faculty members (Assistant Professor) have been shown appointed after promulgation of NCTE Regulations, 2017, and they do not possess NET/Ph.D. qualification as per provisions of the NCTE Regulations, 2017."**

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. D. Andineyulu, Manager, of Ramalakshmi College of Education, 190/1, Vinukonda, Door No. 11-447, Thimmayapalem Road, Vinukonda, Guntur, Andhra Pradeshpresented online the case of the appellant institution on 28/09/2021. In the appeal and during online presentation it was submitted that **"There is no specific mention of multipurpose hall size in the Building plan. The second ground of withdrawal i.e. non possession of NCTE/Ph.d qualification was not mentioned in the SCN. Withdrawal of recognition is not warranted because the institution has submitted that list of staff approved before 2017."**

III. OUTCOME OF THE CASE

Appeal Committee noted that a Show Cause Notice (SCN) dated 21.9.2020 was issued which was based on a complaint filed before Andhra Pradesh State Minorities Commission, Manglagiri and resultant reports and investigations made. SRC on getting the comments of appellant institution decided to withdraw recognition of appellant institution on the basis of certain deficiencies which were not specifically pointed out in the SCN and were noticed by the Regional Committee subsequently. Appeal Committee further noted that the deficiency with reference to 11 faculty members appointed after promulgation of NCTE Regulations, 2017 remains unsubstantiated as regulatory file does not contain any such list submitted by institution after 2017.

2. Appeal Committee noted that appellant institution was asked by an email dated 6.9.2021 to submit the list of 11 faculty approved by affiliating university with dates of their appointment; ii) letter of university conveying approval; iii) Bank statement as

evidence of remittance of salary to the appointed faculty; iv) Building Completion Certificate issued by competent authority indicating the area of multipurpose hall.

3. Information on above points was required to verify the genuineness of submissions made by appellant and the existence of required faculty by the appellant institution during the post recognition period.

4. Appeal Committee noted that appellant institution instead of furnishing the information required by Appellate Authority has submitted copy of an order dated 16.3.2021 issued by Hon'ble High Court of Andhra Pradesh at Amravati in W.P. No. 3895 of 2021 by which the appellant institution was allowed to participate in EDCET-2020 counselling subject to result of the Writ Petition.

5. Appeal Committee noted that appellant institution despite being given an additional opportunity, has not been able to submit the list of faculty with dates of approval and appointment duly supported by payment of salary into the accounts of faculty, Appeal Committee therefore decided to confirm the impugned order of withdrawal dated 22.12.2020 issued by SRC.

IV. DECISION:-

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

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Ramalakshmi College of Education, 190/1, Vinukonda, Door No. 11-447, Thimmayapalem Road, Vinukonda, Guntur, Andhra Pradesh – 522647**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-36/E-175698/2021 Appeal/21st Meeting, 2021
APPLSRC202113892

Seven Hills B.Ed. College, 11-434, Vinukonda, Door No. 11-434, Thimmayapalem Road, Vinukonda, Guntur, Andhra Pradesh – 522647 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. Anil Kumar**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Seven Hills B.Ed. College, 11-434, Vinukonda, Door No. 11-434, Thimmayapalem Road, Vinukonda, Guntur, Andhra Pradesh dated 22/01/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APS03835/B.Ed./{AP}/2020/122243 dated 07.01.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that **"The institution has submitted notarized copy of building plan wherein the size of the multipurpose hall is not mentioned. Principal & eleven faculty members (Assistant Professor) have been shown appointed after**

promulgation of NCTE Regulations, 2017, and they do not possess NET/Ph.D. qualification as per provisions of the NCTE Regulations, 2017. The Committee also gone through the contents of Notice for calling of Reports issued by the Andhra Pradesh State Minorities Commission, Mangalagiri, A.P. in Case Notice No. 14/2020 coupled with the complaint (contents of complainant are hidden as per guidelines of CVC) filed against the institution alleging about criminal activities and forgery in documents done by the management of the institution the Committee considered that the allegations are very serious in nature."

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Anil Kumar, Manager,Seven Hills B.Ed. College, 11-434, Vinukonda, Door No. 11-434, Thimmayapalem Road, Vinukonda, Guntur, Andhra Pradesh presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"There is no specific mention about specifying the multipurpose hall and its size. In accordance with the Regulations. The question of not having the multipurpose does not arise. The institution has submitted the list of staff duly approved by the Registrar of the University approved before 2017, In case, some of the staff are not qualified that cannot constitute a ground for withdrawal of recognition. 3rd ground is a non-available ground either in the Show Cause Notices issued at first instance or Final Show Cause Notice issued to the Petitioners. Strangely the said ground appeared as a part of the Regulation as Ground No. 3, which is completely unconstitutional."**

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that recognition to conduct B.Ed. course of appellant institution has been withdrawn on thebasis of a complaint filed before Andhra Pradesh State Minorities Commission Manglagiri and the resultant reports and investigations made. Appellant institution was granted three opportunities to present its case before Appellate Authority and Appellate Authority on one of these opportunities asked the appellant to submit:

(i) List of faculty with dates of their appointment and approval by affiliating body.

(ii) Bank statement as evidence of having submitted salary into the account of faculty from 2016 onwards.

(iii) Building Completion Certificate (BCC) indicating the size of multipurpose hall.

An email communication was also sent to appellant institution in this regard on06.09.2021.

2.Appeal Committee noted that appellant institution did not respond to the communication and also did not enlighten the Appellate Authority on the status of qualified faculty as per NCTE Regulation amended in 2017 and payment of salary as per clause 10(2) of NCTE Regulation, 2014. Appellant however submitted copy of a Court Order dated 16.03.2021 issued by High Court of Andhra Pradesh at Amravati in Writ Petition Case No.3895/2021 suspending the impugned withdrawal order dated 07.01.2021 issued by SRC.

3. Appeal Committee subject to outcome of the above Writ Petition decided to confirm the impugned withdrawal order of SRC dated 07.01.2021.

IV. DECISION:-

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

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Ramalakshmi College of Education, 190/1, Vinukonda, Door No. 11-447, Thimmayapalem Road, Vinukonda, Guntur, Andhra Pradesh – 522647**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-141/E-184110/2021 Appeal/21st Meeting, 2021
APPLSRC202114001

Gandhi Centenary College of Education, Kakinada, 217/2B, Engineering College, Sashikanth Nagar, Kakinada Urban, East Godavari, Andhra Pradesh – 533003 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. M.S. Sudhir, (Chairman)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Gandhi Centenary College of Education, Kakinada, 217/2B, Engineering College, Sashikanth Nagar, Kakinada Urban, East Godavari, Andhra Pradesh dated 08/03/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APS00303/B.Ed./{AP}/2021/122752 dated 08.01.2021 of the Southern

Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "**The institution has not responded to the Final Show Cause Notice issued on 21.11.2019.**"

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. M.S. Sudhir, Chairman, representative ofGandhi Centenary College of Education, Kakinada, 217/2B, Engineering College, Sashikanth Nagar, Kakinada Urban, East Godavari, Andhra Pradeshpresented online the case of the appellant institution on 28/09/2021. In the appeal and during online presentation it was submitted that "**Final Show Cause Notice (FSCN) was not received. However, the SCN dated 12.10.2018 was received and replied to immediately No other course is running in the premises. No student were admitted for the year 2015-16 to 2018-19. During academic year 2019-20 only 25 students are admitted.**"

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted from the submissions that after grant of revised recognition order, the institution, due to low admission rate, did not conduct the course from 2015-16 to 2018-19. In this academic year the institution has reported admission of only 25 students. In its appeal Memoranda appellant has also stated that final show cause notice (FSCN) of some other college namely "Sri Srinivasa College of Education Kurnool Dist. was sent to their college. On verification from the regulatory file Appeal Committee noted that final SCN dated 21.11.2019 was a common communication addressed to 31 institutions and so there are chances that Final Show Cause Notice (FSCN) may have been misdelivered in the case of appellant institution but the deficiencies pointed out were common and appellant was required to submit rectification report to the Regional Committee.

2. Since the appellant did neither seek any information from the Regional Committee nor it submitted clarifications, Appeal Committee decided to confirm the impugned refusal order withdrawal.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and online arguments advanced in the case, Appeal Committee concluded to confirm the impugned order of withdrawal dated 08.01.2021 issued by SRC.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Gandhi Centenary College of Education, Kakinada, 217/2B, Engineering College, Sashikanth Nagar, Kakinada Urban, East Godavari, Andhra Pradesh – 533003**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-150/E-184751/2021 Appeal/21st Meeting, 2021
APPLNRC202114015

National College of Education, 83/4, SesParisar B-Block Near Near Durga Mandir, Sirsa, Haryana – 125055 **APPELLANT**	**Vs**	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Dr. Poonam Miglani, (Principal)**
Respondent by	**Regional Director, NRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF REFUSAL

The appeal of National College of Education, 83/4, SesParisar B-Block Near Durga Mandir, Sirsa, Haryana dated 26/04/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/NRCAPP-14540-B.A. B.Ed./B.Sc. B.Ed./331th (Virtual) Meeting/2021/21372 dated 22.03.2021 of the Northern Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "**The institution has not submitted approved faculty list per NCTE Regulations,**

2014. The institution has not submitted the certified registered land documents issued by the Registering Authority or civil authority concerned. The institution has submitted photocopy of two affidavits of Rs. 50/- each of the management, wherein details of selected/appointed faculties are not mentioned. But, required intake of 100 students are mentioned. Original FDRs for Rs. 7 lakh, Rs. 5 lakh & Form `A` in joint operation with RD, NRC are not submitted. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993."

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Poonam Miglani, Principal, National College of Education, 83/4, SesParisar B-Block Near Durga Mandir, Sirsa, Haryana presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal/online presentation it was submitted that "**The institution had submitted approved faculty list as per NCTE Regulation, 2014, vide letter no. 8259/NCTE-II dated 09.10.2018 sent through speed post. The college had re-advertised for the remaining two posts of Assistant Professors and the synopsis of applications had been submitted to the CDLU, Sirsa with a request to constitute selection committee for the same. At that time the university refused, and request was made to NRC by the college (on 14.10.2019 vide letter no. 8813/NCTE-II) that recognition may be granted for the said course as only two posts of faculty members were vacant. but not received any response from both the sides. The institution has submitted certified registered land documents issued by the Registered Authority or Civil authority, vide letter no. 8235/NCTE dated 17.09.2018 sent through speed post. The institution has submitted original two affidavits of Rs. 50/- each of the management with the details of selected/appointed faculty members mentioned in affidavit Sr. No. 4 (Annexure-I) and with an intake of (50+50) seats of B.A. B.Ed./B.Sc. B.Ed. four years integrated course, vide letter no. 8235/NCTE dated 17.09.2018 sent through speed post. The institution has submitted FDRs for Rs. 7 lakh, Rs. 5 lakh & Original Form 'A' in joint operation with RS, NRC which was submitted, vide letter no. 8235/NCTE dated 17.09.2018 sent through speed post. 1.**

List of 1 Principal 13 Assistant Professors was submitted to NRC. The vacant posts of two Assistant Professors will be filled as soon as the recognition of the said programme B.A. B.Ed./B.Sc. B.Ed. 4 years integrated course is granted."

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that impugned refusal order dated 22.03.2021 is on following grounds :-

(i) Non submission of approved faculty list as per NCTE Regulation, 2014

(ii) Non Submission of certified registered land documents.

(iii) Original FDRs and Form "A" not submitted.

2. Appeal Committee noted that whereas appellant has stated submission of Original Certified copy of land documents on 17.09.2018, The regulatory file contains only a xerox copy attested by the Principal of National College of Education, Sirsa Similarly appellant institution has submitted xerox copies of FDRs and Form 'A' whereas it has been repeatedly asked by NRC to submit originals of these documents.

3. Appeal Committee noted that most important of the deficiencies leading to issue of impugned refusal order is non submission of the list of faculty in prescribed performa duly approved and countersigned by the affiliating University. After the duly approved selection Committee makes recommendation and University issues approval, appointment letter to selected faculty are issued. After issue of appointment letters, the concerned faculty accept the offer of appointment and thereafter the final list as per prescribed format of NCTE is prepared and got countersigned by the authority of affiliating University This list invariably mentions the qualification and date of joining. What the appellant has submitted up till now is the first stage approval of the University and that too of 13 faculty.

4. Appeal Committee noted that letter of Intent (LoI) was issued to appellant institution on 16.07.2018 seeking compliance on various points within a period of 60

days. Appellant institution uptill the date of appeal i.e. 28.09.2021 has not been able to fully comply with the requirements. Faculty required for B.A., B.Ed./B.Sc.B.Ed. Programme applied by appellant institution as per appendix 13 of NCTE Regulation, 2014 is as follows:-

1. Principal / H.O.O (One)
2. Perspective in Education (Four)
3. Pedagogy Subject (Eight)

(Maths, Science, Social Sc., lang.)

4. Health & Physical Education (One)
5. Fine Arts, (One)
6. Performing Arts. (One)

5. Appeal Committee noted that appellant institution is still found deficient on account of submission of originally certified copy of land deed, FDRs/Form 'A' and the faculty list. Appeal Committee decided to confirm the impugned refusal order dated 22.03.2021 issued by NRC.

IV. DECISION:-

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

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

(T. Ritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, National College of Education, 83/4, SesParisar B-Block Near Near Durga Mandir, Sirsa, Haryana – 125055**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-151/E-184753/2021 Appeal/21st Meeting, 2021
APPLWRC202114005

Adarsh Mahila ShikshakPrashikshanMahavidhyalaya, 1396-97, Bilara, New Adarsh Colony, Bilara, Jodhpur, Rajasthan – 342602 **APPELLANT**	**Vs**	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. **RESPONDENT**

Representative of Appellant	**Sh. Govind Ram, (Secretary)**
Respondent by	**Regional Director, WRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Adarsh Mahila ShikshakPrashikshanMahavidhyalaya, 1396-97, Bilara, New Adarsh Colony, Bilara, Jodhpur, Rajasthandated 06/04/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. WRC/NCTE/**RJ-434**/B.Ed./321st /2020/212711-212716 dated 16.12.2020 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that

"Recognition was granted to the institution on 09.06.2005 on rented premises with a condition to shift the institution in its own premises within a period of three years from the date of issue of recognition order. The institution has not shifted the institution in its own premises till date. Accordingly, Show Cause Noted was issued to the institution on 27.09.2020. The institution has not submitted the reply of the Show Cause Notice till date. In view of above, the Committee decided that the recognition of B.Ed. programme of the institution be withdrawn under clause 7(15) from the next academic session 2021-22."

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Govind Ram, Secretary, Adarsh Mahila ShikshakPrashikshanMahavidhyalaya, 1396-97, Bilara, New Adarsh Colony, Bilara, Jodhpur, Rajasthan presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that " **We have submitted reply through email on 03.11.2020 and 11.11.2020 and by speed post on 24.11.2020 and 25.11.2020. Transection ID for email and Speed post receipt is enclosed**".

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that impugned order of withdrawal dated 16.12.2020 is on the ground that appellant institution has not submitted reply to the Show Cause Notice (SCN). Appeal Committee further noted that appellant while stating that reply to the SCN was sent on email and also by speed post has not submitted copy of its reply to SCN.

2. Appeal Committee noted that SCN was issued to seek information from the appellant on creation of additional facilities i.e. built up area, infrastructure and submission of land documents, NEC, CLU, Building Place, Building Completion Certificate, FDRs and Print out of website etc.

3. Appeal Committee noted that Regional Committee while issuing the impugned order dated 16.12.2020 added another reason which related to non shifting of premises from rented to owned premises.

4. Appeal Committee noted that impugned order of withdrawal is not sustainable on any new ground on which the appellant institution has not been given an opportunity to submit written representation.

5. 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."***

6. 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."***

7. Appeal Committee, therefore, decided to set aside the impugned order of withdrawal and remand back the case to WRC for further necessary action as per NCTE Regulations, 2014.

IV. **DECISION**:-

NOW THEREFORE After perusal of the Memoranda of Appeal, affidavit, documents on record and online arguments advanced during the hearing in the case, Appeal Committee of the Council concluded to set aside the impugned withdrawal order dated 16.02.2020 and remand back the case to WRC for further necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Adarsh Mahila ShikshakPrashikshanMahavidhyalaya, 1396-97, Bilara, New Adarsh Colony, Bilara, Jodhpur, Rajasthan – 342602**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-158/E-185002/2021 Appeal/21st Meeting, 2021
APPLSRC202114031

Madha College of Education, Kundrathur, 1213/2, Sriperumputhur Main Road, Kindrathur, Kancheepuram, Tamil Nadu – 600069 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Dr. K. Saraswathi (Principal)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Madha College of Education, Kundrathur, 1213/2, Sriperumputhur Main Road, Kindrathur, Kancheepuram, Tamil Nadudated 09/05/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRC/NCTE/**APSO3868**/B.Ed./TN/2021/124768 dated 10.03.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that **"The land document submitted before the recognition order was Sale Deed with survey No. 1213/2, 1215/1, 1212/2, 1213/1, 1211/2, 1212/1 executed on 28.05.2001 and survey no. 1215/2 executed on 20.11.2002 whereas the land document submitted now is a Sale Deed with survey no. 94/1A executed on**

26.05.2003. The 'Sale Deed' submitted by the institution shows the land in the name of an individual, which is not permissible as per NCTE Regulations. The institution has submitted LUC issued by Chennai Metropolitan Development Authority wherein the survey no. 94/1A was proposed as "Primary Residential Road". The institution has submitted photocopy of building plan which is for proposed "High School Building at 94/1A of Kavanoor Village, Madha High School" building. The multipurpose hall area is not mentioned in the building plan. The seal of the approving authority is not readable. The institution has submitted a copy of the Building Completion Certificate (BCC) which is not in the prescribed format as per NCTE Guidelines nor issued by the competent authority. The survey no. is not mentioned in BCC. The institution has not submitted Form 'A' issued by the Branch Manager. The institution has submitted photocopy of 3 FDRs out of which 2 FDRs has been expired. The institution is required to submit Form "A" issued by the bank manager towards creation of FDR of Rs. 7 lakh & Rs. 5 lakhs towards Endowment Fund & Reserve Fund. The institution has not submitted latest faculty list approved by the affiliating university. The institution has submitted staff list dated 16.10.2017 for 1+5 faculty against the requirement of 1+15 for 2 basic units of B.Ed. course as per NCTE Regulations."

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. K.Saraswathi, Representative, Madha College of Education, Kundrathur, 1213/2, Sriperumputhur Main Road, Kindrathur, Kancheepuram, Tamil Nadupresented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"Correct land document are sent as a hard copy. The correct land document are sent as a hard copy. Now, the correct format is sent as a hard copy. Required staff list as 1+15 is sent as a hard copy.**

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that impugned order of withdrawal dated 10.03.2021 was issued by Southern Regional Committee (SRC) on

the grounds that land and building documents submitted by appellant institution in response to final Show Cause Notice were different from the documents submitted earlier by the appellant at the time of seeking recognition. Appellant while responding in its appeal has submitted copies of documents i.e. sale deed, building Plan, BCC, pertaining to property bearing no. 1212/2; 1212/1,2; 1213/1,2; 1215/1,2.

2. Appeal Committee noted that appellant in its affidavit submitted with appeal documents has mentioned the address of property as Plot No. 1211/2; 1212/1. 1213/1,2; 1213/1,2; 1215/1,2; Khasra No.3037, Village Kundarathur, Kancheepuram, Tamil Nadu. On the other hand Tamil Nadu Teacher Education University on the list of faculty has mentioned the address of institution as : Madha Nagar, Somangalam Road, Kunrathur, Chennai.

3. Appeal Committee noted that though the appellant has now furnished copy of land documents on the basis of which recognition was granted to appellant institution in 2007, yet appellant has failed to clarify as to why in response to the SCN land documents and other related papers pertaining to property at survey No. 94/1A were submitted. There is a bonafide doubt as to where the institution has been functioning and what is the correct detailed address.

4. Appeal Committee noted from the Non-Encumbrance Certificate and building plan submitted by appellant in reply to final SCN that property at survey no 94/1A is for proposed High School at Kavanoor Village, Sriperumputhur Taluk, Kancheepuram Dist.

5. Appeal Committee noted that onus lies on the appellant institution to clarify as to why documents pertaining to survey number 94/1A were submitted to SRC and also to submit acceptable evidence to prove that the institution is functioning from the address where inspection was conducted on 28.11.2006.

6. Appeal Committee decided to remand back the case to SRC for verifying the existence of college at the address where it was granted recognition by matching the building plan, videography. Appellant may also be required to submit originals of faculty

list, approval letter of affiliating body and payment of salary as per clause 10(2) of the NCTE Regulation.

7. 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 observedas 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."

8. Appeal Committee decided that appellant should expedite submission of documentary evidence to facilitate revisiting of case by SRC. The impugned withdrawal order dated 10.03.2021 shall remain operative till the case is revisited and revised orders are issued by SRC. SRC is advised to revisit the case and preferably issue revised speaking order within 30 days of the issue of appeal order.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and arguments advanced during online hearing of the appeal, Appeal Committee concluded to remand back the case to SRC for further necessary action as indicated above. The appellant should expedite submission of documentary evidence to facilitate revisiting of case by SRC within 15 days from the receipt of appeal order. The impugned withdrawal order dated 10.03.2021 shall remain operative till the case is revisited and revised orders are issued by SRC.

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

(T. Ritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Madha College of Education, Kundrathur, 1213/2, Sriperumputhur Main Road, Kindrathur, Kancheepuram, Tamil Nadu – 600069**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-165/E-185619/2021 Appeal/21st Meeting, 2021
APPLNRC202114020

Babu Kamta Prasad Jain Mahavidyalaya, Shahpur Badoli, 192, Baraut, Delhi Road, Baraut, Baghpat, Uttar Pradesh – 250611 **APPELLANT**	**Vs**	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. Pradeep Kumar Jain, (Secretary)**
Respondent by	**Regional Director, NRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Babu Kamta Prasad Jain Mahavidyalaya, Shahpur Badoli, 192, Baraut, Delhi Road, Baraut, Baghpat, Uttar Pradeshdated 29/04/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/**UP-1192 - B.Ed. & UP-2497-B.Ed.** (Addl.)/322nd (Virtual) Meeting/2020/213597-602 dated 03.03.2021 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the

grounds that **"The institution has not submitted reply of two consecutive Show Cause Notices issued on 05.04.2018 and subsequently on 09.10.2020 and Committee decided as under: The recognition of B.Ed. & its Additional Intake and M.Ed. courses to be withdrawn from the academic session 2021-2022."**

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Pradeep Kumar Jain, Secretary,Babu Kamta Prasad Jain Mahavidyalaya, Shahpur Badoli, 192, Baraut, Delhi Road, Baraut, Baghpat, Uttar Pradeshpresented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"The institution has replied to SCN issued by the NRC, NCTE from time to time. However, NRC without looking into the reply submitted by the institution withdrew the recognition which is illegal and not as per provisions of the NCTE Regulations 2014 and SOP issued by the NCTE. Detailed reply being sent separately. The institution submitted a detailed representation in Appeal Memoranda (Copy enclosed)." Appellant also preferred to seek another opportunity to present its case before Appellate Authority."**

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution is recognized to conduct B.Ed. and M.Ed. programmes with an intake of 4 units and 1 unit respectively. Appeal Committee noted that by issue of withdrawal order dated: 03.03.2021 NRC had withdrawn recognition for B.Ed. and M.Ed. programmes for the reason that appellant institution had not replied to the two Show Cause Notices dated 05.04.2018 and 09.10.2020.

2. Appeal Committee noted that Show Cause Notices were issued to appellant institution on following grounds:

(i) Institution has not applied for shifting from rented building.

(ii) Certified copy of land documents not submitted

(iii) Blue Print of approved plan with necessary details not submitted.

(iv) Land Use Certificate not submitted

(v) Non encumbrance not submitted

(vi) Site Plan not submitted

(vii) Building safety Certificate not submitted

(viii) Fire Safety Certificate not submitted.

(Ix) Certificate of difficulty abled friendly not submitted.

(x) Building Compliance Certificate (BCC) not submitted

(xi) Latest approved faculty list and affidavits

(xii) Salary disbursement Certificate.

(xiii) FDRs and Form 'A'

(xiv) Website print outs.

3. Appeal Committee noted that appellant in its appeal Memoranda has contradicted the grounds on which impugned order was issued but has failed to submit any reason as to why reply to the Show Cause Notice was not submitted.

4. Appeal Committee further noted that after issue of impugned order of withdrawal NRC had reconsidered the case in its 345th Meeting held on 16.09.2021 in compliance with the directions dated 16.09.2021 of Hon'ble High Court of Delhi in WP(C) No. 2900/2021 and decided to permit the appellant institution to participate in counselling for academic session 2021-22. Further the status of institution as recognized one was restored and reflected on the website.

5. Appeal Committee noted that appellant institution is a composite institution conducting different programmes of teacher education in one campus for the last 15 years or more. NRC is therefore required to ensure that appellant institution possesses adequate built-up area, infrastructure, adequate number of faculty approved by affiliating body, payment of salary as per clause 10(2) of NCTE Regulation, 2014. As appellant institution has already been allowed by NRC, vide letter dated 21.09.2021 to participate in counselling for the year 2021-22, NRC has now sufficient time at its disposal to revisit the case and communicate deficiencies and seek written representation from the appellant. Appellant institution is also required to submit its

reply on the deficiencies to NRC without pretending that reply was earlier sent on several occasions.

6. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 16/09/2021,passed in W.P. (C) 2900/2021 has observedas 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."***

7. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 16/09/2021,passed in W.P. (C) 2900/2021 has observedas 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."***

8. Appeal Committee decided to remand back the case to NRC for revisiting the matter. The impugned order of withdrawal dated 03.03.2021 is kept in abeyance for the current academic year 2021-22 and appellant institution is required to submit detailed compliance on the deficiencies contained in the Show Cause Notice dated 09.10.2020 to NRC within 15 days of the issue of appeal order.

IV. <u>DECISION</u>:-

After perusal of the Memoranda of Appeal, affidavit, documents on records and online oral argument advanced during the course of hearing, Appeal Committee concluded to remand back the case to NRC for revisiting the matter. The impugned order of withdrawal dated 03.03.2021 is kept in abeyance for the

current academic year 2021-22 and appellant institution is required to submit detailed compliance on the deficiencies contained in the Show Cause Notice dated 09.10.2020 to NRC within 15 days of the issue of appeal order.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Babu Kamta Prasad Jain Mahavidyalaya, Shahpur Badoli, 192, Baraut, Delhi Road, Baraut, Baghpat, Uttar Pradesh – 250611**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-166/E-185627/2021 Appeal/21st Meeting, 2021
APPLNRC202114021

Babu Kamta Prasad Jain Mahavidyalaya, Shahpur Badoli, 192, Baraut, Delhi Road, Baraut, Baghpat, Uttar Pradesh – 250611 **APPELLANT**	**Vs**	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. Pradeep Kumar Jain, (Secretary)**
Respondent by	**Regional Director, NRC**
Date of Hearing	**28/09/2021**
Date Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Babu Kamta Prasad Jain Mahavidyalaya, Shahpur Badoli, 192, Baraut, Delhi Road, Baraut, Baghpat, Uttar Pradeshdated 29/04/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/UP-2496 – M.Ed. Addl.)/322nd (Virtual) Meeting/2020/213603-08dated 03.03.2021 of the Northern Regional Committee, withdrawing recognition for conducting for M.Ed. Course on the

grounds that **"The institution has not submitted reply of two consecutive Show Cause Notices issued on 05.04.2018 and subsequently on 09.10.2020 and Committee decided as under: The recognition of M.Ed. course to be withdrawn from the academic session 2021-2022."**

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Pradeep Kumar Jain, (Secretary),Babu Kamta Prasad Jain Mahavidyalaya, Shahpur Badoli, 192, Baraut, Delhi Road, Baraut, Baghpat, Uttar Pradeshpresented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"The institution has replied to SCN issued by the NRC, NCTE from time to time. However, NRC without looking into the reply submitted by the institution withdraw the recognition which is illegal and not as per provisions of the NCTE Regulations 2014 and SOP issued by the NCTE. Detailed reply being sent separately. The institution submitted a detailed representation in Appeal Memoranda."**

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee noted that appellant institution is recognized to conduct B.Ed. and M.Ed. programmes with an intake of 4 units and 1 unit respectively. Appeal Committee noted that by issue of impugned withdrawal order dated: 03.03.2021 NRC had withdrawn recognition for M.Ed. programme for the reason that appellant institution had not replied to the two Show Cause Notices dated 05.04.2018 and 09.10.2020.

2. Appeal Committee noted that Show Cause Notice were issued to appellant institution on following grounds:

(i) Institution has not applied for shifting from rented building.

(ii) Certified copy of land documents not submitted

(iii) Blue Print of approved plan with necessary details not submitted.

(iv) Land Use Certificate not submitted

(v) Non encumbrance not submitted

(vi) Site Plan not submitted

(vii) Building safety Certificate not submitted

(viii) Fire Safety Certificate not submitted.

(Ix) Certificate of difficulty abled friendly not submitted.

(x) Building Compliance Certificate (BCC) not submitted

(xi) Latest approved faculty list and affidavits

(xii) Salary disbursement Certificate.

(xiii) FDRs and Form 'A'

(xiv) Website print outs.

3. Appeal Committee noted that appellant in its appeal Memorandahas contradicted the grounds on which impugned order was issued but has failed to submit any reason as to why reply to the Show Cause Notice was not submitted.

4. Appeal Committee noted that appellant institution is a composite institution conducting different programmes of teacher education in one campus for the last 15 years or more. NRC is therefore is required to ensure that appellant institution possesses adequate built-up area, infrastructure, adequate number of faculty approved by affiliating body, payment of salary as per clause 10(2) of NCTE Regulation, 2014. Appeal Committee noted that Hon'ble High Court of Delhi in WP (C) No.2900/2021, had issued directions dated 16.09.2021 to allow the appellant institution to participate in counselling for a academic session 2021-22. NRC has, therefore, sufficient time at its disposal to revisit the case and communicate deficiencies and seek written representation from the appellant. Appellant institution is also required to submit its reply on the deficiencies to NRC without pretending that reply was earlier sent on several occasions.

5. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 16/09/2021,passed in W.P. (C) 2900/2021 has observedas follows:-

> ***"Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out***

so that the institution is not compelled to approach the Court in this manner."

6. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 16/09/2021,passed in W.P. (C) 2900/2021 has observedas follows:-

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

7. Appeal Committee decided to remand back the case to NRC for revisiting the matter at par with the case of M.Ed. programme.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and online oral arguments advanced during the course of hearing, Appeal Committee concluded to remand back the case to NRC for revisiting the matter. The impugned order of withdrawal dated 03.03.2021 is kept in abeyance for the current academic year 2021-22 and appellant institution is required to submit detailed compliance on the deficiencies contained in the Show Cause Notice dated 09.10.2020 to NRC within 15 days of the issue of appeal order.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Babu Kamta Prasad Jain Mahavidyalaya, Shahpur Badoli, 192, Baraut, Delhi Road, Baraut, Baghpat, Uttar Pradesh – 250611**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-236/E-194880/2021 Appeal/21st Meeting, 2021
APPLWRC202114088

AashirwadShikshakPrashikshan Sansthan, Bithari, 50, Bagtu Bag Phalodi, Jodhpur, Rajasthan – 342301 **APPELLANT**	**Vs**	Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. Paras Kumar Parihar, (C.M.D)**
Respondent by	**Regional Director, WRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF GRANT OF ONE UNIT

The appeal of AashirwadShikshakPrashikshan Sansthan, Bithari, 50, Bagtu Bag Phalodi, Jodhpur, Rajasthan dated 07/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRCAPP-10698 of the Western Regional Committee, granting recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course with an intake of 1 unit (50 seats) on the grounds that "The Committee observed that the concerned affiliating University had issued the NOC for B.A. B.Ed. programme only"

(As per minutes of 333rd Meeting of WRC held on 2nd March, 2021)

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Paras Kumar Parihar, (**C.M.D.**),AashirwadShikshakPrashikshan Sansthan, Bithari, 50, Bagtu Bag Phalodi, Jodhpur, Rajasthanpresented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "**1 Unit has been allotted to the institute whereas the institute had demanded 2 units of 100 students from the very beginning.**"

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution.Appeal Committee perused the relevant records and the documents submitted by appellant institution. Appeal Committee perused the regulatory file and observed that appellant in the essential data sheet signed by Sh. Paras Kumar and submitted to the Visiting Team had stated that recognition sought for B.A. B.Ed. course is for an intake of 50. Further, in an affidavit dated 1.5.2016 Sh. Paras Kumar has stated that the proposal is to seek intake of 50 seats. Appeal Committee also noted that the Visiting Team conducted inspection of the appellant institution with a proposed intake of 50 seats. Inspection under NCTE Regulation is conducted to assess the preparedness of an institution to conduct the course with proposed intake. Visiting Team conducting inspection of the institution reported a number of deficiencies in the infrastructural facilities.

2. Appeal Committee could not locate the Letter of Intent issued to appellant institution. However, Minutes of 256 Meeting held from 22nd to 25th August, 2016 reveal that a decision was taken by the Regional Committee to issue Letter of Intent. Intake for the course for which LOI was to be issued was not mentioned in the minutes.

3. Appeal Committee noted that impugned order of recognition dated March 3, 2021 is an order combined one for 40 institutions. Appeal Committee going into the facts of case, decided to confirm the recognition order. Appellant institution is however,

free to apply afresh for increase in the intake as and when NCTE issues Notification inviting applications for the programme.

IV. DECISION:-

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during online hearing, Appeal Committee concluded to confirm the recognition order. Appellant institution is however, free to apply afresh for increase in the intake as and when NCTE issues Notification inviting applications for the programme.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, AashirwadShikshakPrashikshan Sansthan, Bithari, 50, Bagtu Bag Phalodi, Jodhpur, Rajasthan – 342301**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-217/E-192522/2021 Appeal/19th Meeting, 2021
APPLERC202114078

Sarvepalli College of Elementary Education, Kalavarai Village, 69/3P and 69/6P, Main Road, Bobbili Mandal, Vizianagaram, Andhra Pradesh – 535558 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Ms. K. Sandhya Rani, (I.Po.S)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Sarvepalli College of Elementary Education, Kalavarai Village, 69/3P and 69/6P, Main Road, Bobbili Mandal, Vizianagaram, Andhra Pradesh dated 10/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/**SRCAPP1724**/AP/D.El.Ed./2021/125771SRO/NCTE/**SRCAPP4484**/AP/D.El .Ed.-Al/2021 dated 12.04.2021 of the Southern Regional Committee, withdrawing

recognition for conducting D.El.Ed. Course on the grounds that "**A Show Cause Notice dt 29.09.2020 was issued to the institution and the institution vide letter dated 03.11.2020 has submitted its representation. The Committee noted that the explanation on the observation made by the School Education Department, Govt. of AP is not satisfactory as the institution made admission into the D.El.Ed. course during academic year 2018-19 on their own in violation of Govt. orders. Further on perusal of the reply dated 03.11.2020 submitted by the institution, the institution also failed to submit the following documents/information:- (i) The institution has submitted notarized copy of land documents as sale deed. The institution has not submitted certified copy of land documents as sale deed. (ii)The institution has submitted notarized copy of land conversion order in which name of the society is not mentioned. (iii) The institution has submitted original FDRs which have been matured. The institution is required to submit 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. (iv) The institution has not submitted latest faculty list approved by the Director, SCERT.**"

II. SUBMISSIONS MADE BY APPELLANT:-

Ms. K. Sandhya Rani, (I.Po.S), Sarvepalli College of Elementary Education, Kalavarai Village, 69/3P and 69/6P, Main Road, Bobbili Mandal, Vizianagaram, Andhra Pradesh presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "**We have submitted to Regional Director, SRC, certified copy of land documents issued by the competent authority, i.e, the Sub-registrar, Bobbili, we are again submitting the latest obtained certified copy of land document to you.**"

(i) The notarized copy of land conversion order has the name of the society i.e., Sarvepalli Educational Society in the 1st paragraph itself, the copy of land conversion order is herewith submitted for your kind reference, please kindly verify again.

(ii) The institution has submitted the FDR of 5 lakhs and FDR of 3 lakhs that are in force upto 05-10-2022, the FDR of 4 lakhs is valid upto 28-02-2021 to the Regional Director, NCTE, SRC. Also please note that we have submitted the reply to the Show Cause Notice on 03-11-2020 by which time the said FDR is valid. So total 03 original FDRs for Rs. 5 lakhs, Rs. 3 lakhs and Rs. 4 lakhs have been submitted. Form "A" issued by the Bank Manager has also been submitted to Regional Director, SRC,

copies of 3 FDRs and form "A" are herewith submitted for your kind reference, please verify.

(iii) The approved faculty list has been submitted to Regional Director, SRC. Copy of approved staff list is herewith submitted for your kind reference, please verify. I request you to kindly go through all these documents once again.

2. In this regard we wish to submit that our institution has not violated any of the admission rules framed by the State Government and NCTE and abided to the permitted in take only. only 03 students joined in the convenor quota. We did not make any admissions in the spot and management quota. 03 students wrote their examination also. On the direction of Director of School Education, A.P. the Regional Director of School Education, Visakhapatnam and Principal, Government DIET, Vizianagaram asked us to submit the admission particulars of the academic year 2018-2019 through e-mail and accordingly we submitted them through email on 24-09-2020. We intimated the same information through our letters dated 28-10-2020 and 10-12-2020 to the Director of School Education, Andhra Pradesh. The copies of our letters dated 28-10-2020 and 10-12-2020 to the Director School Education, Andhra Pradesh are here with enclosed for your kind reference.so we have not committed to any violation of admission Rules. Hence we request you to cancel the recognition withdrawal order and give continuation order of recognition to the D.El.Ed course for basic unit and additional unit i.e. 100 intake in Sarvepalli College of Elementary Education, Kalavarai Village, Bobbili Mandal, Vizianagaram Dist, Andhra Pradesh, 535558."

III. OUTCOME OF THE CASE

The Appeal Committee noted that the SRC withdrew recognition on the grounds that (i) the appellants explanation on the observations made by the School Education Deptt. Govt. of A.P. (in their letter dt. 29.6.2020) is not satisfactory and (ii) the appellant has not submitted four documents mentioned in para 3 of the withdrawal order. The withdrawal order has been issued after considering the reply of the appellant dated 3.11.2020 to the show cause notice dated 29.9.2020, which was issued to 126 institutions, including the appellant.

2. The Committee noted from the submissions of the appellant that they admitted only 3 students in the academic year 2018-19 and sent explanatory letters to the Director of School Education on 28.10.2020 and 10.12.2020 and copies of these letters have been enclosed to the appeal papers. Though the outcome thereof has not been indicated.

3. Adverting to the documents found wanting in the withdrawal order, the Committee noted that the appellant, with the appeal papers enclosed a copy of document S.No.476/2021 dt. 2.8.2021 certifying a document No. 3296/2011. The appellant has not sent original certificate of the Registrar with enclosures. The appellant enclosed a copy of land conversion order dt. 14.9.2021, in which the name of the Society is mentioned. The appellant also submitted a copy of Form 'A' issued by State Bank of India and copies of FDRs which have been renewed upto October, 2022.

4. The Committee however noted that the appellant has not sent the latest faculty list approved by the Director, SCERT. On the other hand appellant has enclosed a faculty list approved by the Director, SCERT as far back as 30.3.2016. With only 3 students admitted in the academic year 2018-19, it is not clear whether there were any admissions at all in subsequent years. In any case an approved and latest faculty list is essential to ensure and verify whether qualified and approved faculty as per NCTE Regulations, 2014 which is an essential instructional facility for imparting quality teacher education, is available or not. Since the appellant has not submitted this very important document, the Committee concluded that the appeal deserved to be rejected on the ground of non-submission of latest approved faculty list and therefore, the order of withdrawal confirmed.

IV. DECISION:-

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

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Sarvepalli College of Elementary Education, Kalavarai Village, 69/3P and 69/6P, Main Road, Bobbili Mandal, Vizianagaram, Andhra Pradesh – 535558**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-238/E-195065/2021 Appeal/21st Meeting, 2021
APPLERC202114089

Education College, Basantapur, 883-975, 879, 2853, Basantapur, Domkal, Murshidabad, West Bengal – 742406 **APPELLANT**	**Vs**	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Ms. Mary NajminAkter**
Respondent by	**Regional Director, ERC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Education College, Basantapur, 883-975, 879, 2853, Basantapur, Domkal, Murshidabad, West Bengal dated 06/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. ERC-293.11/**APE01093**/M.Ed./2021/64194 dated 11.06.2021 of the Eastern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that **"Newly appointed faculty viz. Mary**

NajminAkterhas not been approved by the affiliating University. Recognition of the institution for M.Ed. course withdrawn vide order dated 05.02.2020 stands."

II. SUBMISSIONS MADE BY APPELLANT:-

Ms. Mary NajminAkter,Education College, Basantapur, 883-975, 879, 2853, Basantapur, Domkal, Murshidabad, West Bengalpresented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"The affiliating University was unable to conduct the faculty interview due to Covid-19 and lock-down. Education college requested several times (vide memo no. 003. dt. 22/01/2020, 40 dt. 22/02/2020, 098 dt. 09/12/2020, 031 dt. 18/02/2021, 042 dt. 05/03/2021, 061 dt. 27.03.2021, 064 dt. 04.04.2021) to the University for approval of the faculty list. Finally the affiliating University approved the faculty namely Mary NajminAkter, after conducting the interview on 23/06/2021 and Education College submitted the approved faculty list vide memo no.160 dt.10-07-2021 to the ERC, NCTE and received by ERC, NCTE on 19-07-2021 as per Indian Postal track record."**

III. OUTCOME OF THE CASE

The Committee noted that the appellant has submitted the communication dated 6.7.2021 from the Registrar, West Bengal University of Teachers Training Education, Planning and Administration recommending the appointment of Mary NajminAkter as Asst. Professor. In these circumstances, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the approval accorded by the University and take necessary action as per NCTE Regulations, 2014. The appellant is directed to forward to the ERC, the approval communication, within 15 days of receipt of orders on the appeal.

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

> ***"Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt***

out so that the institution is not compelled to approach the Court in this manner."

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

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

4. The Appeal Committee decided to remand back the case to ERC with a direction to consider the approval accorded by the University and take necessary action as per NCTE Regulations, 2014. The appellant is directed to forward to the ERC, the approval communication, within 15 days of receipt of orders on the appeal. Till then the impugned withdrawal order dated 11.06.2021 is kept on abeyance for the academic session 2020-21.

IV. **DECISION**:-

NOW THEREFORE, After perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to remand back the case of Education College, Basantapur, 883-975, 879, 2853, Basantapur, Domkal, Murshidabad, West Bengalto ERC, NCTE for necessary action as indicated above.

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

(**T. Pritam Singh**)
Deputy Secretary

Copy to :-

1. **The Principal, Education College, Basantapur, 883-975, 879, 2853, Basantapur, Domkal, Murshidabad, West Bengal – 742406**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-239/E-195208/2021 Appeal/21st Meeting, 2021
APPLSRC202114093

Yadava College of Education, Thiruppalai, 6/13, 6/17, Reserve Line, New Natham Road, Madurai North Taluka, Madurai, Tamil Nadu – 625014 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Dr. V. Jeyavalli, (Principal)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Yadava College of Education, Thiruppalai, 6/13, 6/17, Reserve Line, New Natham Road, Madurai North Taluka, Madurai, Tamil Nadudated 11/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/**APS09666**/B.Ed./{TN}/2021/126957 dated 02.07.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the

grounds that "**The Committee considered the reply submitted by the institution on 28.10.2020 in respect to the Show Cause Notice and found the following deficiencies: -**

1. **The institution has submitted a BCC in which total built-up area is 1214.05 sqm. which is less than the requirement of 2000 sqm. as per NCTE Norms.**
2. **The institution has submitted a photocopy of Land document, LUC, NEC, Building Plan, BCC instead of notarized copy of these documents.**
3. **The institution has not submitted a copy of the Site Plan.**
4. **The institution has not submitted "Form A" issued by the respective Bank Manager towards creation of FDR of Rs.7 lakh and 5 lakh, totalling Rs.12 lakh."**

II. <u>SUBMISSIONS MADE BY APPELLANT</u>:-

Dr. V. Jeyavalli, (Principal) Yadava College of Education, Thiruppalai, 6/13, 6/17, Reserve Line, New Natham Road, Madurai North Taluka, Madurai, Tamil Nadupresented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"The institution has been without proper and stable management since 2011 due to multitudes of litigation pending before the Hon'ble High Court, Madurai up till 2021. The Hon'ble High Court, Madurai vide Judgment in W.P.(MD) No.14362 of 2018 dated 31.03.2021 has appointed Hon'ble Judge (Retired), Madras High Court, Shri. S. Rajeswaran, as an Administrator of the Society viz., YadhavarKalvi Nidhi as well as Yadhava College, Madurai. After the assumption of charge on 12.04.2021, various aspects pertaining to the administration of college is being carried out in a phased and rapid manner. At present, the deficiencies listed out in the withdrawal order in F.SRO/NCTE/APS09666/B.ED./{TN}/2021/126957 dated 02.07.2021 by Southern Regional Committee, National Council for Teacher's Education has been redressed and the compliance of the same is set-out herein below: 1. The first deficiency pertaining to Total Built Up Area - As per the earlier records submitted for continuation of affiliation to the State Affiliation Body – Tamil Nadu Teacher's Education University (TNTEU), dated 16.04.2021 during their**

inspection, the total Available area is 1858 square meters. compliance – at present, the same has been rectified and complied, wherein the total built-up area at present is 2087.26 square meters as per NCTE norms and NCTE regulations, 2014.

The second deficiency pertaining to notarized copy of documents - compliance – at present, the copies of land document, LUC, NEC, Building Plan, BCC has been notarized.

The third deficiency pertaining to copy of site plan - compliance – at present, the copies of site plan, building plan & master plan have been obtained.

The fourth deficiency pertaining to "Form A" - compliance – at present, "Form A" as well as copies of the receipts of fixed deposits – Rs.7 lakhs & Rs.5 lakhs have been obtained from the Branch Manager of the respective bank. Two copies of the online appeal application, proof of payment and the afore mentioned relevant documents would be sent by registered post as per the appeal procedure of NCTE".

III. OUTCOME OF THE CASE

The Committee noted that the appellant has submitted certain documents found wanting in the withdrawal order, namely, notarised copies of LUC, NEC and Building Plan, copy of site plan and Form 'A' issued by Central Bank of India about fixed deposits for Rs. 5 lakhs and Rs. 7 lakhs with maturity date of 22.7.2026 and 20.7.2026 respectively. However, regarding built up area, the appellant claiming that they now have 2087.26 Sq.Mtrs., which figure is shown in the building plan, has not submitted a Building Completion Certificate for this increased area signed by a competent Govt. Engineer. On the other hand appellant has enclosed the same Building Completion Certificate dt. 2.6.2009 showing the proposed built-up area as 13,068 Sq.Ft. (1214.05 Sq.Mtrs.). The building plan now enclosed shows the built-up area of 2087.26 Sq.Mtrs. in ground, first floors and community area.

2. In the above circumstances, the Committee concluded that the matter may be remanded to the SRC with a direction to consider the documents submitted in appeal and a Building Completion Certificate in the prescribed form signed by a Govt. Engineer showing the newly claimed built-up area of 2087.26 Sq.Mtrs., to be sent to them by the appellant within 15 days of receipt of orders on the appeal and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC the documents submitted in appeal and the Building Completion Certificate, in particular, as mentioned above within 15 days of receipt of orders on the appeal.

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

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

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

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

5. Appeal Committee decided to remand back the case to SRC for revisiting the matter. The impugned withdrawal order dated 2.7.2021 is kept on abeyance till the outcome of revisiting the matter by SRC.

IV. DECISION:-

NOW THEREFORE, After perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to remand back the case to SRC, NCTE for necessary action as indicated above.The impugned withdrawal order dated 2.7.2021 is kept on abeyance till the outcome of revisiting the matter by SRC.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Yadava College of Education, Thiruppalai, 6/13, 6/17, Reserve Line, New Natham Road, Madurai North Taluka, Madurai, Tamil Nadu – 625014**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-240/E-195580/2021 Appeal/21st Meeting, 2021
APPLSRC202114061

Sri Renga College of Education, Siruganur, 3/169, Tricky Chennai bypass Road, Manachanallur, Tiruchirapalli, Tamil Nadu – 621105 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Sri Renga College of Education, Siruganur, 3/169, Tricky Chennai bypass Road, Manachanallur, Tiruchirapalli, Tamil Nadudated 06/07/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/**APSO4201**/B.Ed./(TN)/2021/125837-5844 dated 12.04.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the

grounds that "**The Committee considered the reply submitted by the institution on 15.11.2019 in respect to the Final Show Cause Notice and found the following deficiencies: -**

1. **The institution building plan submitted by the institution is not approved by the competent authority and it is not readable.**
2. **The institution has submitted a BCC which is not approved by the competent authority.**
3. **The institution has not submitted latest faculty list approved by the affiliating University.**
4. **The institution has not submitted a Form "A" issued by the Branch Manager. A photocopy of Matured FRDs submitted. The institution is required to submit a Form 'A' & renew the FDRs.**
5. **The institution has submitted a Notarized copy of NEC which is not readable.**

The institution has not mentioned the Domain Name of the website."

II. <u>SUBMISSIONS MADE BY APPELLANT</u>:-

The representative of **Sri Renga College of Education**, Siruganur, 3/169, Tricky Chennai bypass Road, Manachanallur, Tiruchirapalli, Tamil Nadu presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "**Now we are having approved Building Plan which is approved by the competent authority. We are having Building Plan is readable. Copy enclosed.**

i) **Now we are having Building Completion Certificate (BCC) which is approved by competent authority. Copy enclosed.**
ii) **We are having necessary latest faculty list, which is approved by the Registrar, TNTEU, Chennai, Tamilnadu as per the NCTE Norms of two basic units. Copy enclosed.**
iii) **Now we have form a issued by the branch manager IOB K.K. Nagar Trichy, and FD for Rupees 5 lakhs and Rupees 7 lakhs or attested by the Branch Manager. Copy enclosed.**

iv) **Now we have the English version of notarized latest NEC issued by the competent authority. Copy enclosed.**

Now we have the web site domain name. Copy enclosed."

III. OUTCOME OF THE CASE

The Committee noted that the appellant, with the appeal, submitted all the documents found wanting in the order of withdrawal, namely, building plan, BCC, approved staff list along with letter of approval issued by the affiliating university; Form 'A' issued by the bank and copies of FDRs; English version of NEC; notarised and Website domain name. In these circumstances, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider these documents, to be sent to them by the appellant, and take necessary action as per NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal, within 15 days of receipt of orders on the appeal.

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

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

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

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

4. Appeal Committee decided to remand back the case to SRC for revisiting the matter. The impugned withdrawal order dated 12.04.2021 is kept on abeyance till the outcome of revisiting the matter by SRC.

IV. DECISION:-

NOW THEREFORE, After perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to remand back the case to SRC, NCTE for necessary action as indicated above.The impugned withdrawal order dated 12.04.2021 is kept on abeyance till the outcome of revisiting the matter by SRC.

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

(**T. Pritam Singh**)
Deputy Secretary

Copy to :-

1. **The Principal, Sri Renga College of Education, Siruganur, 3/169, Tricky Chennai bypass Road, Manachanallur, Tiruchirapalli, Tamil Nadu – 621105**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-241/E-195942/2021 Appeal/21st Meeting, 2021
APPLSRC202114092

Vinukonda B.Ed. College, Kanamarlapudi Village and Post Savalyapuram Mandal, Guntur, Andhra Pradesh – 522647 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Mr. Gali Srinivasa Rao, (Joint Secretary)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF RESTORATION

The appeal of Vinukonda B.Ed. College, Kanamarlapudi Village and Post Savalyapuram Mandal, Guntur, Andhra Pradeshdated 10/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/**SRCAPP640**/AP/D.El.Ed./2021/126437,

SRO/NCTE/**SRCAPP2670**/AP/D.El.Ed.-Al/2021/6464 dated 19.04.2021 of the Southern Regional Committee, withdrawingrecognition for conducting D.El.Ed./D.El.Ed.-Al. Course on the grounds that **"A Show Cause Notice dt 29.09.2020 was issued to the institution and the institution vide letter dated 14.10.2020 has submitted its representation. The Committee noted that the explanation on the observation made by the School Education Department, Govt. of AP is not satisfactory as the institution made admission into the D.El.Ed. course during academic year 2018-19 on their own in violation of Govt. orders.Further on perusal of the reply dated 14.10.2020 submitted by the institution, the institution also failed to submit the following documents/information:- (i) The institution has submitted notarized copy of land document as Sale Deed. The institution did not submit certified copy of land document. (ii)The institution has submitted notarized copy of building plan in Minutes of 397th Meeting of the SRC held on 25th – 26th March 2021 which multipurpose hall is not legible. (iii) The institution has not submitted latest faculty list approved by the Director, SCERT. (iv) The institution has not submitted Form "A" issued by the bank manager towards creation of FDR of Rs. 7 lakh & Rs. 5 lakhs towards Endowment Fund & Reserve Fund. (v) Domain name is not mentioned by the institution."**

II. <u>SUBMISSIONS MADE BY APPELLANT</u>:-

Mr. Gali Srinivasa Rao, (Joint Secretary),Vinukonda B.Ed. College, Kanamarlapudi Village and Post Savalyapuram Mandal, Guntur, Andhra Pradesh presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"Our management already submitted related to our Vinukonda B.Ed. College (D.El.Ed.) course Kanamarlapudi Village, Savalyapuram Mandal, Guntur District, Andhra Pradesh. i) Our management already submitted original copy of certified land documents from sub-registrar, Vinukonda. ii) We are here with submitting you notarized copy of building plan with ear marked multipurpose hall is 239 sq.mtrs / 2576 sft. iii) We are here with submitting you latest faculty list attested by the director, apscert there were no changes in our existing staff list. iv) We already submitted form "A"**

form Bank Manager SBI Vinukondatowards endowment fund & reserve fund, now we are here with submitting you form "A" issued by the Bank Manager SBI Vinukonda towards creation of the FDR Rs. 7 lakh & Rs. 5 lakhs towards endowment fund reserve fund. v) We are here with submitting domain name of the institution i.e. www.vinukondabedcollege.org"

III. **OUTCOME OF THE CASE**

The Committee noted that the SRC withdrew recognition on the grounds that (i) the appellant explanation on the observations made by the School Education Deptt, Govt. of A.P. (in their letter dated 29.6.2020) is not satisfactory and (ii) the appellant has not submitted five documents mentioned in para 3 of the withdrawal order. The withdrawal order has been issued after considering the reply of the appellant dated 14.10.2020 to the show cause notice dated 29.9.2020, which was issued to 126 institutions including the appellant.

2. The Committee noted that the appellant, in their appeal letter dated 14.8.2021, made a host of submissions in relation to the admissions made by private D.Ed. Colleges in the State of A.P. and justifying their action (including that of the appellant) in doing so. The Committee noted that all these submissions/arguments are to be placed before the appropriate authorities of the State Govt. for necessary action. The Council cannot verify the correctness of the action of the appellant. The appellant, in their letter, also indicated that they have filed Writ Appeals before the Division Bench of the Hon'ble High Court of A.P.

3. Adverting to the documents found wanting in the order of withdrawal, the Committee noted that the appellant, with their appeal has submitted a host of documents. Restricting scope to the five documents found wanting, the Committee noted that the appellant has submitted (i) notarised copies of certified land documents with English translations; (ii) Form 'A' issued by State Bank of India regarding Fixed Deposits for Rs. 5 lakhs and Rs. 3 lakhs (which matured on 4.8.2021) and for Rs. 4 lakhs (which matured on 25.2.2021); and (iii) a notarised building plan in which the multipurpose hall has been marked. The Web-site page stated to have been sent is not found.

4. The Committee noted that the appellant has not submittedlatest faculty list, approved by the Director, SCERT. On the other hand appellant has enclosed a faculty list, tentatively approved by the Director, SCERT as far back as 24.2.2016 stating that there were no changes as on date with Govt. of A.P. Finding that the admissions made in 2018-19 were in violation of Govt. orders, it is not clear whether there were any admissions at all in the appellant's institution in the subsequent years. In any case an approved and latest faculty list is essential to ensure and verify whether qualified faculty as per NCTE Regulations, 2014 and approved by the competent authority, which is an essential instructional facility, is available or not. Since, the appellant has not submitted this very important document, the Committee concluded that the appeal deserved to be rejected on the ground of non-submission of latest approved faculty list and therefore, the order of withdrawal confirmed.

IV. DECISION:-

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

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Vinukonda B.Ed. College, Kanamarlapudi Village and Post Savalyapuram Mandal, Guntur, Andhra Pradesh – 522647**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-242/E-195962/2021 Appeal/21st Meeting, 2021
APPLERC202114090

Bankura Christian College, Bankura, College Road, Bankura, West Bengal – 722101 **APPELLANT**	**Vs**	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Dr. Narugopal Mukherjee, (Member)**
Respondent by	**Regional Director, ERC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF REFUSAL

The appeal of Bankura Christian College, Bankura, College Road, Bankura, West Bengal dated 10/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. ERC-16/**APE00748**/B.P.Ed./2020/63120 dated 05.10.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for B.P.Ed. Course on the grounds that **"Final Show Cause Notice issued on 26.02.2020 and no reply has been received as**

on date. Hence, B.P.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session 2021-22."

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Narugopal Mukherjee, (Member), Bankura Christian College, Bankura, College Road, Bankura, West Bengal presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"Custodian of the same is diocese of Durgapur.**

i) **We are now ready to submit the same.**

ii) **We are now ready to submit the same.**

Under process."

III. OUTCOME OF THE CASE

The Committee noted that the appellant, in their letter dated: 19.08.2021 made certain submissions in respect of the four grounds on which the recognition was withdrawn. They are as following:

(i) Certified copy of registered land document is not available. The owner of the land is Missionary Trust Association (Now known as Diocese of Durgapur, Durgapur), where Bankura Christian College runs with a total area of 119 Bighas. Missionary Trust Association is the owner of the land with condition that the land is to be used for the purpose of education only. Some documents, which are in Regional Language and without English version have been enclosed.

(ii) The built-up area is shown in a building map and a statement showing the area room-wise is also enclosed.

(iii) Copies of the FDRs are enclosed two matured on 29.09.2019 and one due to mature on 09.08.2026.

(iv) Fire safety certificate is still in the process.

2. The committee noted that the appellant was granted recognition initially on 28.02.2008, obviously after verifying and satisfying that the appellant fulfilled all the requirements including these related land. The appellant was also granted revised recognition after the promulgation of the NCTE Regulations, 2014. The Committee also

noted that the ground relating to certified copy of registered land document was not included in the show cause notice dated 22.08.2019.

3. Taking into account the above position, the Committee concluded that the matter may be remanded to the ERC with a direction to consider the submissions of the appellant, to be sent to them by the appellant, together with

(a) The two FDRs after extending the maturity beyond 29.09.2019,

(b) The land related documents duly translated into English and notarised.

(c) The latest position regarding the issue of Fire safety certificate, within 15 days of receipt of orders on the appeal. Thereafter, the ERC should examine all the submitted documents and take necessary action as per NCTE Regulations, 2014. The appellant is directed to forward to the ERC all the documents mentioned above, within 15 days of receipt of orders on the appeal.

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

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

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

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

6. The Appeal Committee decided to remand back the case to ERC, NCTE for revisiting the matter as indicated above. The impugned withdrawal order dated 05.10.2020 is kept on abeyance till the final outcome of revisiting the matter by ERC.

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal

Committee of the Council Concluded to remand back the case to ERC, NCTE for necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Bankura Christian College, Bankura, College Road, Bankura, West Bengal – 722101**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Easterm Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-242/E-195962/2021 Appeal/21st Meeting, 2021
APPLERC202114090

Bankura Christian College, Bankura, College Road, Bankura, West Bengal – 722101 **APPELLANT**	**Vs**	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. **RESPONDENT**

Representative of Appellant	**Dr. Narugopal Mukherjee, (Member)**
Respondent by	**Regional Director, ERC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF REFUSAL

The appeal of Bankura Christian College, Bankura, College Road, Bankura, West Bengal dated 10/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. ERC-16/**APE00748**/B.P.Ed./2020/63120 dated 05.10.2020 of the Eastern Regional Committee, withdrawingrecognition for conducting for B.P.Ed. Course on the grounds that **"Final Show Cause Notice issued on 26.02.2020 and no reply has been**

received as on date.Hence, B.P.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session 2021-22."

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

Dr. Narugopal Mukherjee, (Member), Bankura Christian College, Bankura, College Road, Bankura, West Bengalpresented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"Custodian of the same is diocese of Durgapur.**

i) **We are now ready to submit the same.**

ii) **We are now ready to submit the same.**

Under process."

III. **OUTCOME OF THE CASE**

The Committee noted that the appellant, in their letter dated: 19.08.2021 made certain submissions in respect of the four grounds on which the recognition was withdrawn. They are as following:

(i) Certified copy of registered land document is not available. The owner of the land is Missionary Trust Association (Now known as Diocese of Durgapur, Durgapur), where Bankura Christian College runs with a total area of 119 Bighas. Missionary Trust Association is the owner of the land with condition that the land is to be used for the purpose of education only. Some documents, which are in Regional Language and without English version have been enclosed.

(ii) The built-up area is shown in a building map and a statement showing the area room-wise is also enclosed.

(iii) Copies of the FDRs are enclosed two matured on 29.09.2019 and one due to mature on 09.08.2026.

(iv) Fire safety certificate is still in the process.

2. The committee noted that the appellant was granted recognition initially on 28.02.2008, obviously after verifying and satisfying that the appellant fulfilled all the requirements including these related land. The appellant was also granted revised recognition after the promulgation of the NCTE Regulations, 2014. The Committee also

noted that the ground relating to certified copy of registered land document was not included in the show cause notice dated 22.08.2019.

3. Taking into account the above position, the Committee concluded that the matter may be remanded to the ERC with a direction to consider the submissions of the appellant, to be sent to them by the appellant, together with

(a) The two FDRs after extending the maturity beyond 29.09.2019,

(b) The land related documents duly translated into English and notarised.

(c) The latest position regarding the issue of Fire safety certificate, within 15 days of receipt of orders on the appeal. Thereafter, the ERC should examine all the submitted documents and take necessary action as per NCTE Regulations, 2014. The appellant is directed to forward to the ERC all the documents mentioned above, within 15 days of receipt of orders on the appeal.

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

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

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

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

6. The Appeal Committee decided to remand back the case to ERC, NCTE for revisiting the matter as indicated above. The impugned withdrawal order dated 05.10.2020 is kept on abeyance till the final outcome of revisiting the matter by ERC.

IV. **DECISION**:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to remand back the case to ERC, NCTE for necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, Bankura Christian College, Bankura, College Road, Bankura, West Bengal – 722101**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Eastern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-245/E-196387/2021 Appeal/21st Meeting, 2021
APPLSRC202114102

ASSEFA College of Education, Silarpatti Village, Silarpatti Post, Peraiyur T.K., Madurai, Tamil Nadu – 625702 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. P.Mallapparaj, (Director)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of ASSEFA College of Education, Silarpatti Village, Silarpatti Post, Peraiyur T.K., Madurai, Tamil Nadu dated 05/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APSO9013/B.Ed./{TN)}/2021/126738-6745 dated 30.06.2021 of the Southern Regional Committee, withdrawing recognition for

conducting B.Ed. Course on the grounds that "**The institution has submitted a Notarized copy of Faculty list consisting of 10 Lecturers against the requirement of 1 + 15 Faculty List.**

1. **The institution has submitted a Notarized copy of Building Plan in which size of Multi-purpose Hall Area is not as per NCTE Norms.**
2. **The institution has submitted a Notarized copy of BCC which is not approved by the Competent Authority.**
3. **The institution has not submitted a copy of Form "A" issued by the Branch Manager. Only photocopy of FDRs of Rs. 5 lakhs & 3 lakhs. The institution is required to submit a FDRs of Rs. 4 Lakhs."**

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. P.Mallapparaj, (Director)ASSEFA College of Education, Silarpatti Village, Silarpatti Post, Peraiyur T.K., Madurai, Tamil Nadu presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "**The Management appointed one Principal and 15 Assistant Professors approved by the Registrar, Tamilnadu Teachers Education University, Chennai on various dates 13.01.2015 and 15.02.2016. The comprehensive faculty list is now approved by the Registrar, Tamilnadu Teachers Education University on 19.07.2021. We submit the Latest Faculty List already regularized in our College and submit the Cumulative List.**

i) **The Total built up area of our college is 3672.96 Square meters and the Multi-Purpose hall size is 48.960.0 Square feet. i.e. 2934 Square feet. This above square feet is more than sufficient for NCTE Regulations, 2014.**
ii) **The building completion certificate issued by the Union Engineer, Panchayat Union, Peraiyur Taluk, Madurai District is enclosed.**

Form A issued by the Manager, Canara Bank, Madurai, for Rs.5 Lakhs and Rs.3 Lakhs for the period up to 03.10.2023. Form A issued by the Manager, State Bank of India, Medagam, for Rs.5,73,407 Lakhs for the period up to 27.06.2025."

III. OUTCOME OF THE CASE

The Committee noted that the appellant, in reference to the grounds on which recognition was withdrawn has submitted.

(i) A Cumulative faculty list of one Principal and 15 Assistant Professors approved by the Register, Tamil Nadu Teacher Education University, Chennai on 19.07.2021;

(ii) Copy of building plan, showing a multipurpose Hall of 48'9 x 60;

(iii) Form 'A' issued by State Bank of India in respect of three Fixed deposit The Committee noted that the Building Completion Certificate submitted by the appellant, stating that it has infact been issued by a Chartered Engineer, who is not a Govt. Engineer. The appellant has still to submit an acceptable Building Completion Certificate.

2. In view of the above position, Appeal Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the above acceptable documents to be submitted to them by the appellant, together with a Building Completion Certificate, issued by a Competent Govt. Engineer, within 15 days of receipt of orders on the appeal, and take necessary action as per NCTE Regulation, 2014. The Appellant is directed to forward to the SRC the documents submitted in appeal alongwith a Building Completion Certificate issued by a Govt. Engineer, within 15 days of receipt of order on the appeal.

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

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

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

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

6. The Appeal Committee decided to remand back the case to SRC, NCTE for revisiting the matter as indicated above. The impugned withdrawal order dated 30.06.2021 is kept on abeyance till the final outcome of revisiting the matter by SRC.

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to remand back the case to SRC, NCTE for necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, ASSEFA College of Education, Silarpatti Village, Silarpatti Post, Peraiyur T.K., Madurai, Tamil Nadu – 625702**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-246/E-195530/2021 Appeal/21st Meeting, 2021
APPLSRC202114096

St. Josephs College of Education, Joseph Nagar, Puthukulam, Ittamozi Road, Sathankulam, Thoothukudi, Tamil Nadu – 628704 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	.....
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of St. Josephs College of Education, Joseph Nagar, Puthukulam, Ittamozi Road, Sathankulam, Thoothukudi, Tamil Nadu dated 17/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APSO1425/B.Ed./(TN)/2021/127831-7838 dated 29.07.2021 of the Southern

Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "**The institution has submitted notarized copy of Land Document instead of certified copy approved by the competent authority.**

1. **The institution has submitted notarized copy of Building Plan in which Multipurpose Hall and classroom area are not clearly mentioned.**
2. **The institution has submitted notarized copy of Building Completion Certificate which is not approved by the competent authority.**
3. **The institution has submitted photocopy of faculty approval letter dated 19.09.2017 faculty list Signed by the Registrar, Tamil Nadu Teacher Education University total faculty approved: 11 Lecturers.**

   (i) The institution has not submitted latest faculty list duly approved by affiliating body.

(ii) Mr. A. Sundar, Assistant Professor has been appointed on 14.06.2017 i.e. after the date of NCTE (Amendment) Regulations dated 09.06.2017 and not qualified as not possessing NET qualification."

II. SUBMISSIONS MADE BY APPELLANT:-

The Representative, St. Josephs College of Education, Joseph Nagar, Puthukulam, Ittamozi Road, Sathankulam, Thoothukudi, Tamil Nadu presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "**Certified copy of Land document submitted.**

(i) **Building Plan in Multipurpose Hall and classroom area clearly submitted.**

(ii) **Building Completion Certificate competent authority submitted. Submitted latest faculty."**

III. OUTCOME OF THE CASE

The Committee noted that the appellant, in reference to the grounds on which recognition was withdrawn has submitted.

(i) A certified copy of land documents

(ii) A Building plan in which sizes of a class room and multipurpose hall are indicated.

(iii) A Building Completion certificate issued by Govt. Engineer (RD), Panchayat Union, Sathankulam.

(iv) A staff profile of 11 Asst. Professor, with indicating that Shri A Sunder is SLET qualified, and approved by the Registrar Tamilnadu Teachers Education University Chennai on 15.12.2020.

2. In view of the above position, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents, to be sent to them by the appellant and take necessary action as per NCTE Regulation, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal, within 15 days of receipt of orders on the appeal.

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

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

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

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

5. The Appeal Committee decided to remand back the case to SRC, NCTE for revisiting the matter as indicated above. The impugned withdrawal order dated 29.07.2021 is kept on abeyance till the final outcome of revisiting the matter by SRC.

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to remand back the case to SRC, NCTE for necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal, St. Josephs College of Education, Joseph Nagar, Puthukulam, Ittamozi Road, Sathankulam, Thoothukudi, Tamil Nadu – 628704**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-247/E-196668/2021 Appeal/21st Meeting, 2021
APPLERC202114108

Al-Momin College of Education, Bishunpura, 143, 144, 145, Cherki, Bihar Sarkar AnchalSherghati, Gaya, Bihar – 824237 **APPELLANT**	**Vs**	Eastern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075. **RESPONDENT**

Representative of Appellant	.....
Respondent by	**Regional Director, ERC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Al-Momin College of Education, Bishunpura, 143, 144, 145, Cherki, Bihar Sarkar AnchalSherghati, Gaya, Bihardated 30/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. ER-295.17/**APE00395**/B.Ed./2021/64437 dated

03.09.2021 of the Eastern Regional Committee, withdrawingrecognition for conducting B.Ed. Course on the grounds that **"After the show cause notice, up to date faculty list, approved by the affiliating University is wanting. Also, in search it is found that the website of the institution is not functional, hence the ERC decided to withdraw the recognition from the academic session 2021-2022."**

II. SUBMISSIONS MADE BY APPELLANT:-

The Reprentative, Al-Momin College of Education, Bishunpura, 143, 144, 145, Cherki, Bihar Sarkar AnchalSherghati, Gaya, Bihar presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "**The ERC by its order dated 29th July / 2nd August 2006 granted recognition to the institute for conducting B.Ed. Course with annual intake of 100 students. After notification of NCTE Regulations, 2014, the ERC issued the revised recognition order date 31.05.2015 for two basic units (100 seats) of B.Ed. Course. The ERC issued a show cause notice dated 13.08.2020 to our institute on nine specific grounds. We by our letter No. ACE/NCTE/118/2020 dated 02.09.2020 submitted pointwise reply to the said show cause notice. Along with the reply, we submitted following documents:- 1. Approved faculty list is enclosed herewith as Annexure-I. 2. Certified copy of registered land document submitted as Annexure-II. 3. Land possession/mutation certificate submitted as Annexure-III 4. Change of land use certificate issued from land revenue concerned Government Department submitted as Annexure-IV 5. Non-encumbrance certificate in the name of Institution/Society issued from the Land Registering Authority submitted as Annexure-V 6. Experience Certificate of the Principal submitted as Annexure-VI 7. The college or its managements does not have any CBSE affiliated school and the same can be corroborated by the District Education Officer, Gaya who has made two Inspections in 2013 and 2017 on complaints and found in its report that no CBSE affiliated school is running in the campus of Momin College of Education vide Letter No. 883 dated 08.05.2013 and letter No. 1069 dated 28.10.2017 submitted as Annexure-VII 8. The management or the college is not associated in any form with Nezamia College of Education 9. The management or college is not**

associated with Hazarat Ayesha Girls School, Khagaul, Patna. Our aforesaid reply dated 02.09.2020 was dispatched to the Regional Director, ERC by speed post bearing consignment No. EF272767628IN dated 10.09.2020. A copy of letter dated 02.09.2020 alongwith speed post receipt & approved faculty list are attached as Annexure – 1. The documentary evidences regarding compliance mentioned at (1) to (9) in our reply dated 02.09.2020 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 02.09.2020, our institution 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 not considered our reply including the documents attached therewith which included the approved faculty list. The aforesaid decision of withdrawal taken by ERC is contrary to records and reply submitted by the institution as the institute had infact submitted the approved faculty list. Further, it is submitted that the ERC in its decision of withdrawal has mentioned that in search, it was found that the website of the institution is not functional. It is submitted that a perusal of the show cause notice dated 13.08.2020 shows that the ground/issue of website was nowhere mentioned in the said show cause notice. Thus, institution did not receive any show cause notice regarding non-functionality of its website. Thus, the decision of withdrawal taken by ERC on the ground of non-functionality of the website is without issuance of any show cause notice in this regard and thus, is in violation of provisions contained in Section 17 of NCTE Act, 1993 and also in violation of principles of natural justice. It is further submitted that the website address of our institution is www.almomincollege.org. The website is fully functional, and the approved teacher list is also available on the website of the institution. A printout of the page of the website is attached as Annexure -2. 2. 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**

The Committee noted that the appellant, aggrieved by the decision taken by the ERC on 21.08.2021 to withdraw the recognition, filed a **WP (C) 9530/2021 & CM Appls.29531-29532/2021**before the Hon'ble High Court of Delhi at New Delhi.
The Hon'ble High Court, on the order dated 03.09.2021, clarified that the impugned decision of the ERC will take effect from the end of the academic session i.e. 2022-23. The Hon'ble High Court in their order, directed Appellate Committee to decide the petitioner's appeal as expeditionary as possible and fractionable.

2. The committee noted that in response to the grounds mentioned in the withdrawal order, the appellant, in the appeal, submitted that while the ERC, in the meeting held on 21.08.2021, has not considered the reply to the show cause notice, with which they submitted approved faculty list, the ground relating to website was neither mentioned in the show cause notice nor any show cause notice issued on this ground. The appellant has now enclosed a copy of the reply dated: 02.09.2020 to the show cause notice dated : 13.08.2020, with which a faculty list approved by the Registrar, Magadh University Bodh Gaya was sent and a print out of the website page.

3. In view of the above position, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider these documents submitted in

appeal, to be sent to them by the appellant, and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the documents submitted in appeal, within 15 days of receipt of orders on the appeal.

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

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

5. Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 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.***

6. The Appeal Committee decided to remand back the case to ERC, NCTE for revisiting the matter as indicated above. The impugned withdrawal order dated 03.09.2021 is kept on abeyance till the final outcome of revisiting the matter by ERC.

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to remand back the case to ERC, NCTE for necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal Al-Momin College of Education, Bishunpura, 143, 144, 145, Cherki, Bihar Sarkar AnchalSherghati, Gaya, Bihar – 824237**
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
NATIONAL COUNCIL FOR TEACHER EDUCATION (NCTE)
G-7, Sector-10, Dwarka, New Delhi – 110075

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-249/E-196572/2021 Appeal/21st Meeting, 2021
APPLSRC202114098

Merit College of Education, Udayarpalayam, 630/1B3, ZameenThatthanur, Udayarpalayam, Perambalur, Tamil Nadu – 621804 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Mr. M. Abuthahir, (PRO)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Merit College of Education, Udayarpalayam, 630/1B3, ZameenThatthanur, Udayarpalayam, Perambalur, Tamil Nadu dated 19/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No.

SRO/NCTE/APS09675/B.Ed./{TN}/2021/128504 dated 02.09.2021 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). The institution has submitted its reply on 17.06.2021. The Committee observed the reply submitted by the institution and found the following deficiencies.**

1. **The institution has submitted a photocopy of Sale Deed, LUC, NEC, Building Plan, Site Plan, BCC, Faculty List instead of Notarized copy of these Documents.**
2. **The institution has submitted a photocopy of NEC in Regional Language. The institution is required to submit English Version Translated Notarized copy of it.**
3. **The institution has submitted building plan in which multi-purpose hall area is not mentioned.**
4. **The institution has submitted a faculty list vide letter dated Minutes of 401st Meeting of the SRC held on 11th& 12th August 2021 24.07.2018. The institution is required to submit a latest faculty list. The institution has submitted a Notarized copy of Faculty list consisting of 1 Principal + 11 Lecturers against the requirement of 1 + 15 faculties. Faculty in r/o Performing Arts & Fine Arts are not appointed by the institution.**

5. The website of the institution is not updated with the information prescribed under para 8(6), 8(14) and 10(3) of NCTE Regulations, 2014."

II. <u>SUBMISSIONS MADE BY APPELLANT</u>:-

Mr. M. Abuthahir, (PRO),Merit College of Education, Udayarpalayam, 630/1B3, ZameenThatthanur, Udayarpalayam, Perambalur, Tamil Nadu presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "**We have submitted all the documents as per the Show Cause Notice. We are submitting herewith the Certified Copy of Sale Deed, English Version of Sale Deed with Notary attestation, NEC in Original and English version with Notary attestation, Approved Building Plan, Approved Site Plan,**

BCC issued by the Government Engineer and latest approved Faculty list approved by the Registrar, Tamilnadu Teachers Education University for kind consideration of the Appeal Committee. Though we have submitted all the documents and only because it is a photocopy SRC has made it as deficiencies to withdraw recognition. Whereas our institution is having all the documents."

i) NEC was submitted to SRC. Whereas only English Version was to be submitted. SRC would have given an opportunity to submit this document. We are submitting herewith the Original NEC and English Translated version with Notary attestation for kind consideration of the Appeal Committee.

ii) It is to humbly submit that we have submitted approved Building Plan to SRC and our institution is having Multipurpose Hall with 2300 sq.ft. Whereas SRC has not recognized the Multipurpose Hall area. We are submitting herewith the approved Building Plan for kind consideration of the Appeal Committee.

iii) Our institution had submitted latest staff list for approval to the Registrar, Tamilnadu Teachers Education University. Since there was only 21 days' time given for reply to Show Cause Notice our institution has submitted the staff list approved in the year 2018. Now we have received the latest staff approved list from the University and the same is submitted for kind consideration of the Appeal Committee.

iv) It is to humbly submit that our institution is all along been maintaining the Website exclusively for the B.Ed. college and all the required information as per NCTE Regulation Para 8(6), 8(14) and 10(3) are uploaded. Whereas SRC has made it as a deficiency for withdrawal of recognition. Our institution website is www.meritcollege.in. We are submitting herewith the proof of web pages print out for kind consideration of the Appeal Committee.

III. OUTCOME OF THE CASE

The Committee noted that the appellant, with the appeal, submitted the documents found wanting in the order of withdrawal, namely.

(i) Notarised Copies of sale deed, LUC NEC, Building plan, and BCC.

(ii) English version NEC notarised and updated website pages.

(iii) A faculty list of 1+16. The committee noted that the building plan shows a multipurpose hall of 92'x 25'; the faculty including one Asst. professor each

for Fine Arts and Performing Arts has been approved by the Registrar, Tamilnadu Teacher Education University on 12.08.2021. However a notarised copy of the site plan stated to have been sent, is not found among in the appeal.

2. The Committee, noted that the appellant has submitted all the required documents, except notarised copy of the site plan, concluded that the matter deserved to be remanded to the SRC with a direction to consider these documents and a notarised copy of the site plan, to be submitted to them by the appellant and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the document submitted in appeal together with a notarised copy of the site plan, within 15 days of receipt of orders on the appeal.

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

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

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

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

5. The Appeal Committee decided to set aside the impugned order dated 02.09.2021 and remand back the case to the SRC with a direction to consider these documents and a notarised copy of the site plan, to be submitted to them by the appellant and take necessary action as per the NCTE Regulations, 2014. The appellant

is directed to forward to the SRC all the document submitted in appeal together with a notarised copy of the site plan, within 15 days of receipt of orders on the appeal.

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to set aside the impugned order dated 02.09.2021 and remand back the case to the SRC for necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal Merit College of Education, Udayarpalayam, 630/1B3, ZameenThatthanur, Udayarpalayam, Perambalur, Tamil Nadu – 621804**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-252/E-197015/2021 Appeal/21st Meeting, 2021
APPLSRC202114109

ShrimanDharamsingh B.Ed. College, Ambika Nagar, 62, Jewaragi Colony, Old Jewaragi Road, Gulbarga, Karnataka – 585102 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Dr. Patlikar M.H. , (Administrator)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of ShrimanDharamsingh B.Ed. College, Ambika Nagar, 62, Jewaragi Colony, Old Jewaragi Road, Gulbarga, Karnataka dated 31/08/2021 filed under Section

18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APSO2145/KA/B.Ed./2021/125764 dated 12.04.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that **"The faculty list submitted by the institution is not approved by the affiliating University. As per the unapproved staff list of faculty the institution shown appointment of faculty for Pedagogy subjects only. Faculty in respect of Performing Arts is not appointed."**

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. Patlikar M.H. , (Administrator) ShrimanDharamsingh B.Ed. College, Ambika Nagar, 62, Jewaragi Colony, Old Jewaragi Road, Gulbarga, Karnatakapresented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"Staff approval obtained by concerned university.Per-forming arts and music teacher have been appointed and approval also obtained."**

III. OUTCOME OF THE CASE

The Committee noted that the appellant, with the appeal, submitted a faculty list, including a faculty for performing Arts, approved by the Registrar, Gulbarga University, on 15.07.2021. However form the faculty list it is noticed that Shri Nagappal, S. No. 10 in the list, a lecture in Botany, appointed on 1.06.2021 i.e. after the issue of amended Regulations dated 29.05.2017, neither possess Ph.D in Education nor qualification in NET/SET.

2. In the above circumstances, the Committee concluded that the matter may be remanded to the SRC with a direction to consider the faculty list to be submitted to them by the appellant, subject to the condition that the appellant replaces the lecturer in Botany with a person duly qualified as per the amended Regulations, within a time frame to be prescribed by the SRC, and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to SRC, the faculty list within 15 days of receipt of orders on the appeal and also take necessary action to replace the

lecturer in Botany by a candidate meeting the requirement of amended Regulations and intimate the same to SRC.

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

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

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

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

5. The Appeal Committee decided to set aside the impugned order dated 12.04.2021 and remand back the case to the SRC with a direction to consider the faculty list to be submitted to them by the appellant, subject to the condition that the appellant replaces the lecturer in Botany with a person duly qualified as per the amended Regulations, within a time frame to be prescribed by the SRC, and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to SRC, the faculty list within 15 days of receipt of orders on the appeal and also take necessary action to replace the lecturer in Botany by a candidate meeting the requirement of amended Regulations and intimate the same to SRC.

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to set aside the impugned order dated 12.04.2021 and remand back the case to the SRC for necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal ShrimanDharamsingh B.Ed. College, Ambika Nagar, 62, Jewaragi Colony, Old Jewaragi Road, Gulbarga, Karnataka – 585102**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-253/E-197086/2021 Appeal/21st Meeting, 2021
APPLSRC202114104

Lakshmi Ammal College of Education, Sirunathur, 39/2A, 2B, Sirunathur Village, Kilpennathur, Tiruvannamalai, Tamil Nadu – 604601 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Dr. K. Sathiyaraj, (Principal)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Lakshmi Ammal College of Education, Sirunathur, 39/2A, 2B, Sirunathur Village, Kilpennathur, Tiruvannamalai, Tamil Nadu dated 27/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APSO9692/B.Ed./(TN)/2021/127839-7846 dated 29.07.2021 of the Southern

Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "**The institution was informed that the size of the Multi-purpose Hall is not sufficient (vide Notice dated 16.03.2021). The institution had submitted its reply vide letter dated 31.03.2021 along with the building plan which is not legible, and the Multi-purpose Hall size is shown as 69.6*30 which differs from the size 35.3*30 shown in previously submitted building plan. Lecturers namely M. Muniyappam, T. Jegadeesan and R. Dhinagaran are not possessing NET qualification hence not qualified as per NCTE Regulations, 2014 (amended vide notification dated 09.06.2017) as they have been appointed after 09.06.207. 3. Latest approval letter of faculty issued by the university has not been submitted.**"

II. SUBMISSIONS MADE BY APPELLANT:-

Dr. K. Sathiyaraj, (Principal), Lakshmi Ammal College of Education, Sirunathur, 39/2A, 2B, Sirunathur Village, Kilpennathur, Tiruvannamalai, Tamil Nadu presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "**Now we are having approved building plan which is approved by competent authority. We are having sufficient multipurpose hall size (90.0 25.6) 2304 sq.ft). We are having building plan which is readable. (Copy enclosed).**

i) **Now we have appointed new qualified faculty instead of M. Muniyappan and T. Jagadeesan and we got latest staff approval order from TNTEU. (latest staff approval full list enclosed). R. Dhinagaran is working as a Physical Director in our college. As per NCTE Regulations, 2014 M.P.Ed. is minimum qualification for Physical Director post. (latest staff approval copy enclosed).**
Now we got latest staff approval from TNTEU. Copy enclosed."

III. **OUTCOME OF THE CASE**

The Committee noted that the appellant, with the appeal, vis a vis the grounds of withdrawal, forwarded:

(i) A building plan, approved by the Panchayat President SirunathurPanchayat, Kilpennathur Union, which indicates that the area of the multipurpose hall is 90'x 25'6";

(ii) A faculty list signed on each page by the Registrar, Tamilnadu Teachers Education University on 02.08.2021 the list on each page bears a certificate to the effect that the University has already verified the original Certificates and issued qualification approval orders on 19.01.2015. and 08.02.2018.

(iii) A letter of approval dated 02.08.2021 issued by the University in respect of Asst. Professor of performing Arts and Fine Arts. The Committee noted that the list approved by the University on 02.08.2021. does not contain the names of S/o Shri. Muniappan and T. Jagadeesan, who were found to be not qualified as per the amended Regulations notified on 09.06.2017. Appellant clarified that Shri R. Dhinaganan, M.P.Ed. is working as Physical Director.

2. The Committee noted that the appellant has not enclosed copy of the latest approval letter of faculty issued by the University, which is a ground for withdrawal, in respect of faculties, other than those for Asst. Professors of Performing Arts and Fine Arts, eventhough the dates of approval orders have been mentioned in the Certificates incorporated in the list.

3. In view of the above position, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents submitted in appeal and also the letter of approval for faculty issued by the University, for faculties other than those for Performing Arts and Fine Arts all to be sent to them by the appellant and take necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC the documents submitted in appeal among with approval letter of the University mentioned above within 15 days of receipt of orders on the appeal.

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

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

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

6. The Appeal Committee decided to set aside the impugned order dated 29.07.2021 and remand back the case to the SRC with a direction to consider the documents submitted in appeal and also the letter of approval for faculty issued by the University, for faculties other than those for Performing Arts and Fine Arts all to be sent to them by the appellant and take necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC the documents submitted in appeal among with approval letter of the University mentioned above within 15 days of receipt of orders on the appeal

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to set aside the impugned order dated 29.07.2021 and remand back the case to the SRC for necessary action as indicated above.

indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal Lakshmi Ammal College of Education, Sirunathur, 39/2A, 2B, Sirunathur Village, Kilpennathur, Tiruvannamalai, Tamil Nadu – 604601**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-254/E-197193/2021 Appeal/21st Meeting, 2021
APPLNRC202114099

Shri Pramhans Girls Digree College, KajipurVidyakund, 7273, AyodhyaVidyakund, Ayodhya, Faizabad, Uttar Pradesh – 224123 **APPELLANT**	**Vs**	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. Anurag Dwivedi, (Member of Management)**
Respondent by	**Regional Director, NRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Shri Pramhans Girls Digree College, KajipurVidyakund, 7273, AyodhyaVidyakund, Ayodhya, Faizabad, Uttar Pradesh dated 20/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/NRCAPP-7456/337th

Meeting/2021/214646 dated 16.07.2021 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "**First Show Cause Notice was issued on 09.11.2020. The institution has not submitted the reply of the First SCN.**

1. **Further, Final Show Cause Notice was issued on 06.02.2021. The institutions has submitted its reply which was received in NRC office on 10.03.2021.**
2. **The institution is still deficient on the following grounds:**
   i) **The latest/current faculty list approved & signed each page by concerned affiliating body in original with the details of their teaching subject, date of birth, date of selection, date of joining, academic qualifications, teaching experience, NET/Ph.D. (NCTE's GOI dated 09.06.2017), salary structure and related documents duly attested by authorized management representative not submitted. And, notarized original affidavit of Rs. 100/- on non-judicial stamp paper by the Management and Rs. 10/- non-judicial stamp paper by each selected/appointed faculty in the NCTE prescribed proforma are required to the submitted.**
   ii) **Details of salary disbursed to the faculty along with six months Bank statement and account number of each faculty member has not been submitted.**
   iii) **Copies of valid Fixed Deposit Receipts Nationalised/Scheduled Bank towards Endowment & Reserve Fund in the joint operation mode with RD, NRC, NCTE & Management alongwith duly field Bank Form "A" in original, verified/signed by the Manager of the Bank as per NCTE Regulations, 2014 are has not been submitted.**
   iv) **Downloaded copies of documents from the website of the institution with hyperlinks of the same as per provisions of 7(14) of the NCTE Regulations, 2014 has not been submitted.**

Building Completion Certificate signed by the Competent Government Authority has not been submitted.."

II. SUBMISSIONS MADE BY APPELLANT:-

Sh. Anurag Dwivedi, (Member of Management),Shri Pramhans Girls Digree College, KajipurVidyakund, 7273, AyodhyaVidyakund, Ayodhya, Faizabad, Uttar Pradesh presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "**Shri Pramhans Girls Degree College, plot no. – 7273, street no. - Vidyakund, Village - KajipurVidyakund, Post Office - Ayodhya, Tehsil/Taluka - Faizabad, Town/City - Faizabad, District - Faizabad, State - Uttar Pradesh, was granted recognition by the Northern Regional Committee (NRC), National Council for Teacher Education, vide order no. NRC/NCTE/NRCAPP-7456/225th Meeting/72924-930 dated 04.03.2014 for B.Ed. Course with an annual intake of 100 seats from the academic session 2014-15. 2. That in light of NCTE Regulations, 2014 revised recognition order no. F.no-/NRC/NCTE/NRCAPP-7456/2015/140150 dated 22-Feb-2016 for B.Ed. Course of two years duration with an annual intake of two units of 50 students each was issued to the institution. 3. That the said B.Ed. Course is being run by the said college with adhering to all the directions/ conditions and compliance of all the rules / laws made in this regard. 4. That, the NRC in its 314th meeting (virtual) held on 17th July, 2020 considered the matter and decided to issue SCN in all such matters where the institution has not submitted certain requisite documents after issue of revised recognition order during 2015 after implementation of NCTE Regulations, 2014. Accordingly, first show cause notice was issued to the institution on 09.11.2020. There is no any notice or information received by the NCTE regarding this. Further, as per decision of the NRC in its 325th (virtual) meeting held on 08th to 09th January, 2021, a second show cause notice u/s 17 was issued to the institution on 06.02.2021. The institution has submitted its reply which was received in NRC office on 10.03.2021. 5. That the matter was considered by the NRC in its 337th (virtual) meeting held from 08th to 09th July, 2021. That although the institution has complied with and provided information / documents in reply to the said show cause notices. However, the NRC held that the institution is still deficient of certain information / documents and vide letter / file no./NRC/NCTE/NRCAPP-7456/337th meeting/ 2021/214646,**

dated 16 July 2021 the NRC withdraw the recognition of the said institution for B.Ed. Course, under section 17 of the NCTE Act, 1993 from the end of the academic session next following the date of communication of withdrawal order i.e. 2022-2023. 6. That it is submitted that the NRC withdraw the recognition of the said institution for B.Ed. Course, inter-alia, on the ground that on perusal of the records, it is found that the institution has not submitted certain documents / information. It is respectfully submitted that in the year 2020 and even in year 2021, the entire country is facing pandemic of Covid19 (corona virus), where it is very difficult to collect and supply information / documents in a short span of time, as the documents asked for from the institutions had to be prepared / collected from different departments / persons. Yet the institution provided all the available documents / information to the NRC. However, the difficulties of the institution were not considered in correct perspective and the recognition for B.Ed. Course was withdrawn by the Northern Regional Committee (NRC), National Council for Teacher Education. 7. That in the aforementioned circumstances, the institution is submitting the necessary documents/information for kind perusal of your goodself and is praying for setting aside the said withdrawal order issued vide file no./NRC/NCTE/NRCAPP-7456/337th Meeting/2021/214646, dated 16 July 2021. 8. That, thus, it is prayed that the said withdrawal of recognition by the Northern Regional Committee, National Council for Teacher Education, may be set aside and permission may be granted to the institution to run B.Ed. Course on same terms and conditions as has been applicable to it and thereby continue the recognition of the institution, Shri Pramhans Girls Degree College, plot no. – 7273, street no. - Vidyakund, Village - KajipurVIdyakund, Post Office - Ayodhya, Tehsil/Taluka - Faizabad, Town/City - Faizabad, District - Faizabad, State - Uttar Pradesh – 224123, for B.Ed. Course of two years duration with an annual intake of one units of 50 students."

III. OUTCOME OF THE CASE

The Committee noted that the appellant, with the appeal, submitted various documents, in reference to the grounds mentioned in the order of withdrawal namely, faculty list for the academic session 2020-21 signed by the Registrar R.M.L.A.U.,

Ayodhya with the supporting documents mention in the order, affidavits, copies of fixed deposits for Rs. 4 Lakhs, 3 Lakhs and Rs. 5 Lakhs valid upto the year 2026 with copies of letter in Form 'A', bank statements, building completion certificate issued by Nagar Nigam Ayodhya Authority and an undertaking regarding website hyperlink with NCTE website.

2. In view of the above position, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the above mentioned documents to be submitted to them by the appellant and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to the NRC all the documents submitted in appeal, within 15 days of receipt of orders on the appeal.

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

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

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

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

5. The Appeal Committee decided to set aside the impugned order dated 16.07.2021 and remand back the case to the NRC with a direction to consider the above mentioned documents to be submitted to them by the appellant and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to the NRC all the documents submitted in appeal, within 15 days of receipt of orders on the appeal.

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to set aside the impugned order dated 16.07.2021 and remand back the case to the NRC for necessary action as indicated above.

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

(T. Ritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal Shri Pramhans Girls Digree College, KajipurVidyakund, 7273, AyodhyaVidyakund, Ayodhya, Faizabad, Uttar Pradesh – 224123**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-255/E-178795/2021 Appeal/21st Meeting, 2021
APPLSRC202113955

Bhavani College of Education, Boddavalasa, 3,4 APSP 5th Battalion, Krishnapuram, Denkada, Vizianagaram, Andhra Pradesh – 535005 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Mr. A. Gurudev, (Director)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Bhavani College of Education, Boddavalasa, 3,4 APSP 5th Battalion, Krishnapuram, Denkada, Vizianagaram, Andhra Pradesh dated 24/02/2021

filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APSO2145/KA/B.Ed./2021/125764 dated 21.10.2020 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that **"The institution has not submitted the certified copy of land document. The Extent of the land is not mentioned in the Land Use Certificate submitted by the institution. The institution has not submitted a notarized English version of NEC along with the original. The institution has not submitted BCC in prescribed format duly approved by the competent authority. The institution has submitted photocopy of facility list approved by the Registrar, Andhra University, Visakhapatnam consisting of one principal, seven assistant professors submitted dated NIL. a) Date of joining of lecturer is not mentioned in the facility list. b) Principal does not possess Ph.D. degree. c) Faculty in r/o Fine Arts & Performing Arts not appointed. The institution has not submitted Form 'A' issued by the Branch Manager. The institution is required to submit Form "A" issued by the bank manager for creation of FDR of Rs. 7 lakh & Rs. 5 lakhs towards Endowment Fund & Reserve Fund. The institution has not submitted affidavit regarding the land, building & management."**

II. SUBMISSIONS MADE BY APPELLANT:-

Mr. A. Gurudev, (Director),Bhavani College of Education, Boddavalasa, 3,4 APSP 5th Battalion, Krishnapuram, Denkada, Vizianagaram, Andhra Pradesh presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"We have submitted our reply through post with required documents when we have received the showcase notice for two times."**

III. OUTCOME OF THE CASE

The Committee noted that the appellant, vis-a-vis the grounds of withdrawal, submitted a certified copy (dated: 07.01.2021) of the land documents, LUC indicating the extent of land; English version of the NEC, BCC signed by Mandal Engineering Officer; copies of FDRs. For Rs.13,65,901/- and Rs. 4,80,006/- valid up to 02.07.2021, and faculty list, conditionally ratified with effect from 30.12.2020 for the academic year

2020-21 by the Registrar, Andhra University. The appellant has now faculties for Fine Arts and Performing Arts.

2. In view of the above position, The Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider these documents, to be submitted to them by the appellant, and take necessary action as per the NCTE Regulations, 2014. The Appellant is directed to forward to the SRC all the documents submitted in appeal within 15 days of receipt of orders on the appeal.

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

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

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

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

5. The Appeal Committee decided to set aside the impugned order dated 21.10.2020 and remand back the case to the SRC with a direction to consider these documents, to be submitted to them by the appellant, and take necessary action as per the NCTE Regulations, 2014. The Appellant is directed to forward to the SRC all the documents submitted in appeal within 15 days of receipt of orders on the appeal.

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to set aside the impugned order dated 21.10.2020 and remand back the case to the SRC for necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal Bhavani College of Education, Boddavalasa, 3,4 APSP 5th Battalion, Krishnapuram, Denkada, Vizianagaram, Andhra Pradesh – 535005**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-256/E-197559/2021 Appeal/21st Meeting, 2021
APPLSRC202114111

Pragathi College of Education, Durki, 130/B & 135/D, Mirzapoor, Main Road, Banswada, Nizamabad, Telangana – 503187 **APPELLANT**	**Vs**	Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Sh. Abdul Wahab, (Member)**
Respondent by	**Regional Director, SRC**
Date of Hearing	**28/09/2021**

ORDER

I. GROUNDS OF WITHDRAWAL

The appeal of Pragathi College of Education, Durki, 130/B & 135/D, Mirzapoor, Main Road, Banswada, Nizamabad, Telangana dated 01/09/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. SRO/NCTE/APS09643/B.Ed./TS/2021/128441dated 28.08.2021 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the

grounds that "**The institution submitted a proforma of 16 faculty but the same is signed by the Registrar, Telangana University on 12.03.2020 only on the last page. 2. The proforma of faculty is not with the mention of date of joining of faculty. 3. Change of building is observed, as at the time of initial recognition the building plan submitted by the institution and latest by submitted building plan differs from the size of class rooms, multipurpose hall, library, total build up area etc.**"

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

Sh. Abdul Wahab, (Member) Pragathi College of Education, Durki, 130/B & 135/D, Mirzapoor, Main Road, Banswada, Nizamabad, Telangana presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that "The Institution is submitting a Proforma of 16 Faculty members after obtaining the signature of the Registrar, Telangana University on Every page. The proforma of Faculty submitting with the information of date of Joining. The Pragathi Educational Society decided to extend built up area of minimum 500 Sq. Mts for additional intake in its general body Meeting held on 03-01-2012.As per the NCTE 2009 NORMS for B.Ed. course. The Society got the permission of extension work from Panchayath secretary, GramaPanchayathiDurki(V), BnawadaTaluka,Dist: Nizamabad, vide R.C. No 37/12 dated 23/04/2012 and completed additional extension of 6142.40 square feets equal to 570.71 square meters in 2013 as per the revised building plan submitted in 2015. While adding extension area to the old one, the total built up area raises to 2092.31 Sq.Mtrs (old 1521.70 Sq. Mtrs + newly extended 570.61 Sq. Mtrs 2092.31 Sq. Mtrs.) Due to extension of building the dimensions of classrooms, multi purpose hall and library etc. differ from plan submitted at the time of initial recognition. I am here with submitting the following documents to support of changes in building. Permission and building plan submitted at the time of initial recognition i.e. 2010. Minutes of the executive body of Pragathi Educational Society, Banswada Held on 03/01/2012. Permission &Revised building plan submitted in 2015. Builders S.A Associates Nizamabad. Building Completion Certificate issued by Deputy Executive Engineer, Sub Division Banswada on 04-03-2020. Building Extension Work certificate issued by Deputy Executive Engineer, R &B Sub Division Banswada. No other building in survey numbers

130/B, 130/D and 135/D by the TahasildarNasrullabad Mandal, Dist: Kamareddy. No other building in survey numbers 130/B, 130/D and 135/D by the Panchayath Secretary, Village Durki, Nasrullabad Mandal, Dist: Kamareddy."

III. OUTCOME OF THE CASE

The Committee noted that the appellant in reference to the two ground mentioned in the order of withdrawal, has submitted:

(i) The faculty list duly signed by the Registrar, Telangana University on each page on 19.08.2021, incorporating the dates of joining of faculty.

(ii) Explanation together with documents for the changes in the building plan.

2. In view of the above position, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the documents, including explanation for changes in the building plan, submitted in appeal, within 15 days of receipt of orders on the appeal.

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

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

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

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

5. The Appeal Committee decided to set aside the impugned order dated 28.08.2021 and remand back the case to the SRC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the documents, including explanation for changes in the building plan, submitted in appeal, within 15 days of receipt of orders on the appeal.

IV. DECISION:-

NOW THEREFORE, after perusal of the Memoranda of Appeal, affidavit, documents on record and argument advanced during online hearing, Appeal Committee of the Council Concluded to set aside the impugned order dated 28.08.2021 and remand back the case to the SRC for necessary action as indicated above.

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal Pragathi College of Education, Durki, 130/B & 135/D, Mirzapoor, Main Road, Banswada, Nizamabad, Telangana – 503187**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector-10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Telangana.

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

DATE: 22/10/2021

APPEAL FILED UNDER SECTON 18 OF NCTE ACT

File No. 89-257/E-195991/2021 Appeal/21st Meeting, 2021
APPLNRC202114094

K.L.S. College, Prasidhpur, 217, Rania, NH-2, Kanpur, Uttar Pradesh – 209304 **APPELLANT**	**Vs**	Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075. **RESPONDENT**

Representative of Appellant	**Dr. Satish Shukla, (Manager)**
Respondent by	**Regional Director, NRC**
Date of Hearing	**28/09/2021**
Date of Pronouncement	**22/10/2021**

ORDER

I. **GROUNDS OF WITHDRAWAL**

II. The appeal of K.L.S. College, Prasidhpur, 217, Rania, NH-2, Kanpur, Uttar Pradesh dated 14/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/NRCAPP-3508/337th Meeting/2021/214826 dated 19.07.2021 of the Northern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "**First Show Cause Notice was issued on 18.10.2019. The institution has submitted its reply which was received in NRC office on 04.11.2019.**

Second Show Cause Notice was issued on 17.09.2020. The institution has not submitted the reply of Second SCN.

The institution is still deficient on the following grounds:

(i) The latest/current faculty list approved & signed each page by concerned affiliating body in original with the details of their teaching subject, date of birth, date of selection, date of joining, academic qualifications; teaching experience, NET/Ph.D.(NCTE's GOI dated 09.06.2017), salary structure and related documents duly attested by authorized management representative not submitted. And, notarized original affidavit of Rs. 100/- on non-judicial stamp paper by the management and Rs. 10/- non-judicial stamp paper by each selected/appointed faculty in the NCTE prescribed proforma are required to be submitted.

(ii) Details of salary disbursed to the faculty along with six months Bank statement and account number of each faculty member has not been submitted.

(iii) Copies of valid Fixed Deposit Receipts Nationalised/Scheduled Bank towards Endowment & Reserve Fund in the joint operation mode with RD, NRC, NCTE & Management alongwith duly field Bank Form "A" in original, verified/signed by the Manager of the Bank as per NCTE Regulations, 2014 are has not been submitted.

(iv) Downloaded copies of documents from the website of the institution with hyperlinks of the same as per provisions of 7(14) of the NCTE Regulations, 2014 has not been submitted.

Building Completion Certificate signed by the Competent Government Authority has not been submitted."

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

Dr. Satish Shukla, (Manager),K.L.S. College, Prasidhpur, 217, Rania, NH-2, Kanpur, Uttar Pradesh dated 14/08/2021 filed under Section 18 of NCTE Act, 1993 is against the Order No. NRC/NCTE/NRCAPP-3508/337th Meeting/2021/214826 presented online the case of the appellant institution on 28/09/2021. In the appeal and during personal presentation it was submitted that **"As per the motion mentioned in first show cause notice, all the compliances and replies were done on time as prescribed in the NCTE Regulations. As the compliance to first show cause notice was done on time by the institution, hence issuance of second show cause notice is illegal and non-maintainable. As the second show cause notice is not maintainable, hence rejection order on grounds of second show cause notice is also maintainable and is liable to be remanded. Prayer - your good office may be pleased to accept this appeal under section (18) of NCTE Act 1993. Pray you to please remand the withdrawal order dated 19-07-2021 on the following grounds- 1. All the replies and relevant documents were received by your good office on time as prescribed in the Act. 2. Withdrawal order is issued on the basis of second show cause notice. The second show cause notice was not issued as the provisions laid in NCTE Act, 1993. 3. As the second show cause notice is non-maintainable, the rejection order issued to the institution is also non-maintainable. NRC-NCTE-NRCAPP-3508-337-2021-214826."**

III. **OUTCOME OF THE CASE**

The Committee noted that the appellant has not replied to the second show cause notice dated 17.09.2020. The stand taken by the appellant is that they replied to the show cause notice dated 18.10.2019 and the issue of a second show cause notice is not as per the provisions of Section – 17 of NCTE Act, 1993, and therefore is not maintainable.

2. The Committee noted that according to the first provision to Section – 17 of the NCTE Act, 1993, no order of withdrawal of recognition of a recognised institution shall be passed unless a reasonable opportunity of making representation against the proposed order has been given to such recognised institution. the NCTE Act, 1993 did not restrict the opportunities that should be given before passing a withdrawal order to one and one only. To be fair and just to the institutions, the Regional Committee has given more than one opportunity before taking a decision to withdraw recognition. The Committee, from the order of withdrawal, noted that the deficiencies pointed out in the second show cause notice dated 17.09.2020 issued after considering the appellant's reply to the show cause notice dated 18.10.2019, are different in some respect and therefore, the Regional Committee was justified in issuing the second show cause notice, thereby giving an opportunity to the appellant to remove these deficiencies but the appellant, after receipt of the second show notice dated 17.09.2020, neither replied nor objected to its issue.

3. In view of the above position, the Committee concluded that the stand taken by the appellant about issue of the second show cause notice is not valid and hence not acceptable. Since the appellant has not replied to the second show cause notice. Committee concluded that the NRC was justified in withdrawing recognition and therefore, the appeal deserved to rejected and the order of withdrawal confirmed.

IV. DECISION:-

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

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

(T. Pritam Singh)
Deputy Secretary

Copy to :-

1. **The Principal K.L.S. College, Prasidhpur, 217, Rania, NH-2, Kanpur, Uttar Pradesh – 209304**
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 Pardesh.

{Prof. Sunita Singh}	**{Rakesh Kunwar}**	**{Sambhrant Sharma}**
Member	**Member**	**Member**

{Prof. Anil Shukla}
Chairman, Appeal Committee