



F.No.89-295/E-126780/2019 Appeal/27th Mtg.-2019/27th August, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 30/08/2019

ORDER

WHEREAS the appeal of Arutperunchothi Ramalingasammy College of Education, Madugarai Main Road, Ariankuppam Commune, Pondicherry dated 18/07/2019 is against the Order No. SRC/NCTE/APSO2337/106206 dated 25.06.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the institution submitted a Private Lease deed dt. 19.07.2002 which is not acceptable as the land is in lease from an individual where as per NCTE Regulations land either on ownership or on Government lease is permissible. The institution submitted an affidavit as required under clause 8(5) of NCTE Regulations, 2014 but the same is not in proper format. The institution has not submitted the Land Use Certificate. The institution has submitted a copy of letter dt. 07.02.2019 issued by the Dean (I/c), CDC, Pondicherry University having name of 8 (1+7) faculty, provisionally approved by the University. A copy of staff profile duly approved by the affiliating body has not been submitted. It is evident that the institution is not having faculty duly approved by the affiliating body as required under Appendix-4 of NCTE Regulations, 2014 for two units of B.Ed. course. The institution submitted a copy of BCC issued by Private Civil Engineer and the same is not issued by the Competent Authority. And hence decided to withdraw the recognition of B.Ed. course granted vide order dt. 11.01.2008 and D.El.Ed. (D.T.Ed.) course granted vide order dt. 29.11.2006 w.e.f. the academic session 2019-20 under clause 17(1) of NCTE Act, 1993."

AND WHEREAS Sh. U. Venugopala Raju, Secretary & Correspondent and Sh. T.R.N. Murty, Joint Secretary, Arutperunchothi Ramalingasammy College of Education, Madugarai Main Road, Ariankuppam Commune, Pondicherry dated presented the case

of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "All matters are still pending with Delhi High Court."

AND WHEREAS Appeal Committee noted that appellant institution had filed a Writ Petition no. 20125 of 2019 in the High Court of Judicature at Madras and the Hon'ble Court by its order dated 16/07/2019 has directed the petitioner to prefer appeal under Section 18 of NCTE Act which is required to be disposed of within a period of 10 days.

AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 25/06/2019 was issued by SRC on the ground that:-

- (i) Land is on private lease.
- (ii) Affidavit is not in proper format.
- (iii) Land Use Certificate not submitted.
- (iv) Staff profile approved by affiliating body has not been submitted as per requirement for 2 units of B.Ed. course under Appendix 4 of NCTE Regulations.
- (v) Building Completion Certificate submitted is not issued by Competent Authority.

AND WHEREAS Appeal Committee noted that before issue of impugned order of withdrawal dated 25/06/2019, the appellant institution was given an opportunity by SRC by its letter dated 07/01/2019 to submit documentary evidences on points mentioned in para 4 above. Appeal Committee further noted that while issuing Revised Recognition Order dated 11/08/2015 for 2 units of B.Ed. course, SRC had highlighted that institution has not shifted to its own premises as stipulated in formal recognition order dated 12/08/2005. Appeal Committee further noted that appellant institution by its letter dated 09/09/2015 informed SRC that trust had started the college in its own building from the very beginning and the B.Ed. programme is being retained in the existing building. Appeal Committee considering the submission made by appellant institution is of the view that ownership of land and land use certificate points do not have much relevance in respect of an institution continuing since 2005. Clause 8 (11) of NCTE Regulation,

2014 also states that revised land area related norms shall not be applicable to existing institutions but the required built up area shall have to be increased by existing institution.

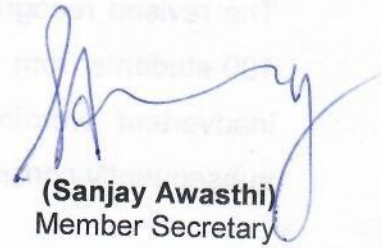
AND WHEREAS Appeal Committee further noted that appellant institution for getting revised recognition order under NCTE Regulation, 2014 had furnished an affidavit dated 25/05/2015 seeking recognition for an annual intake of 100 students. The revised recognition order dated 11/08/2015 was therefore, issued for an intake of 100 students from academic session 2015-16. Appeal Committee further noted that inadvertent wording of unit size as 100 in the revised recognition order was subsequently corrected by issue of a corrigendum dated 17/03/2016.

AND WHEREAS Appeal Committee noted that appellant during the course of appeal presentation made efforts to justify that list of faculty containing the names of one Principal and 06 lecturers provisionally accepted by Pondicherry University be considered adequate for conducting B.Ed. course with an intake of 50 students. On being asked by Appeal Committee to submit documentary evidence in support of appellant's verbal claim that recognition was curtailed from 2 units to 1 unit of B.Ed. course, appellant could not submit any supporting letter. There are no documents on the regulatory file even to draw inference that appellant had at any time requested to reduce the intake from 100 seats to 50 seats. The fact remains that recognition for B.Ed. course had remained valid for an intake of 100 seats (2 units of 50 seats each) for which appellant institution should have a Principal and 15 faculty duly approved by the affiliating university. The requirement of faculty is always based on the number of seats for which recognition is issued and the number of seats filled through admission by institution in each academic year has no pro-rata relevance.

AND WHEREAS Appeal Committee on consideration of the facts of the case decided to confirm the order of withdrawal dated 25/06/2019.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, conclude to confirm the order of withdrawal dated 25/06/2019.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)
Member Secretary

1. **The Secretary/Correspondent, Arutperunchothi Ramalingasammy College of Education, Madugarai Main Road, Abisegapakkam, 17, Ariankuppam Commune, Puducherry - 605007, Pondicherry.**
2. The Secretary, Ministry of Human Resource Development, 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 Pondicherry.