



2024 : DHC : 738



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 12707/2022**

RUKMINIDEVI ARUNDALE COLLEGE OF EDUCATION

..... Petitioner

Through: Mr. Gaurav Arora, Adv.

versus

**NATIONAL COUNCIL FOR TEACHER EDUCATION AND
ANR**

..... Respondents

Through: Mr. Rahul Madan, Standing
Counsel for NCTE

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

J U D G M E N T (O R A L)

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31.01.2024

1. The petitioner college is a teacher training institute, which was granted recognition by the Southern Regional Committee (SRC) of the National Council for Teacher Education (NCTE) for conducting a B.Ed. course with an annual intake of 100 students by 22 July 2000.

2. At the time of grant of recognition to the petitioner, the National Council for Teachers Education (Recognition, Norms and Procedure) Regulations 1997 ("the 1997 NCTE Regulations) were in force. These regulations were subsequently replaced by the National Council for Teachers Education (Recognition, Norms and Procedure) Regulations 2002, which were thereafter replaced successively by the NCTE (Recognition, Norms and Procedure) Regulations 2005, the NCTE



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(Recognition, Norms and Procedure) Regulations 2007, the NCTE (Recognition, Norms and Procedure) Regulations 2009, and the NCTE (Recognition, Norms and Procedure) Regulations 2014 (hereinafter, “the 2014 NCTE Regulations”).

3. The 2014 NCTE regulations came into effect from 1 December 2014. By the said Regulations, the duration of the B.Ed. course which could be provided by teachers training institutes was increased from one year to two years. The institutes were also, therefore, required to ramp up their institutional and infrastructural facilities so as to be able to conduct the two years’ course as required by the 2014 NCTE Regulations.

4. In view of the promulgation of the 2014 NCTE Regulations, a revised recognition order dated 14 May 2015 was issued to the petitioner institution by the SRC for conducting the B.Ed. course with an intake of 100 students from the academic session 2015-2016.

5. The petitioner was directed to submit proof of compliance with the conditions of the revised recognition order. It is stated in the petition that partial proof of compliance was submitted by the petitioner.

6. The petitioner was, thereafter, issued periodical show cause notices culminating in a final show cause notice dated 15 March 2021, following the 395th Meeting of the SRC held on 25-26 February 2021, in which the following decision was taken:



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“The original files of the institution alongwith other related documents, NCTE Act, 1993, Regulations Guidelines issued by NCTE from time to time and documents furnished by the institution were carefully considered by the SRC and the following observations were made: -

The Committee considered the VT Report conducted on 05.02.2021. The Committee observed the following deficiencies as per VT Report and the documents submitted.

1. As per Building Plan, the land area is 1999.39 sq.mtrs. which is grossly inadequate. The institution is required to submit notarized copy of the blue print of the building plan as per NCTE norms & standards.
2. The Building plan of the institute is not legible and size of class rooms, multipurpose hall etc. are not clearly mentioned.
3. The land use certificate submitted by the college is not on the letter head of the issuing authority, further, it is mentioned that “A ground and first floor building is being constructed to run the Rukmini Devi Arundale College of Education, Madanapalli (RACE B.Ed. College).
4. Notarized English translation of land documents has not been submitted.
5. The latest notarized Non-Encumbrance Certificate has not been submitted.
6. Domain name not submitted.
7. The name of trust from “Besant Theosophical Society” to “Besant Centenary Trust” has been changed vide proceeding dated 21.05.1999 by the Commissioner and Director of School Education, Government of Andhra Pradesh. The institution required to clarify about the requisite change in land & building documents in the favour the institution/management as per provisions of the NCTE Regulations, 2014.
8. The institution submitted an approval letter dated 04.03.2016 of the University in which date of joining of most of faculty prior to year 2010. The institution is required to submit the latest list of faculty in the prescribed format.



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Therefore, the Committee decided to issue final Show Cause Notice u/s 17 of NCTE Act, 1993 before withdrawal of the recognition on the grounds mentioned above to the institution. The institution is required to submit its representation along with certified/notarized copy of the above documents duly approved by the competent authority within 21 days from the date of issue of final Show Cause Notice.”

7. In view of the aforesaid deficiencies/shortcomings which were allegedly found in the petitioner institute, the petitioner was required to show cause as to why the recognition granted to it for conducting B.Ed. course be not withdrawn. It may be noted that the show cause notice was issued as per the requirement of the proviso to Section 17(1) of the NCTE Act 1993 (the NCTE Act).

8. The petitioner replied to the aforesaid show cause notice. Thereafter, various documents were sought from the petitioner which were also provided. Finally, by order dated 27 December 2021, the SRC withdrew the recognition granted to the petitioner. The paragraph of the said decision which contained the reasoning for withdrawal and the operative portions thereof may be reproduced thus:

“AND WHEREAS, the SRC in its 405th meeting held during 13th-14th December 2021 considered the matter and decided as under:-

“The original files of the institution alongwith other related documents, NCTE Act, 1993, Regulations Guidelines issued by NCTE from time to time and documents furnished by the institution were carefully considered by the SRC and the following observations were made: -

The institution was issued a Final Show Cause Notice (FSCN), The institution has submitted its reply on 09.04.2021. The Committee observed the reply submitted by the institution and found the following deficiencies.



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1. The institution has not submitted latest Staff list duly approved by the Registrar of the affiliating body as per the prescribed Format as per provision of the NCTE Regulations, 2014.
2. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014 for B.Ed. course.
3. This institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014.
4. The website of the institution is not uploaded with the information required under clauses 7(14) (i), 8(14) and 10(3) of NCTE Regulations, 2014.
5. The institution has submitted photocopy of Building Plan in which total Built-Up Area, Multipurpose Hall, Class Room size not readable and approving authority seal in regional language.
6. The institution has submitted photocopy of land documents in regional language. Institution has not submitted Notarized/Certified copy not submitted.
7. The institution has submitted photocopy of NEC, LUC, however attested/notarized copies of the same not submitted.
8. The institution has not submitted original FDRs to the SRC, NCTE, the institution is required to submit a "Form A" issued by the respective Bank Manager towards creation of FDRs 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.

Hence, the committee decided to withdraw the recognition granted to Rukminidevi Arundale College of Education, Madanapalle – 517325, Andhra Pradesh for conducting B.Ed. programme with effect from the academic session i.e. 2022-2023 onwards under clause 17(1) of the NCTE Act, 1993 on the grounds mentioned above."



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NOW, THEREFORE, in exercise of the powers vested U/S 17(1) of the NCTE Act, 1993 the Southern Regional committee hereby withdraws recognition or Rukminidevi Arundale College of Education, Madanapalle – 517325, Andhra Pradesh for conducting B.Ed. programme of two year duration with an annual intake of 100 students (two basic units) for B.Ed. course with effect from the academic session i.e. 2022-2023 onwards.”

9. The petitioner submitted an appeal under Section 18 of the NCTE Act against the aforesaid order dated 27 December 2021, withdrawing recognition to its B.Ed. course to the Appellate Authority of the NCTE. The Appellate Authority, *vide* the impugned order dated 26 May 2022 dismissed the appeal. The reasoning and operative portions of the decision of the Appellate Authority may be reproduced thus:

“II. Submissions made by Appellant:

Sri V. Ranga (Correspondent), Rukminidevi Arundale College of Education, 441-1-C Madanapalle, Sivalayam Street, Bangalore Road, Madanapalle, Chittor Andhra Pradesh- 517325 appeared online to present the case of the appellant institution on 27/04/2022. In the appeal memoranda it is submitted that "Latest University approved Staff List letter dated 28.07.2021 sent through courier to SRC, NCTE on 07.08.2021 (Original S.V. University approved copy and Consolidated list Staff Members approved by the Registrar, S.V. University, Tirupat) was submitted. The Administrative and Professional Staff working for the Institution were verified by the VT Members. Copy of the list is here with enclosed. Salaries of the Staff Members are paid through cheque from the Indian Bank, Cocoon Market Branch, Madanapalle bearing A/C No. 520107804 IFSC Code: IDIB000C070. The Institution website www.racempl.pro is under functioning and verified by the VT Members at the time of visit. Further we have updated the information. Here with enclosing the details of the dimensions of the Rooms. The approving authority is Sarpanch of Gram panchayath and their seal will be available only in Regional Language and also Notarized plan is submitting. Notarized copy of English version of land documents were submitted in our communication sent to SRC, NCTE in response to Show Cause Notice on 31.03.2021. Further, we are here with enclosing the

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copy. Submitted Notarized copy of Land Use Certificate on 31.03.2021. Further here with enclosing the copies of NEC, LUC for your perusal, Form "A" is for Rs. 5 Lakh and Rs. 7 Lakh is here with enclosed, which is duly approved by the concerned Bank Manager along with the Xerox copies of FDRs.”

III. OUTCOME OF THE CASE

Appeal Committee perused the relevant records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted recognition for B.Ed. course with an annual intake of 100 seats on 21.7.2000 and after promulgation of NCTE Regulations 2014 giving thereby willingness by them in an affidavit for its adherence, a revised provisional recognition order was issued on 14.5.2015 for 100 students (two basis units) from the academic session 2015-16 with certain conditions to comply in stipulated time

The Appeal Committee further noted that the appellant institution was given reasonable opportunities in shape of First Show Cause Notice and Final Show Cause Notice issued on 20.11.2019 and 15.3.2021, respectively to submit its written representation for rectifying the so called deficiencies mentioned in the above notices.

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

The Appeal Committee further noted that the appellant institution, in compliance with the grounds of withdrawal, has submitted following documents in the appeal alongwith Memoranda of Appeal for consideration by the appeal committee.

- a) List of faculty approved by Registrar & Affiliating Body on 29.7.2021.
- b) List of Administrative and Professional Staff
- c) Notarised copy of Site and Building Plan
- d) English translated copy of land document No. 760 of 1917 alongwith copy of land document in Regional Language



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- f) Form 'A' and copies of FDRs for Rs. 7 lakh and 5 lakh issued by State Bank of India and Indian Bank
- g) Copy of CLU issued by Tahsildar Madanapalle, AP
- h) Copy of NEU issued by Joint Sub-Registrar, Madanapalle, AP

Appeal Committee after considering the documents submitted in appeal has observed that the faculty at Sl. No. 4, 5, 10 to 13 and 15 are not qualified as per NCTE Regulations, 2014 and its amendment notified in May, 2017, the website is not properly maintained and hyperlinked with NCTE and its Regional Office. No proof of having uploaded the required information under clause 7(14((i), 8(14) and 10(3) on the website is submitted even in the appeal. The size of Multipurpose Hall, Class Rooms etc. is not readable and the seal of approving authority is in regional language.

Noting the submissions and oral arguments advanced during hearing, the appeal committee is of the view that SRC was justified in withdrawing the recognition of the appellant institution and decided that the instant appeal deserved to be rejected and the impugned withdrawal order is confirmed.

IV DECISION:

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to reject the instant appeal of the appellant and therefore the impugned withdrawal order of SRC is confirmed.

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

10. Aggrieved by the aforesaid decision, the petitioner has moved this Court under Article 226 of the Constitution of India, seeking quashing and setting aside of the order withdrawing recognition to its B.Ed. course as well as the dismissal of the appeal preferred by the petitioner against the said order.



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11. At the time of issuance of notice, this Court, *vide* order dated 2 September 2022, granted interim relief to the petitioner to the extent of permitting the petitioner to admit students for the academic session 2022-23.

12. The respondents have filed a counter affidavit in which it has sought to justify the impugned appellate order on merits.

13. On a plain comparison between the appellate order and the show cause notice dated 15 March 2021, which was issued to the petitioner by the SRC, it is obvious that none of the grounds on which the appellate order has held the withdrawal of the petitioner recognition to be justified figure in the show cause notice. There are essentially five grounds on which the Appellate Authority has dismissed the petitioner's appeal, which are that

- (i) six of the faculty appointed by the petitioner did not possess the requisite qualification required by the 2014 Regulations as amended in May 2017,
- (ii) the petitioner's website was not properly maintained and hyperlinked with the NCTE and its regional office,
- (iii) there was no proof of the petitioner having uploaded the required information under Regulation 7(14)(i), 8(14) and 10(3) of the 2014 Regulations,
- (iv) the size of the multipurpose hall, class rooms etc. was not readable (whatever that may mean), and
- (v) the seal of approving authority was in regional language.



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14. Before proceeding further, this Court deems it necessary to observe that the NCTE, as well as the authority which takes a decision to withdraw recognition or which deals with the appeal against withdrawal of recognition are required to be acutely conscious of the consequences of such withdrawal. A teachers' training institute is not built from the ground upwards. It requires capital and funds and has to be constructed out of scratch. Recruitment of faculty also involves expending considerable amounts of money. In the present case, I am informed that the petitioner institute was functioning since 2001 till, in December 2021, the recognition granted to the petitioner to run its B.Ed course has been withdrawn.

15. In the opinion of this Court, only such factors as impinge on the capability or capability of the institution to run the concerned teachers training course with the necessary strength and of the prescribed form and format, can justify withdrawal of recognition.

16. In the present case, for example, considerations such as the seal of the approving authority having been in the regional language, or the size of the multipurpose hall/class rooms etc. being not readable (which Mr. Madan would seek to interpret as meaning that the documents which mentioned the size of the multipurpose hall/class rooms were not readable) and failure to upload certain information on the website should ordinarily not constitute grounds to withdraw the recognition to the institute.



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17. The language in which the approving authority affixes its seal can never constitute a basis to withdraw recognition granted to an institute. As has correctly been pleaded in the writ petition, the petitioner has no control over the language in which the approving authority affixed its seal. This country has shaken off the yoke of the British over 75 years ago, and it is too late in the day for us to withdraw recognition to an institute on the ground that the seal of the approving authority is in a regional language. All languages in this country are entitled to equal respect.

18. Similarly, the objection that the document relating to the size of the multipurpose hall/class rooms not being readable can also not constitute a basis for withdrawing recognition.

19. If the document was not readable, the respondent should have required the petitioner to provide a readable document.

20. Equally, if some requisite information was not uploaded on the petitioner's website, the respondent should have called upon the petitioner to upload it on the website. It is only if, after being called upon to do so, the petitioner nonetheless fails to upload the required information, that an adverse view can be taken. This principle would equally apply to the objection regarding the petitioner's website not being hyperlinked with the NCTE or its regional office.

21. Such remedial defects, in the considered opinion of this Court, can never constitute the basis for withdrawing recognition to a course



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conducted by a teacher training institute, unless the institute is given an adequate opportunity to remedy the defect and stubbornly fails to do so.

22. Of all the objections which form subject matter of the Appellate Authority's order, therefore, the only objection which may be said to have some substance is the objection regarding six of the petitioner's faculty not having requisite qualifications as per the 2014 Regulations as amended in 2017.

23. Mr. Madan seeks to contend that these faculty were recruited in 2020 after the 2014 NCTE Regulations had been amended and that, therefore, it was the petitioner's responsibility to ensure that the faculty were duly qualified.

24. Even if that was so, the petitioner had necessarily to be provided an opportunity to show cause against withdrawal of its recognition on the ground that one or more of the faculty recruited by it did not possess the required qualification. This allegation figures, for the first time, in the impugned Appellate Authority order dated 26 May 2022. The petitioner was never given an opportunity to show cause against withdrawal of recognition on the ground that one or more of its faculty did not possess the requisite qualification.

25. The petitioner may have had several defences against such an allegation. It would, for example, be open to the petitioner either to show that the faculty did possess the requisite qualifications, or that



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the faculty was not required to possess the said qualifications or that, even if the faculty did not possess the said qualifications, that should not constitute a ground to withdraw recognition of the petitioner's institution.

26. As a consequent of this allegation never having been put to the petitioner, the petitioner has lost every opportunity to show cause thereagainst.

27. Upholding the withdrawal of the petitioner's recognition on this ground, without granting the petitioner an opportunity to show cause in the regard, is in the teeth of first proviso to Section 17(1) of the NCTE Act and cannot, therefore, sustain.

28. That apart, if one examines the allegations in the final show cause notice dated 15 March 2021, issued to the petitioner, vis-à-vis the grounds on which the Appellate Committee deemed it appropriate to dismiss the petitioner's appeal, there is not a single ground which is similar between the two. As Mr. Gaurav Arora, learned Counsel for the petitioner, correctly points out, that there was substantial difference even in the grounds on which the withdrawal order came to be passed, vis-à-vis the grounds in the show cause notice. To appreciate this, the following tabular statement may be drawn up:

Grounds in show cause notice dated 15 March 2021	Grounds in Withdrawal order dated 27 December 2021	Grounds in appeal order dated 26 May 2022
1. As per Building Plan, the land area is 1999.39	1. The institution has not submitted latest	Appeal Committee perused the relevant

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sq.mtrs. which is grossly inadequate. The institution is required to submit notarized copy of the blue print of the building plan as per NCTE norms & standards. 2. The Building plan of the institute is not legible and size of class rooms, multipurpose hall etc. are not clearly mentioned. 3. The Land Use Certificate submitted by the college is not on the letter head of the issuing authority. Further, it is mentioned that "A ground and first floor building is being constructed to run the Rukmini Devi Arundale College of Education, Madanapalli (RACE B.Ed. College). 4. Notarized English translation of land documents has not been submitted. 5. The latest notarized Non-Encumbrance Certificate has not been submitted. 6. Domain name not submitted. 7. The name of trust from "Besant Theosophical Society" to "Besant Centenary Trust" has been changed	Staff list duly approved by the Registrar of the affiliating body as per the prescribed Format as per provision of the NCTE Regulations, 2014. 2. The institution did not submit details of administrative and professional staff as required under clause 5.3 of Appendix 4 of NCTE Regulations, 2014 for B.Ed. course. 3. This institution did not submit proof of disbursement of salary to faculty & non-teaching staff through bank account as required under clause 10(2) of NCTE Regulations, 2014. 4. The website of the institution is not uploaded with the information required under clauses 7(14) (i), 8(14) and 10(3) of NCTE Regulations, 2014. 5. The institution has submitted photocopy of Building Plan in which total Built-Up Area, Multipurpose Hall, Class Room size not readable and approving authority seal in regional language.	records and the documents submitted by appellant institution. The Appeal Committee noted that the appellant institution was granted recognition for B.Ed. course with an annual intake of 100 seats on 21.7.2000 and after promulgation of NCTE Regulations 2014 giving thereby willingness by them in an affidavit for its adherence, a revised provisional recognition order was issued on 14.5.2015 for 100 students (two basis units) from the academic session 2015-16 with certain conditions to comply in stipulated time. The Appeal Committee further noted that the appellant institution was given reasonable opportunities in shape of First Show Cause Notice and Final Show Cause Notice issued on 20.11.2019 and 15.3.2021, respectively to submit its written representation for rectifying the so called deficiencies mentioned in the above notices. The Appeal Committee noted that the impugned withdrawal order came into operation due to not
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vide proceeding dated 21.05.1999 by the Commissioner and Director of School Education, Government of Andhra Pradesh. The institution required to clarity about the requisite change in land & building documents in the favour the institution/management as per provisions of the NCTE Regulations, 2014. 8. The institution submitted an approval letter dated 04.03.2016 of the University in which date of joining of most of faculty prior to year 2010. The institution is required to submit the latest list of faculty in the prescribed format.	6. The institution has submitted photocopy of land documents in regional language. Institution has not submitted Notarized/Certified copy not submitted. 7. The institution has submitted photocopy of NEC, LUC, however attested/notarized copies of the same not submitted. 8. The institution has not submitted original FDRs to the SRC, NCTE, the institution is required to submit a "Form A" issued by the respective Bank Manager towards creation of FDRs 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.	curing the deficiencies despite giving them an ample opportunities. The Appeal Committee further noted that the appellant institution, in compliance with the grounds of withdrawal, has submitted following documents in the appeal alongwith Memoranda of Appeal for consideration by the appeal committee. a) List of faculty approved by Registrar & Affiliating Body on 29.7.2021. b) List of Administrative and Professional Staff c) Notarised copy of Site and Building Plan d) English translated copy of land document No. 760 of 1917 alongwith copy of land document in Regional Language f) Form 'A' and copies of FDRs for Rs. 7 lakh and 5 lakh issued by State Bank of India and Indian Bank g) Copy of CLU issued by Tahsildar Madanapalle, AP h) Copy of NEU
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		issued by Joint Sub-Registrar, Madanapalle, AP Appeal Committee after considering the documents submitted in appeal has observed that the faculty at Sl. No. 4, 5, 10 to 13 and 15 are not qualified as per NCTE Regulations, 2014 and its amendment notified in May, 2017, the website is not properly maintained and hyperlinked with NCTE and its Regional Office. No proof of having uploaded the required information under clause 7(14(i), 8(14) and 10(3) on the website is submitted even in the appeal. The size of Multipurpose Hall, Class Rooms etc. is not readable and the seal of approving authority is in regional language. Noting the submissions and oral arguments advanced during hearing, the appeal committee is of the view that SRC was justified in withdrawing the recognition of the appellant institution and decided that the instant appeal deserved to be rejected and the impugned withdrawal order is confirmed.
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29. One of the contentions advanced by Mr. Madan was that, as the faculty list was provided by the petitioner only after the withdrawal order was passed, there was no opportunity for the respondent to examine whether the petitioner's faculty were duly qualified till the appellate order came to be passed.

30. In the first place, as Mr. Gaurav Arora points out, this submission is not factually correct. He has drawn my attention to Annexure P-8 annexed to the petition and Annexure R-1 to the counter affidavit which contained the detailed list of faculties of the petitioner along with the qualifications possessed by them. He also submits that in fact the petitioner's staff list has been annexed as Annexure R-5 to the Counter Affidavit of the respondents. These were all provided prior to passing of the withdrawal order.

31. It cannot, therefore, be said that the respondent was not in possession of the petitioner's faculty list prior to the passing of the withdrawal order. In fact, this reveals that the withdrawal order has been passed with abject non-application of mind, without even taking care to notice that the faculty list of the petitioner had been provided on repeated occasions.

32. That said, even if the faculty list had not been provided till the withdrawal order was passed, and was provided only when the matter



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was pending before the Appellate Authority, that, nonetheless, would not permit the Appellate Committee to justify the withdrawal order on the ground that one or more of the faculty did not possess the requisite qualifications, without putting the petitioner to show cause notice in that regard. That is the indispensable statutory mandate of the first proviso to Section 17 (1) of the NCTE Act.

33. Assuming that the faculty list was not available with the respondent till the appeal came to be filed before the Appellate Authority, and it was only thereafter that the respondent had an opportunity to note that some of the faculty did not possess the requisite qualifications, the respondent would be required to put the petitioner on notice in that regard and call for the petitioner's explanation before using it as a ground to justify withdrawal of the recognition granted to the petitioner.

34. I have, thereafter, cogitated on whether, in the facts of the present case, this matter should be remanded to the Appellate Authority for a fresh consideration. I am unable to bring myself to do so. Once the Appellate Authority has considered the petitioner's appeal and has narrowed down the grounds to justify the withdrawal of recognition granted to the petitioner to five specific grounds, the respondent would have to sink or swim with the said five grounds. I have already noticed the said five grounds in para 13 *supra*. Given the nature of the grounds on which the recognition was sought to be withdrawn, and keeping in mind the fact that the five grounds cited by the Appellate Authority formed no part of the show cause notice or



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even of the withdrawal order dated 27 December 2021, it would be completely unjust to make the petitioner undertake another litigative excursion before the Appellate Authority. Needless to say, if the respondents find that the petitioner institute is still lacking in any of the essential requisites which would enable it to properly function as a teacher training institute in accordance with the provisions of the NCTE Act and the NCTE Regulations, it would always be open to the respondents to take appropriate action, needless to say, in compliance with Section 17(1) of the NCTE Act and not in derogation thereof.

Conclusion

35. For the aforesaid reasons, the impugned order dated 27 December 2021, which withdraws the recognition granted to the petitioner to run the B.Ed. course with an annual intake of 100 students and the Appellate Committee order dated 26 May 2022, are quashed and set aside.

36. The resultant position would be that the petitioner institution would be deemed to be treated as though the impugned withdrawal order dated 27 December 2021 was never passed. The institution would, therefore, be entitled to be treated as a running institute and so reflected on the website of NCTE as well. A fresh order restoring the recognition granted to the petitioner on 14 May 2015 shall be passed by the NCTE within two weeks from today.



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37. This writ petition is allowed in the aforesaid terms, with no order as to costs.

C. HARI SHANKAR, J.

JANUARY 31, 2024

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Click here to check corrigendum, if any