

TO BE PUBLISHED IN GAZETTE OF INDIA
(EXTRAORDINARY)
PART – III, SECTION 4

F.No.ER-355.23NCTE/APE00532/B.Ed./WB/2024/

(70168-70175)
ORDER

Dated: 29/1/2025

Whereas, in terms of Section 14/15 of the NCTE Act, 1993, **Swami Vivekananda College of Education for Women, 20, Riverside Road, P.O.-Barrackpore, Dist.-North 24 Parganas, West Bengal-700120** was granted recognition *vide* Order No. ERC/7-76.6(II).1/2007/8181 dated 24.05.2007 followed by the Revised Recognition Order *vide* Order No. ERC/NCTE/(ERCAPP1332)/B.Ed.(Revised Order)/2015/32140 date 26.05.2015 for B.Ed. Course of two years duration with an annual intake of 100 (two basic units) from the academic session 2015-2016.

2. **AND WHEREAS**, The recognition granted to the institution was withdrawn from the academic session 2020-2021 *vide* Order No. F.No.ERC-279.33/APE00532/B.Ed./2020/62421 dated 26.02.2020.

3. **AND WHEREAS**, The institution preferred an appeal before NCTE Appellate Authority and the NCTE Appellate Authority *vide* its Order No. F.No.-89-82/E-156554 Appeal/13th Mtg.-2020/27th July, 2020/93124 dated 15.09.2020 confirmed the Withdrawal Order dated 26.02.2020.

4. **AND WHEREAS**, The institution filed W.P.(C) 9690/2021 & CM APPL40301/2021 in the High Court of Delhi at New Delhi and Hon'ble High Court disposed of the case and passed an order dated 12.01.2022 remanding the matter to NCTE Appellate Authority for reconsideration. The institution preferred an appeal before NCTE Appellate Authority and the NCTE Appellate Authority *vide* its Order No. F. No. 89-82/E-156554/2020 Appeal/3rd Meeting, 2022/APPLERC202013612/109876 dated 18.04.2022 re-confirmed its Appellate Order dated 10-15.09.2020.

5. **AND WHEREAS**, the institution filed W.P. No. 12405/2022 and the Hon'ble Court *vide* order dated 26/08/2022 dismissed the Writ Petition. Against the said order, the institution filed LPA and the Hon'ble Court *vide* order dated 12/12/2022 in LPA No. 709/2022 allowed the institution to withdraw the LPA with the liberty to pursue other remedies regarding shifting the applicant college.

6. **AND WHEREAS**, the institution has filed Writ Petition No. 10705/2023 in the High Court of Delhi at New Delhi and Hon'ble High Court disposed of the case and passed an order dated 14.08.2023:-

10. *Learned Standing Counsel for the respondent-NCTE, submits that the applications submitted by the petitioner would be decided in accordance with the extant Regulations.*

11. *In view of the aforesaid, without going into the issue of whether the shifting is permissible or otherwise, this court, at this stage, deems it appropriate to pass the following directions:-*

(i) *Let the applications of the petitioner be considered by the respondent- NCTE, in accordance with the extant Regulations and appropriate orders in that respect be passed as expeditiously as possible within a period of 60 days from the date of receipt of a copy of the order passed today.*

(ii) *Before taking any decision on the applications submitted by the petitioner, the petitioner be also extended an opportunity of hearing.*

12. *The aforesaid directions are passed keeping in mind the liberty granted by the Division Bench of this court in its order dated 12.12.2022.*

13. The petition stands disposed of.

07. **AND WHEREAS**, in compliance of Hon'ble High Court Order dated 14.08.2023, the matter was placed before 332nd meeting of ERC held on 30th August 2023 and the committee decided as under:

"The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, was considered by ERC.

The Committee observed that the Hon'ble High Court of Delhi at New Delhi disposed of the case vide Order dated 14.08.2023 in W.P.(C) 10705/2023. The operative part of the Order is as under: -

"...8. It is thus seen that, thereafter on 23.01.2023, the petitioner made an application before respondent-NCTE. A reminder letter was also submitted on 24.03.2023 for allowing the petitioner to shift the premises.

9. A perusal of the facts and the material available on record would show that on the applications submitted by the petitioner pursuant to the liberty granted by this court, no decision has been taken by the respondent-NCTE.

10. Learned Standing Counsel for the respondent-NCTE, submits that the applications submitted by the petitioner would be decided in accordance with the extant Regulations.

11. In view of the aforesaid, without going into the issue of whether the shifting is permissible or otherwise, this court, at this stage, deems it appropriate to pass the directions:-

- (i) Let the applications of the petitioner be considered by the respondent-NCTE, in accordance with the expeditiously as possible within a period of 60 days from the date of receipt of a copy of the order passed today.*
- (ii) Before taking any decision on the applications submitted by the petitioner, the petitioner be also extended an opportunity of hearing.*

12. The aforesaid directions are passed keeping in mind the liberty granted by the Division Bench of this court in its order dated 12.12.2022.

13. The petition stands disposed of."

The Committee noted that the recognition of the institution is already withdrawn on 26.02.2020 which was also confirmed by the Appellate Authority vide Order dated 15.09.2020. As such, the institution is not recognized as on date, hence, any application for shifting of premises may not be acted upon. Further, no application for shifting of premises submitted by the institution is there in the office records of ERC.

In view of the above, the Committee decided that the institution be extended an opportunity of hearing before ERC on the next date of the hearing.

Institution be informed according through mail/letter.

Accordingly, letter was issued to the institution on dated 18.09.2023"

08. **AND WHEREAS**, the institution has submitted representation dated 26.09.2023 received in ERC office on 04.10.2023. The matter was placed before 335th meeting of ERC held on 01st December 2023 and the committee decided as under:



"The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, was considered by ERC.

The Committee observed in its 332nd meeting held on 30th August 2023, that the Hon'ble High Court of Delhi at New Delhi disposed of the case vide Order dated 14.08.2023 in W.P.(C) 10705/2023. The operative part of the Order is as under: -

"...8. It is thus seen that, thereafter on 23.01.2023, the petitioner made an application before respondent-NCTE. A reminder letter was also submitted on 24.03.2023 for allowing the petitioner to shift the premises.

9. A perusal of the facts and the material available on record would show that on the applications submitted by the petitioner pursuant to the liberty granted by this court, no decision has been taken by the respondent-NCTE.

10. Learned Standing Counsel for the respondent-NCTE, submits that the applications submitted by the petitioner would be decided in accordance with the extant Regulations.

11. In view of the aforesaid, without going into the issue of whether the shifting is permissible or otherwise, this court, at this stage, deems it appropriate to pass the directions:-

(iii) Let the applications of the petitioner be considered by the respondent-NCTE, in accordance with the expeditiously as possible within a period of 60 days from the date of receipt of a copy of the order passed today.

(iv) Before taking any decision on the applications submitted by the petitioner, the petitioner be also extended an opportunity of hearing.

12. The aforesaid directions are passed keeping in mind the liberty granted by the Division Bench of this court in its order dated 12.12.2022.

13. The petition stands disposed of."

The Committee noted that the recognition of the institution is already withdrawn on 26.02.2020 which was also confirmed by the Appellate Authority vide Order dated 15.09.2020. As such, the institution is not recognized as on date, hence, any application for shifting of premises may not be acted upon. Further, no application for shifting of premises submitted by the institution is there in the office records of ERC.

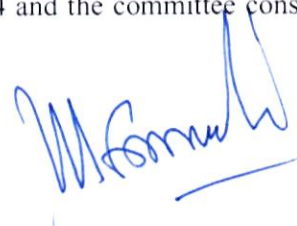
In view of the above, the Committee decided in its 332nd meeting held on 30th August 2023, that the institution be extended an opportunity of hearing before ERC on the next date of the hearing.

Accordingly, letter was issued to the institution on dated 18.09.2023 and thereafter on 29.11.2023 to present the case before ERC through online.

The authorized representative presented their case before ERC through online and briefed about their case. Also, the Institution was asked to submit written representation within 15 days.

The Committee decided to examine the documents submitted by the institution as per NCTE Regulations, 2014 and put up the case before ERC in the next meeting."

09. AND WHEREAS, after hearing the institution in compliance of order dated 14.08.2023, the matter was considered in 337th meeting of ERC held on 9th January, 2024 and the committee considered the reply submitted by the institution and decided the following :-



"The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, was considered by ERC.

The Committee observed in its 332nd meeting held on 30th August 2023, that the Hon'ble High Court of Delhi at New Delhi disposed of the case vide Order dated 14.08.2023 in W.P.(C) 10705/2023. The operative part of the Order is as under: -

"...8. It is thus seen that, thereafter on 23.01.2023, the petitioner made an application before respondent-NCTE. A reminder letter was also submitted on 24.03.2023 for allowing the petitioner to shift the premises.

9. A perusal of the facts and the material available on record would show that on the applications submitted by the petitioner pursuant to the liberty granted by this court, no decision has been taken by the respondent-NCTE.

10. Learned Standing Counsel for the respondent-NCTE, submits that the applications submitted by the petitioner would be decided in accordance with the extant Regulations.

11. In view of the aforesaid, without going into the issue of whether the shifting is permissible or otherwise, this court, at this stage, deems it appropriate to pass the directions:-

(v) Let the applications of the petitioner be considered by the respondent-NCTE, in accordance with the expeditiously as possible within a period of 60 days from the date of receipt of a copy of the order passed today.

(vi) Before taking any decision on the applications submitted by the petitioner, the petitioner be also extended an opportunity of hearing.

12. The aforesaid directions are passed keeping in mind the liberty granted by the Division Bench of this court in its order dated 12.12.2022.

13. The petition stands disposed of."

The Committee noted that the recognition of the institution is already withdrawn on 26.02.2020, which was also confirmed by the Appellate Authority vide Order dated 15.09.2020. As such, the institution is not recognized as on date, hence, any application for shifting of premises may not be acted upon. Further, no application for shifting of premises submitted by the institution is there in the office records of ERC.

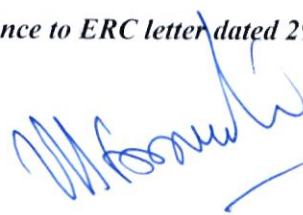
In view of the above, the Committee decided in its 332nd meeting held on 30th August 2023, that the institution be extended an opportunity of hearing before ERC on the next date of the hearing.

Accordingly, a letter was issued to the institution on dated 18.09.2023 and thereafter on 29.11.2023 to present the case before ERC through online.

The authorized representative presented their case before ERC in its 335th meeting held on 01.12.2023 online and briefed about their case. Also, the Institution was asked to submit written representation within 15 days.

The Committee decided to examine the documents submitted by the institution as per NCTE Regulations, 2014 and put up the case before ERC in the next meeting.

The institution submitted a reply on 14.12.2023 in reference to ERC letter dated 29.11.2023.



The Committee considered the reply submitted by the institution and noted that the recognition of the institution was already withdrawn vide ERC Order dated 26.02.2020 and there is no provision in the NCTE Act, Rules and Regulations to process the application for shifting of an institution which recognition was already withdrawn.

Hence, the Committee found the representation of the institution devoid of merit and disposed of the same as above. The institution and the other concerned be informed accordingly.”

Accordingly, letter dated 15.02.2024 was issued to the institution.

10. **AND WHEREAS**, the institution filed an appeal against the Order no. F.No.ERC-279.33/NCTE/APE00532/B.Ed./2020/62421 dated 26.02.2020 before NCTE Appellate Authority and the NCTE Appellate Authority vide its order dated 03.10.2024 decided as under:

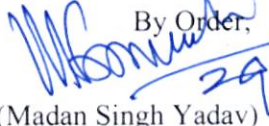
“After perusal of the appeal report, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the council concluded to remand back the case to ERC with a direction to process the application of the institution for shifting of premises of the appellant institution as per provisions of NCTE Regulation, 2014. The Appellant institution is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the appeal and after receipt of the same the ERC to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time as per direction given herein above.”

11. **AND WHEREAS**, the institution has submitted representation/documents dated 17.10.2024 received in ERC office on 18.10.2024. The matter was placed before 355th meeting of ERC held on 30 December 2024 and the committee decided as under:

“The original file of the institution alongwith other related documents, NCTE Act, 1993, Rules, Regulations, SOP, order dated 03.10.2024 passed by the Appellate Authority of NCTE w/s 18 of NCTE Act and guidelines issued from time to time were placed before the Eastern Regional Committee. The ERC made the following decision :-

The recognition of the institution may be restored w.e.f. 26.02.2020 in light of the decision of the Appellate Authority. Concerned affiliating body be informed accordingly.

12. **NOW THEREFORE**, in terms of above decision of ERC, the recognition granted to the institution viz. **Swami Vivekananda College of Education for Women, 20, Riverside Road, P.O.-Barrackpore, Dist.-North 24 Parganas, West Bengal-700120** vide Order No. ERC/7-76.6(II).1/2007/8181 dated 24.05.2007 followed by the Revised Recognition Order vide Order No. ERC/NCTE/(ERCAPP1332)/B.Ed.(Revised Order)/ 2015/32140 date 26.05.2015 for B.Ed. Course of two years duration with an annual intake of 100 (two basic units) is hereby restored w.e.f 26.02.2020 in the light of decision of the Appeal Committee.

By Order,

(Madan Singh Yadav)
Regional Director

The Controller of Publications,
Department of Publications, (Government of India),
Ministry of Urban Development,
Civil Lines, New Delhi-110054.

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To

The Principal/Correspondent,

Swami Vivekananda College of Education for Women,
20, Riverside Road, P.O.-Barrackpore,
Dist.-North 24 Parganas, West Bengal-700120

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Copy to:

- 70170 1. The Secretary to the Govt. of West Bengal, Department of Higher Education, 6th Floor, Bikash Bhawan, Salt Lake City, Kolkata, West Bengal-700091.
- 70171 2. The Registrar, Baba Saheb Ambedkar Education University, 25/2 and 25/3, Ballygunge Circular Road, Kolkata, West Bengal 700019.
- 70172 3. The Director, of Public Instruction, Govt. of West Bengal, 6th Floor, Bikash Bhawan, Salt Lake City, Kolkata, West Bengal-700091.
- 70173 4. The Secretary, Department of School Education and Literacy, Ministry of Education, Govt. of India, Shastri Bhawan, New Delhi-110001.
- 70174 5. The Under Secretary (IT), National Council for Teacher Education, G-7, Dwarka Sector-10, Near Metro Station, New Delhi-110075.
- 70175 6. The Computer Programmer (IT Cell), Eastern Regional Committee, National Council for Teacher Education, G-7, Sector-10, Near Sector-10 Metro Station, Dwarka, New Delhi – 110075. [with the direction to make necessary changes as per the direction contained in the order in the website data of the ERC]
7. Institution file/Office Order file/Guard file.


Regional Director