

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE: WRIT PETITION NO:6687 OF 2026
PROCEEDING SHEET

Sl. No	DATE	ORDER	Office Note
	10.03.2026	<u>VN, J</u> 1. Notice before admission, returnable in four weeks. 2. The present Writ Petition is filed questioning the orders issued by Respondent No.2 <i>vide</i> File No.NCTE/2025/SRC/PAR/ORDER/SRCAPP3443, dated 21.05.2025, withdrawing recognition given to the Petitioner/Institution due to failure to upload the Performance Appraisal Report ('PAR') for the academic years 2021-2022 on the National Council for Teacher Education (for short, 'NCTE') Website, pursuant to public notice dated 09.09.2024, as illegal and arbitrary. 3. The Petitioner is an educational institution offering Bachelor of Education (for short, 'B.Ed') course to the students and was granted recognition by 'NCTE' on 12.04.2016, and thereafter, affiliation was granted to the Petitioner/Institution by Respondent No.4/Sri Venkateswara University (for short, 'the University'). 4. While so, a public notice was issued by the Member Secretary of 'NCTE' on 09.09.2024,	

		calling upon the colleges to submit the Performance Appraisal Report ('PAR') for the academic years 2021-22 and 2022-23 on the 'NCTE' portal with the necessary payment. As the Petitioner/Institution could not upload the Performance Appraisal Report ('PAR') the Southern Regional Committee of 'NCTE' had withdrawn the recognition of the 'B.Ed.' course in exercise of power under Section 17 of the National Council For Teacher Education Act, 1993 (for short 'the Act') for the academic year 2025-2026. Hence, the present Writ Petition is filed. 5. Learned counsel for the Petitioner/Institution relies upon the Judgment of the Delhi High Court in L.P.A.No.190 of 2021 and batch dated 13.03.2023, whereunder the public notice issued on 22.02.2019 was set aside. Learned counsel further submitted that the Respondent-Authorities cannot de-recognize the Petitioner/Institution for non-compliance of Performance Appraisal Report ('PAR'), as the same is only a statistical requirement for 'NCTE' and the provision of the Act does not empower the 'NCTE' to de-recognize the Petitioner/Institution for failure to comply with the submission of Performance Appraisal Report ('PAR'). 6. Sri Venna Hemanth Kumar, learned Standing Counsel for 'NCTE,' submits that	
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		Performance Appraisal Report ('PAR') is a requirement and filing Performance Appraisal Report ('PAR') can be traced at Section 12(k) of the Act, and 'NCTE' is empowered to de-recognize the institution in the case of non-compliance. 7. Sri T. Ramesh Babu, learned Standing Counsel for Respondent No.4/University submits that the affiliation is only a consequence of recognition. 8. Heard the respective counsel. 9. Firstly, the contention of the learned counsel for the Petitioner/Institution with regard to his reliance on the Judgment of the Delhi High Court delivered in L.P.A.No.190 of 2021, appears to be misplaced, as the public notice which was under challenge in L.P.A.No.190 of 2021 was dated 22.09.2019 and in the present case, the impugned order is passed pursuant to the said public notice dated 09.09.2024. 10. Secondly, the Section 12 of the Act specifies the functions of the 'NCTE' council. The sub-section-(K) of Section 12 calls for Performance Appraisal Report ('PAR') from the educational institutions, which come under the jurisdiction of the 'NCTE'.	
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		11. Pursuant thereto, the public notice was issued on 09.09.2024, and a reading of this public notice would indicate that educational institutions were called upon to submit Performance Appraisal Report ('PAR'), but no consequence is provided in the said public notice in the event of failure to submit the Performance Appraisal Report ('PAR') by the educational institutions. 12. Thirdly, Section 17 of the Act provides for de-recognition only in the event, a recognized institution has contravened any of the provisions of the Act, or the rules, regulations, orders made or issued thereunder, or any condition subject to which recognition under sub-section (3) of section 14 or permission under sub-section (3) of section 15 was granted. The contravention referred above is with regard to provisions which are mandatory for granting recognition. 13. The non-compliance with the submission of Performance Appraisal Report ('PAR') <i>prima facie</i> cannot be termed to be falling within the scope of Section 17 of the Act to enable 'NCTE' to de-recognize the Petitioner/Institution. 14. Fourthly, even assuming for the sake of argument that the Performance Appraisal Report ('PAR') falls within the scope of Section 17 of the Act, the same is only a regulatory and statistical	
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		requirement and to de-recognize for non-compliance would be wholly disproportionate to the power conferred. 15. Therefore, there shall be an interim order as under:- (i) There shall be an interim suspension of the impugned proceedings issued by Respondent No.2 <i>vide</i> File No.NCTE/2025/SRC/PAR/ORDER/SRCAPP3443, dated 21.05.2025, until further orders. (ii) The Respondent Nos.2 and 3 are directed to open the website/portal permitting the Petitioner/Institution to submit the Performance Appraisal Report ('PAR'). 16. Post this matter after four (04) weeks. _____ VN, J chs	
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