

## Minutes of 301<sup>st</sup> (Emergent) Meeting of the ERC held on 21<sup>st</sup> January, 2022

The 301<sup>st</sup> (Emergent) Meeting of Eastern Regional Committee (ERC), National Council for Teacher Education convened on 21<sup>st</sup> January, 2022 through 'online circulation mode' with a request to examine the emergent agenda items in respect of Teacher Education Institutions (TEIs), circulated to the Members in light of NCTE Act, Regulations, Norms & Standards.

The following Members listed below participated in the online circulation mode meeting to seek the approval of the proposed agenda.

1. Prof. Nilima Bhagabati	Chairperson
2. Prof. Subhas Chandra Roy	Member
3. Prof. Kumar Moti	Member
4. Dr. Premananda Biswal	Representative, Govt. of Odisha
5. Dr. L.N. Sonowal	Representative, Govt. of Assam
6. Mr. Joram Muthu	Representative, Govt. of Arunachal Pradesh
7. Dr. Shanti Ram Adhikari	Representative, Govt. of Sikkim
8. Shri Uttam Mitra	Representative, Govt. of Tripura
9. Shri N.K. Sharma	Regional Director (I/c) & Convener, ERC

The following members of ERC did not participate in the meeting:

1. Prof. Nongmaithem Rajmuhon Singh	Member
2. Prof. Tana Showren	Member
3. Dr. Rajiv Pandya	Member
4. Shri Kaushik Halder, IAS	Representative of Govt. of West Bengal
5. The Commissioner cum Secretary (School Education)	Representative of Govt. of Manipur
6. Dr. Binodanand Jha	Representative of Govt. of Bihar
7. Prof. Vanlalhruii	Representative of Govt. of Mizoram
8. Shri Om Prakash Tiwary	Representative, Govt. of Jharkhand
9. Dr. K. Hukato SWU	Representative, Govt. of Nagaland
10. Shri B. Demond. M. Diengdoh	Representative, Govt. of Meghalaya

Decision-wise decisions on each agenda item is as under:

File No.	Name and address of the institution	Course	Decision of ERC
The Proceedings of 300 <sup>th</sup> ERC Meeting and subsequent Rectification Proceedings in respect of Item No.2. (Application Code No.ERCAPP3657) (D.El.Ed.) of 300 <sup>th</sup> ERC Meeting held on 28.12.2021 through virtual mode and uploaded on ERC portal of NCTE website is confirmed.			
ERCAPP3424	Uttarayan College of Education, Plot No.- L.R. 586, 585, 584, 642, 649, Street- NH 31, Vill- Jatrapur, Po- Rajarhat, Tehsil/Taluka-	B.Ed.	The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, representation dated 13.07.2021 from the institution requesting for enhancement of intake for B.Ed. programme of two years duration from 50 (one basic unit) to 100 (two basic units) and Order dated 25.11.2021 passed in WPA No. 1740 of 2021 by the

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		Kotwali, Town/City-Cooch Behar, Dist.-Cooch Behar, West Bengal-736165		<p>Hon'ble High Court of Calcutta, were carefully considered by ERC and the Committee decided as under:</p> <p><b>The institution is required to make fresh online application as per extant Norms, Rules, Regulations and Procedure as amended time to time for enhancement of B.Ed. intake as and when the same is invited by NCTE.</b></p>
3.	APE00096	College of Teacher Education, Tulsiram Road, Tinsukia, Assam – 786125	B.Ed.	<p>The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and reply dated 10.07.2021 in response to final show cause notice dated 11.06.2021, were carefully considered by ERC and the Committee made following observations:</p> <p>After consideration of documents in compliance of Order dated 17.02.2021 passed by Hon'ble High Court of Gauhati in W.P.(C)/873/2021 by ERC, following decisions were taken time to time as under:</p> <ol style="list-style-type: none"> <li>1. First Show Cause notice u/s 14 was issued to the institution dated 10.03.2021 on the following ground: <ul style="list-style-type: none"> <li>(i) The institution has not submitted latest faculty list duly approved by the concerned affiliating body and any supporting document, but only submitted two representations dated 17.08.2020 and 26.11.2020, wherein mentioned that three part-time teachers have been appointed as full-time teachers, which is not acceptable.</li> </ul> </li> <li>2. Final show cause notice u/s 14 issued dated 11.06.2021 to the institution on the following grounds: <ul style="list-style-type: none"> <li>(i) Show Cause Notice was issued on 10.03.2021.</li> <li>(ii) The institution has submitted representation dated 10.05.2021 without any supporting documents.</li> <li>(iii) The institution is still deficient in compliance of SCN dated 10.03.2021.</li> </ul> </li> </ol>

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			<p>3. In response to final show cause notice u/s 14, the institution submitted representation dated 10.07.2021 and the documents available on record were scrutinized and observed that following deficiencies still persists in light of NCTE Regulations, 2014:</p> <p>(A) As reflected on the approved faculty list (session 2020-2021), the Principal and following faculties have been appointed prior to date of receipt of application (26.12.2001) at ERC NCTE seeking grant of recognition to B.Ed. course.</p> <p>(i) Principal (Mrs. Kaberi Shantana Das) at sl.no.1(A) appointed on 29.10.1999.</p> <p>(ii) Lecturer (Dr. Sukla Rai Choudhury) at sl.no.1 (B).1 appointed on 09.01.1997.</p> <p>(iii) Lecturer (Mrs. Leena Trivedi) at sl.no.1 (B).2 appointed on 29.08.2000.</p> <p>(B) On further verification of copy of old approved faculty list (session 2018-2019) dated 31.05.2019 submitted along with letter dated 11.06.2019 (in response to SCN dated 14.05.2019) before withdrawal order dated 26.08.2019 and the present faculty list (session 2020-2021), following discrepancies have been observed:</p> <p>(i) Date of joining in respect of Principal (Mrs. Kaberi Shantana Das) shown in old approved faculty list as 01.11.1999, which does not match with date of joining shown in the present list i.e.10.01.1999.</p> <p>(ii) Date of appointment and date of joining of lecturer at sl.no.2 (Mrs. Leena Trivedi) shown in old list as 29.01.2000 and 02.11.2000 whereas in present list shown as 29.08.2000 and 29.08.2000, both dates mismatch as per the lists submitted.</p> <p>(iii) Date of appointment and date of joining of lecturer at sl.no.9 (Ms. Indirima Dihingia) shown in old list as 24.12.2018 and 02.01.2019 whereas in present list shown as 14.08.2019 and 16.08.2019, both dates mismatch as per the lists submitted.</p> <p>(iv) Date of appointment and date of joining of lecturer at sl.no.10 (Mrs. Malaya Boruah) shown in old list as 2.5.2017 and</p>
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				<p>2.5.2017 whereas in present list shown as 14.08.2019 and 16.08.2019, both dates mismatch as per the lists submitted.</p> <p>(v) Lecturer at sl.no.6 (Ms. Pallabi Baruah) appointed on 01.08.2018 i.e. after NCTE Gazette Notification 09.06.2017 does not possess either NET/Ph.D., hence she is not qualified as per NCTE Norms and Regulations as amended time to time.</p> <p>(vi) Lecturer at sl.no.7 (Ms. Nisha Agarwal) appointed on 01.03.2019 possesses SLET in 2018 but no NET/Ph.D as required under NCTE Gazette Notification 09.06.2017. She is pursuing M.Ed, hence not qualified as per NCTE Norms and Regulations as amended time to time.</p> <p>In view of the above, the Committee decided as under:</p> <p><b>In compliance of Order dated 17.02.2021 passed by Hon'ble High Court of Gauhati in W.P.(C)/873/2021 and accordingly, the final show cause notice dated 11.06.2021 was issued to the institution for fulfilment of deficiencies mentioned therein. Even after that, the institution falls short of qualified faculties as required under NCTE Norms and Regulations for one unit 50 intake of B.Ed. Course. Hence, the decision of ERC taken vide withdrawal order vide no.61397 dated 26.08.2019 for B.Ed. course from the academic session 2020-2021, which was kept in abeyance by the Hon'ble High Court of Gauhati in its order dated 17.02.2021, remains unchanged.</b></p> <p><b>A reasoned order be issued to the institution stating the above position.</b></p>
4.	ERCAPP7/2012	Maryada Purushotam College of Education, Plot No.-1245, 1246, 1247, 1248, Vill/PO- Chilhari, Tehsil/Taluka-	B.Ed.	<p>The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and reply in response to Show Cause Notice dated 15.11.2021, were carefully considered by ERC and the Committee made following observations:</p>

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		<p>Dumraon, Town/City- Buxar, Dist-Buxar, Bihar-802101</p>	<p>Pursuant to Show cause notice dated 15.11.2021, the institution is still deficient on the following in light of NCTE Regulations, 2014:</p> <ul style="list-style-type: none"> <li>(i) The institution was granted recognition from the academic session 2014-2015 vide order dated 24.04.2014, after verification of infrastructural and instructional facilities available in the institution, whereas gift deed of land registered in year 2015 makes a mention of only land.</li> <li>(ii) In response to ERC letter no.25893 dated 20.05.2014, certified copy of transfer of land and building in the name of institution as per Clause 8 (4) (iii) of NCTE Regulations, 2014 not submitted. Further, in the registered transfer gift deed, there is no mention of constructed building on the basis of which the recognition was granted by ERC, NCTE.</li> <li>(iii) The copy of transfer of gift deed registered dated 07.09.2015 in the name of institution viz. Maryada Purushotam College of Education was submitted, however, the details still show the category of land to be an agricultural land mentioning in Hindi as 'SINCHIT'.</li> <li>(iv) Further, it is mentioned in Change of Land Use Certificate issued by Anumandal Padadhikari, Dumraon dated 21.02.2013 that the land will be used for educational purpose followed by point-5 of the affidavit dated 31.12.2012 related to land submitted by the institution, which is contrary to the point (iii) mentioned above.</li> <li>(v) In latest photocopy of Building Completion Certificate dated 28.12.2017 certified by Mukhiya, Gram Panchayat, Chilhari and countersigned by Assistant Engineer, Building Construction Deptt., Buxar (Bihar) submitted now (not notarized), the date of registration of land mentioned as 24.12.2012, the new date of registration of transfer of gift deed of land is not mentioned. Moreover, the type of ownership of land is mentioned as "Sale Deed" although the document provided in this regard</li> </ul>
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				<p>is a gift deed.</p> <p>(vi) The Fire safety certificate dated 22.01.2021 issued by Fire Dept. Dumraon, Buxar uploaded on website is valid up to 21.01.2022.</p> <p>(vii) Institutional website is not maintained and updated as per Clause 7(14)(i) of NCTE Regulations, 2014.</p> <p>Hence, recognition granted to B.Ed. course is withdrawn under Section 17(1) of NCTE Act, 1993 from the next academic session 2022-2023. On withdrawal of recognition, the affiliation, if any granted under Clause 8(10) of NCTE Regulations, 2014 by the concerned affiliating body from the next academic session stands withdrawn. Hence, the institution is not entitled to apply for counselling from the next academic session i.e.2022-2023 and the institution is also not permitted to take any fresh admission of students from the academic session 2022-2023.</p>
5.	ERCAPP853	Ram Baran Ray B.Ed. College, Plot No. 27, Street Number-Main Road, Vill- ShyampurBairo (Main Bairo), Po- HansiKewal, Tehsil/Taluka- Bhagwanpur, Town/City- Bhagwanpur, Dist.- Vaishali, Bihar- 844131	B.Ed.	<p>The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, reply of institution in compliance of C.W.J.C. No. 3417 of 2020 passed by the Hon'ble High Court of Judicature at Patna vide orders dated 19.02.2020, 13.10.2020, 16.10.2020 were carefully considered by ERC and the Committee decided as under:</p> <p><b>Restoration of recognition order to the institution viz. Ram Baran Ray B.Ed. College, Plot No. 27, Street Number-Main Road, Vill- ShyampurBairo (Main Bairo), Po- HansiKewal, Tehsil/Taluka- Bhagwanpur, Town/City- Bhagwanpur, Dist.- Vaishali, Bihar-844131 for B.Ed. course with annual intake of 100 students (02 units) be issued up to the end of academic session 2021-2022.</b></p> <p>On further verification and scrutiny of documents related to Show cause notice dated 28.11.2018 and the withdrawal order dated 01.02.2020 produced before the Hon'ble High Court of Judicature at Patna as mentioned in the order dated 16.10.2020 passed by the Hon'ble Court, the institution is still deficient on the following in light of NCTE Regulations, 2014:</p>

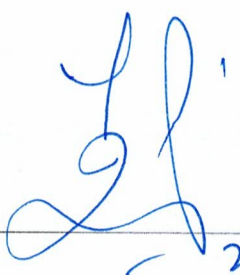
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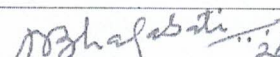


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			<p>(i) The institution was granted recognition from the academic session 2012-2013 vide order dated 13.08.2012, after verification of infrastructural and instructional facilities available in the institution, whereas Absolute Sale Deed of land registered in year 2016 makes a mention of only land/property.</p> <p>(ii) In response to ERC letter no.25888 dated 20.05.2014, certified copy of transfer of land and building in the name of institution as per Clause 8 (4) (iii) of NCTE Regulations, 2014 not submitted after issuance of withdrawal order dated 01.02.2020. Further, in the registered transfer Absolute Sale Deed, there is no mention of constructed building on the basis of which the recognition was granted by ERC, NCTE.</p> <p>(iii) The copy of land document (Sale Deed) registered dated 31.03.2011 is in the name of (1) Shri Rajendra Rai and (2) Ram Baran Ray Educational Trust, whereas the copy of transfer of Absolute Sale Deed registered dated 20.04.2016 shows that only Shri Rajendra Rai sells the land/property in the name of institution viz.R.B.R. B.Ed. College and there is no mention of the name of trust i.e. Ram Baran Ray Educational Trust.</p> <p>(iv) Further, it is mentioned in Change of Land Use Certificate issued by Anumandal Padadhikari, Hajipur dated 17.09.2011 that the land will be used for educational purpose followed by point-5 of the affidavit dated 28.02.2012 related to land submitted by the institution, however, the use of land/property for education purpose is not mentioned in the transfer of Absolute Sale Deed submitted after withdrawal order dated 01.02.2020.</p> <p>(v) Before withdrawal order dated 01.02.2020, a single page Building completion certificate dated 15.05.2016 submitted by institution through email, issued by Brijendra Kumar, Registered Building Consultant, Panel Valuer of L.I.C., BEVCON, Anwarpur Rly Crossing Road, Hajipur-844101, which is not in NCTE</p>
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26/1/2022

Shri N.K. Sharma (Regional Director (I/c) & Convener, ERC)

  
26/1/2022  
Prof. Nifima Bhagabati (Chairperson, ERC)

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prescribed proforma containing 17 points without mentioning the total land area and total built up area. Now, a copy of Building Completion Certificate (not notarized) submitted in NCTE prescribed proforma certified by Assistant Engineer, PWD, Hajipur, Vaishali (without date) mentioning total land area 4046.8 sq.mts. and total built up area 2393.76 sq.mts. received on 13.01.2022, which is not uploaded on institutional website.

(vi) Total plot area 2790 sq.mts. mentioned in the Building plan approved dated 27.02.2012 by Assistant Engineer, PWD, Hajipur, Vaishali submitted at the time making application, which mismatch with Building Completion Certificate (submitted now) wherein mentioned total land area as 4046.8 sq.mts.

(vii) In the copy of building plan, name and address of institution mentioned as "Rambaran Rai College of Education Trust Building, Village-Meya Bharrow, Thana BhagwanPur, P.O.-Bhagwanpur, Khata N.-27, Khesra No.-125, 126, Dist.- Vaishali (Bihar)", whereas the correct name of institution as per application is Ram Baran Ray B.Ed. College, Plot No.27, Khasara No. 125 & 126, Street No. Main Raod, Vill-ShyampurBairo (Main Bairo), PO.-HansiKewal, Tehsil/Taluka-Bhagwanpur, Town/City-Bhagwanpur, Dist.-Vaishali, Bihar - 844131. Both name and address of the institution mentioned in building plan and application mismatch each other.

**Hence, the Committee decided that before taking further decision regarding continuance of recognition, Show Cause Notice under section 17(1) of the NCTE Act, 1993 be issued to the institution giving the final opportunity to the institution to submit reply within 30 days from the date of issue of such show cause notice.**

At this stage, the institution is not entitled to apply for counselling from the next academic session i.e.2022-2023 and the institution is also not permitted to take any fresh admission of students from the

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				academic session 2022-2023 prior to grant of recognition by ERC NCTE.
6.	ERCAPP2016 46153 (ID-9364)	Ramjyoti Kameswar College of Teacher Education, Vill.- ShivdahaBarail, Taluka/ Mandal- Chenga, Town/City- ShivdahaBarail, Dist.- Muzaffarpur, Bihar- 847107.	D.El.Ed	<p>The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, Order dated 25.02.2021 passed by the Hon'ble High Court of Patna in C.W.J.C. No.4090 of 2020 and subsequent Order dated 23.07.2021 passed by Hon'ble High Court of Judicature at Patna in C.W.J.C. No.3750 of 2020 and representation from the institution dt.31.12.2021 received in ERC NCTE on 12.01.2022, were carefully considered by ERC and the Committee decided as under:</p> <p><b>The institution is required to make fresh online application as per extant Norms, Rules, Regulations and Procedure as amended time to time for commencement of new B.Ed. and D.El.Ed. courses so as to become a composite institution under Clause 3(a) NCTE Regulations, 2014.</b></p>
7.	ERCAPP2534	Er Upendra Sharma Teachers Training College, Plot no. 119, 120, Street No. Telhara, Vill- TelharaKhurd, Po- Telhara Kala, Tehsil/Taluka- Dhaka, Town/City- Dhaka, Dist.- PurbaChampanan, Bihar-845304	B.Ed.	<p>The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, complaint against the institution, letters dated 18.01.2022 and 20.01.2022 from Mr. Sunil Kumar Singh, Advocate, Patna High Court attaching a copy of Inquiry report in C.W.J.C. No.20393/ 2021 in the case of Vidya Devi Vs. The State of Bihar and others, were carefully considered by ERC and the Committee made following observations:</p> <p>(i) A complaint (Email dated 18.07.2021) received from Mr. Nishesh Wasav of Dist. Purba Champaran, Bihar.</p> <p>(ii) Para-wise comments were sought from the institution on the complaint vide ERC letter dated 08.09.2021 followed by reminder dated 06.12.2021.</p> <p>(iii) No comments received from the institution till date and the ERC's reminder letter dated 06.12.2021 returned undelivered.</p>

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				<p>(iv) Letters dated 18.01.2022 and 20.01.2022 received from Mr. Sunil Kumar Singh, Advocate, Patna High Court along with a copy of Inquiry report of Hon'ble Court in C.W.J.C. No.20393/ 2021 in the case of Vidya Devi Vs. The State of Bihar and others, which is against the existence of the institution.</p> <p><b>Hence, the Committee decided that the matter be referred to NCTE Hqrs. (Inspection Division) for inspection U/s 13 of NCTE Act, 1993.</b></p>
<b>Matter with the permission of Chair</b>				
8.	AS-S/E-12/96	College of Education, Christian Basti, Amarawati Path, P.O.- Dispur, Guwahati, Assam – 781005	B.Ed.	<p>As per instructions received in L.P.A. 460 of 2021 from Advocate Jai Sahai Endlaw via E-mail dated 25.01.2022 conveying the directions of the Hon'ble Delhi High Court (Division Bench) wherein the petitioner prayed to-</p> <p>(a) permit the applicant institution to admit students in B.Ed. course (100 seats) (two basic units) for the present academic year 2021-2022; and / or alternatively</p> <p>(b) permit the applicant institution students in B.Ed. course (50 seats) (one basic units) for the present academic year 2021-2022; and/ or</p> <p>(c) pass such other or further order/ orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case as well as in the interest of justice.</p> <p>Considering that the deadline for admitting students for the academic session 2021-2022 for 50 seats in B.Ed. course is 27.01.2022, the Hon'ble Delhi High Court directed that ERC should inform the affiliating university that the appellant institute be allowed to participate in the counselling process. Further, the Hon'ble High Court of Delhi has granted four weeks time to carry out inspection in order to inspect the roofing of the petitioner institute.</p> <p>Hence, keeping in view of the urgency of the matter, the Committee decided to honour the court</p>

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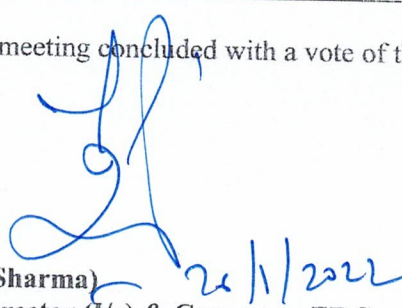
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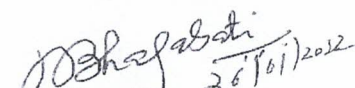


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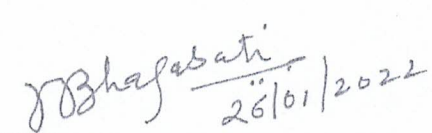
				direction in the instant case and the matter be forwarded to NCTE HQrs. for taking action as it deems fit.
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The meeting concluded with a vote of thanks to the Chair.

  
(Shri N.K. Sharma)  
Regional Director (I/c) & Convener, ERC

  
(Prof. Nilima Bhagabati)  
Chairperson, ERC

  
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