



F.No.89-267/E-170700/2020 Appeal/3rd Mtg.-2021/20th January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 11/02/2021

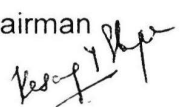
ORDER

WHEREAS the appeal of Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar dated 13/11/2020 is against the Order No. ERC/283.34/ERCAPP2486/D.El.Ed./2020/63030 dated 15.09.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for D.El.Ed. Course on the grounds that "No proof of maintaining Stock Register i.e. IT lab, Psychology lab, science lab, Art & Craft lab, Sports. facilities etc. The institution has not submitted original teaching faculty list duly approved by the competent authority for the session 2016-17, 2017-18, 2018-19 & 2019-2020 for D.El.Ed. course. Original FDRs of Rs.5 lakh and Rs.7 lakh is not submitted. Date of initial appointment and joining of Principal is not mentioned in the faculty list. Legible copy of the experience certificate of the principal is not submitted. Institution has not submitted appropriate reply and failed to prove that the Bio-metric attendance of the teaching faculty & students is not genuine. No supporting documents to prove that ICT and teaching aid have been submitted including internet, projector, camera, SIT, Wi-Fi, no system software, instructional software etc. Copy of electronic transfer receipt of salary of faculty members is not furnished. Website of the institution is not functional as per clause 7(14)(i) of the NCTE Regulation, 2014. Certified copy of Fire Safety Certificate duly signed by the Govt. competent authority is not submitted. Building is not disable friendly as per the SOP issued by NCTE. No educational journal subscribed by the institutions. Hence, D.ELEd. course is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session 2021-22."

AND WHEREAS Sh. D. Kishore Mahto, Secretary and Sh. Rajeev Kumar, Administrator, Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar presented the case of the appellant institution on 20/01/2021. In the appeal and during personal presentation it was submitted



that "We are submitting a video cd and pen drive of 2 hours 05 minutes 13 seconds durations taken during the course of inspection at the behest of inspecting official chairman, Dr R. Vijay Kumar and present Regional Director of ERC-NCTE , Bhubaneswar in order to impress upon the facts that stock register was perused and verified by all the three inspecting officials as being shown in cd on 41 minutes 42 seconds time point mark in science lab, 45 minutes 40 seconds time point mark in social science lab, 54 minutes 15 seconds marks in library stock register (note-during this time point marks our library stock register has been signed by Dr. Pramod Kumar an inspecting team member and on 55 minutes 55 second by Dr. A. R. Khan another inspecting team member. Further during 58 minutes 56 second to 59 minutes 05 second points time mark, the video shows the requesting gesture by the secretary of the college for getting their signature affixed on various stock registers perused by the inspecting team but as shown in the enclosed video even after his repeated requesting gesture failed to yield any tangible result. Further on one hour fourteen minutes and ten seconds time point marks language lab, on one hours 20 minutes and forty second point time marks psychology lab and on one hours twenty three minutes and fifty eight second point time marks ict labs had been visited by inspecting team members and chairman has put his spectacles and pens on stock registers. Besides that, inspecting officials on its own inspection report dt 20/09/2019 on page 08 point no 13.1 (g) have reported and confirmed the entries in stock register. Thus, making self-statements give in inspection report contradictory with this final show cause notice and withdrawal order. With regard to this points which reads as the institution has not submitted original faculty list duly approved by the competent authority for the session 2016-17, 2017-18, 2018-19 & 2019-20 for B.Ed course shows the utter ignorance and lack of proper knowledge of inspecting team official regarding NCTE (recognition norms & procedure) regulation 2014 and its various amendments as provision enshrined in this , regulation clearly speaks that faculty members will be appointed on permanent basis hence there arises no question for appointing session wise faculty members for D.El.Ed. course. We are herewith enclosing the FDR dated 12/04/2016 issued by Vijaya Bank, Sitamarhi along with its photocopy copies of two FDRs worth Rs 5 lacs and 7 lacs deposited for the sake of our D.El.Ed. course as endowment fund and reserve fund respectively. besides that the inspection dt . 25/09/2019 illegal gratification by chairman



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of the inspection team Mr. R Vijay Kumar clearly shows on page no-15. the details of all original FDRs perused and duly reported by all the three inspecting officials. Thus, this point of shows cause and withdrawal order as a sequel of it also shows an intentional act of inspecting official which is far away from truth and meant only for harassment and blackmailing. Separate affidavit pertaining to date of joining of initial appointment of Principal/Hod of D.El.Ed course which has been obtained earlier and xerox copy of the same has already been forwarded as show cause notice reply of our first show cause notice is herewith enclosed for the perusal and natural justice. At the time of getting approval from Bihar School Examination Board Patna, the column pertaining to date of joining could not get mentioning in prescribed form for principal only. It was solely a clerical mistake for satisfying, query of final show cause notice we have sent the affidavits obtained at the time of joining of each and every staff members appointed which clearly indicates their respective date of joining. Experience certificate of the principal is fully legible and genuine. It is not dubious and can be well verified with the issuer of experience certificate through postal mail or through any other means. Just guessing assuming and alleging cannot be the premise of fact and assumption cannot be a measure of truth and verification should be the right measure of truth. Hence without resorting to above exercise this show cause and withdrawal order as a sequel of it will be in fructuous. In our institution bio-metric attendance of appointed teaching faculty and each teachers pupil enrolled for all NCTE-recognized programme offered in our TEL is being maintained / enforced regularly on daily basis as per public notice published by Honourable Member Secretary Sri Sanjay Awasthi dated July 10th 2019. In the subject public notice nowhere, it has been instructed to maintain the bio-metric attendance of faculty members separately however on perusing manual registrar maintained at our institute which clearly shows the code number allotted for faculty and each teachers pupil enrolled, it will be crystal clear that whether any particular bio- metric attendance pertains to faculty or enrolled-teacher pupil. Besides that, without going through the individual code allotted to each and every faculty member and enrolled teacher pupil it will be unjustifiable to comment as bio-metric attendance of the students is found dubious. Thus, this point of final show cause notice and withdrawal order as a sequel of it is also not justifiable. Supporting documents to prove that ICT and teaching aid including internet,

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projector, camera, sit, wi-fi system software instructional software has not been called for either during course of inspection or after inspection by inspecting officials present on the occasion. However, there is ample proof available in submitted video cd that they have meticulously perused and inspected all the above facilities available in our institute (please refer the enclosed video cd at point of time mark during 1 hour 23 minutes) thus this is also a false remarks. Copy of electronic transfer receipt of salary of faculty member has been submitted and it has been found satisfactory by the inspecting team member. This can be well established by perusing page no-14 of duly signed inspection report by all the three-inspecting official (point no 15 (a) and (b). Thus, it clearly indicates that point of final show cause notice and withdrawal order as a sequel of it has also been issued with sheer malafide intention of Sri Vijay Kumar present ERC-NCTE and chairman of inspection team. They have contradicted their own inspection report before the committee as well as in Patna High Court during the course of hearing of MJC780/2017. This statement in the subject Show Cause Notice that website of the institution is not functional as per Clause 7(14)(i) of the NCTE Regulation, 2014 is false and fabricated. The veracity of our this submission can be gauged by perusing the submitted video cd at the point of time mark from 1 hour 23 minutes to 1 hours 32 minutes 35 second during which all the inspecting official have observed satisfactory working of our website. The statement that fire safety certificate is not submitted is again erroneous and issued with malafide intention. The veracity of our statement can be judged by perusing the inspection report submitted by inspecting team and duly signed by all the three-inspecting official on page no-22 point no-20. Thus, the inspecting team chairman and present RD, ERC, NCTE himself contradicts his inspection report. On perusal of enclosed video CD, pen drive and photographs. it will be evidently clear that the southern and western portion of the building has got adequate facility for disabled person as the ramp is thoroughly running from ground part to first floor. The northern and eastern portion of the building is also well equipped with the toilet facilities especially earmarked for the disabled person. The last point which reads as no educational journal subscribed by the institution is also not true. We are enclosing the receipt and bill/vouchers subscribed by us which will bears date prior to inspection date."

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AND WHEREAS the Committee noted that the withdrawal order issued in respect of D.El.Ed. course is identical to the withdrawal order issued in respect of B.Ed. course and the submissions of the appellant is almost the same in both the appeals.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider specific and pointed replies to the grounds of withdrawal to be submitted to the ERC by the appellant, duly supported by documents, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC specific replies mentioned above within the time frame set above.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to ERC with a direction to consider specific and pointed replies to the grounds of withdrawal to be submitted to the ERC by the appellant, duly supported by documents, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC specific replies mentioned above within the time frame set above.

NOW THEREFORE, the Council hereby remands back the case of Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar to the ERC, NCTE, for necessary action as indicated above.

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


(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Plot No. 1775, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar – 843322.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.