

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

F.No.ERC/283.34/ERCAPP2486/D.El.Ed./2020/ 63030

Dt:- 15.09.2020

ORDER

Whereas, the institution **Mahatma Buddha Teachers Training College, Plot No.1775, Vill-Dhrub Nagar, Panchmile, Po-Kamaldah, Tehsil/Taluka-Bathnaha, City-Dist-Sitamarhi, Bihar-843322 (D.El.Ed.) (Code No.ERCAPP2486)** has grant of recognition for conducting D.El.Ed. course with intake of 100 from the academic session 2012-2013.

2. AND WHEREAS, Mr. Nandeswar Lal was appointed as lecturer as faculty list submitted by the institution. The grievance of the petitioner is regarding release of his salary from January, to May 2013. The petitioner filed CWJC No5256 of 2015 in the High Court of Patna and the Hon'ble High Court disposed of the matter on 21.07.2016 with a direction to respondent No 5,6 & 7 who have a duty to act in accordance with law.

"The Court will not get the authenticity or correctness of the allegation or evidence keeping in mind that the responsibility is being thrust upon the said respondent on this regard.

If such process is initiated by the petitioner, the authority have a duty to take a decision preferably within three months thereafter giving due opportunity of hearing to the institution in question. The respondent No 5 & 6 are the Vice Chancellor, Baba Saheb Bhim Rao Ambedkar University, Muzaffarpur and the Registrar Baba Saheb Bhim Rao Ambedkar University, Muzaffarpur respectively. The respondent No 7 is the Regional Director ERC, NCTE.

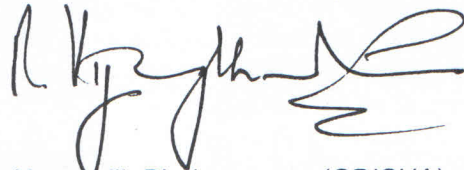
3. AND WHEREAS, the inspector of Colleges of Baba Saheb Bhim Rao Ambedkar University, Muzaffarpur has written a letter of even number B/1159 dated 06.06.2014 to intimate NCTE if any irregularity and illegality came to the notice of the said University.

4. AND WHEREAS, the matter was placed before the ERC in its 256th meeting held on 30th-31st May, 2018 and as decided a letter of even number 57244 dated 12.06.2018 was issued to the institution inter alia copy to Mr. Nandeswar Lal with a request to submit reply/report within 21 days.

5. AND WHEREAS, in the mean-while Mr. Nandeswar Lal filed contempt petition bearing MJC No780 of 2017 for implementation of the order dated 21.07.2016 and the Hon'ble High court of Patna passed an interim order on 06.08.2019 with the following direction:-

"Accordingly, let the Regional director, NCTE (opposite party No. 7) appear before the court to explain such conduct when the matter be listed under the heading "for orders" on 30th August, 2019.

It is made clear that if the decision of NCTE in terms of the order dated 21.07.2016 directing for taking decision in the matter based on the evidence before it as furnished by the petitioner, is not brought on record on the next day, the Court may not show any indulgence to the officer (s) concerned.



P.T.O.

6. AND WHEREAS, in this connection a letter dated 08.08.2019 was sent to the institution in respect of compliance of the decision of ERC taken in 256th meeting giving 7 days time and at the same date a letter to Mr. Nandeshwar Lal to produce evidence any sort of irregularities and illegalities in granting of recognition to the institution.

7. AND WHEREAS, the institution submitted replies dated 09.08.2019 and 24.08.2019 along with supportive documentary evidences in compliance of Hon'ble Court's direction inter alia email dated 17.08.2019 received from the petitioner Mr. Nandeshwar Lal Das, which was considered by the Committee in its 276th meeting held on 26th August, 2019 and observed as under:-

- i. In compliance of order passed in CWJC No.5256 of 2015 by the Hon'ble High Court of Patna, the institution was called telephonically on 24.08.2019 to produce all relevant documents/evidences before the Regional Director, ERC. The representatives of the institution appeared in person along with documentary evidences on 26.08.2019 at 11:00 A.M. in the office of ERC, NCTE, Bhubaneswar.
- ii. After perusal of documents furnished by the institution, the same are found to be in order.

In view of the above, the Committee decided as under:-

The petitioner be informed that the order of Hon'ble High Court of Patna is complied with a copy endorsed to the affiliating body as well as the institution.

8. AND WHEREAS, the matter again taken up on 30.08.2019 with a direction inter-alia "*to the Regional Director, ERC, NCTE, as to the reason to revisit the decision and make inspection of the institution in the presence of the council and in open court he submitted that he himself feels the necessity to undertake such exercises.*"

At this juncture, when the Court wanted to know as to by when such exercise would be complete, Regional Director, NCTE, submitted that it would be done within two weeks.

In such view of the matter, the Court is inclined to grant further time and would not like him to be under any pressure to complete such exercise in a hurry.

Accordingly, the matter be listed on 30th September, 2019, when further affidavit shall be filed personally affirmed by the Regional Director, NCTE, Bhubaneswar."

9. AND WHEREAS, the inspection conducted by the Regional Director, ERC, NCTE and the report is submitted in the Hon'ble High court of Patna. The Hon'ble High Court of Patna disposed off the matter on 19.11.2019 with the following directions:-

"Heard learned counsel for the parties.

2. From the pleadings and materials on record, the Court finds that the order dated 21.07.2016 passed in CWJC No.5256 of 2015, has been complied with.

3. Accordingly, the application stands disposed off.

4. However, it shall be open to the parties to take recourse to legal action before the appropriate forum for any grievance they may have in the matter."

10. AND WHEREAS, the ERC in its 277th meeting held on 19th – 20th December, 2019 after considering the matter and as decided a Show Cause Notice issued to the institution on 26.12.2019 on the following grounds:-

- i. Instructional facilities classroom, furniture, resources (Teaching learning), Science/Maths equipment, materials and chemicals found insufficient and ill equipped and inadequate.
- ii. Total number of teaching faculty present on the date of inspection is 16 against 32 teaching faculty (16 for B.Ed. and 16 for D.El.Ed.) and no one has produced the certificate for verification after repeated request and found that the teaching faculty was dubious.
- iii. Management was reluctant to produce the attendance of Teaching faculty & student including Biometric attendance as a mandatory requirement as per Norms & Standards.
- iv. ITC resources/Teaching aid is inadequate with no projector & other important modern gadgets/materials equipment & no internet facility.



Contd...

- v. Psychology lab has very few tests & experimental apparatus, which is not sufficient for 400 students. However, the Committee felt that 3 years of affiliating University report/annual affiliation will reflect the proper functions of Teacher Education Institution as per Norms of NCTE & University.

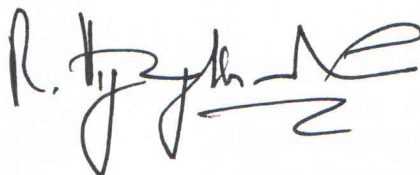
11. AND WHEREAS, institution has submitted reply dt.15.01.2020 & 23.01.2020 received in this office on 27.01.2020. The ERC in its 279th meeting held on 14th – 16th February and as decided by Committee Final show cause notice was issued to the institution on 26.02.2020 on the following grounds:-

- i. Stock Register is not made available.
- ii. No documents for verification provided at the time of visit by the inspection committee.
- iii. The teaching faculty members for D.El.Ed. course were not present at the time of inspection.
- iv. The institution has not submitted original faculty list duly approved by the competent authority for the session 2016-17, 2017-18, 2018-19 & 2019-2020 for both D.El.Ed. and B.Ed. courses.
- v. FDRs of Rs.5 lakh and Rs.7 lakh (for each course) in original or
- vi. None of the teacher appointed for Perspective Course including Psychology/Philosophy/Sociology.
- vii. Date of joining is not mentioned in the specific column of the staff list for B.Ed. course (at Sl. No.4, 5, 10, 13 & 16).
- viii. Management affidavit on Rs.100/stamp paper is not submitted.
- ix. Bio-metric attendance of the students is found dubious. As no separate list of bio-metric attendance for faculty members submitted.
- x. 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.
- xi. Website of the institution is not functional as per clause 7(14)(i) of the NCTE Regulation, 2014.
- xii. Experience certificate of the principal is not legible & found dubious.
- xiii. Copy of electronic transfer receipt of salary of faculty members have not submitted.
- xiv. Fire safety certificate is not submitted.
- xv. Building is not disable friendly.
- xvi. No educational journal subscribed by the institutions.

12. AND WHEREAS, institution has submitted reply dt.09.03.2020 received in this office on 12.03.2020. The ERC in its 283rd meeting held on 24th & 25th August, 2020 considered the original file of the institution along with other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the following observation was made:-

- i. No proof of maintaining Stock Register including IT lab, Psychology lab, science lab, Art & Craft lab, Sports facilities etc.
- ii. The institution has not submitted original faculty list duly approved by the competent authority for the session 2016-17, 2017-18, 2018-19 & 2019-2020 for D.El.Ed. course.
- iii. Original FDRs of Rs.5 lakh and Rs.7 lakh is not submitted.
- iv. Date of initial appointment and joining of Principal is not mentioned in the faculty list.
- v. Legible copy of the experience certificate of the principal is not submitted.
- vi. Institution has not submitted appropriate reply and failed to prove that the Bio-metric attendance of the teaching faculty & students.
- vii. 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.
- viii. Copy of electronic transfer receipt of salary of faculty members is not furnished.
- ix. Website of the institution is not functional as per clause 7(14)(i) of the NCTE Regulation, 2014.
- x. Certified copy of Fire Safety Certificate duly signed and issued by the Govt. competent authority is not submitted.
- xi. Building is not disable friendly as per the SOP issued by NCTE.
- xii. No educational journal subscribed by the institutions.

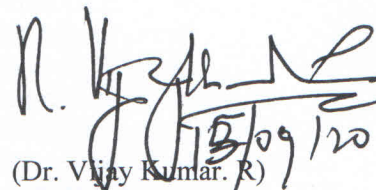
“Hence, D.El.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session 2021-22.”



13. NOW THEREFORE, recognition granted to **Mahatma Buddha Teachers Training College, Plot No. 1775, Vill-Dhrub Nagar, Panchmile, Po-Kamaldah, Tehsil/Taluka-Bathnaha, City-Dist-Sitamarhi, Bihar-843322 (Code No.ERCAPP2486)** for **D.El.Ed. Course** is hereby **withdrawn** in terms of 17(1) of NCTE Act, 1993 with effect from the **academic session 2021-2022**.

14. **Further**, if the institution is not satisfied by the order, they can prefer an appeal Under Section 18 of the NCTE Act in the "Online mode" available on NCTE's website **www.ncte-india.org** within 60 days from the date of the issue of the order.

By Order,



(Dr. Vijay Kumar. R)

Regional Director

डा. विजयकुमार आर
Dr. VIJAYKUMAR. R

क्षेत्रीय निदेशक/Regional Director
पूर्वी क्षेत्रीय समिति/Eastern Regional Committee
राष्ट्रीय अध्यापक शिक्षा परिषद
National Council For Teacher Education
भारत सरकार/Govt. of India
न-15, नयापाल्लि, भुवनेश्वर-751012
No.15, Nayapalli, Bhubaneswar-751012

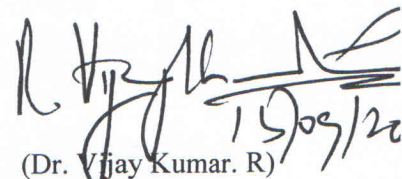
The Controller of Publications,
Department of Publications, (Government of India),
Ministry of Urban Development,
Civil Lines, New Delhi-110054.

To

The Principal/Correspondent,
Mahatma Buddha Teachers Training College,
Plot No. 1775, Vill- Dhrub Nagar, Panchmile,
Po- Kamaldah, Tehsil/Taluka- Bathnaha,
City-Dist.- Sitamarhi, Bihar- 843322.

Copy to:-

1. The Commissioner-cum-Secretary, Primary, Secondary & Higher Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna, Bihar-800015.
2. The Secretary, Bihar School Examination Board, Budh Marg, Fraser Road Area, Patna, Bihar-800001.
3. The Director, Department of Secondary Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna, Bihar – 800015.
4. The Secretary, Dept. of School Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi -110001.
5. The Under Secretary (IT), G-7, Sector-10, Dwarka, Landmark- Near Metro Station, Delhi- 110075.
6. Office Order file/ Institution file.



(Dr. Vijay Kumar. R)

Regional Director

डा. विजयकुमार आर
Dr. VIJAYKUMAR. R

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