

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

F.No. NCTE/NRC/ HP-27 & HP-65/ 425th Meeting/sl.no.06/2024/225750 Date:
Computer No.- 50131 & 74906

26 SEP 2024

RECOGNITION RESTORATION ORDER

WHEREAS, recognition was granted to the institution viz. **Himachal Institute of Education, Solan Public School, Bye Pass Road, District - Solan, State - Himachal Pradesh – 173212** for conducting of **B.Ed.** programme of one year duration with an annual intake of 60 students *vide* order No. NRC/NCTE/F-3/HP-27/2002/8159 dated 21.10.2002 for academic session 2002-2003 and thereafter an additional intake *vide* order No. F.NRC/NCTE/F-3/HP-65/2002/3971-8978 dated 05.12.2002 of 40 students thus making total annual intake of **100** students (60+40=100).

2. **AND WHEREAS**, after promulgation of NCTE Regulations, 2014 revised recognition order for two year B.Ed. course was issued to the institution viz. **Himachal Institute of Education, By Pass Road, Solan, Distt- Solan-173212, H.P.** *vide* revised recognition order No. **F. No./NRC/NCTE/HP-65/2015/113539-44 dated 11.09.2015** with an annual intake of 50 for one basic unit of 50 students from the academic session 2015-2016.

3. **AND WHEREAS**, as per the directions of the Hon`ble High Court of Himachal Pradesh at Shimla in W.P. No. 1311 dated 12.12.2018, the inspection of the institution u/s 13 of the NCTE Act was conducted by NCTE.

4. **AND WHEREAS**, the Visiting Team Report and other documents were considered by NRC in its 392nd meeting held on 09th& 10th February 2023 and as per the decision of NRC First Show Cause Notice u/s 17 was issued to the institution *vide* SCN dated 22.03.2023 on following grounds: -

- *The institution is not a Multi Disciplinary institution as defined under clause 2(b) of NCTE Regulation, 2014.*
- *The institution has shifted to new premises without approval from NCTE. The institution has not even applied to NRC for shifting of premises.*
- *Certified copy of the registered land documents not submitted.*
- *Total area not mentioned in the building plan. As per the photocopy building plan submitted it is observed that it is signed by Er. Yogesh Awasthy Structural Engineer Municipal Council Solan, H.P. The total built up area mentioned as 441.15sq.mtr which is less than the required as per the NCTE norms.*
- *Affidavit on Rs.100/- stamp paper regarding land not submitted.*
- *Land Possession Certificate Issued by Govt. Competent Authority not submitted.*
- *Fire Safety Certificate issued by the Competent Govt. Authority not submitted.*
- *Building Safety Certificate from the Competent Government Authority not submitted.*
- *Certificate to the effect that the building is differently abled friendly from the competent Govt. Authority has not been submitted.*



Contd...2

- *Building Completion Certificate in the prescribed format signed by the Competent Government Authority has not been submitted.*
 - *The list of teaching staff submitted is not prescribed in format and not approved by the affiliating body.*
 - *As per the photocopy of the FDR submitted it is observed that the FDR is of amount Rs.10,01,041.00 and is for 3 years (i.e. from 03.02.2016 to 03.02.2019) another two photocopies of FDRs submitted of Rs.397473.00 and Rs.3,75,340.00 which is also for 3 years and is not in joint operation mode (i.e. from 03.02.2013 to 03.02.2016 and 04.04.2013 to 04.04.2016 respectively). However, as per NCTE Regulation the institution is required to maintained FDR of Rs.5.00 lacs and Rs.7.00 lacs towards endowment fund and reserve fund respectively with joint operation with Regional Director, NRC, NCTE for a period of 5 years.*
 - *Affidavit on Rs.10/- stamp paper by the individual faculty not submitted.*
 - *Affidavit on Rs.100/- stamp paper from the management regarding selection committee not submitted.*
 - *Principal is not approved by the Affiliating Body.*
 - *List of 1+7 teaching staff is not approved by the concerned Affiliating Body.*
 - *Staff of Physical Education, Fine Arts & Performing Arts not appointed.*
5. **AND WHEREAS**, the institution had submitted the reply to the above SCN, which was considered by NRC in its 403rd meeting held on 13th & 14th July, 2023 and the NRC decided as under:

The original file of the institution along with other related documents: NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time were carefully considered by NRC and the Committee observed following:

As per decision of NRC in its 392nd meeting First SCN was issued to the institution on 22/03/2023.

The institution has submitted reply of first SCN on 19/04/2023. The NRC considered the reply in its 403rd meeting held on 13th and 14 July 2023 and decided to issue Final SCN u/s-17 on the following grounds:

- *The institution is not a Multi-disciplinary institution.*
- *The institution has not submitted any application to NRC for shifting of premises. The institution has shifted to the new building without prior approval from NCTE.*
- *As per the reply / Affidavit, the institution has mentioned the total built up area as 1374.60 sqm, which is less than required 1500 sqm as per regulations for one unit of B.Ed course.*
- *The land documents and other documents related to land viz. Building Plan, BCC, CLU, NEC, Building Safety Certificate etc are not acceptable as the same has been submitted for the new building, for which the approval has not been granted by NRC.*
- *The institution has appointed only six staff as against requirement of eight, as per Regulations. Moreover, the above staff is not approved by the Affiliating Body.*

Contd...3

- *The institution has appointed Physical Education, Fine Arts & Performing Arts staff on part time basis, whereas as per Regulations, the staff are to be appointed on full time basis.*
- *Status of PAR for the session 2020-2021.*
- *The institution is required to submit details of salary disbursed to the faculty along with one year Bank statement and account number of each faculty members.*

Hence, the NRC decided that the Final Show Cause Notice Under Section 17 of the NCTE Act, 1993 be issued to the institution to submit reply within 7 days from the date of issue of Show Cause Notice.

6. Final Show Cause Notice u/s-17 SCN was issued to the institution on 07/08/2023.

7. **AND WHEREAS**, the institution had submitted reply of Final SCN on 10/08/2023. The matter was considered in NRC in its 410th Meeting held on 4th & 5th September 2023 and the Committee observed the following.

- *The institution is not a multi disciplinary institution as per clause 2 (b) of NCTE Regulations 2014.*
- *The institution has shifted to the new building without prior approval from NCTE, which is a serious violation of clause 8 (9) of NCTE Regulations 2014.*
- *As per records of NRC, the institution has not submitted any application to NRC for shifting of premises.*
- *The land documents and other documents related to land viz. Building Plan, BCC, CLU, NEC, Building Safety Certificate etc are not acceptable as the same has been submitted for the new building, for which the approval has not been granted by NRC.*
- *The total built up area in the institution is 1374.60, which is less than the required 1500 sqm as per NCTE Regulations 2014.*
- *The lecturer for Physical Education, Fine Arts and Performing Arts are appointed on part time basis, whereas as per NCTE Regulations they are to be appointed on full time basis.*

Hence, the committee decided to withdraw the recognition of the institution namely Himachal Institute of Education, c/o Salan Public School Bypass road, Solan, Himachal Pradesh for conducting B.Ed course under section 17 of NCTE Act, 1993 from the academic session 2024-2025.

Accordingly, Withdrawal Order was issued to the institution on 19.10.2023.

8. **AND WHEREAS**, the institution preferred an appeal against the NRC withdrawal Order dated 19.10.2023. The Appeal Committee vide order No.F.No.89-48/E-341070/2024 Appeal/10th Meeting, 2024 APPLNRC202414798 dated 22.08.2024 remanded the case back to NRC with the following direction:



Contd...4

"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 NRC with a direction to revisit the case in totality and if needed the NRC may also conduct the inspection of the institution for shifting of premises as per provisions of the NCTE Regulation, 2014, guidelines and amendments issued from time to time and decision taken accordingly. The Appellant institution is directed to forward to the NRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal and after receipt of the same the NRC 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.

9. **AND WHEREAS**, the matter was placed in the 425th meeting of NRC held on 27th August, 2024 and the Committee decided as under: -

The original file of the institution alongwith Appeal Order, other related documents, NCTE Act, 1993, Rules, Regulations, SOP, guidelines issued from time to time were placed before the Northern Regional Committee.

The Committee noted that the withdrawal order 19.10.2023 has already been set aside by the Appellate Authority vide its Order dated 22.08.2024 and the case has been remanded back to NRC for consideration, therefore, NRC decided that the recognition granted to the institution for running B.Ed. programme is restored until a fresh withdrawal order is issued by NRC.

Order be issued accordingly.

The Committee further deliberated the case and decided the following:-

- *The office of NRC shall ascertain from the Inspection Section, NCTE (HQ) whether the institution has deposited the requisite fee for inspection to NCTE (HQ) in the year 2018, as claimed by the Inspection.*
- *In case, the institution had already deposited the requisite fee, the office of NRC will constitute an on-line Visiting Team for inspection of infrastructural & instructional facilities etc. of the institution and to check the adherence of compliance of conditions stipulated under NCTE Regulations 2014.*
- *In case, the institution has not deposited the requisite fee, the institution be asked to deposit the same and on receipt, the office of NRC to constitute on-line Visiting Team for inspection of infrastructural & instructional facilities etc. of the institution and to check the adherence of compliance of conditions stipulated under NCTE Regulations 2014.*

Action be taken accordingly.

10. **NOW THEREFORE**, in the light of above decision of the Northern Regional Committee, NCTE the recognition granted to the institution viz **Himachal Institute of Education, Solan Public School, Bye Pass Road, District - Solan, State - Himachal Pradesh – 173212** of B.Ed. programme of two-year duration with an intake of 50 for one basic unit is hereby restored until a fresh withdrawal order is issued by NRC.

Contd...5

//5//

11. Further the recognition is subject of fulfilment of all such other requirements as may be prescribed by other regulatory bodies like UGC. Affiliation University/Body, the State Government etc, as applicable.
12. The institution shall submit to the Regional Committee a Performance- Appraisal report (PAR) at the end of each academic year along with the statement of annual accounts duly audited by a Chartered Accountant.
13. The institution shall maintain its own website with hyperlink to the NCTE website uploading the required information/ documents as per clause 7(14) of the NCTE Regulation 2014 as amended time to time
14. The institution shall adhere to the mandatory disclosure in the prescribed format and display up-to date information on us official website.
15. If the Institution Contravenes any of the above conditions or the provision of the NCTE Act, Rules, Regulations, and orders made of issued there under, the action including withdrawal of recognition shall be taken by the Regional Committee under the provisions of Section 17(1) of the NCTE Act.

By Order,



Regional Director

The Controller of Publications,
Department of Publications, (Gazette Section),
Ministry of Urban Development,
Civil Lines, Delhi-110054.

To,

The Principal/Correspondent
Himachal Institute of Education,
Solan Public School, Bye Pass Road,
District - Solan, State - Himachal Pradesh - 173212

Copy to:

1. **The Manager/Secretary**
Amar Education Society,
By Pass Road, Near Petrol Pump,
Distt- Solan-173212, H.P.
2. **The Secretary,**
Department of School Education and Literacy, Ministry of Education,
Govt. of India, Shastri Bhawan, New Delhi- 110001.

Contd...6

//6//

3. **The Principal Secretary,**
(Education) to the Govt. of H.P. Secretariat Shimla-2 (H.P.)
4. **The Director,**
Directorate of Higher Education,
I/C Teacher Education, Government of Himachal Pradesh.
Directorate, Shimla, HP.
5. **The Registrar,**
Himachal Pradesh University,
Shimla (Himachal Pradesh)
6. **The Secretary**
Himachal Pradesh Private Education Institution Regulatory Commission
Happy Nest Building, Kangnadhhar
Below BCS, Shimla- 09
7. **Computer Section,** NRC, for uploading on Website.
8. Guard file.
9. Institution file- HP-27 & HP-65



Regional Director