



TO BE PUBLISHED IN GAZETTE OF INDIA PART - III, SECTION -4

F.NRC/NCTE/F73/UP-1297/164th MEETING/ 2010/ 269/3

Dated: 28th August, 2010

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ORDER

WHEREAS **Ishan Institute of Management and Technology, 2, Knowledge Park-I, Greater Noida, Gautam Budh Nagar- 201306, U.P.** had applied for grant of recognition (UP-1297) for BTC Course of two year(s) duration under section 15(1) of the NCTE Act, 1993 to the Northern Regional Committee, NCTE.

2. AND WHEREAS the competent authority has constituted a Visiting Team to visit the institution and the visiting team had since submitted its report.

3. AND WHEREAS, NRC in its 109th meeting (second sitting) and 110th meeting on 10th November, 2006 and on 11th - 12th November, 2006 at NCTE Hqrs. New Delhi, considered the application of the institution and after careful examination of relevant documents, Visiting Team Reports, Video Recording, Original file etc. found the institutions fit for grant recognition of the BTC Course subject to the condition of appointment of qualified staff through duly constituted selection committee as per the norms of NCTE/ State Govt./ Affiliating University/ Body given effect before the commencement of the course. Accordingly letter of intent prior to recognition was issued to the institution on 14.11.2006.

4. AND WHEREAS the applicant did not submit any reply to NRC, NCTE letter dated 14.11.2006 which inter alia demanded the appointment of qualified staff through duly constituted selection committee as per norms of NCTE/State Govt./affiliating body before the commencement of the course. The institution did not respond to the letter of even number dated 09.07.2007 from NRC, requesting again to submit necessary documents in relation to appointment of faculty. The matter was placed in NRC in its 141st meeting held on 22nd - 24th May 2009. The original file of the institution, along with all other related documents, affidavits, Act of NCTE, 1993, Regulations and Guidelines of NCTE published from time to time, etc. were considered and the committee observed that:

- The list of appointed Faculty as per NCTE Norms has not been submitted till date.

5. AND THEREFORE grant of recognition to **Ishan Institute of Management and Technology, 2, Knowledge Park-I, Greater Noida, Gautam Budh Nagar- 201306, U.P.** for the course in BTC in terms of section 15(1) of the NCTE Act, 1993 was refused by NRC and the same was communicated vide order No. 5963-5969 dated 09.07.2009.

6. AND WHEREAS the institution had filed a writ petition (civil) no. 3830/ 2010 in the Hon'ble High Court of Delhi. NRC in its Emergent meeting held on 19.07.2010 in pursuance of the Court order dated 07.07.2010 considered again the original file of the institution along with all other documents, Act of NCTE, 1993, Regulations and Guidelines of NCTE published from time to time and decided to issue show cause notice with the direction to the institution to comply with the following deficiencies within 30 days:

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- (i) The selections are made on adhoc basis rather than regular basis as per NCTE norms for BTC/D.Ed.
- (ii) As per selection committee minutes, the selected Faculty positions are in the area of Management but not Education.
- (iii) The approval of the appointments from competent authority is still awaited.
- (iv) Ms. Roop Laxmi V.C does not have M.Ed. degree as required under NCTE norms for BTC/D.Ed.
- (v) Selection committee has recommended the names of two persons for HOD.
- (vi) Two Principals have been selected as against the required one.
- (vii) Eight Faculty members have been selected as against the required six members.

Accordingly, a show cause notice was issued on 23.07.2010 to the institution.

7. AND WHEREAS NRC in its 164th meeting held on August 28-29, 2010 considered the Court order dated 19.08.2010, original file of the institution along with all relevant documents, Act of NCTE, 1993, Regulations and Guidelines of NCTE published from time to time and the letter dated 14.07.2010 of the institution along with the reply to the show cause notice dated 23.07.2010 which was received on 27.07.2010 in the office of NRC, and observed the following:

(i) The consolidated bio-data in respect of staff short-listed by the institute duly signed by the institution indicates that appointments of all the lecturers have been made on ad-hoc basis except in case of Principal where the appointment was on contract basis. The NCTE Regulations provides for appointment on full-time and regular basis by following due process of selection which has been violated in this case.

(ii) Dr. Nidhi Mehrotra appointed as HOD possesses M.Ed. and Ph.D. in Psychology, but does not possess requisite five years experience of teaching in primary or elementary teacher education institution which is one of the essential qualifications as prescribed in para 4(II) (i) (b) of Appendix 2 of NCTE Regulations 2009.

(iii) The lecturers appointed by the institution does not include one lecturer each in Fine Arts/ Performing Arts and Health and Physical Education Instructor and this is in violation of the Regulation 4 (II) (ii) (c) & (d) of Appendix 2 of Regulations 2009.

(iv) The institution has not followed the procedure for appointment of the teachers as mentioned in NCTE Regulations 2009. The institution has also not given the supporting documents to establish that the advertisement for appointment of faculty was issued in a newspaper, and applications were received in response to their advertisement. The minutes of the meeting of the selection committee submitted by the institution also does not indicate whether a representative of the examining/ affiliating body was associated with the selection committee or whether a request for this purpose was made to the examining/affiliating body. This is in violation of Section 7(9) of the NCTE Regulations 2009 which provides that the institution shall submit the list of the faculty as approved by the affiliating body to the Regional Committee.

8. NRC, however, also felt that the institution was given recognition under section 7(9) of the NCTE Regulations 2007 (conditional) on dated 14.11.2006 after which the

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institution was required to appoint the faculty as per NCTE Norms and with the approval of the affiliating body and since the Govt. of UP did not make proper arrangements to facilitate appointment of the faculty by giving a representative of the affiliating body and approving appointments made by the so constituted selection committee, the institution earlier failed to initiate proper procedure of appointment of faculty. This became further difficult for the institution when the NCTE withdrew its conditional recognition on 09.07.2009. As withdrawal of its recognition order further prevented the affiliating body to associate itself in the selection process and to approve the appointments made. As such, NRC felt that end of the justice will be met if the conditional recognition order dated 14th November, 2006 given to the institution by NRC is restored with the direction to the institution to appoint faculty with the approval of the affiliating body after following the due process of selection e.g. advertisement, constitution of the selection committee with the representative of the affiliating body and submission of the list of faculty appointed to the NRC, NCTE, with the approval of the affiliating body. For this purpose, a two months time is given to the institution.

9. NOW THEREFORE conditional recognition order issued vide F.NRC/NCTE/F-7/8393-8403 dated 14.11.2006 to **Ishan Institute of Management and Technology, 2, Knowledge Park-I, Greater Noida, Gautam Budh Nagar- 201306, U.P.** for conduct of 2 years BTC course is hereby restored, with the direction to the institution to comply with the above mentioned requirement for appointment of faculty, in accordance with the NCTE Regulations 2009.

A copy of this order is being endorsed to the Affiliating/ Examining Body of Govt. of U.P. to facilitate proper appointment of faculty and accord approval of the Affiliating/Examining Body of Govt. of U.P. in terms of para 8(v) of the UP Govt. Regulations for 2 years BTC course.

By order

Regional Director

✓ The Manager to Govt. of India
Department of Publications, (Gazette Section)
Civil Lines, Delhi - 110 054

C.C.:

1. The Secretary, Dept. of Elementary Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi - 110 001
2. The Education Secretary, Govt. of UP, Secretariat, Lucknow, U.P.
3. The Director, SCERT, Nishat Ganj, Lucknow, U.P.
4. The Director, Directorate of Basic Education, I/c Teacher Education, Govt. of UP, Directorate, Allahabad, U.P.
5. The Principal, **Ishan Institute of Management and Technology, 2, Knowledge Park-I, Greater Noida, Gautam Budh Nagar- 201306, U.P.**
6. The US (Computer), National Council for Teacher Education, Hans Bhawan, Wing-II, 1, Bahadur Shah Zafar Marg, New Delhi - 110 002
7. Office Order file/ Institution file

Regional Director