

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

F.No.ER-302.34/ERCAPP2534/B.Ed./BR/2022/ 65120

Dated: 03-03-2022

ORDER

WHEREAS, in terms of Section 14(1) of the NCTE Act, 1993, Ramashish Singh and Vishwanath Sharma Education Trust, Plot No.846, Street/Road- New Agarwa, Vill/Town/City- Motihari, P.O.- Motihari GPO, Tehsil/Taluka- Motihari Sadar, Dist.- Purba Champaran, Bihar- 845401 applied for grant of recognition to **Er Upendra Sharma Teachers Training College, Plot no. 119, 120, Street No. Telhara, Vill- Telhara Khurd, Po- Telhara Kala, Tehsil/Taluka- Dhaka, Town/City- Dhaka, Dist.- Purba Champaran, Bihar-845304 (Code No.-ERCAPP2534)** for **B.Ed. programme** online on **27.05.2015** for two year duration and hard copy received by Eastern Regional Committee of NCTE on **08.06.2015**.

2. **AND WHEREAS**, the institution viz. Er Upendra Sharma Teachers Training College, Plot no. 119, 120, Street No. Telhara, Vill- Telhara Khurd, Po- Telhara Kala, Tehsil/Taluka- Dhaka, Town/City- Dhaka, Dist.- Purba Champaran, Bihar-845304 was granted recognition for B.Ed. Course with an annual intake of 50 (one basic unit) as per NCTE Regulations, 2014 from the academic session 2018-2019 vide ERC Order F.No.ER-252.6.60/ERCAPP2534/B.Ed./2018/56357 dated 03.03.2018.

3. **AND WHEREAS**, the ERC in its 272nd meeting held on 30th-31st May & 1st June, 2019 considered the complaint letter vide Ref. No.BSU-34/2018-794/GS (I) dated 06.03.2019 against the institution and as decided by ERC, show cause notice under Section 17(1) of NCTE Act, 1993 issued to the institution vide letter No.F.ER-272.12(i).2/(ERC/05-1361/2017)/2019/60804 dated 18.06.2019 giving 21 days time to comply fulfilment of conditions mentioned under Clause 7(14)(i) of NCTE Regulations, 2014 and display the same on its official website.

4. **AND WHEREAS**, the ERC in its 274th meeting held on 15th-16th July, 2019 considered reply from the institution and accordingly, final show cause notice under Section 17(1) of NCTE Act, 1993 issued to the institution vide letter No.ERC/274.12(ii).4/ERCAPP2534/B.Ed./2019/61352 dated 22.08.2019 on the following ground to submit compliance report followed by corrigendum vide letter No.ERC/274.12(ii).4/ERCAPP2534/B.Ed./2019/61506 dated 03.09.2019:

(i) Faculty not submitted as per NCTE Regulations, 2014 and subsequent Gazette Notification dated 09.06.2017.

5. **AND WHEREAS**, the ERC in its 284th meeting held on 17th-18th September, 2020 in the context of instructions received from NCTE HQrs. vide letter No.NCTE-CDN016(13)/18/2018-CDN-HQ dated 02.08.2018 and subsequent decision taken by ERC in its 274th meeting, decided to issue show cause notice u/s 14/15/17 of Regulations, 2014 to the institution with direction to submit the following within 60 days of the date of issuance of the show cause notice:-

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एन.के. शर्मा
N. K. SHARMA
क्षेत्रीय निदेशक/Regional Director
पूर्वी क्षेत्रीय समिति/Eastern Regional Committee
राष्ट्रीय अध्यापक शिक्षा परिषद्
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Email : erc@ncte-india.org | Website : www.ncte.gov.in

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- (i) The list of teaching faculty approved by the affiliating body/university at the time of granting recognition by ERC after the issuance of LOI u/c 7(13) of Regulation-2014.
- (ii) Latest teaching faculty list approved by the affiliating body/University duly signed by the competent authority along with affidavit, testimonials, service certificate, marks card etc.

Accordingly, show cause notice issued to the institution vide letter File No.3-18/NCTE/ERC/Reg/2017/(State:-Bihar)/63064 dated 28th September, 2020.

6. **AND WHEREAS**, the institution did not submit any reply in response to show cause notice dated 28th September, 2020.


7. **AND WHEREAS**, a complaint letter dated 18.07.2021 from Mr. Nishesh Wasav of District Purba Champaran, Bihar was received forwarded by NCTE HQrs. Complaint Section, accordingly, para-wise reply was sought from the institution vide ERC letter F.No.NCTE-C/PG011/90/2021-Complaint Section-HQ/64445 dated 08.09.2021 followed by reminder vide letter of even number/64773 dated 06.12.2021.

8. **AND WHEREAS**, the reminder letter dated 06.12.2021 along with copy of complaint was returned undelivered received in ERC NCTE, Dwarka New Delhi on 13.01.2022 with postal remark in Hindi "school par gaye ish naam ka aadmi mulakat nehin hua ishliye waapish kiya 18.12.2021".

9. **AND WHEREAS**, the ERC in its 301st (Emergent) Meeting held on 21st January, 2022 considered 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:

- (i) A complaint (Email dated 18.07.2021) received from Mr. Nishesh Wasav of Dist. Purba Champaran, Bihar.
- (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.
- (iii) No comments received from the institution till date and the ERC's reminder letter dated 06.12.2021 returned undelivered.
- (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.

Hence, the Committee decided that the matter be referred to NCTE Hqrs. (Inspection Division) for inspection U/s 13 of NCTE Act, 1993. Accordingly, ERC letter issued vide F.No.ER-301.7/NCTE/ERCAPP2534/BR/2022/64967 dated 31.01.2022 to the Deputy Secretary (Inspection), NCTE, Dwarka, New Delhi.


N. K. SHARMA
क्षेत्रीय निदेशक/Regional Director
पूर्वी क्षेत्रीय समिति/Eastern Regional Committee
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10. **AND WHEREAS**, inspection of the institution under Section 13 of NCTE Act, 1993 was conducted on 27.02.2022 by visiting team constituted by NCTE HQrs. New Delhi and a copy of report of the visiting team forwarded by NCTE HQrs. received in ERC NCTE on 28.02.2022.

11. **AND WHEREAS**, the ERC in its 302nd (Virtual) Meeting held on 28th February & 1st March, 2022 carefully considered the original file of the institution alongwith other related documents, NCTE Act, 1993, report of visiting team u/s 13 of NCTE Act, 1993 conducted with the direction received time to time by Hon'ble High Court of Judicature at Patna, Regulations and Guidelines issued by NCTE from time to time and the Committee made following observations:

1. Formal Recognition Order under Clause 7(16) issued dated 03.03.2018 for B.Ed. course with intake of 50 from the academic session 2018-2019.
2. ERC in its 272nd meeting 30-31 May & 1st June, 2019 considered the complaint matter and issued show cause notice dated 18.06.2019 under section 17(1) to the institution giving 21 days time for compliance of following and to display the same on their official website:
 - (i) A complaint from the Governor's Secretariat, Bihar, Raj Bhawan, Patna-22 vide letter Ref.No.BSU/34/ 2018/ 794/GS(I) dated 06.03.2019 against 16 recognised B.Ed. Teacher Education Institutions in the State of Bihar affiliated to different Universities received through NCTE HQrs. vide letter No.NCTE-Reg.1011/11/2019-US(Regulation)-HQ/78664 dated 16.05.2019 for necessary action as per NCTE Act/Regulations for placing the matter before the ERC. As these institutions have failed to upload photographs of faculty and students by means of which created suspicion about their conduct and quality of teachers.
3. ERC in its 274th meeting held on 15-16 July, 2019 issued final show cause notice dated 22.08.2019 under section 17(1) on the grounds that faculty not submitted as per NCTE Regulations, 2014 and subsequent Gazette Notification dated 09.06.2017 followed by corrigendum dated 03.09.2019.
4. ERC in its 284th meeting held on 17-18 September, 2020 issued third show cause notice dated 28.09.2020 under section 17(1) giving 60 days time for compliance of following:
 - (i) The list of teaching faculty approved by the affiliating body/university at the time of granting recognition by ERC after the issuance of LOI u/c 7(13) of Regulation-2014.
 - (ii) Latest teaching faculty list approved by the affiliating body/University duly signed by the competent authority along with affidavit, testimonials, service certificate, marks card etc.

एन.के. शर्मा
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पूर्वी क्षेत्रीय समिति / Eastern Regional Committee
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5. No reply of Show Cause Notice u/s 17 dated 28.09.2020 received from the institution.
 6. A complaint vide Email dated 18.07.2021 from Mr. Nishesh Wasav of Dist. Purba Champaran, Bihar received through Complaint Division, NCTE HQrs. New Delhi and accordingly alleging that the institution is running in only two rooms and questioning about the grant of recognition and affiliation. Para-wise comments sought from the institution vide letter no.64455 dated 08.09.2021 followed by reminder vide no.64773 dated 06.12.2021. No reply received from the institution.
 7. The reminder letter dated 06.12.2021 along with copy of complaint was returned undelivered received in ERC NCTE, Dwarka New Delhi on 13.01.2022 with postal remark in Hindi "school par gaye ish naam ka aadmi mulakat nehin hua ishliye waapish kiya 18.12.2021."
 8. Two letters dated 18.01.2022 and 20.01.2022 addressed to Regional Director, ERC has been received in ERC NCTE on 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 wherein prayed by the petitioner for cancellation of recognition/affiliation of the institution viz. Er. Upendra Sharma Teacher Training College, Village-Telhara, PO.-Kola Dhaka, East Champaran.
 9. The matter was considered by ERC in its 301st Emergent ERC meeting held on 21.01.2022 and the Committee made following observations:
 - i. A complaint (Email dated 18.07.2021) received from Mr. Nishesh Wasav of Dist. Purba Champaran, Bihar.
 - 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.
 - iii. No comments received from the institution till date and the ERC's reminder letter dated 06.12.2021 returned undelivered.
 - iv. Letters dated 18.01.2022 and 20.01.2022 received from Mr. Sunil Kumar Singh, Advocate, Patna High Court in C.W.J.C. No.20393/ 2021 titled Vidya Devi Vs. The State of Bihar and others, which is against the existence of the institution.
- The Committee decided that the matter be referred to NCTE Hqrs. (Inspection Division) for inspection U/s 13 of NCTE Act, 1993. Accordingly, letter vide no.64967 dated 31.01.2022 issued to Deputy Secretary (Inspection), NCTE HQrs. New Delhi.
10. The Hon'ble High Court of Patna directed vide Orders dated 07.01.2022, 18.01.2022, 21.01.2022 and 03.02.2022 and 18.02.2022 in C.W.J.C. No.20393/2021, and hearings

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 M. K. SHARMA
 क्षेत्रीय निदेशक / Regional Director
 पूर्वी क्षेत्रीय समिति / Eastern Regional Committee
 राष्ट्रीय अध्यापक शिक्षा परिषद्
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made through virtual mode time to time directed for constituting visiting team and conduct inspection at the site of institution and place the matter before the Eastern Regional Committee and action taken thereupon by the highest authority be placed on record. No further opportunity shall be afforded for such purpose. The matter be listed on 04.03.2022.

11. **As per observations made by the visiting team while conducting inspection of the institution at its site on 27.02.2022 under section 13 observed that there was no college name on the building however the name mentioned the building was ‘Lov-kush International School’.** College management reported is that the building of college was forcibly taken/occupied by the disputed party and matter is under Honorable Patna High Court. Though they visited the site but were not able to inspect the entire building as required under section 13 of NCTE Act 1993 due to the dispute.

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

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.”

12. **NOW THEREFORE, recognition granted to 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.- PurbaChampan, Bihar-845304 for B.Ed. Course is hereby withdrawn in terms of Section 17(1) of NCTE Act, 1993 with effect from the next academic session 2022-2023 as per the above decision taken by ERC.**

13. Further, if the institution is not satisfied by the order, they can prefer an appeal under Section 18 of the NCTE Act, 1993 in the “Online mode” available on NCTE’s website www.ncte.gov.in within 60 days from the date of the issue of the order.

By Order,

(N.K. Sharma)

Regional Director (I/c)

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

एन.के. शर्मा
N.K. SHARMA
Regional Director
Eastern Regional Committee
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To

✓ **The Principal/Correspondent,**
Er Upendra Sharma Teachers Training College,
Plot no. 119, 120, Street No. Telhara,
Vill- Telhara Khurd, Po- Telhara Kala,
Tehsil/Taluka- Dhaka, Town/City- Dhaka,
Dist.- Purba Champan, Bihar - 845304.

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Copy to:-

1. The Secretary/Correspondent, Ramashish Singh and Vishwanath Sharma Education Trust, Plot No.846, Street/Road- New Agarwa, Vill/Town/City- Motihari, P.O.- Motihari GPO, Tehsil/Taluka- Motihari Sadar, Dist.- Purba Champaran, Bihar- 845401.
2. The Commissioner-cum-Secretary, Primary, Secondary & Higher Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna, Bihar - 800015.
3. The Registrar, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur, Bihar - 842001.
4. The Director, Department of Secondary Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna, Bihar-800015.
5. The Secretary, Dept, of School Education and Literacy, Ministry of Education, Govt. of India, Shastri Bhawan, New Delhi - 110001.
6. The Under Secretary (IT), NCTE, G-7, Sector-10, Dwarka, Landmark-Near Metro Station, New Delhi-110075.
7. Office Order file/Institution file.



Regional Director (I/c)

एन. के. शर्मा

N. K. SHARMA

क्षेत्रीय निदेशक / Regional Director

पूर्वी क्षेत्रीय समिति / Eastern Regional Committee

राष्ट्रीय अध्यापक शिक्षा परिषद

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