



F.No.89-583/E-86347/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Mahila Mahavidyalaya, Sagwara, Rajasthan dated 17/08/2018 is against the Order No. NCTE/NRCAPP201615139/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/5; dated 14/06/2018 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that “ The reply of the institution dated 10/03/2018 received in N.R.C. on 15/03/2018 in response to the SCN issued by NRC on 23/02/2018 was considered by the Committee and following observations were made:- The land on which the building for the proposed course has been built measures only 1067 sq. mtr. Which is less than the NCTE requirement for B.A. B.Ed./B.Sc. B.Ed. programme NCTE Regulations, 2014 Appendix 13 Clause 6.1. The other piece of land is 1 KM apart from the land as admitted by the applicant institution which cannot be considered as part of land for the proposed course. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3) (b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

**AND WHEREAS** Sh. Paresh Bhatt, Director, Mahila Mahavidyalaya, Sagwara, Rajasthan presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that “this institution had applied for grant of recognition for B.A. B.Ed./B.Sc. B.Ed. course from 2017/18 through online on 24/05/2016 and the hard copy of application had been submitted to the NRC, NCTE on 01/06/2016. The NRC, NCTE had issued a Show Cause Notice on 14/02/2017. The institution has submitted reply of Show Cause Notice to NRC, NCTE on 15/02/2017 along with Certificate of land use issued by Nagar Palika, Sagwara on 25/04/2016 and 22/07/2016 and also uploaded on NCTE Portal. The NRC, NCTE has not considered the reply of this institution submitted on 15/02/2017 and rejected

the application of this institution in its 265th Meeting (Part 2) held from 27/02/2017 to 03/03/2017. Copy of Minutes is attached. They submitted a representation along with documents related to change of Land Use to NRC, NCTE on 03/03/2017 with request to reconsider the matter of this institution and process the application. The NRC, NCTE has not considered the representation of this institution submitted on 03/03/2017 and issued rejection letter for B.A. B.Ed./B.Sc. B.Ed. course on 03/03/2017 on following grounds "SCN dated 10.02.2017 263rd (Part 5), item No. 59 (dated 06 11 February, 2017), reply received on 15/02/2017 has following observation: The institution has not submitted the Land Use Certificate issued by the Competent Authority to use the land for educational purpose. Hence, the committee decided that the application is rejected and recognition/permission is refused u/s 5(3)(B) of the NCTE Act, 1993. FDR, if any, be returned to the institution." Copy of refusal order is annexed. The institution had filed an Appeal u/s 18 of NCTE Act, 1993 before the Appellate Authority against the rejection order issued by NRC, NCTE vide order dated 17.04.2017. Appeal Authority accepted the Appeal of this institution and directed to NRC for further processing of the application. Copy of Appeal Order is annexed. In compliance to the Appeal Order this institution had submitted the required documents to NRC, NCTE on 30.08.2017. After being satisfied from the documents submitted by this institution, NRC, NCTE had decided to constitute Visiting Team for inspection of this college. The NRC, NCTE has issued a Show Cause Notice indicating certain deficiencies after inspection on 02.11.2017. Copy of SCN is annexed. The institution has submitted reply of Show Cause Notice along with required documents to NRC, NCTE on 17.11.2017. After being satisfied from the documents submitted by this institution and input received from Visiting Team report and videograph C.D., NRC, NCTE has issued Letter of Intent on 08.12.2017. In compliance to the Letter of Intent issued by NRC, NCTE for B.A. B.Ed./B.Sc. B.Ed. course, this institution has submitted required documents to NRC, NCTE on 16.01.2018 for issuance of formal recognition letter for B.A. B.Ed./B.Sc. B.Ed. course u/s 7 (16) of NCTE Regulations, 2014. The NRC, NCTE has issued a Show Cause Notice indicating certain deficiencies on 08.02.2018. In compliance to the Show Cause Notice issued by NRC, NCTE, this institution has submitted required

documents to NRC, NCTE on 19.02.2018 for issuance of formal recognition. Instead of issuing formal recognition letter for B.A. B.Ed./B.Sc. B.Ed. course, NRC, NCTE has issued a Show Cause Notice to this institution on 23.02.2018. Copy of Show Cause Notice is attached. The institution has submitted a detailed reply of Show Cause Notice to NRC, NCTE on 10.03.2018 through speed post. The NRC, NCTE has not considered the reply and facts submitted by this institution and rejected the application of B.A. B.Ed./B.Sc. B.Ed. course on wrong, illegal, unlawful and unconstitutional basis on 14.06.2018. 9797 Sq. Yard (8194.51 Sqm) land which is registered in the name of society is converted for educational purpose by the Nagar Palika, Sagwara. 9797 sq. Yard (8194.51 sqm) land of Khasra No. 4269/1, 4347/1, 3359/1, 3359/2, 3361 & 3362 at Sagwara Distt. Dungarpur (Raj) is registered in the name of Shri Kshetrapal Jan Seva Sansthan, Khadgada on ownership basis. Certified copy of registered sale deed was submitted to NRC, NCTE along with application form, reply of SCN and Inspection Report. The same land documents had been submitted in Appeal also. Copy of registered sale deed in the name of society are annexed. This institution has submitted same land documents and conversion letter to NRC, NCTE along with Application Form, reply of SCN and Inspection Report. After being satisfied from the documents submitted by this institution, NRC, NCTE has issued Letter of Intent to this institution for B.A. B.Ed./B.Sc. B.Ed. course. This institution has submitted reply of L.O.I. along with required documents. At this stage deficiency in respect to land raised by NRC, NCTE is unlawful and unconstitutional. Thus, NRC, NCTE had rejected the application of this institution for grant of recognition for B.A. B.Ed./B.Sc. B.Ed. course on illegal, unjustified, unlawful and unconstitutional basis."

**AND WHEREAS** the Committee noted that refusal of recognition is on two grounds, viz. (i) the land on which the building for the proposed course has been built measures only 1067 sq. mts, which is less than the NCTE requirement for B.A. B.Ed./B.Sc. B.Ed. course as per the Norms and Standards of this course; and (ii) the other piece of land is one KM apart from the land, as admitted by the appellant, which cannot be considered as part of land for the proposed course. The appellant, in their

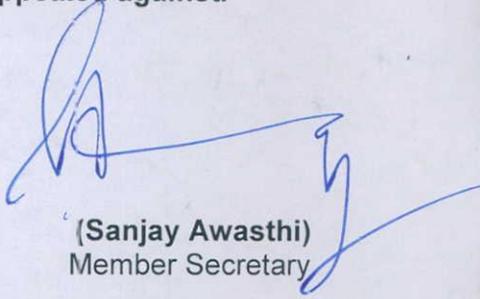
appeal, has not made any specific submission about the first ground. Even about the second ground, the appellant only submitted that the lands are registered in the name of the society and land conversion certificate has been issued by Nagar Palika, Sagwara.

**AND WHEREAS** the Committee noted that the appellant in their reply dt. 10/03/2018 to the Show Cause Notice dt. 23/02/2018 took the stand that the Clauses in the Norms and Standards for the B.A. B.Ed./B.Sc. B.Ed. course are silent on the issue of availability of land in one piece or two pieces and the Norms only lay down that adequate games and sports equipment for common indoor and out door games as well as facilities for yoga education should be available.

**AND WHEREAS** the Committee noted that according to the provisions of 6.1 (a) of the Norms and Standards for B.A. B.Ed./B.Sc. B.Ed. course the Department of Education shall possess 3000 sq. mts. of exclusive well demarcated land for the initial intake of one hundred students out of which 2500 sq. mts. shall be built up area and remaining space for lawns, play field etc. This clearly indicates that the required land should be at one place and not at two or more places and that too at a distance of one KM from each other. Nowhere in the NCTE Regulations, 2014, it is mentioned that the required land for any teacher education programme could be at more than one place. In these circumstances, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)  
Member Secretary

1. The Manager, Mahila Mahavidyalaya, 11, Sagwara – 314025, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New De hi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-584/E-86348/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>s</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Sanjeevani Mahila Teacher Training School, Sagwara, Rajasthan dated 14/08/2018 is against the Order No. NRC/NCTE/NRCAPP-10532/287th/Meeting/2018/195883 dated 01/08/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "VT report reveals that institution has two pieces of land. Distance between two places in approx. One k.m. as per land documents, land is also at two places. Building of institution for proposed course is on piece of land measuring 1065 sq. mtrs. Accordingly, institution was issued SCN dated 07.03.2018. Reply submitted by institution is not satisfactory and justified. Hence, the Committee decided that the application is rejected and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993."

**AND WHEREAS** Sh. Paresh Bhatt, Director, Sanjeevani Mahila Teacher Training School, Sagwara, Rajasthan presented the case of the appellatant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "this institution has submitted online application for grant of recognition of D.El.Ed. course on 26.05.2015 and the hard copy of application was submitted to NRC, NCTE on 30.05.2015. The NRC, NCTE has issued a Show Cause Notice vide letter No. NRC/NCTE/NRCAPP-10532/2015/131294 dated 11.12.2015 in which only one deficiency has been mentioned. Copy of SCN is annexed. This institution has submitted a reply letter to NRC, NCTE on 30.12.2015 along with required documents. The NRC, NCTE has constituted V.T. for inspection of this institution for proposed course vide letter No. NRC/NCTE/NRCAPP- 14795 to 12946/201516/137130-47 dated 01.02.2016. Copy of inspection letter is annexed. The NRC, NCTE has issued a L.O.I. u/s 7(13) of NCTE Regulations 2014 to this instituton for D.El.Ed. course on

the basis of scrutiny of documents submitted by this institution, input received from V.T. report and videography vide letter No. NRC/NCTE/NRCAPP10532/250th (Pan 1, 2 Meeting/2015/ 140910-21 dated 24.02.2016. Copy of L.O.I. is annexed. Before making reply of L.O.I. by this institution, NRC, NCTE has issued a Show Cause Notice to this institution indicating certain deficiencies on 15.03.2016. Copy of Show Cause Notice dated 15.03.2016 is annexed. This institution has submitted a request letter for granting some time for making reply of Show Cause Notice. Copy of request letter is annexed. This institution has submitted reply of SCN to NRC, NCTE on 09.08.2016 along with all required documents and explanations. Copy of reply letter is annexed. The NRC, NCTE has not considered the reply of this institution and rejected the application of this institution for grant of recognition of D.El.Ed. course on wrong, unlawful, illegal and unconstitutional basis. The rejection order is against the principles of natural justice. Copy of rejection letter is annexed. This institution had filed an Appeal u/s 18 of NCTE Act, 1993 before the Appellate Authority against the rejection order issued by NRC, NCTE vide order dated 17.04.2017. Appeal Authority accepted the Appeal of this institution and directed to NRC to consider the reply of Appellant dated 09.08.2016 and also further relevant documents to be submitted to them by the Appellant and take further action as per the NCTE Regulations, 2014. Copy of Appeal Order is annexed. In compliance to the Appeal Order this institution had submitted the required documents to NRC, NCTE on 08.12.2017. After being satisfied from the documents submitted by this institution and input received from Visiting Team report and videography C.D., NRC, NCTE has issued Letter of Intent for D.El.Ed. Course u/s 7 (13) of NCTE Regulations, 2014. Copy of Letter of Intent is annexed. That in compliance to the Letter of Intent issued by NRC, NCTE for D.El.Ed. course, this institution has submitted required documents to NRC, NCTE on 19.02.2018 for issuance of formal recognition letter for D.El.Ed. course u/s 7 (16) of NCTE Regulations, 2014. That instead of issuing formal recognition letter for D.El.Ed. course, NRC, NCTE has taken decision to issue Show Cause Notice to this institution vide item No. 50 of 282<sup>nd</sup> Meeting (Part-2) held on 1st and 3rd March, 2018. Accordingly Show Cause Notice dated 07.03.2018 has been issued to this institution. Copy of Minutes and Show Cause Notice are attached.

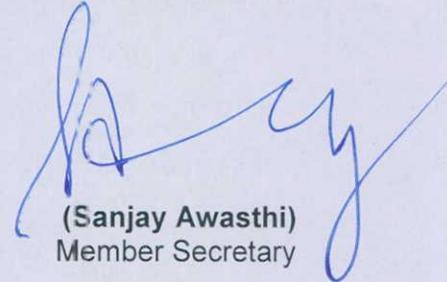
This institution has submitted a detailed reply of Show Cause Notice to NRC, NCTE on 12.03.2018 through speed post. copy of reply letter is attached. That NRC, NCTE has not considered the reply and facts submitted by this institution and rejected the application of D.El.Ed. course on wrong, illegal, unlawful and unconstitutional basis on 01.08.2018. Copy of rejection order is annexed. 9797 sq. Yard (8194.51 sqm) land of Khasra No. 4269/1, 4347/1, 3359/1, 3359/2, 3361 & 3362 at Sagwara Distt. Dungarpur (Raj) is registered in the name of Shri Kshetrapal Jan Seva Sansthan, Khadgada on ownership basis. Certified copy of registered sale deed was submitted to NRC, NCTE along with application form, reply of SCN and Inspection Report. The same land documents had been submitted in Appeal also. Copy of registered sale deed in the name of society are annexed. 9797 Sq. Yard (8194.51 Sqm) land which is registered in the name of society is converted for educational purpose by the Nagar Palika, Sagwara. Copy of conversion letter issued by Nagar Palika is annexed. This institution has submitted same land documents and conversion letter to NRC, NCTE along with application form, reply of SCN and inspection report. After being satisfied from the documents submitted by this institution, NRC, NCTE has issued Letter of Intent to this institution for D.El.Ed. course. This institution has submitted reply of LOI along with required documents. At this stage deficiency in respect to land raised by NRC, NCTE is unlawful and unconstitutional. Thus, NRC, NCTE has rejected our application wrong, illegal, unlawful and unccnstitutional basis. Therefore, it is prayed that the rejection order be set-aside and directions be issued to NRC, NCTE for issuance of Formal Recognition letter u/s 7(16) of NCTE Regulations, 2014 for 2 units of D.El.Ed. course."

**AND WHEREAS** the Committee noted that the appellant in the appeal submitted that the lands are registered in the name of the society and land conversion certificate has been issued by Nagar Palika, Sagwara. The Committee noted that the appellant in their reply dt. 12/03/2018 to the Show Cause Notice dt. 07/03/2018 took the stand that NCTE Regulations, 2014 are silent that the land cannot be taken on two pieces meaning thereby that the institution is free to establish and liable for grant of recognition even if the land is available in two pieces.

**AND WHEREAS** the Committee considered that the above interpretation of the appellant which has been drawn solely for the purpose of justifying their stand, is wholly unwarranted. The NCTE Regulations, 2014 have prescribed that land and built up area for various teacher training programmes, which implies that they should be well demarcated and exclusively available at one place for the proposed teacher training programmes. In these circumstances, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



(Sanjay Awasthi)  
Member Secretary

1. The Manager, Sanjeevani Mahila Teacher Training School, 11, Sagwara – 314025, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-585/E-86345/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1 Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-18

**ORDER**

**WHEREAS** the appeal of Manas Mahavidyalaya, Chitri, Badgi Bus Stand, Galiyakot, Rajasthan dated 14/08/2018 is against the Order No. NCTE/NRC/NRCAPP201616605/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/5; dated 14/06/2018 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that “The institution was issued SCN in the 281<sup>st</sup> meeting of N.R.C. dated 20<sup>th</sup> to 21<sup>st</sup> February, 2018 vide item no. 107. The reply was received in the NRC on 15/03/2018 following observations were made:- The institution has not submitted any reply with the regard to cancellation of the LUC submitted by it No fresh LUC has been submitted. Two pieces of land are not the adjacent plot but area apart from each other which is not acceptable. The building shown to the V.T. for running the proposed course does not have sufficient built up area as per NCTE norms. Further, the new building shown was under construction at the time of visit of VT. Hence, the Committee decided that the application is rejected, and recognition/permission is refused u/s 14/15 (3) (b) of the NCTE Act, 1993. FDRs, if any be returned to the institution.”

**AND WHEREAS** Sh. Paresh Bhatt, Director, Manas Mahavidyalaya, Chitri, Badgi Bus Stand, Galiyakot, Rajasthan presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that “The institution has submitted online application for grant of recognition of B.A. B.Ed./B.Sc. B.Ed. course on 30.06.2016 and the hard copy of application was submitted to NRC, NCTE on 1 1.07.2016. The NRC, NCTE has taken decision to issue Show Cause Notice to this institution vide item No. 112 of 264<sup>th</sup> Meeting (Part-I) held on 20 February, 2017. Accordingly Show Cause Notice dated 24.02.2017 has been issued to this institution in which only one deficiency had been mentioned. Copy of Minutes

and Show Cause Notice are attached. This institution has submitted a reply letter to NRC, NCTE on 03.03.2017 along with required documents. Copy of reply is annexed. The NRC, NCTE has not considered the reply of SCN submitted by this institution and rejected the application of this institution on some other grounds, which were not mentioned in the Show Cause Notice. NRC, NCTE has never communicated those deficiencies to this institution which is mentioned in rejection order. The action of NRC, NCTE is totally wrong, unlawful, illegal and unconstitutional basis. The rejection order is against the principles of natural justice. Copy of rejection letter is annexed. This institution had filed an Appeal u/s 18 of NCTE Act. 1993 before the Appellate Authority against the rejection order issued by NRC, NCTE vide order dated 11.04.2017. Appeal Authority accepted the Appeal of this institution and directed to NRC to issue a fresh Show Cause Notice to the appellant on the grounds mentioned in the refusal order and take further action in the light of the provisions of para 1.1 of the Norms and Standards for the 4 years Integrated Programme contained in the NCTE Regulations, 2014. Copy of Appeal Order is annexed. In compliance to the Appeal Order this institution had submitted the required documents to NRC, NCTE on 08.12.2017. Copy of receipt letter is annexed. The NRC, NCTE had decided to issue Show Cause Notice to this institution vide item No. 186 of 278th Meeting of NRC, NCTE held from 19-20 December, 2017. Copy of minutes is annexed. This institution had submitted reply of Show Cause Notice along with required documents NRC, NCTE on 04.01.2018. Copy of receipt letter is annexed. After being satisfied from the documents submitted by this institution, NRC, NCTE had decided to constitute Visiting Team for inspection of this college vide item No. 186 of 279th (Part-I) Meeting held from 16-17 January, 2018. Copy of Minutes is annexed. The NRC, NCTE had decided to issue a Show Cause Notice vide item No. 107 of 281st Meeting held from 20-21 February, 2018 indicating certain deficiencies after inspection. Copy of Minutes is annexed. This institution has submitted reply of Show Cause Notice on 10.03.2018 requesting that this institution has all required infrastructural and instructional facilities for proposed course in the college campus. How Visiting Team has given negative recommendation in their report? NRC, NCTE is requested to arrange reinspection of this college to ascertain the actual position of the facilities available in the college.

The NRC, NCTE has not considered the reply and facts submitted by this institution and rejected the application of B.A. B.Ed./B.Sc. B.Ed. course on wrong, illegal, unlawful and unconstitutional basis on 14.06.2018. Copy of rejection order is annexed. 8748 Sqm. Land is available in the name of society which is already converted for non-agriculture purpose. Copy of Land Use Certificate issued by Competent Authority and Land Use Certificate is annexed. The construction of building for proposed course has been completed in all respects. Copy of approved building map and building completion certificate are annexed. Certified copy of registered land documents in the name of society has already submitted to NRC, NCTE along with hard copy of application. Copy of registered land documents is annexed. This institution has submitted same land documents and conversion letter to NRC, NCTE along with Application Form, reply of SCN and Inspection Report. After being satisfied from the documents submitted by this institution, NRC, NCTE has constitute Visiting Team for inspection of this institution for B.A. B.Ed./B.Sc. B.Ed. course. At this stage deficiency in respect to land and LUC raised by NRC, NCTE is unlawful and unconstitutional. Thus, NRC, NCTE had rejected the application of this institution for grant of recognition for B.A. B.Ed./B.Sc. B.Ed. course on illegal, unjustified, unlawful and unconstitutional basis. Therefore, it is prayed that the rejection order be set side and directions be issued to NRC, NCTE for re-inspection of this institution to ascertain the infrastructural and instructional facilities for proposed course available in the college campus.”

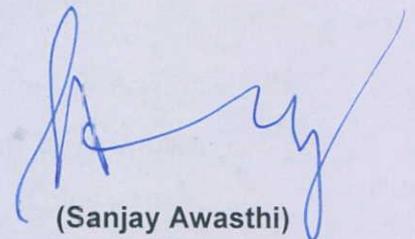
**AND WHEREAS** the Committee noted that the appellant has not given any explanation even in the appeal about (i) cancellation of the LUC and issue of a fresh LUC, (ii) two pieces of lands not being adjacent but apart from each other; (iii) buildings shown to the VT not having sufficient built-up area for running the proposed course; and (iv) new building shown being under construction at the time of visit mentioned in the refusal order. The appellant on the other hand requested a re-inspection of this institution. The Committee noted that according to the provisions of Clause 8 (7) of the NCTE Regulations, 2014 at the time of inspection, the building of the institution shall be complete in the form of a permanent structure on the land

possessed by the institution equipped with all necessary amenities. Further according to the provisions of Clause 7 (7) of the above said Regulations, inspection shall not be subject to the consent of the institution.

**AND WHEREAS** in view of the above position, the Committee concluded that the N.R.C was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



(Sanjay Awasthi)  
Member Secretary

1. **The President, Manas Mahavidyalaya, Chitri, Badgi Bus Stand, Galiyakot – 314035, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

4



F.No.89-587/E-86441/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1 Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Adarsh Mahila T.T. School, Rajgarh Road, Taranagar, Rajasthan dated 16/08/2018 is against the Letter No. New APPL/RF/Raj./NRCAPP-9499/2013-14 dated 05/06/2013 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. course on the grounds that "The NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulations 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it is clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC

decided that the recommendations of the State Govt. of Rajasthan i.e. not to allow setting up of new D.El.Ed. institutions in the State be accepted and the applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants.”

**AND WHEREAS** the appellant filed a S.B. Civil Writs No. 22363/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur praying for a direction to the respondents to adjudicate upon the pending appeal instituted by the petitioner. The Hon'ble High Court, in their order dt. 01/10/2018, disposed of the petition directing the respondents to expedite the proceedings and adjudicate upon the pending appeal as expeditiously as possible, preferably within six weeks from the date a certified copy of this order is presented.

**AND WHEREAS** Sh. Anil Lamba, Secretary, Adarsh Mahila T.T. School, Rajgarh Road, Taranagar, Rajasthan presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that “they have not received any refusal or returning letter regarding their application. After long time when they approached to the regional office, they found that their application has been rejected long back on the ground that State Government has imposed ban on the subject course. Since the Government of Rajasthan has given NOC for the subject course for the academic year 2019-20. They are going for the appeal for further processing of our application.”

**AND WHEREAS** the appellant in a letter dt. 21/11/2018 further submitted that they applied for D.El.Ed. course on line on 31/12/2012; the respondent returned their application with their letter dt. 05/06/2013 in the absence of recommendations of the State Government of Rajasthan; the controversy has been settled by the Appellate Authority in a similar matter while disposing of the Appeal U/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order no. 89-488/9740/2017 Appea /17<sup>th</sup> Meeting 2017 dtd. 27/11/2017 titled J.B.M. College of Education directed the N.R.C to process further the application on ground that ...Appeal Committee noted that when the appellant applied in 2012 there was no ban by the State Government. Further the Appeal Committee is of the view that the blanket general ban imposed by the State

Government can be taken into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular State for the prospective academic years. Once applications are invited, the Regional Committee has not right to reject it on grounds on ban imposed subsequently by the State Government. A copy of Appeal order dated 27/11/2017 is annexed." The respondent had already granted recognition to several institutions ignoring the above said shortcomings vide order dt. 26/08/2016, copy enclosed; the act of respondent giving recognition to various instituticns and rejecting their application is faulty and discriminatory; the respondent before passing the adverse order did not issue a Show Cause Notice as per the provisions of Section 14 (3) (b) of the NCTE Act, 1993 providing a reasonable opportunity to the institution for making a written representation; they made necessary arrangements with regard to physical infrastructure and other facilities; and the rejection order issued in a most arbitrary manner is bad in the eye of law and is liable to be quashed and set aside.

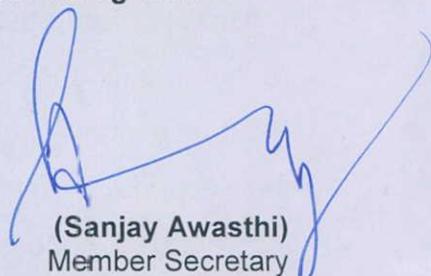
**AND WHEREAS** the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in their above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including

Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

**AND WHEREAS** the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the positions stated in para 6 above concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



(Sanjay Awasthi)  
Member Secretary

1. The Secretary, Adarsh Mahila T.T. School, Rajgarh Road, Taranagar – 331304, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-593/E-86537/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Kasturba Gandhi Girls STC College, Merta Road, Jaitaran, Rajasthan dated 18/08/2018 is against the Order No. NRC/NCTE/NRCAPP-12496/257th (Part-3) Meeting/2016/159500 dated 04/10/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 03.12.2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice within stipulated time."

**AND WHEREAS** Sh. Suresh Narwani, Administrator, Kasturba Gandhi Girls STC College, Merta Road, Jaitaran, Rajasthan presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "they submitted online application for grant of recognition for D.El.Ed. course on 30/05/2015 and applied to the Director of Elementary Education on 01/06/2015 seeking NOC of the affiliating body; they received the show cause notice dt. 03/12/2015 and submitted a reply on 07/01/2016 (copy enclosed), inter-alia questioning the contents of the Show Cause Notice, particularly the ground of non-submission of a No Objection Certificate from the affiliating body, for rejection of the application and this reply to the Show Cause Notice was sent much before the rejection of their application." The appellant also made some other submissions which actually relate to obtaining the recommendations of the State Government as per the provisions of the NCTE Regulations. The appellant enclosed to the appeal a copy of the letter of the State Government of Rajasthan dt. 15/04/2015 regarding

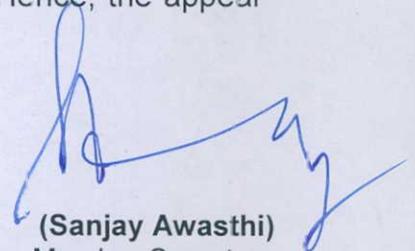
issue of NOC for D.El.Ed. course in certain districts of Rajasthan, which include the district of Pali, in which the appellant institution is located. This letter has not been enclosed to the stated reply dt. 07/01/2016.

**AND WHEREAS** the committee noted that the stated reply dt. 07/01/2016 to the Show Cause Notice is not available in the file of the N.R.C. The copy of this reply enclosed to the appeal does not indicate the manner in which it was sent to the N.R.C. i.e. by Speed Post/registered post/by hand. The copy does not bear any dated receipt stamp of the N.R.C. Regarding the requirement of timely submission of the N.O.C., the Committee noted that as per Clause 5(3) of the NCTE Regulations, 2014, the application shall be submitted online electronically alongwith scanned copies of required documents which include a No Objection Certificate issued by the concerned affiliating body.

**AND WHEREAS** the Committee noted that the submission of the appeal has been delayed by one year, eight months and 15 days beyond the prescribed period of sixty days. The Committee noted that according to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the Proviso to Rule 10, an appeal may be admitted after expiry of the said period of sixty days, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the period of limitation of sixty days. The N.R.C. in their refusal order dt. 04/10/2016 mentioned about the provision for appeal under Section 18 of the NCTE Act, 1993, within sixty days from the date of issue of that order. The Committee noted that the appellant has not adduced any cause, whatsoever, for the delay in appealing. In these circumstances, the Committee decided not to condone the delay. Hence, the appeal is not admitted.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during

the hearing, the Committee concluded not to condone the delay. Hence, the appeal is not admitted.



(Sanjay Awasthi)  
Member Secretary

1. The Secretary, Kasturba Gandhi Girls STC College, Merta Road, Jaitaran – 306302, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi – 110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-594/E-86533/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31.12.2018

**ORDER**

**WHEREAS** the appeal of Sri Jagdish BTC College, Sihuka Abirpur, Lalganj, Azamgarh, U.P. dated 14/08/2018 is against the Order No. NRC/NCTE/NRCAPP-11183/254th Meeting/2016/156713-14 dated 29/08/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution was issued show cause notice on 06.11.2015. The reply of the same has not been received till date."

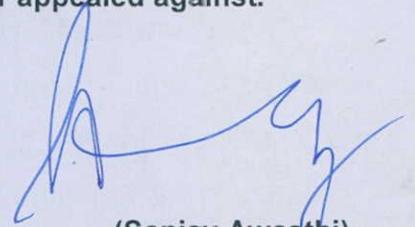
**AND WHEREAS** Sh. K.D. Ram, Administrator, Sri Jagdish BTC College, Sihuka Abirpur, Lalganj, Azamgarh, U.P. presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation and in a letter dt. 16/08/2018 it was submitted that the matter relating to issue of NOC for B.Ed. course was under correspondence with Veer Bahadur Singh Purvanchal University, Jaunpur, who have issued the same only in their letter dt. 28/04/2018. Due to this reason they could not appeal so far.

**AND WHEREAS** the Committee noted that according to the provisions of Clause 5 (3) of the NCTE Regulations, 2014, a No Objection Certificate issued by the concerned affiliating body shall be submitted along with the online application. The appellant, who applied online for recognition of B.Ed. course on 28/05/2015 could obtain the NOC only on 28/04/2018 i.e. nearly after three years of application. Further the appellant has not made any submission regarding non-submission of a reply to the Show Cause Notice dt. 06/11/2015. Also the reason adduced for not appealing for one year, nine months and 14 days beyond the prescribed period of sixty days is not acceptable.

**AND WHEREAS** in the above circumstances, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



**(Sanjay Awasthi)**  
Member Secretary

1. **The Manager, Sri Jagdish BTC College, Sihuka Abirpur, Lalganj, Azamgarh – 276203, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-608/E-87408/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Shree Haribhai Narbheshankar Shukla B.Ed. College, Kalawad Road, Rajkot, Gujarat dated 24/08/2018 is against the Letter No. WRC/APW03651/323373/B.Ed./294<sup>th</sup> /Guj./2018/199306-309 dated 11/07/2018 of the Western Regional Committee, cancelling their revised order no WRC/APW03651/323373/2015/145300 dt. 31/05/2015 – granting recognition for B.Ed. course for 100 seats (two units of 50 each) and reducing their intake to one unit (50 students) on the grounds that “The case file was seen. Compliance letter was issued to the institution on 05.12.2017 regarding deficiencies in the staff profile and Building Completion Certificate. The institution replied vide letter dated 02.01.2018. An examination of the file shows that it has submitted a staff profile of one Principal and 16 faculty members, approved by the Registrar. However, lecturers at S.No. 12 and 13 do not have the required NET qualification as prescribed in the NCTE notification published on 09.06.2017. Since, the institution has got adequate staff for one unit, the institution is permitted to continue with one unit.”

**AND WHEREAS** Sh. Sanjay, Trusty, Shree Haribhai Narbheshankar Shukla B.Ed. College, Kalawad Road, Rajkot, Gujarat presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that “they have appointed NET qualified lecturers at Sr.No.18 instead of 12 Zala Riddhiba K. and Sr. No.19 instead of 13 PUROHIT MAYURIBEN V. as per Staff Profile and are also submitting original staff profile with Sr. No.18 and 19 approved by the Registrar, Saurashtra University as per NCTE notification, i.e., NET Qualified staff. Now we are fulfilling the norms of NCTE, So, request you to permit us for two

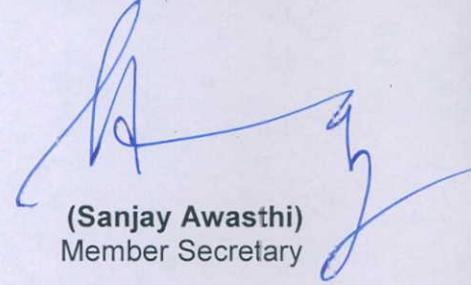
unit same as we have run previously with total intake of 100 students, two basic units 50 students each. we also upload herewith office received copy letter and attached staff profile Sr. No.18 Phirtu Ram Yadav and Sr. No.19 Rajkumar L. Pal approved by the Registrar, Saurashtra University submitted to NCTE WRC office at G-7, Sector 10, Dwarka, New Delhi.”

**AND WHEREAS** the Committee noted from the documents enclosed to the appeal, that the appellant, in pursuance of the minutes of the 294<sup>th</sup> meeting of the WRC, held on July 4-5, 2018, wherein it was decided to reduce the intake in B.Ed. to one unit, has sent a letter dt. 06/08/2018 to the WRC enclosing the staff profile of two NET qualified lecturers approved by the Registrar, Saurashtra University, Rajkot. Though the office copy of the letter bears the receipt stamp of WRC, it is not found in the file.

**AND WHEREAS** the Committee, noting that the appellant has removed the deficiency pointed out in the WRC's letter dt. 11/07/2018, concluded that the matter deserved to be remanded to the WRC with a direction to consider the two NET Qualified lectures since appointed by the appellant for granting recognition for two units of B.Ed. The appellant is directed to forward to the WRC again the details of the two NET qualified and university approved lecturers within 15 days of receipt of the orders on the appeal.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to consider the two NET Qualified lectures since appointed by the appellant for granting recognition for two units of B.Ed. The appellant is directed to forward to the WRC again the details of the two NET qualified and university approved lecturers within 15 days of receipt of the orders on the appeal.

**NOW THEREFORE, the Council hereby remands back the case of Shree Haribhai Narbheshankar Shukla B.Ed. College, Kalawad Road, Rajkot, Gujarat to the WRC, NCTE, for necessary action as indicated above.**



**(Sanjay Awasthi)**  
Member Secretary

- 1. The Secretary/Appellant, Shree Haribhai Narbheshankar Shukla B.Ed. College, Ishwariya Main Road, Behind Balaji Wefers Opp. Hill View Club, Kalawad Road, Rajkot – 360110, Gujarat.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-609/E-87701/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Shree Venkateshwar B.Ed. College, Near Bheraghat Railway Station, Sihoda, Madhya Pradesh dated 31/08/2018 is against the Order No. WRCAPP201660037/7657/B.A.B.Ed./294th/{M.P.}/2018/199164 dated 10/07/2018 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "the reply submitted by institution vide letter dt. 15.03.2018 was placed before WRC in its 294th meeting held on July 04-05, 2018 and the Committee decided that "...Clarification letter was issued regarding the appointment of staff prior to the issue of LOI and the appointment of an HOD. Since, the LOI has been issued on 08.02.2018, the staff are governed by NCTE notification published on 09.06.2017, which makes NET mandatory. Hence, all the identified staff are not qualified. Secondly, the HOD does not have the qualifications prescribed in the NCTE Regulations, 2014. Hence, Recognition is refused."

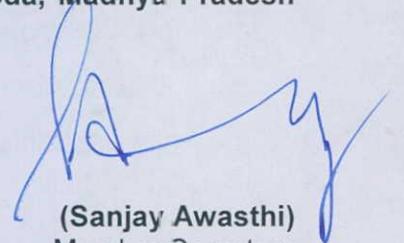
**AND WHEREAS** Sh. Gyanchand, Assistant Professor and Sh. J. Shrivastava, Incharge, Shree Venkateshwar B.Ed. College, Near Bheraghat Railway Station, Sihoda, Madhya Pradesh presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "The inspection of the institution was conducted and the visiting team had found that the institution fulfils all the requirements prescribed under the NCTE Act, 1993 and regulation, 2014 and it was for this reason that the letter of intent was issued. In this regard it is respectfully submitted that the letter of intent is issued to the institution only when it fulfils all the requirements. It is also pertinent to mention that the institution had appointed staff which was duly approved by Rani Durgawati Vishwavidyalaya Jabalpur and such approved list of staff was sent by the institution to the Western Regional Committee by post. But the same has not been taken into consideration. A copy of such approved list of staff is enclosed in this documentation.

Thus, the appellant had appointed the staff as per norms and such staff list was duly approved by Rani Durgawati Vishwavidyalaya, had such approved list been taken into consideration by Regional Committee, there would have been no reason for refusing to grant recognition, hence this appeal.”

**AND WHEREAS** the appellant, with their appeal has enclosed a copy of the staff profile approved by the Registrar, Rani Durgavati University, Jabalpur. The list shows that the approved faculty have NET or Ph.D. qualification. The Committee, therefore, concluded that the matter deserved to be remanded to the WRC with a direction to consider the faculty list submitted, which should be sent to them by the appellant, and take further action as per NCTE Regulations, 2014. The appellant is directed to forward the staff profile submitted in appeal to the WRC within 15 days of receipt of the orders on the appeal.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to consider the faculty list submitted which should be sent to them by the appellant, and take further action as per NCTE Regulations, 2014. The appellant is directed to forward the staff profile submitted in appeal to the WRC within 15 days of receipt of the orders on the appeal.

**NOW THEREFORE, the Council hereby remands back the case of Shree Venkateshwar B.Ed. College, Near Bheraghat Railway Station, Sihoda, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.**



**(Sanjay Awasthi)**  
Member Secretary

- 1. The Director, Shree Venkateshwar B.Ed. College, 256/1, 256/2, Near Bheraghat Railway Station, Sihoda – 482053, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-620/E-88107/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Murad Lari Educational Institute, Dhanpurwa, Salempur, U.P. dated 01/09/2018 is against the Order No. NRC/NCTE/NRCAPP-13670/276<sup>th</sup> Meeting/2017/184595-600 dated 09/11/2017 as amended by the corrigendum no. NRC/NCTE/NRCAPP-13670/Corrigendum 277<sup>th</sup> Meeting/2017/185987-92 dt. 15/12/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the institution has submitted its reply in NRC office on 27/10/2017. The matter was considered by N.R.C. in its 277<sup>th</sup> Meeting held on 05<sup>th</sup> to 06<sup>th</sup> December, 2017 and the Committee decided that the application of the institution for grant of recognition/permission is refused on the following grounds:-

- (i) The institution has not submitted any proof/evidence to prove that it is a composite institution as per Clause 2 (b) of NCTE Regulations, 2014.
- (ii) VT was constituted for another course applied by the institution (NRCAPP-13667, D.El.Ed.) but the institution refused to get it inspected by the V.T.

**AND WHEREAS** Sh. Ghazala Lari, Manager, Murad Lari Educational Institute, Dhanpurwa, Salempur, U.P. presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "As per the SCN, they had been asked to submit the reply about two points. The institution has not submitted any proof or evidence to prove that it is a composite institution as per clause 2(b) of the NCTE Regulations, 2014. VT was constituted for another course applied by the institution NRCAPP-13667, D.El.Ed., but the institution has refused the inspection as per VTR. We had not received any SCN mentioned above. It is only because of the refusal order we came to know that we had been

issued SCN. Firstly we had already applied for two courses i.e. B.Ed. NRCAPP-13670 and D.El.Ed. NRCAPP-13667 for being in the category of proposed composite institution. So, we could not know why we have been asked that the institution has not submitted any proof or evidence to prove that it is a composite institution as per clause 2(b) of the NCTE Regulations, 2014. Secondly, we are also appealing against the 2nd point about the refusal of VTR. It's a humble request to kindly consider our matter and give us the justice."

**AND WHEREAS** the Committee noted from the file that the N.R.C. issued a Show Cause Notice on 27/09/2017 on two grounds and the appellant submitted a reply dt. 10/10/2017. However, the N.R.C. refused recognition on the same grounds vide their corrigendum dt. 15/12/2017.

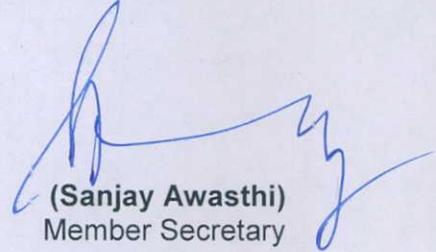
**AND WHEREAS** the appellant in a letter dt. 21/11/2018 submitted that they have not received any Show Cause and a B.Ed. course (7845) with 50 seats is already being run in their institution. But in the appeal he made contradictory statements about the receipt of the Show Cause Notice.

**AND WHEREAS** the Committee noted that the appellant, separately, made an appeal against refusal of recognition for their proposed D.El.Ed. The Committee has decided to reject that appeal and confirm the refusal order. In these circumstances, the appellant with a B.Ed. course alone will not qualify as a composite institution. The Committee concluded that the N.R.C was justified in refusing recognition on the ground that the institution is not a composite institution as per Clause 2 (b) of the NCTE Regulations, 2014 and therefore, the appeal deserved to be rejected and the modified order of the NRC confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in refusing

recognition and therefore, the appeal deserved to be rejected and the modified order of the NRC is confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



**(Sanjay Awasthi)**  
Member Secretary

1. **The Manager, Murad Lari Educational Institute, Dhanpurwa, Salempur – 274509, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-621/E-88106/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Murad Lari Educational Institute, Dhanpurwa, Salempur, U.P. dated 01/09/2018 is against the Order No. NRC/NCTE/NRCAPP-13667/276<sup>th</sup> Meeting/2017/134615-20 dated 10/11/2017 as amended by the Corrigendum No. NRC/NCTE/NRCAPP-13667/Corrigendum/277<sup>th</sup> Meeting/2017/185981-86 dated 15/12/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution submitted its reply of SCN in the NRC office on 27/10/2017. The reply is considered by the N.R.C. and NRC decided to reject the application on the ground that the institution refused to get it inspected by the V.T.

**AND WHEREAS** Sh. Ghazala Lari, Manager, Murad Lari Educational Institute, Dhanpurwa, Salempur, U.P. presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "As per the SCN, we had been asked to submit the reply about one point. As per VTR, the institution refused the inspection of the institution to be conducted on the prescribed dates. Sir, the institution has never refused the inspection. We had not received any correspondence from the VTR regarding inspection. Sir, also only after inquiring from NRC regarding VT we came to know that our file has been refused because we had refused the inspection. We are totally unaware of any VT inspection scheduled. Sir, it's a humble request to kindly consider our matter and give us the justice."

**AND WHEREAS** the Committee noted that according to the Corrigendum dt. 15/12/2017 to the earlier order dt. 10/11/2017, the N.R.C. considered the reply dt. 10/10/2017 (received on 27/10/2017) on the same ground that the institution refused to get it inspected by the V.T.

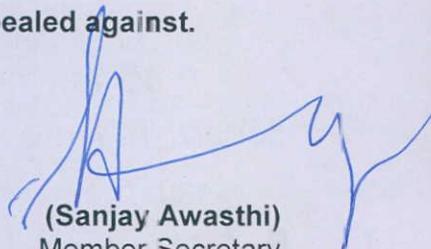
**AND WHEREAS** the Committee noted that the NRC issued the Show Cause Notice on the basis of a communication dt. 10/02/2017 received from the V.T.

members in which it is stated that when they contacted Shri Ghazla Lari on mobile, he told them that the institution is not ready because of ongoing elections and asked them to postpone the dates of inspection. They also mentioned that when they tried to contact him after two days, he did not respond. The Committee noted that the appellant in their reply to Show Cause Notice and in an affidavit submitted that none of the V.T. members contacted them, either by phone or e-mail, or visited their institution and they had not refused any inspection to be done by the V.T. members on the prescribed dates.

**AND WHEREAS** the Committee noted that the two V.T. members, who are responsible members deputed by the N.R.C., have written an explicitly worded joint communication to the N.R.C. and Inspection Division of the NCTE, which deserves to be relied upon. According to the provisions of Clause 7 (7) of the NCTE Regulations, 2014, inspection shall not be subject to the consent of the institution. In these circumstances, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the modified order of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the modified order of the NRC is confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**

  
(Sanjay Awasthi)  
Member Secretary

1. The Manager, Murad Lari Educational Institute, Dhanpurwa, Salempur – 274509, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-622/E-88012/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-18

**ORDER**

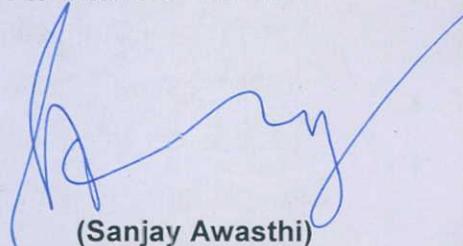
**WHEREAS** the appeal of B.N. Saha D.A.V. Teachers Training College, Giridhi Madhupur Road, Sirsa, Jharkhand dated 05/09/2018 is against the Order No. ER.256.17.3/APE00581/B.Ed./2018/57507 dated 17/07/2018 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 100 (two basic units) with effect from the academic session 2019-20. The appellant wants restoration of recognition.

**AND WHEREAS** Dr. Mukesh Kr. Sharma, Principal, B.N. Saha D.A.V. Teachers Training College, Giridhi Madhupur Road, Sirsa, Jharkhand presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "The said college was running since 2008 as per the ERC vide order No.14561 dated 18.10.2008 ERC had been withdrawn the Recognition vide letter no. ERC//179.2(ii).2 NCTE/APE00581/B.Ed./30200 dated 04.02.2015. Being aggrieved institution filed an appeal to the NCTE HQs. New Delhi and by considering the facts of the institution Appellate Authority issued an Order No.89758/2016 Appeal 14th Meeting 2017/52431 dated 07.04.2017 remanded back the case with a direction to consider the submission of the appellant and issue appropriate order as per NCTE regulation. By not complying with the appeal order ERC has given older compliances to spend the time and Appellant had given representations to the different authorities of the NCTE then ERC has been given 7(13) to the institution and after it 7(16) has been issued to the institution instead of restoration of the recognition. It is also pertinent to mention here that 7(16) is given to the new institution while our institution was running since 2008."

**AND WHEREAS** the Committee noted that the ERC issued a letter of Intent under Clause 7 (13) of the NCTE Regulations, 2014 on 30/01/2018 making a reference to the application submitted by the appellant in December, 2008 and asked the institution to submit various documents mentioned therein. The appellant with their letters dt. 28/03/2018 and 28/05/2018 submitted the requisite documents and the ERC, in their 255<sup>th</sup> meeting considering the replies to the L.O.I., decided to issue formal recognition under Clause 7 (16) of the NCTE Regulations, 2014.

**AND WHEREAS** the Committee noted that the withdrawal order dt. 04/02/2015 and its subsequent confirmation were never reversed and also never kept in abeyance. The ERC again followed the procedure of first issuing an L.O.I. and thereafter, a formal recognition order effective from the academic session 2019-20. In these circumstances, the Committee concluded that there is no justification to interfere with the order of the ERC and hence the appeal is rejected.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that there is no justification to interfere with the order of the ERC and hence the appeal is rejected.

  
(Sanjay Awasthi)  
Member Secretary

1. The Principal, B.N. Saha D.A.V. Teachers Training College, Giridhi Madhupur Road, Sirsa – 815302, Jharkhand.
2. The Secretary, Ministry of Human Resource Development, 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 Jharkhand, Ranchi.



F.No.89-623/E-87994/2013 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Maa Sharda Mahavidhyalaya, Gathewara, Chhatarpur, Madhya Pradesh dated 06/09/2018 is against the Order No. WRC/APP3248/B.A. B.Ed./294<sup>th</sup> /(M.P.)/2018/199172 dated 10/07/2018 of the Western Regional Committee, refusing recognition for conducting B.A. B.Ed. course on the grounds that "the reply dt. 19.03.2018 & 06.04.2018 of show cause notice were placed before WRC in its 294<sup>th</sup> meeting held on July 05-05, 2018 and the Committee decided that "...LOI was issued to the institution on 01.11.2017 followed by a Show Cause Notice dated 09.03.2018. The institution has replied enclosing a staff profile approved by the Registrar. It is seen that all the lecturers were appointed in 2018 but they do not possess the NET qualification as prescribed in NCTE notification published on 09.06.2017. Hence, Recognition is refused."

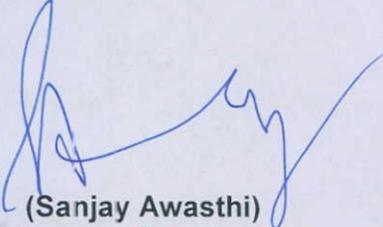
**AND WHEREAS** Sh. Ajay Tiwari, Secretary and Sh. Dharmendra Singh, Member, Maa Sharda Mahavidhyalaya, Gathewara, Chhatarpur, Madhya Pradesh presented the case of the appellant institution on 21/11/2018. During personal presentation, the appellant submitted a letter dt. 19.11.2018. In this letter he explained that on coming to know the position about the requisite staff as per NCTE notification published on 09/06/2017, they issued an advertisement in 'Dainik Bhaskar' on 12/09/2018 and selected the staff through a Selection Committee and got the list of staff approved by the affiliating university. The appellant enclosed to their letter, inter-alia, a staff profile having NET qualifications countersigned by the Registrar, Maharaja Chhtrasal Bundelkhand University, Chhattarpur, Madhya Pradesh.

**AND WHEREAS** the Committee, noting that the appellant has now NET qualified staff, concluded that the matter deserved to be remanded to the WRC with a direction

to consider the list of NET qualified and approved staff, to be sent to them by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC the list of approved /NET qualified staff, submitted in appeal, within 15 days of receipt of the orders on the appeal.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to consider the list of NET qualified and approved staff, to be sent to them by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC the list of approved /NET qualified staff, submitted in appeal, within 15 days of receipt of the orders on the appeal.

**NOW THEREFORE**, the Council hereby remands back the case of **Maa Sharda Mahavidhyalaya, Gathewara, Chhatarpur, Madhya Pradesh** to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)  
Member Secretary

1. The Secretary, Maa Sharda Mahavidhyalaya, Plot No. 1079, Gathewara, Chhatarpur – 471001, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-625/E-87975/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31.12.2018

**ORDER**

**WHEREAS** the appeal of Prakash B.Ed. Teachers Training College, Chetan Chhapra, Baniapur, Bihar dated 28/08/2018 is against the Order No. ERC/256.12(i).6/APP2749/D.El.Ed.(Addl. Course)/2018/57213 dated 11/06/2018 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "(i) LOI u/c 7(13) was issued on 24.10.2017. (ii) Show Cause Notice u/s 15(3)(b) was issued on 22.02.2018 giving 21 days' time for compliance of LOI. (iii) Reply from the institution has not been received within the stipulated period. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP2749 of the institution regarding permission of applied D.El.Ed. Programme is refused under section 15(3)(b) of NCTE Act 1993."

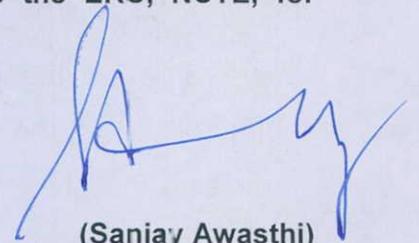
**AND WHEREAS** Prof. Ramnath Singh, Secretary and Sh. Tarun Prakash, Director, Prakash B.Ed. Teachers Training College, Chetan Chhapra, Baniapur, Bihar presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation and in a letter dt. 21/11/2018, the appellant submitted detailed explanation about the delay in getting the staff list approved by the affiliating body. In brief, the appellant submitted that after receiving the L.O.I. on 29/11/2017, they wrote to the affiliating body on 29/11/2017 (as per copy enclosed), for empanelment of their members for selection of faculty despite reminders issued and promising that their letter will be sent by registered post or through digital mail, the affiliating body did not do the needful; the affiliating body nominated their representation late and interviews were conducted on 11/04/2018; eventhough they submitted the selected list to the affiliating body on 18/04/2018, on the Board informing that the list was misplaced, they sent it again on 01/10/2018; and the Board

finally approved the list on 19/11/2018. The appellant enclosed a copy of their list and also copies of correspondence with the Bihar School Examination Samiti, Patna.

**AND WHEREAS** the Committee, noting that delay in submitting the approved faculty is justifiable, concluded that the matter deserved to be remanded to the ERC with a direction to consider the approved staff list and other documents required as per the L.O.I. to be submitted to them by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the approved staff list submitted in appeal and all other documents required as per the L.O.I. within 15 days of receipt of the orders on the appeal.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the ERC with a direction to consider the approved staff list and other documents required as per the L.O.I. to be submitted to them by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the approved staff list submitted in appeal and all other documents required as per the L.O.I. within 15 days of receipt of the orders on the appeal.

**NOW THEREFORE, the Council hereby remands back the case of Prakash B.Ed. Teachers Training College, Chetan Chhapra, Baniapur, Bihar to the ERC, NCTE, for necessary action as indicated above.**



(Sanjay Awasthi)  
Member Secretary

1. The Secretary, Prakash B.Ed. Teachers Training College, Chetan Chhapra, NH-101, Baniapur – 841403, Bihar.
2. The Secretary, Ministry of Human Resource Development, 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.



F.No.89-626/E-88027/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-18

**ORDER**

**WHEREAS** the appeal of Anandgram Krushi Vikas Mandal's late Maharudra (Pappa) Mote College of Education (B.Ed.), Girwali, Bhoom, Maharashtra dated 05/09/2018 is against the Order No. WRC/APWO5202/123642/B.Ed./296<sup>th</sup> /2018/200000-6 dated 10/09/2018 of the Western Regional Committee, confirming their order no. WRC/APWC5202/123642/285<sup>th</sup> /2017/10051-005 dt. 01/01/2018 withdrawing recognition for conducting B.Ed. course on the grounds that "a letter seeking clarification was issued to the institution on 07/08/2018. The replies dt. 07/08/2018 and 21/08/2018 received were placed before the WRC in their 296<sup>th</sup> Meeting. The Committee noted that the staff profile does not have the date of appointment. However, the WRC considered the letter dated 23.05.2018 from the University regarding the appointment of staff. As per notification dated 09.06.2017, all faculty members are required to have NET qualification. Principal is also not qualified. Hence, the withdrawal order dated 01.01.2018 stands."

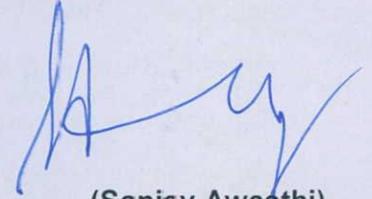
**AND WHEREAS** Sh. Ashok A. Ghule, Representative and Sh. Ranjeet M. Mote, Director, Anandgram Krushi Vikas Mandal's late Maharudra (Pappa) Mote College of Education (B.Ed.), Girwali, Bhoom, Maharashtra presented the case of the appellant institution on 21/11/2018. In the course of personal presentation, the appellant submitted a copy of their letter dt. 02/09/2018 sent to the Regional Director, WRC enclosing a staff profile with NET qualifications and countersigned by the Deputy Registrar (Academic), Dr. Babasaheb Ambedkar Marathwada University, Aurangabad and requesting permission for one unit of B.Ed.

**AND WHEREAS** the Committee noted that the letter of the appellant dt. 02/09/2018 has been received in the WRC on 05/09/2018 and is available in their file.

In view of this position, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the appellant's letter dt. 02/09/2018 and the request contained therein and take further action as per the NCTE Regulations, 2014.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to consider the appellant's letter dt. 02/09/2018 and the request contained therein and take further action as per the NCTE Regulations, 2014.

**NOW THEREFORE, the Council hereby remands back the case of Anandgram Krushi Vikas Mandal's late Maharudra (Pappa) Mote College of Education (B.Ed.), Girwali, Bhoom, Maharashtra to the WRC, NCTE, for necessary action as indicated above.**



**(Sanjay Awasthi)**  
Member Secretary

- 1. The Secretary, Anandgram Krushi Vikas Mandal's late Maharudra (Pappa) Mote College of Education (B.Ed.), Girwali, Bhoom – 413526, Maharashtra.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.



F.No.89-631/E-88256/2013 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31.12.2018

**ORDER**

**WHEREAS** the appeal of Anjuman College of Education, Charokhra, Bhaguapura, Seondha, Datia, Madhya Pradesh dated 05/09/2018 is against the Order No. WRC/APP3287/222/293<sup>rd</sup> /(M.P.)/2018/198610 dated 18/06/2018 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a reply has not been received from the institution. The matter was placed in 293<sup>rd</sup> WRC meeting held on June 12-14, 2018 and the Committee observed that "...The Minority Certificate produced by the institution was sent to the National Commission for Minority Educational institutions, New Delhi for validation. The Commission vide letter dated 07.03.2018 has informed that it has not issued the Minority Certificate to the institution under case No. 1276 of 2016. Show Cause Notice was issued to the institution on 26.03.2018 and reply has not been received so far. Hence, Recognition is withdrawn from the session 2018-19. FDRs, if any, be returned."

**AND WHEREAS** Sh. Prashant Singh, Principal, Anjuman College of Education, Charokhra, Bhaguapura, Seondha, Datia, Madhya Pradesh presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "the institution, in response to the decision taken in the WRC's meeting held during 21-23 March, 2018 to issue Show Cause Notice, had submitted a reply within the time limit to the WRC office stating that the name of the institution is noted in the list of Minority S.No. 12642 case no. 1276 of 2016 and the certificate is correct. The appellant enclosed a photocopy of the list of Minority status certificates issued in support of their claim. The appellant also enclosed a copy of their reply dt. 25/06/2018 to the WRC which bears the receipt stamp dt. 03/07/2018.

**AND WHEREAS** the Committee noted that the reply of the appellant dt. 25/06/2018 is not in the file of the WRC. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the reply of the appellant, to be sent to them by the appellant again and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC their reply to the show cause notice and other documents submitted in appeal, within 15 days of receipt of the orders on the appeal.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to consider the reply of the appellant, to be sent to them by the appellant again and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC their reply to the show cause notice and other documents submitted in appeal, within 15 days of receipt of the orders on the appeal.

**NOW THEREFORE**, the Council hereby remands back the case of Anjuman College of Education, Charokhra, Bhaguapura, Seondha, Datia, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

**(Sanjay Awasthi)**  
Member Secretary

1. The Principal, Anjuman College of Education, Charokhra, Bhaguapura, Seondha, Datia – 475673, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 1C, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

18



F.No.89-635/E-88411/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of North India College of Higher Education, Nekpur, Najibabad, U.P. dated 01/09/2018 is against the Order No. NRC/NCTE/NRCAPP-14214/Recognition/D.El.Ed./258<sup>th</sup> Meeting/2016/161121 dated 19/10/2016. of the Northern Regional Committee, granting recognition for conducting D.El.Ed. course with an intake of 50 (one unit). The appellant wants recognition for two units (100 intake).

**AND WHEREAS** Sh. Avnish Kumar Agarwal, Secretary and Sh. Nehul Agarwal, Representative, North India College of Higher Education, Nekpur, Najibabad, U.P. presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "they have all required facilities as per NCTE Regulations, 2014 for 100 seats, viz, 10000 sq. mts. of land, 4538.6 sq. mts. of built up area and 16 approved faculties. The appellant requested to reconsider the decision of reducing the seats taken in 258<sup>th</sup> meeting and maintain the earlier order of recognition dt. 02/05/2016 for 100 seats.

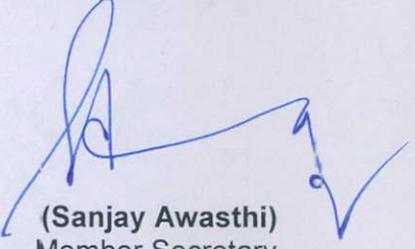
**AND WHEREAS** the submission of the appeal has been delayed by one year, eight months and 12 days beyond the prescribed period of 60 days. The appellant submitted that the Secretary of the Trust (Shri Avinash Kumar Agarwal), who was exclusively looking all the affairs of NCTE was suffering from serious illness and doctor advised him complete bed rest from 16/10/2016 to 25/08/2018 and enclosed a copy of Medical Certificate. The Committee, noting the submission of the appellant decided to condone the delay and consider the appeal.

**AND WHEREAS** the Committee noted that the appellant in their affidavit enclosed to the online application dt. 27/06/2015 requested grant of recognition for D.El.Ed. course with an intake of 100. The V.T. in their report dt. 17/02/2016 recommended grant of recognition for one unit of 50 students. The V.T. also recorded that the built up area as 2530.87 sq. mt. The built up area shown in a building completion certificate given on stamp paper and which was not signed by any Government Engineer showed a built up area of 2577.31 sq. mts. The Committee also noted that the NRC, after issue of the order of recognition for 100 intake on 02/05/2016, issued a show cause notice pointing out that the built up area of 2530 sq. mt. is just sufficient for their existing B.Ed. course only. The appellant in their reply stated that the area mentioned in the show cause notice was a typographical mistake and they apologise for the same. The file contains a copy of certificate issued by an Engineer of Public Works Department, Bijnor in which it is mentioned that the total built up area in ground, first and second floors is 3377.42 sq. mts. Now in the appeal the appellant is claiming a built up area of 4000 sq. mts. However, no proper building completion certificate in the prescribed form has been enclosed.

**AND WHEREAS** the Committee noting that (i) the V.T. has recommended only one unit (50 intake); (ii) the appellant in an earlier building completion certificate claimed only 2577.31 sq. mts.; (iii) the appellant has chosen to appeal after one year and eight months on the ground of illness of Secretary of the Trust; and (iv) the appellant has not submitted any proper building completion certificate with the appeal, concluded that the N.R.C. was justified in granting recognition for one unit (50 intake) and therefore, the appeal deserved to be rejected and the order of the N.R.C. dt. 19/10/2016 confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in granting recognition for one unit (50 intake) and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

NOW THEREFORE, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)  
Member Secretary

1. The Secretary, North India College of Higher Education, Nekpur, 7th K.M. Bundki Road, Najibabad – 246763, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F No.89-637/E-88810/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Indian Teacher Training Institute, Summa Khera, Katopuri Road, Rewari, Haryana dated 11/09/2018 is against the Order No. NRC/NCTE/NRCAPP-6503/285<sup>th</sup> /Meeting/2018/195418-23 dated 12/07/2018 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Building plan is not approved by the Competent Govt. Authority."

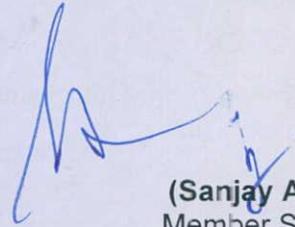
**AND WHEREAS** Sh. Rameshwar, President, Indian Teacher Training Institute, Summa Khera, Katopuri Road, Rewari, Haryana presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that Approved building plan by the competent govt. authority was not submitted by mistake. We will provide the approved building plan in the given time by NCTE. So, please give us a chance to submit the approved Building Plan and other documents. Map copy attached with approved authority member. In the course of presentation, the appellant in a letter dt. 21/11/2018 submitted that by a clerical mistake building plan approved by the Sarpanch could not be kept in the file. The appellant with this letter enclosed a building plan approved by Sarpanch of Gram Panchayat.

**AND WHEREAS** the Committee, noting that the appellant has not submitted a building plan approved by a Competent Government Authority concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during

the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



**(Sanjay Awasthi)**  
Member Secretary

- 1. The Manager, Indian Teacher Training Institute, Summa Khera, Katopuri Road, Rewari – 123301, Haryana.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.



F.No.89-640/E-88781/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Parangat B.Ed. College, Halvad, Ranekar Road, Halvad, Gujarat dated 31/08/2018 is against the Letter No. WRC/APV/03465/323369/B.Ed./293<sup>rd</sup> /Guj/2018/198525 dated 15/06/2018 of the Western Regional Committee, granting recognition for conducting B.Ed. course with one unit on the grounds that “The case file was seen. Consequent to the issue of Revised Recognition order, Show Cause Notice dated 29.08.2016 was issued followed by compliance letter 05.12.2017 and the institute replied on 21.12.2017. The institute has submitted the profile of the Principal approved by the Registrar. It has also submitted Building Completion Certificate from Engineer, Nagar Palika and FDRs for 12 lakhs. Hence, permitted to continue with one unit.” Therefore, it is informed that the institution is permitted to continue the existing B.Ed. course of two year duration with an annual intake of 50 seats from session 2018-19.

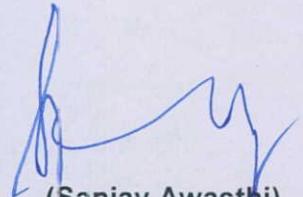
**AND WHEREAS** Rajani Bhai Sanghani, M. Director and Sh. Ashok, Representative, Parangat B.Ed. College, Halvad, Ranekar Road, Halvad, Gujarat presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation no explanation has been submitted. However, in the course of presentation, the appellant enclosed a staff profile of 18 persons countersigned by the Registrar, Saurashtra University, Rajkot.

**AND WHEREAS** the Committee, noted that the letter of the WRC dt. 15/06/2018 does not contain reasons for granting recognition for one unit of B.Ed. only. In the circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to issue a speaking order/communication to the appellant.

The appellant is directed to forward to the WRC, the staff profile submitted in appeal within 15 days of receipt of orders on the appeal.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to issue a speaking order/communication to the appellant. The appellant is directed to forward to the WRC, the staff profile submitted in appeal within 15 days of receipt of orders on the appeal.

**NOW THEREFORE, the Council hereby remands back the case of Parangat B.Ed. College, Halvad, Ranekar Road, Halvad, Gujarat to the WRC, NCTE, for necessary action as indicated above.**



(Sanjay Awasthi)  
Member Secretary

1. The Secretary, Parangat B.Ed. College, Halvad, Ranekar Road, Halvad – 363330, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-642/E-89041/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Late Smt. Ramadevi Mahavidyalaya, Village – Dhram Samadha, PO – Ramkola, Tehsil/Taluka – Hata, Dist. – Kushinagar, Uttar Pradesh dated 10/09/2018 is against the Order No. NRC/NCTE/NRCAPP-4666/287th Meeting/2018/195992 dated 03/08/2018 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that “Recognition for the B.Ed. programme of 2 units was granted to the institution vide NRC letter no 109320 28 dated 31st May, 2015. Meanwhile Register D.D.U. Gorakhpur University Gorakhpur informed to NRC vide letter dated 22/04/2016 stating that the list of HOD and lecturer for B.Ed. submitted by the institution to NRC has not been approved by the University. The above-mentioned letter made it crystal clear that the list of faculty submitted by the institution purported to be approved by the affiliating body was fake. The institution misled the NRC by submitting a forged document. Therefore, NRC issued SCN to the institution vide letter no.149069/73 dated 20th May 2016 informing the institution to submit a written representation before withdrawal of recognition for B.Ed. within 15 days of the issue of that notice. The institution has not submitted the reply of the SCN within stipulated time. After gap of 20 months after the issue of SCN the institution has submitted a letter along with a faculty list on 12/03/2018 which makes no. reference of the SCN. Hence, the letter cannot be entertained.”

**AND WHEREAS** Sh. Mahanthi Yadav, Member, Late Smt. Ramadevi Mahavidyalaya, Village – Dhram Samadha, PO – Ramkola, Tehsil/Taluka – Hata, Dist. – Kushinagar, Uttar Pradesh presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that the approval of teachers and Principal by D.D.U. University Gorakhpur, for NCTE

recognition order No. 109320/23 dated 31/05/2015 is not to my knowledge and the mischievous play has been plotted by some unknown miscreants for closure of my file. The show cause notice issued by the NRC office is not received at my end and therefore I could not reply in time. I could gather the knowledge regarding issuance of SCN from NRC office only when I visited them at Jaipur, but I was not given a copy of the said SCN in spite of my request for that. Therefore, the reply of the said SCN could not be submitted in time. Now I am submitting the approval letter on 12/03/2018 of Teachers and HOD by the D.D.U. University Gorkhpur, for your kind appraisal and I certify that the same is correct. The refusal of NRC in this regard and withdrawal of recognition under section 7/16 is not justifiable and arbitrary.

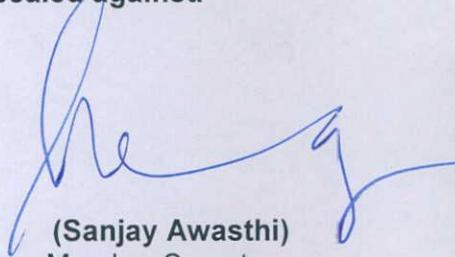
**AND WHEREAS** the Committee noted that the appellant, who is claiming that the Show Cause Notice dt. 20/05/2016 has not been received by them is also claiming that the approval of teachers leading to grant of recognition dt. 31/05/2015 is not in their knowledge. The appellant's letter dt. 12/03/2018 with which a staff list of 16 members, for their B.Ed. course approved in a letter dt. 27/02/2018 duly signed issued by D.D.U. University was sent to the N.R.C. does not make any reference to the S.C.N. but makes a reference to the Letter of Intent issued under Clause 7 (13). The Committee however noted that the appellant in response to the L.O.I. sent a letter dt. 09/05/2015, with which a copy of a letter from the DDU University dt. 27/04/2015 was enclosed. This letter shows that approval was accorded for 8 faculty members. The appellant, himself having sent this letter, cannot claim that this reported approval of teachers was not within his knowledge. The appellant, by merely making a reference to the Letter of Intent, has forwarded a copy of the DDU University's letter dt. 27/02/2018 in which approval was given for 16 faculty members and requested for issue of recognition order under Clause 7 (16). In other words, he does not seem to acknowledge the earlier recognition order dt. 31/05/2015, which has been withdrawn.

**AND WHEREAS** the Committee, noting that (i) the appellant himself forwarded a copy of university's letter dt. 27/04/2015; (ii) the university has clearly stated in their

subsequent letter dt. 25/05/2016 addressed to the appellant institution that they have not approved their faculty concluded that the appellant obtained recognition on 31/05/2015 on the basis of false information. The appellant's claim that he did not receive the Show Cause is not acceptable. Similarly, the letter written by the appellant after one year and 10 months of issue of Show Cause Notice does not deserve any consideration. In these circumstances, the Committee concluded that the N.R.C. was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



(Sanjay Awasthi)  
Member Secretary

1. The Manager, Late Smt. Ramadevi Mahavidyalaya, Plot No.463, Village – Dhram Samadha, PO – Ramkola, Tehsil/Taluka – Hata, Dist. – Kushinagar, Uttar Pradesh – 24305.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi - 110075.
4. The Secretary, Education (looking after Teacher Education), Government of Uttar Pradesh, Bhopal.



F No.89-643/E-89081/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of K.R. Teachers Training Institute, Lakhani Via Ringas, Khandela, Rajasthan dated 16/09/2018 is against the Order No. NCTE/NRC/NRCAPP201616620/Bachelor of Education [B.Ed.]/RJ/2017-18/2; dated 25/09/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution was issued SCN on 21.02.2017, the reply of the same was received in NRC on 17.04.2017 which was considered by the Committee and the following observations were made:- The institution has not submitted any proof / evidence to prove that it is a composite institution as per clause 2(b) of NCTE Regulations, 2014. The LUC submitted is in respect of plot No. 482/5 only and not in respect of 482/6. Converted land area is only 2200 sq. mtrs. against the requirement of 2500 sq. mtrs. as per NCTE Regulations, 2014. Hence, the Committee decided that the application is rejected and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

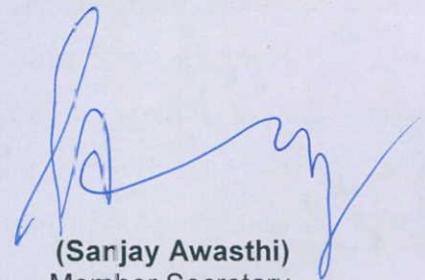
**AND WHEREAS** Sh. Mahendha Kumar Bajiya, Secretary and Sh. Subhash Baloda, L.D.C., K.R. Teachers Training Institute, Lakhani Via Ringas, Khandela, Rajasthan presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "the Rajasthan Shikshan Sansthan, who applied for grant of recognition for B.Ed. have got no objection certificate for running degree courses with affiliation to Deen Dayal Upadhyia Shekhavati University, Sikar. The appellant also submitted that Plot Nos. 482/5 and 482/6 were mentioned in the application and Plot No. 482/6 has now been renamed as Plot No. 482/10 and they have converted 2500 sq. mts. of land. The appellant enclosed a copy of order dt. 07/06/2018 issued by Commissioner, College Education,

Rajasthan regarding degree courses, a copy of certificate dt. 31/08/2018 from Tahsildar, Sikar regarding remaining of Plot No. and converted area and also a copy of conversion certificate dt. 13/09/2018.

**AND WHEREAS** the Committee, noting the submissions and documents of the appellant, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider these documents, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the N.R.C. all the documents submitted in appeal, within 15days of receipt of orders on the appeal.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the documents to be submitted to them by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the N.R.C. all the documents submitted in appeal, within 15days of receipt of orders on the appeal.

**NOW THEREFORE**, the Council hereby remands back the case of K.R. Teachers Training Institute, Lakhani Via Ringas, Khandela, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sarjay Awasthi)  
Member Secretary

1. The Secretary, K.R. Teachers Training Institute, Lakhani Via Ringas, Khandela – 332404, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-644/E-89013/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Liberal College of Education, Pigdamber Rau, Mhow, Madhya Pradesh dated 21/06/2018 is against the Order No. WRC/APP2256/223/291<sup>st</sup> /197390 dated 04/05/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "the institution has not submitted a staff profile approved by the Registrar and the building completion certificate submitted is not signed by a Government Engineer."

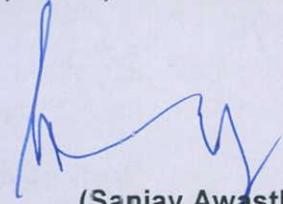
**AND WHEREAS** Ms. Gargi Roy, Director, Liberal College of Education, Pigdamber Rau, Mhow, Madhya Pradesh presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "Documents were completed as per NCTE, Norms. The appellant, with their appeal enclosed a copy of staff profile signed by the Registrar, Devi Ahilya University, Indore and a copy of building completion certificate signed by Engineer, R.E.S. Ambedkar Nagar.

**AND WHEREAS** the Committee, noting that the appellant has submitted the documents found wanting in the withdrawal order, concluded that the matter deserved to be remanded to the WRC with a direction to consider these documents, to be submitted to them by the appellant, and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to the WRC the documents submitted in appeal within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee

concluded that the matter deserved to be remanded to the WRC with a direction to consider these documents to be submitted to them by the appellant and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to the WRC the documents submitted in appeal within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**NOW THEREFORE, the Council hereby remands back the case of Liberal College of Education, Pigdamber Rau, Mhow, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.**



**(Sanjay Awasthi)**  
Member Secretary

- 1. The Director, Liberal College of Education, 11/13, Pigdamber Rau, Mhow – 453331, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-645/E-89191/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Vasudev Excellence College, V.P.O – Bararu, Sagar, Madhya Pradesh dated 15/09/2018 is against the Order No. WRC/APP129/223/B.Ed./285th/2017/10235 dated 02/01/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that “In response to the Show Cause Notice dated 02.02.2017, the institution has not submitted approved staff profile and Building Completion Certificate. FDRs of Rs. 4.00 lakhs (in joint name) not submitted in original. Hence, Recognition is withdrawn from the academic session 2018-19. FDRs if any, be returned.”

**AND WHEREAS** the submission of the appeal has been delayed by six months and 14 days beyond the prescribed period of 60 days. The appellant submitted that he could not appeal in time due to bed rest advised by Doctor for complete recuperation from his illness. They enclosed a copy of medical certificate. The Committee decided to condone the delay and consider the appeal.

**AND WHEREAS** Dr. Sanjeev Rathore, Principal and Sh. Rajeev Choubey, Member, Vasudev Excellence College, V.P.O – Bararu, Sagar, Madhya Pradesh presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that “Teachers Profile Is Duly Submitted After Approval of Registrar from Maharaja Chhatrasal Bundelkhand University. FDR No.296200QP00000631 dated 30/08/2018 Amount of Rs. 5 Lakhs. FDR No. 296200QP00000640 dated 30/08/2018 Amount of Rs. 3 Lakhs. FDR No.296200QP00000659 Dated 30/08/2018 Amount of Rs. 4 Lakhs. The constructed area of our building is more than 3157 sq. mtr which is exceeding 2000 sq. mtr as per the new byelaws and the building completion certificate has already been submitted at the time of recognition. The appellant enclosed a copy of staff profile of 16 persons

countersigned by Registrar, Maharaja Chhatrasal Bundelkhand University, Chhatarpur; copies of three FDRs for Rs. 5 lakhs, Rs. 3 lakhs and Rs. 4 lakhs taken jointly with R.D., W.R.C.; and a copy of building completion certificate.

**AND WHEREAS** the Committee noting the documents submitted by the appellant, vis a vis the grounds of withdrawal, concluded that the matter deserved to be remanded to the WRC with a direction to consider these documents, to be submitted to them by the appellant, and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to the WRC the documents submitted in the appeal within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter to be remanded to the WRC with a direction to consider these documents to be submitted to them the appellant and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to the WRC the documents submitted in the appeal within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**NOW THEREFORE**, the Council hereby remands back the case of Vasudev Excellence College, V.P.O – Bararu, Sagar, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)  
Member Secretary

1. The Secretary, Vasudev Excellence College, Plot No. 68, Village + Post – Bararu, Sagar – 470001, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-647/E-89447/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Smt. Anuragi Devi Mahavidyalaya, Bahuash, Hata, Kushinagar, U.P. dated 14/09/2018 is against the Order No. NRC/NCTE/NRCAPP-4235/288<sup>th</sup> Meeting/2018/197128-33 dated 20/09/2018 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Recognition of B.Ed. programme was granted to the institution vide NRC/NCTE order No. 1109320-28 dated 31st May, 2015. The institution had submitted a list of faculty purportedly approved by the affiliating body. As per letter dated 22/04/2016 of the Deen Dayal Upadhyay University, Gorakhpur, Uttar Pradesh received in this office, HOD and Lecturers had not been approved by it and the institution had submitted a fake list of the approved faculty in the office of NRC for obtaining recognition for B.Ed. NRC issued a Show Cause Notice vide its letter No. NRCAPP-4235/Emergency Meeting/2016/149079-83 dated 20th May, 2016 on the ground mentioned above to submit a written representation before withdrawal of recognition for B.Ed. course within 15 days of issue of SCN. The institution has not submitted the reply of the SCN till date. Instead of submitting reply of the SCN regarding fake list of the faculty, the institution has submitted a new list of faculty by its letter dated 12/03/2018 in the NRC office. Hence, the Committee decided that Recognition for B.Ed. course is withdrawn under Section 17 of the NCTE, Act from the end of the academic session next following the date of order of withdrawal."

**AND WHEREAS** Sh. Abhay Pratap Singh, Member, Smt. Anuragi Devi Mahavidyalaya, Bahuash, Hata, Kushinagar, U.P. presented the case of the appellant institution on 22/11/2018. In the appeal and during personal presentation it was submitted that "On April 5, 2013, 7 (3) colleges received by NCTE. By clerk of the college for 7(16), by applying fake teacher approval letter. When University

Gorakhpur came to know that your teacher approval was incorrectly bogus 7(16) received, after which the medical certificate by the college inventor by applying a medical certificate by the University of Gorakhpur, under the NCTE RULE Regulation 2014, 7(16) documents for Renewal deposited in NCTE Done NRCAPP-4235 document has been withdrawal I am innocent re-considering my document please be kind to issue 7(16).”

**AND WHEREAS** Appeal Committee noted that written submissions made by appellant in the Appeal Memoranda are not clear and candid. During the appeal presentation on 22/11/2018 appellant admitted in writing that list of faculty submitted by the Office Superintended in response to the Letter of Intent was ill conceived and submitted with the purpose to harm the institution. Appellant further submitted that list of faculty approved by Vice Chancellor, Deen Dayal Upadhyay University, Gorakhpur on 27/02/2018 is a genuine one and may be considered as compliance of 7(9) and grant of recognition under Clause 7 (16).

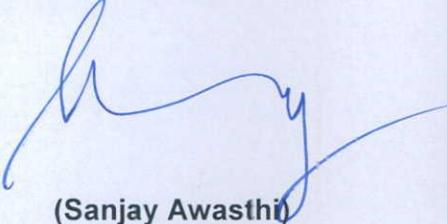
**AND WHEREAS** Appeal Committee noted that relevant regulatory file does not contain copy of letter dated 22/04/2016 purportedly to have been written by affiliating body to N.R.C. and on the basis of which S.C.N. dated 20/05/2016 was issued to appellant institution.

**AND WHEREAS** Appeal Committee is not convinced with the justification of appellant which is rather admission of misconduct on part of an office bearer of the institution. The admission of the misconduct i.e. submission of the fake approval of affiliating body was not disclosed by management of appellant institution till recognition was withdrawn after issue of S.C.N. Appeal Committee considers that invoking of Clause 7 (3) of the NCTE Regulations is necessary and legal action should be taken against the management as recognition was sought by providing a list of faculty shown as approved by affiliating body on 21/04/2015 and which was subsequently stated to be not confirmed by the authority concerned.

**AND WHEREAS** considering the facts of case, Appeal Committee decided to confirm the impugned withdrawal order dated 20/09/2018 as recognition was obtained in a fraudulent manner.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned withdrawal order dated 20/09/2018 as recognition was obtained in a fraudulent manner.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



**(Sanjay Awasthi)**  
Member Secretary

1. **The Manager, Smt. Anuragi Devi Mahavidyalaya, Bahush, Hata, Kushinagar – 274301, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-648/E-89561/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Balaji T.T. College, Aasanpura, Didwana Road, Kuchaman City, Rajasthan dated 12/09/2018 is against the Order No. NCTE/NRC/NRCAPP201616395/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 06/06/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that “The applicant institution has not submitted the reply of SCN within the stipulated time. Hence, the Committee decided that the application is rejected and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

**AND WHEREAS** Dr. Bhanwar Lal Ranwa, Lecturer, Balaji T.T. College, Aasanpura, Didwana Road, Kuchaman City, Rajasthan presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that “Our institution applied for recognition for B.A./B.Ed. and B.Sc./B Ed. four years integrated course through online on 25.06.2016. Required documents were submitted with the application. Show Cause notice was issued by the NRC to our institution to submit various documents. Documents as required in the Show Cause notice were sent to the office of NRC vide our letter dated 04/05/2017. 5. The application was rejected vide order dated 06/06/2017 on the ground that institution has not submitted reply of SCN in the office of NRC. Refusal order issued through email was not received and copy of same was obtained from the office of N.R.C. Therefore, the appeal could not filed in time.”

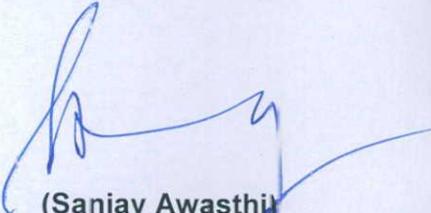
**AND WHEREAS** Appeal Committee noted that a Show Cause Notice (SCN) dated 18/04/2017 was issued to appellant institution. Reply to the above S.C.N is not found available on the regulatory file and impugned refusal order dated 06/06/2017 is on the ground that appellant institution did not submit reply to S.C.N.

**AND WHEREAS** appellant during the course of appeal hearing on 22/11/2018 submitted copy of reply dated 04/05/2017 which was sent by the appellant institution through courier namely Kuchaman Air Star. Private Courier services and the receipts issued by them are not treated as reliable evidence but at the same time NCTE has not specified the modes which are to treat as authentic modes of correspondence.

**AND WHEREAS** Appeal Committee decided to grant appellant institution an opportunity to submit copy of its reply dated 04/05/2017 with all relevant enclosures and documentary evidences to N.R.C. within 15 days of the issue of appeal orders. The matter is remanded back to N.R.C. to revisit the case thereafter. While revisiting the case N.R.C. is required to verify from the original documents the dates of issue of these documents. Para 1.1 of Appendix 13 of the Norms & Standards for the 4 year integrated course shall also be kept in view.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to grant appellant institution an opportunity to submit copy of its reply dated 04/05/2017 with all relevant enclosures and documentary evidences to N.R.C. within 15 days of the issue of appeal orders. The matter is remanded back to N.R.C. to revisit the case thereafter. While revisiting the case N.R.C. is required to verify from the original documents the dates of issue of these documents. Para 1.1 of Appendix 13 of the Norms & Standards for the 4 year integrated course shall also be kept in view.

NOW THEREFORE, the Council hereby remands back the case of Balaji T.T. College, Aasanpura, Didwana Road, Kuchaman City, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)  
Member Secretary

1. The Secretary, Balaji T.T. College, Aasanpura, Didwana Road, Kuchaman City – 341508, Rajasthan
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (Looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-402/E-78192/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing I, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Vivekanand Shiksha Mahavidyalaya, Manusagaon, Icchapur, Shahpur, Madhya Pradesh dated 05/06/2018 is against the Order No. WRC/APP201660151/9095/222/285<sup>th</sup> /M.P./2017/9955-961 dated 01/01/2018 of the Western Regional Committee, confirming the refusal of recognition order for conducting D.El.Ed. Course issued on 31/03/2017.

**AND WHEREAS** Vivekanand Shiksha Mahavidyalaya, Manusagaon, Icchapur, Shahpur, Madhya Pradesh was asked to present the case of the appellant institution on 01/08/2018 but no one appeared. The appellant, in their letter dt. 06/08/2018, stating that information to appear on 01/08/2018 was received by them only on 02/08/2018, requested another date. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

**AND WHEREAS** Sh. Sanjay Raut, Vice Principal and Sh. Amol Patil, Lecturer, Vivekanand Shiksha Mahavidyalaya, Manusagaon, Icchapur, Shahpur, Madhya Pradesh appeared before Appeal Committee on 22/11/2018 and submitted that appellant society has now obtained a Minority Certificate dated 25/04/2018 issued by office of Commission for Backward and Minority Welfare, Madhya Pradesh and now its application be reconsidered for grant of recognition.

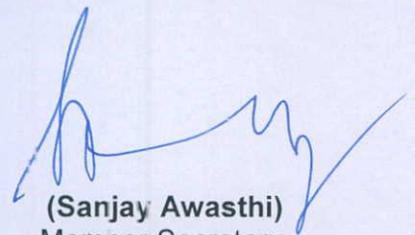
**AND WHEREAS** Appeal Committee noted that application of the appellant institution seeking recognition for D.El.Ed. programme was refused, and impugned refusal order was issued on 31/03/2017 (email date). Appellant thereafter preferred appeal dated 31/05/2017 and Appeal Committee after considering the case concluded

to remand back the case by issue of Appeal order dated 29/11/2017 to WRC for seeking legal opinion on the deemed Minority status of the institution. Appeal Committee observed that W.R.C. obtained legal opinion which confirmed that there is nothing on record to prove that the applicant institution was conferred the minority status. After getting the legal opinion W.R.C. issued a second refusal order dated 01/01/2018 confirming its earlier refusal order dated 31/03/2017.

**AND WHEREAS** Appeal Committee noted that application seeking recognition for D.El.Ed. programme was submitted by appellant institution on 31/05/2016. Applicant is required to meet all the eligibility norms as on the date of application. The minority certificate dated 25/04/2018 in no way can be of any help in a case already refused twice on the deficiency. Appeal Committee, therefore, decided to confirm the impugned refusal order.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 01/01/2018 issued by W.R.C.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**

  
(Sanjay Awasthi)  
Member Secretary

1. The Manager, Vivekanand Shiksha Mahavidyalaya Near Kalu Shah Baba Dargah, Manusagaon, Icchapur Indore Road, Shahpur – 450445, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-521/E-83447/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Maa Bhagvati Shikshak Prashikshan Mahavidyalay, Pichuna, Roopwas, Rajasthan dated 25/07/2018 is against the Order No. NCTE/NRC/NRCAPP-201616351/Bachelor of Education [B.Ed.]/RJ/2017-18/2; dated 28/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "the institution has not submitted any proof / evidence to prove that it is a composite institution as per clause 2(b) of NCTE Regulations, 2014. Hence, the Committee decided that the application is rejected and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any be returned to the institution."

**AND WHEREAS** the appellant, aggrieved by the order of the N.R.C. dt. 24/08/2017, filed a S.B. Civil Writs No. 23665/2017 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 18/07/2018 disposed of the petition granting liberty to the petitioner – institution to avail the remedy of statutory appeal provided under Section 18 of the Act of 1993. The Hon'ble High Court also observed that if the petitioner – institution files an appeal under Section 18 of the Act of 1993 before the concerned Appellate Authority, it is expected of the Appellate Authority to decide the same preferably within a period of two months.

**AND WHEREAS** Maa Bhagvati Shikshak Prashikshan Mahavidyalay, Pichuna, Roopwas, Rajasthan was asked to present the case of the appellant institution on 23/08/2018 but nobody from the institution appeared on that day. However, the appellant submitted a letter dt. 24/08/2018 stating that as they received the notice for hearing on 23/08/2018 only, they could not attend the hearing on that date. The

appellant in that letter also requested that his appeal may be heard on 24/08/2018 as they brought all documents as per the Hon'ble High Court's order. Since the appellant was not present on the day fixed for hearing and many other cases were listed for hearing on 24/08/2018, the Committee decided to give them another opportunity i.e. the second opportunity to present their case.

**AND WHEREAS** Appeal Committee noted that impugned refusal order dated 28/04/2017 was issued on the ground that applicant institution has failed to submit any evidence in support of its composite status and requirement of Clause 2 (b) of NCTE Regulations are not met with. Impugned refusal order was issued after giving the appellant an opportunity to make written representation by issue of S.C.N. dated 25/04/2017 and considering reply of the institution dated 24/04/2017. It is pertinent to note here that reply to S.C.N. was submitted by appellant institution by taking note of the minutes of N.R.C. 268<sup>th</sup> Meeting held from 19<sup>th</sup> to 21<sup>st</sup> April, 2017.

**AND WHEREAS** Appeal Committee observes that appellant institution submitted a belated appeal dated 26/07/2018 after seeking order dated 18/07/2018 from High Court of Judicature for Rajasthan Bench in W.P. Case no. 23665/2017. As per order of Hon'ble High Court, the appeal is required to be decided preferably within 2 months.

**AND WHEREAS** Appeal Committee noted that appellant was asked to present its case before Appeal Committee on 23/08/2018 for the first time and on 22/11/2018 for the second time. Sh. Jagdish Prasad Chaturvedi, Secretary and Sh. Navin Prakash, Member, Maa Bhagvati Shikshak Prashikshan Mahavidyalay, Pichuna, Roopwas, Rajasthan appeared before Appeal Committee on 22/11/2018 and submitted copies of communications dated 24/05/2018 and 15/10/2018. The communication dated 24/05/2018 is a N.O.C. issued by Commissioner, College Education conveying no objection for the college to start under graduate programme. The communication dated 15/10/2018 is an affiliation letter issued by Maharaja Surajmal Brij University in favour of Baghwati Degree College.

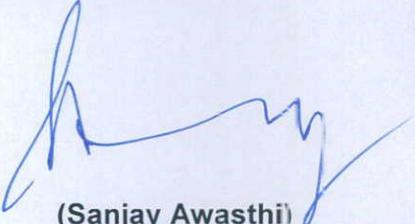
**AND WHEREAS** Appeal Committee, considered the submission of appellant that 'it has now obtained the status of composite institution.' Appeal Committee noted that Clause 3 (A) of NCTE Regulations, 2014 reads as follows:

*"Recognition for commencement of new teacher education programmes shall be offered in composite institution."*

From the above Clause it is derived that before a final decision is taken by Regional Committee to grant or refuse recognition applicant has to show evidence that it is a composite institution. Orders already issued by Regional Committee cannot be subjected to review on the basis of development which occur after a considerable time. Appeal Committee decided to confirm the impugned refusal order dated 28/04/2017 issued by N.R.C.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 28/04/2017 issued by N.R.C.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



(Sanjay Awasthi)  
Member Secretary

1. The Manager, Maa Bhagvati Shikshak Prashikshan Mahavidyalay, Pichuna, Roopwas – 321301, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-540/E-84909/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Prakashvati Girls T.T. College, Bayana Road, Baseri, Rajasthan dated 06/08/2018 is against the Letter No New Appl./RF/Raj./NRCAPP-4695/2013-14/75898 dated 01/05/2014 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. Course on the grounds that "N.R.C., NCTE is in receipt of the letter from Additional Director (Elementary), Primary Education, Bikaner, Rajasthan intimating therein the decision taken by the State Govt. not to allow running of Pre-primary (Nursery) programmes in the State."

**AND WHEREAS** the appellant aggrieved by the letter of the N.R.C. dt. 1.05.2014 returning their application filed a S.B. Civil Writs No. 14132/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 09/07/2018 disposed of the petition granting liberty to the petitioner institution to avail the remedy of statutory appeal provided under Section 18 of the Act of 1993. The Hon'ble High Court also observed that if the petitioner institution files an appeal under Section 18 of the Act of 1993 before the concerned Appellate Authority, it is expected of the Appellate Authority to decide the same expeditiously.

**AND WHEREAS** Prakashvati Girls T.T. College, Bayana Road, Baseri, Rajasthan was asked to present the case of the appellant institution on 23/08/2018 but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

**AND WHEREAS** Sh. Deependra Singh, Secretary, Prakashvati Girls T.T. College, Bayand Road, Baseri, Rajasthan appeared before Appeal Committee on

22/11/2018 and stated that "Refusal order dated 01/05/2014 is bad, arbitrary, perverse and illegal and thus same cannot be sustained in the eyes of law. The decisions for rejection is liable to be quashed and set aside. Rejection of file on the ground of ban of State Government is unjust and illegal unless decided on merit. NCTE issued a Public Notice dated 26/11/2012 inviting application from the institutions desirous of running teacher training courses and this public notice had no ban for D.El.Ed (STC) with respect to State of Rajasthan. In furtherance of this public notice, the appellant institution applied vide online application dated 27/12/2012. The petitioner had submitted a valid online application no. NRCAPP-4695 in 2012 for BSTC course in the prescribed form, and along with processing fee and other requisite documents, as required in accordance with Regulations, 2009 as at the time of making of application they were in force. In similar situation and feeling aggrieved by this return, many institutions approached the Hon'ble High Court of Rajasthan by way writ petitions and issue regarding NOC from State was decided by the Hon'ble High Court of Rajasthan in Writ Petition No. 8236/2012 titled as Adarsh Shikshak Prashikshan Mahavidyalya vide its judgment dated 26.09.2012 as under: "The matter is remanded back to the respondents to consider and decide the application of the petitioner Institution filed on 13.12.2007 for starting B.Ed. course in accordance with the Regulations, 2007 without reference to the State Government policy decision dated 17.11.2008 and 03.01.2009. The entire exercise should be concluded within a period of one month, from the date of receipt of the certified copy of this order. There shall be no order as to costs." In view of this judgment, many institutions got recognition in accordance with 2009 Regulations. F. issue regarding NOC from State Government was raised in SLP titled as LBS vs. State of Rajasthan. In this case issue was regarding NOC from State Government. In this case the Hon'ble court established the principles of law which are required to be followed by the Regional Committee of the National Council for Teacher Education. The Hon'ble Supreme Court vide order dated 8th September 2016 disposed of the SLP No. 5252-89/14 clearly defining role of State Government as under: "14. As we find from the aforesaid authorities as well as the Regulations framed by the NCTE, the State has a sap, map be a limited one. We are inclined to use the word 'limited' because the State's say is

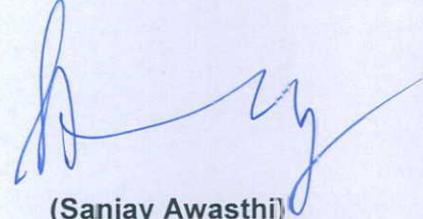
not binding on the NCTE. However, the NCTE is required to take the same into consideration, for the State a vital role to offer proper comments supported by due reasoning. It needs no special emphasis to say that final authority rests with the NCTE. It is clear legal position. 15. In course of hearing, we have been apprised that the NCTE has granted recognition to some of the institutions. As the recognition has already been granted, the controversy with regard to the said institutions shall stand closed. Needless to say, in future, whenever an application is received under the Regulations, the NCTE shall be guided by its own Regulations and the judgements of this court and the State shall remain bound by the principles set out herein above. Needless to say, the NCTE shall take into consideration the recommendations and views of the State despite the fact that it has the final say." Respondent NRC-NCTE, has acted in highly discriminatory manner and have processed the other similar files, which were returned by NRC in 2009 & 2012-13 in view of ban imposed by State Government, and had been granted recognition. NRC have granted recognition to many institutions and is still giving recognition to such institutions and never raised any objection of State ban or negative recommendations of State government. A copy of recognition order dated 26/8/16 in similar situated files is annexed herewith and marked as Enclosure - 5. H. the State Government of Rajasthan have vide letter dated 1/1/2018, withdrew ban on BSTC course for Session 2019-2020, thereby curing the only deficiency in our application. At, present there is no ban in the state of Rajasthan for D.El.Ed. course. The respondent NRC-NCTE while issuing refusal order dated 1/5/2014 acted in most arbitrary by not providing an opportunity of hearing to the institution. The Council have decided the appeal in similar matters pertaining to State of Haryana, where by it has been clearly decided by the Council that once the applications are invited, the Regional Committee has no right to reject it on the grounds of ban subsequently. The application of Haryana institution was also made in 2012 which was returned due to ban of State Government of Haryana. The Council directed NRC to process that application and NRC also processed that application and granted recognition to such institution. In many other cases also pertaining to State of Haryana with similar issue are remanded back to NRC by Hon'ble High court of Delhi. More than 100 files, which were returned due to state

ban are being processed in view of direction of Appellate authority and Hon'ble court and some are given recognition also. Similar treatment should be meted out to the appellant also and should be remanded back to NRC. Petitioner has invested huge amount of capital and manpower for development of infrastructure and facilities at its institution and it has been continuously litigating for securing its rights and for running teacher education course but respondent is illegally blocking it from running the course which is clearly unwarranted and unlawful. Under Regulations, 2014 the "Council" has "powers to relax" any condition / regulation which causes undue hardship. This is a fit case for relaxation and giving benefit to appellant who substantially satisfies Norms and Standards under Regulations, 2014. Respondents have failed to carry out the compliance of Adarsh Shikshan Prashikshan Case decided by Hon'ble High Court on 26.09.2013 and the law laid down therein. The decision has been taken by NRC-NCTE without application of mind and without providing any opportunity of hearing to the institution. The action on part of respondent NRC-NCTE is illegal and irrational and same violates Article 14, 19 & 21 of the Constitution of India. Other grounds will be argued at the time of arguments. Further, appellant reserves its right to place on record relevant pronouncement and documents at the time of arguments."

**AND WHEREAS** Appeal Committee noted that relevant regulatory is not available for verification of facts. The impugned letter dated 01/05/2014 relates to return of application of appellant institution on the ground that Government of Rajasthan has not allowed running of Pre-Primary (Nursery) programmes in the State.

**AND WHEREAS** Appeal Committee noted that appellant after getting the impugned letter dated 01/05/2014 returning the application never represented that its application pertained to D.El.Ed. programme and reference given by N.R.C. was not relevant. Considerable time has lapsed. Appellant did not make timely submissions to N.R.C. and in addition had accepted the refund of application fee made in 2014, there is no justification to admit the appeal at this belated stage.

Moreover, NCTE portal was opened twice during calendar years 2015 and 2016 inviting applications for various teacher education programmes for the academic years 2016-17 and 2017-18. Appellant institution was at liberty to have applied afresh under the NCTE Regulations, 2014. Appeal Committee decided not to admit the appeal.



(Sanjay Awasthi)  
Member Secretary

1. The Secretary, Prakashvati Girls T.T. College, Bayana Road, Baseri – 328022, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-425/E-79248/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31.12.2018

**ORDER**

**WHEREAS** the appeal of Majalgaon Mahila D.Ed. College, Sadola Road, Majalgaon, Maharashtra dated 20/06/2018 is against the Order No. WRC/APW03159/122513/284<sup>th</sup>{M.H.}/2017/193713 dated 07/12/2017 of the Northern Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "Show Cause Notice was issued to the institution on 10.10.2013 and the reply was received on 11.02.2015. The institution has still not applied for shifting nor paid the shifting fees as per Regulations, 2014. Since the institution has failed to fulfil these conditions, Recognition is withdrawn from the academic session 2018-19. FDRs, if any, be returned."

**AND WHEREAS** Ms. Mangla Solank, Chairperson and B. Parbhakar, Principal, Majalgaon Mahila D.Ed. College, Sado a Road, Majalgaon, Maharashtra presented the case of the appellant institution on 22/11/2018 and submitted that college premises were changed after informing the Regional Committee.

**AND WHEREAS** Appela Committee noted that a Show Cause Notice (SCN) dated 10/10/2013 was issued to appellant institution consequent upon appellant institution's shifting to a new building and informing W.R.C. by a letter dated 26/11/2012. By issue of S C.N. the appellant institution was required to formally apply for change of premises and the application was required to be accompanied by a draft of Rs. 50,000/-. Appeal Committee further noted that appellant institution submitted the application seeking approval of shifting. The request of appellant institution was accompanied with requisite fee of Rs. 50,000/- and land, building documents.

**AND WHEREAS** Appeal Committee noted that appellant institution while giving its assent to be governed by NCTE Regulations, 2014 again informed W.R.C. by its letter dated 06/02/2015 that it had applied for shifting through its letter dated 24/10/2013.

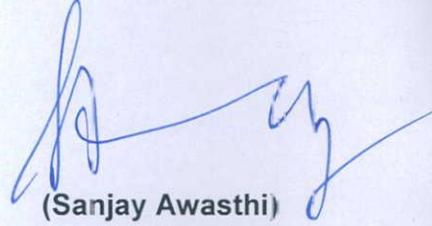
**AND WHEREAS** on going through the regulatory file, Appeal Committee observed that impugned order of withdrawal dated 07/12/2017 is on the ground that reply to S.C.N. 10/10/2013 was received on 10/02/2015 and institution has still not applied for shifting nor paid shifting fee as per Regulation, 2014. The impugned order of withdrawal is not sustainable on the following ground:-

- (a) S.C.N. issued on 10/10/2013 clearly mentioned that application for change of premises shall be accompanied by a demand draft of Rs. 50,000/-.
- (b) Applicant submitted reply to S.C.N. which was received in the office of W.R.C. on 29/10/2013. Reply was accompanied by land, building documents and a demand draft of 50,000/-.
- (c) Applicant while seeking revised recognition order under NCTE Regulations, 2014 brought it to the Notice of W.R.C. that its application dated 24/10/2013 seeking permission for shifting premises is pending in the office of W.R.C.

**AND WHEREAS** considering the facts of the case, WRC was not justified in asking the appellant institution to pay shifting fee as per NCTE Regulation, 2014 and withdrawing recognition without having considered the earlier request received in the office of W.R.C. on 29/10/2013 seeking permission of shifting. Appeal Committee decided to set aside the impugned order of withdrawal dated 07/12/2017. W.R.C. is required to examine the case afresh with reference to its request dated 29/10/2013 seeking permission to shift premises.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee

concluded to set aside the impugned order of withdrawal dated 07/12/2017. W.R.C. is required to examine the case afresh with reference to its request dated 29/10/2013 seeking permission to shift premises.



(Sanjay Awasthi)  
Member Secretary

1. The Principal, Majalgaon Mahila D.Ed. College, Sadola Road, Majalgaon – 431131, Maharashtra.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.



F.No.89-426/E-79299/2018 Appeal/21<sup>st</sup> Mtg.-2018/2<sup>nd</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of S.S.C. Education College, Dorli Chhatarpur Dream Land City, Katangi Road, Seoni, Madhya Pradesh dated 13/06/2018 is against the Order No. APP201660/26/9489/B.Sc.B.Ed./291<sup>st</sup>/{M.P.}/2018197762 dated 15/05/2018 of the Western Regional Committee, refusing recognition for conducting B.Sc. B.Ed. Course on the grounds that "the replies dt. 10.11.2017 & 02.02.2018 of the institution were placed before WRC in its 291<sup>st</sup> Meeting held from April 26-27, 2018. The Committee decided that "...Show Cause Notice was issued to the institution on 17.02.2017 followed by a clarification letter dated 16.11.2017. The institution has still not submitted the required land documents. Hence, Recognition is refused."

**AND WHEREAS** Dr. Ramkumar Chaturvedi, Director, S.S.C. Education College, Dorli Chhatarpur Dream Land City, Katangi Road, Seoni, Madhya Pradesh presented the case of the appellant institution on 23/08/2018. In the course of presentation, the appellant gave a letter dt. 23/08/2018 stating that they could not enclose land documents certified by Tahsildar. In the circumstances, the appellant requested for one more opportunity. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

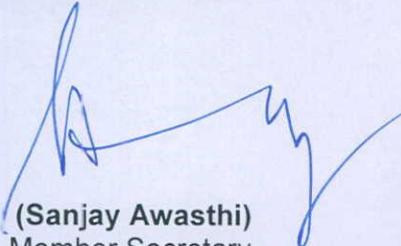
**AND WHEREAS** Dr. Ram Kumar, Chaturvedi, Director appeared before Appeal Committee on 22/11/2018 and submitted copy of a letter dated 20/22-08-2018 issued by Tehsildar, Sivni, Madhya Pradesh. By its certificate, Tehsildar has certified that Shri Ram Shiksha Samiti has purchased land on 18/09/2012 measuring 0.26 acre located at Patwari Halka No. 110, Khasra No. 22/3. It is further certified by Tehsildar that after conversion in two parts the land is numbered as Khasra No. 22/8 and 22/10.

**AND WHEREAS** Appeal Committee noted that in its online application dated 29/05/2016, applicant has mentioned three survey numbers i.e. 22/7 K, 22/8 and 22/10

and had also enclosed corresponding certified copies of land documents. From the correspondence available on relevant regulatory file Appeal Committee observed that applicant society also owns 0.20 Hec. Land at Khasra No. 22/11. Though this land cannot be taken into account for considering the eligibility of applicant for the presently applied for programme yet it may be a factor which can be taken into account for considering the requirement of land for a composite institution. As there is no change in Khasra Numbers and land documents as mentioned in the online application, Appeal Committee decided to remand back the case to W.R.C. to revisit the matter after considering the certificate dated 22/08/2018 issued by Tehsildar, Siwani. Appellant institution is required to submit authenticated copy of the certificate dated 22/08/2018 issued by Tehsildar to W.R.C. within 15 days of the issue of Appeal orders.

**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 W.R.C. to revisit the matter after considering the certificate dated 22/08/2018 issued by Tehsildar, Siwani. Appellant institution is required to submit authenticated copy of the certificate dated 22/08/2018 issued by Tehsildar to W.R.C. within 15 days of the issue of Appeal orders.

**NOW THEREFORE, the Council hereby remands back the case of S.S.C. Education College, Dorli Chhatarpur Dream Land City, Katangi Road, Seoni, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.**

  
(Sanjay Awasthi)  
Member Secretary

1. The Director, S.S.C. Education College, Dorli Chhatarpur Dream Land City, Katangi Road, Seoni – 480661, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-427/E-79296/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Primary Teachers Education College, Shahpur Patory, Bihar dated 03/04/2018 is against the Order No. ERC/248.12.13/8657/D.El.Ed.(Addl. Intake)/ERCAPP201645058/2017/55792 dated 30/01/2018 of the Eastern Regional Committee, refusal recognition for additional intake in D.El.Ed. Course on the grounds that "i. VT constituted online for conduct of inspection during the schedule from 07.02.2017 to 27.02.2017. ii. The institution vide letter dated 17.10.2017 informed for postponing inspection till November, 2017. iii. The VT expert viz. Vivekanand Basappa Hallolli vide letter dated 16.11.2017 informed that the institution was not ready for inspection during the period as the building was under construction. iv. As per NCTE Regulations, 2014 the inspection is not conducted as per consent of the institution. In view of the above, the Committee decided as under: the Committee is of the opinion that application bearing code No. ERCAPP201645058 of the institution regarding permission of applied additional intake of D.El.Ed. Programme is refused under Section 15(3)(b) of NCTE Act 1993."

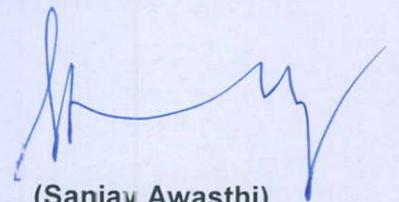
**AND WHEREAS** Sh. Purushottam Kumar, Clerk and Sh. Harish Chandra Choudhary, Principal, Primary Teachers Education College, Shahpur Patory, Bihar was asked to present the case of the appellant institution on 23/08/2018. The appellant, in their letter dt. 23/08/2018, requested another opportunity to submit the building completion certificate in the format and the reasons for not conducting inspection by the previous Visiting Team. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

**AND WHEREAS** Sh. Purushottam Kumar, Office Staff attending the appeal hearing on 22/11/2018 submitted copy of a Building Completion Certificate (B.C.C.) dated 05/10/2018 and a letter dated 19/11/2018 of Principal of appellant institution. Principal, PTEC stated that construction work was completed in July, 2018. Appeal Committee noted that impugned refusal order dated 30/01/2018 was made on the ground that at the time of inspection in February, 2017 the building was under construction and institution was not ready for inspection. The ground on which refusal order dated 30/01/2018 was issued stands substantiated by the written submission of the Principal. As per Clause 8 (7) of the NCTE Regulations, 2014 the building of the institution shall be complete, and institution shall be able to produce original completion certificate for verification of the Visiting Team. Clause 7 (7) of the Regulations, 2014 prescribe that Inspection shall not be subject to the consent of applicant.

**AND WHEREAS** as the appellant institution did not possess B.C.C. and did not allow the inspection to happen, Appeal Committee decided to confirm the impugned refusal order dated 30/01/2018.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 30/01/2018.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



(Sanjay Awasthi)  
Member Secretary

1. The Principal, Primary Teachers Education College, Shahpur Patory, Patory – 848504, Bihar.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F No.89-439/E-79655/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Som-Lalit College of Education, Naurangpura, Sardar Patel Stadium Marg, Ahmedabad, Gujarat dated 28/05/2018 is against the order No. WRC/AP/W04323/323429/Guj./290<sup>th</sup> /2018/19762-769 dated 04/04/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Show Cause Notice was issued to the institution on 26.08.2016. The institution replied on 13/09/2016. A scrutiny of the reply shows that the institution has not submitted the staff profile in the prescribed format nor is it approved by the Registrar, Building Completion Certificate in the prescribed format countersigned by a Govt. Engineer in original and FDRs for Rs 12 lakhs in joint name Hence, Recognition is withdrawn from the academic session 2018-19."

**AND WHEREAS** Som-Lalit College of Education, Naurangpura, Sardar Patel Stadium Marg, Ahmedabad, Gujarat was asked to present the case of the appellant institution on 23/08/2018, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

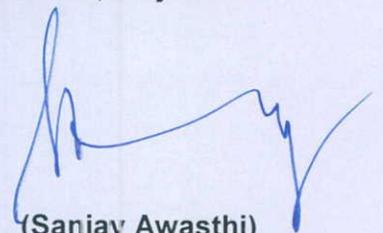
**AND WHEREAS** Appeal Committee noted that appellant institution was recognised for conducting B.Ed. programme with an intake of 100 seats in the year 2007 and revised recognition order was also issued on 25/05/2015. As appellant institution could not comply with the terms & conditions for issue of recognition order, a Show Cause Notice (SCN) dated 26/03/2016 was issued seeking; (i) staff profile approved by affiliating university; (ii) originally notarised C.L.U., N.E.C., approved building plan and B.C.C. issued by Competent Authority (iii) F.D.Rs of 7 lakh & 5 lakh on account of endowment and reserve fund.

**AND WHEREAS** appellant institution submitted reply dated 13/09/2016 to the S.C.N. which was found to be deficient in the 290<sup>th</sup> Meeting of W.R.C. held on 21-23 March, 2018 and consequently impugned withdrawal order dated 04/04/2018 was issued.

**AND WHEREAS** appellant alongwith its appeal memoranda and during the hearing on 22/11/2018 submitted (i) copies of Building Completion Certificate issued by Ahmedabad Municipal Corporation (ii) FDRs for enhanced amount of endowment & reserve fund and (iii) list containing the names of Principal and 16 faculty approved by affiliating body. Committee further noted that existing institutions are not required to furnish F.D.Rs at enhanced rates. Appeal Committee decided that appellant institution should submit copies of (i) B.C.C., (ii) Approval list containing the names of Principal and faculty to W.R.C. within 15 days of the issue of appeal order. Appeal Committee further decided to remand back the case to W.R.C. to revisit the matter on receipt of required documentary evidences from the appellant institution.

**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 W.R.C. to revisit the matter on receipt of required documentary evidences from the appellant institution.

**NOW THEREFORE**, the Council hereby remands back the case of Som-Lalit College of Education, Naurangpura, Sardar Patel Stadium Marg, Ahmedabad, Gujarat to the WRC, NCTE, for necessary action as indicated above.

  
(Sanjay Awasthi)  
Member Secretary

1. The Manager, Som-Lalit College of Education, Naurangpura, Sardar Patel Stadium Marg, Ahmedabad – 380009, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.

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F.No.89-457/E-80068/2018 Appeal/2<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of S.C.B. T T. School, Taranagar, Sahawa, Rajasthan dated 28/06/2018 is against the Letter No. New Appl./RF/Raj/NRCAPP-9538/2013-14/47321 dated 07/06/2013 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. Course on the grounds that "the NRC considered the letter no. dated 20.3.2013 containing instructions in respect of consideration processing of Applications for recognition of Teacher Education viz a recommendations of the State Govt. of us well as the Demand and Supply of teachers conducted by NCTE and also the following Judgments of the Hon'ble Supreme Court: the Hon'ble Supreme Court vide its judgment dated / SL No. has held that the provisions contained in Section 14 of the NCTE Act and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union territory administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in clauses Regulations. Further, the Hon'ble Supreme Court in its judgment dared 0601.2012 in SLP (C) No. 14020/2009, held the State Government/UT Administration, to whom copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulation 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.3.2013 made it is clear that the general recommendations of the State Government were application in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC decided that the recommendations of the Mute Govt. of Rajasthan i.e. not to allow setting up of new D.El.Ed. institutions in the State be accepted and the applications so

received be returned to respective institutions. Also, the application fees be refunded to the applicants.”

**AND WHEREAS** the appellant filed a S.B. Civil Writ Petition No. 18930/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur praying for issue of directions to the Appellate Authority for processing the appeal dated 28/06/2018 preferred by them in expeditious manner and within stipulated time frame. The Hon'ble High Court in their order dt. 27/08/2018 directed the Appellate Authority to expeditiously decide the pending appeal filed by the petitioner.

**AND WHEREAS** Sh. Randhir Singh Dhaka, Representative, S.C.B. T.T. School, Taranagar, Sahawa, Rajasthan presented the case of the appellant institution on 22/11/2018. In the appeal and during personal presentation it was submitted that (i) they applied for D.El.Ed. course online on 31/12/2012 and the application was received in the N.R.C. on 04/01/2013; (ii) the N.R.C. returned their application with their letter dt. 07/06/2013 in the absence of recommendations of State Government of Rajasthan; (iii) the controversy about State recommendations has been settled by the Appellate Authority in similar matter while disposing of an appeal vide order no. 89-488/E-9740/2017-Appeal/17<sup>th</sup> Meeting of 2017 dt. 27/11/2017 on the ground that 'Appeal Committee noted that the appellant applied in 2012, there was no ban by the State Government. Further the Appeal Committee is of the view that the blanket general ban imposed by the State Government can be taken into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular State for the prospective academic year (s). Once applications are invited, the Regional Committee has no right to reject it on grounds of ban imposed subsequently by the State Government.' Appeal order is annexed.; (iv) the respondent had already granted recognition to several institutions ignoring the above said shortcomings vide recognition order 26/08/2016 for D.El.Ed., copy enclosed; (v) the respondent, before returning the application did not issue any show cause notice to the appellant as per the provisions of Section 14 (3) (b) of the NCTE Act, 1993 providing an opportunity of making a written representation; (vi) the appellant had

made all necessary arrangements with regard to physical and other facilities; and (vii) the State Government of Rajasthan vide their letter dt. 01/01/2018 written to NCTE has taken a policy decision to allow D.El.Ed. programme in new institutions for the academic session 2019-20.

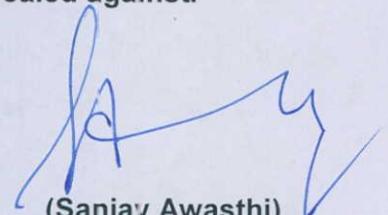
**AND WHEREAS** the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in their above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

**AND WHEREAS** the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition

for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the positions stated in para 5 above concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



**(Sanjay Awasthi)**  
Member Secretary

1. **The Secretary/Appellant, S.C.B. T.T. School Sahawa, Ward No.1, Taranagar, Sahawa – 331301, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New De hi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-458/E-80107/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Shri Guru Jambheshwar Adarsh B.Ed. College, Rawatsar, Rajasthan dated 26/06/2018 is against the Letter No. New Appl./RF/Raj./NRCAPP-9322/2013-14/47350 dated 07/06/2013 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. Course on the grounds that "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration / processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgments of the Hon'ble Supreme Court: the Hon'ble Supreme Court vide its judgment dated 31.01.2011 1 SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government / Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government / UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulations 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it is clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC decided that the recommendations of the State Govt. of

Rajasthan i.e. not to allow setting up of new D.El.Ed. Institutions in the State be accepted, and the applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants.”

**AND WHEREAS** the appellant filed a S.B. Civil Writ Petition number 18925/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur praying for issue of directions to the appellate authority for processing the appeal. The Hon'ble High Court in the order dated 27/08/2018 directed the Appellate Authority to decided the appeal expeditiously.

**AND WHEREAS** Mr. Verma, Secretary, Shri Guru Jambheshwar Adarsh B.Ed. College, Rawatsar, Rajasthan presented the case of appellant institution on 22/11/2018. In the appeal and during personal presentation it was submitted that appellant applied online in 2012 and the controversy about obtaining and submission of N.O.C. from affiliating body is already settled by Appeal Committee.

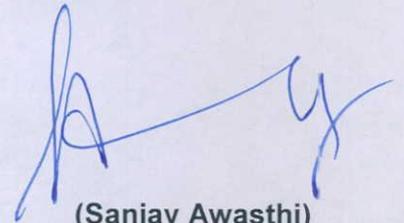
**AND WHEREAS** the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in their above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including

Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

**AND WHEREAS** the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the positions stated in para 5 above concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



**(Sanjay Awasthi)**  
Member Secretary

- 1. The Manager, Shri Guru Jambheshwar Adarsh B.Ed. College, Ward No. 22, Rawatsar – 335524, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-464/E-80580/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of R.G. Barot College of Education, Mau Road, Bhiloda, Gujarat dated 06/07/2018 is against the order No. WRC/00051/323034/Guj./293<sup>rd</sup>/2018/198721 dated 22/06/2018 of the Western Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "Consequent to the issue of revised recognition order, Show Cause Notice dated 18.08.2017 was issued and the institute replied on 21.09.2017 & 03.05.2018. The institute has submitted a photocopy of staff profile of (1+7) and another list of 9 which are not approved and not in original. Building Completion Certificate from a Govt. Engineer is not submitted. The institute has been given enough opportunity to fulfil the requirements of NCTE Regulations, 2014. It has failed to do so. Hence, Recognition is withdrawn from the session 2018-19. FDRs, if any, be returned."

**AND WHEREAS** Sh. Raj K. Joshi, Adm. Director, R.G. Barot College of Education, Mau Road, Bhiloda, Gujarat presented the case of the appellant institution on 22/11/2018. In the appeal and during personal presentation it was submitted that "NCTE WRC has not considered the explanation given by the appellant in reply to the show cause notice and has rejected the same by a cryptic decision. Recognition is withdrawn from the next academic session 2018/19. It does not say as to why the explanation given by the Institution is not accepted by NCTE WRC. Our institution had already appointed the staff. All staff are selected by university staff selection committee and appointments are approval by the university registrar. all document are attached Principal is common for B.Ed. and M.Ed. and 15 full time teaching faculties are working in the year 2016/17 and 2017/18 in B.Ed. programme. Staff list and

approval orders are attached. The institution had sent a profile of one principal and fifteen teaching faculties in Year 2016-17 and 2017-18 Dated 21/09/2017 and dated 03/05/2018. The faculty is performing duty since from 2016-17 in the B.Ed. Programme. Vacant posts have been filled by the H.N.G.U. staff selection committee. The two teaching faculties have been selected from in the year 2016/17 dated 08/01/2017. They are performing their duties in the college. The proof is attached with this letter. It is humble request to reconsider sympathetically in this matter, and continue the recognition of the B.Ed. Programme of our college. Certified copy of registered land document issued by the competent authority, change of land use certificate, approved building plan having demarcated land area and built up area for B.Ed. and M.Ed. programmes described document were sent to your office on dated 24/09/2017. Copies of building completion certificate, non-encumbrance certificate are attached. These two certificates are attached. According to the Gujarat Panchayat Act, in each village panchayat, The Engineer passed the plan of building and then the construction committee of the Tahshil Panchayat passes the resolution. for passing the plan after the completion of the building construction with the opinion of the engineer, the Tahsildar is Government executive officer of Village panchayat gives the certificate. The institution has sent the same certificate to NCTE WRC Bhopal on dated 21/09/2017. The institution had sent a certificate of chief officer of Tahesildar of village panchayat with his signature and stamps of an authorized officer and building map to the WRC, NCTE on dated 21/09/2017. That certificate has been rejected and the WRC NCTE withdrawn the recognition of B.Ed. Programme. This is the injustice to the institution. In village panchayat, the government appoints the Tahesildar. The village panchayat area is not in the work field of government engineer or PWD engineer. The Tahesildar of village panchayat issues Building Completion certificate the certificate after the completion of whole procedure. Owing to rejecting the Tehsildar's Building completion certificate and withdrawing the recognition of the B.Ed. Programme, the institution has become the victim of injustice. WRC cannot withdraw the recognition of the appellant college on the principle of Promissory estoppels It is further stated that the appellant college satisfied all the requirements of NCTE act. Any

change in rules and regulations cannot invalidate the recognition granted earlier. New regulation cannot be applied retrospectively.”

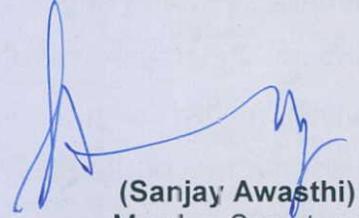
**AND WHEREAS** during the course of appeal presentation on 24/08/2018 appellant orally submitted that it needs adjournment of hearing and another opportunity may be provided to him. Appeal Committee in view of the extant appeal rules decided to grant another (second) opportunity to him for making personal presentation of its case. Appellant appeared before Appeal Committee on 22/11/2018 and submitted copies of following documents:-

- (i) Approved list containing the name of Principal and 19 faculty approved by Hemchandracharya North Gujarat University along with University approval letters.
- (ii) Building Completion Certificate, Building Plan (approved)
- (iii) F.D.Rs

**AND WHEREAS** keeping in view that appellant institution is recognised for conducting B.Ed. programme since 2005, Appeal Committee decided that compliance and submissions made by appellant deserve to be considered by W.R.C. Appellant is accordingly required to submit to WRC within 15 days of issue of Appeal order, copies of (i) Approved list containing the names of Principal and other faculty (ii) Building Plan & Building Completion Certificate issued by Competent Authorities and (iii) FDRs. Appeal Committee decided to remand back the case to WRC to revisit the matter after getting above quoted documents which the appellant institution must submit expeditiously and latest within 15 days of the issue of Appeal order.

**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 WRC to revisit the matter after getting above quoted documents which the appellant institution must submit expeditiously and latest within 15 days of the issue of Appeal order.

NOW THEREFORE, the Council hereby remands back the case of R.G. Barot College of Education, Mau Road, Bhiloda, Gujarat to the WRC, NCTE, for necessary action as indicated above.



**(Sanjay Awasthi)**  
Member Secretary

1. **The Secretary, R.G. Barot College of Education, Mau Road, Bhiloda – 383245, Gujarat.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-476/E-80919/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Maa Ashapura College of Education, Near Levapatel Hospital, Pramukhswami Nagar Road, Bhuj, Gujarat dated 05/07/2018 is against the order No. WRC/APW00378/323118/Guj./292<sup>nd</sup>/2018/198011 dated 22/05/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "the case file was seen. Consequent to the issue of Revised Recognition order, Show Cause Notice dated 26.08.2016 followed by a compliance letter dated 31.07.2017 were issued. The institution has not replied till date. Hence, Recognition is withdrawn from the next academic session 2018-19."

**AND WHEREAS** Maa Ashapura College of Education, Near Levapatel Hospital, Pramukhswami Nagar Road, Bhuj, Gujarat was asked to present the case of the appellatant institution on 24/08/2018 but nobody appeared. In the appeal memoranda it is submitted that "updated staff profile is attached. FDRs for 12 Lakhs in joint operation with the RD, WRC are attached. B.C.C. from a Bhuj Area Development Authority is attached originally in gujarati Ann E and translated in English Ann. Hence, we have applied for the B.C.C. as per NCTE format as soon as we get we will send it."

**AND WHEREAS** as per extant appeal rules an appellatant can seek upto three adjournments to present its case before Appeal Committee. Appeal Committee, therefore, decided to grant another (second) opportunity to the appellatant to present its case before Appeal Committee.

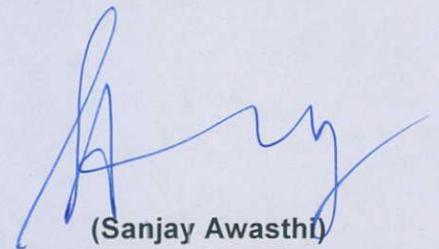
**AND WHEREAS** Sh. Pawan Kumar, Assistant Professor and R. Saha, Admin Head appeared before Appeal Committee on 22/11/2018 and submitted copy of order dated 10/08/2018 issued by Hon'ble High Court of Gujarat at Ahmedabad. Perusal of the order of Hon'ble Court reveals that W.R.C. had issued a letter dated 31/07/2017

conveying the appellant institution decision taken in 278<sup>th</sup> Meeting of W.R.C. and requiring the appellant institution to submit compliance on certain points within 30 days. Appellant in its submission made before Hon'ble High Court had contended that reply to W.R.C.'s letter dated 31/07/2017 was furnished by its letter dated 18/08/2017 and W.R.C. has issued impugned order dated 22/05/2018 without taking into consideration the submission made by appellant by its letter dated 18/08/2017.

**AND WHEREAS** Appeal Committee noted that Hon'ble High Court finding that impugned withdrawal order does not have any reference to appellant's reply dated 18/08/2017 to S.C.N., quashed and set aside the withdrawal order dated 22/05/2018 with directions to respondent 3 i.e. W.R.C. to take decision in accordance with law.

**AND WHEREAS** Appeal Committee noted from the regulatory file that W.R.C. is already seized of the order of Hon'ble High Court and had consequently written a letter to appellant institution on 18/09/2018 to submit a copy of its letter dated 18/08/2017 which obviously is not found available in the relevant file.

**AND WHEREAS** impugned withdrawal order dated 22/05/2018 has already been quashed by the Hon'ble High Court and W.R.C. has initiated necessary action as per order of Hon'ble High Court. Appeal Committee does not find any reason to intervene in the matter at this stage. The present appeal is infructuous and disposed of accordingly as not admitted.



(Sanjay Awasthi)  
Member Secretary

1. The Principal, Maa Ashapura College of Education, Near Levapatel Hospital, Pramukhswami Nagar Road, Bhuj – 370001, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-478/E-81165/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Adarsh College of Education, Sardarpura Khalsa, Rawatsar, Rajasthan dated 29/06/2018 is against the order No. New Appl./RF/Raj./NRCAPP-9342/2013-14/49882 dated 08/11/2013 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the NRC considered the letter No. 49-7/20/2/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration / processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgement of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide Its Judgment dated 31.01.2011 SLP No. 17165-168/2009, has held that the provision contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulations 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it is clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Govt. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC

decided that the recommendations of the State Govt. of Rajasthan i.e. not to allow setting up of new D.El.Ed. institutions in the State be accepted and the applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants.”

**AND WHEREAS** the appellant filed a S.B. Civil Writ Petition no. 18885/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur praying for issue of directions to appellate authority for processing of the appeal dated 29/06/2018. Hon'ble High Court in its order dated 24/08/2018 directed the appellate authority to expeditiously decide the pending appeal.

**AND WHEREAS** Sh. Lakhmi Chand, Member, Adarsh College of Education, Sardarpura Khalsa, Rawatsar, Rajasthan presented the case of the appellant institution on 22/11/2018. Appellant submitted that “At the time of filling application State Government has put a ban. Now State Government is giving N.O.C.”

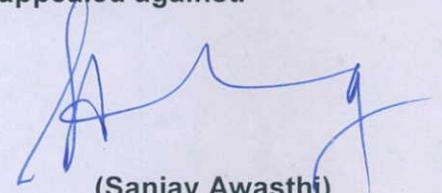
**AND WHEREAS** the relevant file of the N.R.C. is not available. Appeal Committee noted that impugned letter copy of which is submitted by appellant along with appeal memoranda is neither a signed one nor does it have any date of issue. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in their above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A.

No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TT's from certain States including Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

**AND WHEREAS** the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the positions stated in para 5 above concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

**NOW THEREFORE, the Council hereby confirms the Order appealed against.**



**(Sanjay Awasthi)**  
Member Secretary

1. **The Secretary, Adarsh College of Education, Sardarpura Khalsa, Ward No. 3, Rawatsar – 335524, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F. No.89-656/E-90494/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31-12-2018

**ORDER**

**WHEREAS** the appeal of Swami Vivekanand Shikshak Prashikshan Mahavidyalaya, Bhawani Mandi, Dug Road, Pachpahar, Rajasthan dated 21/09/2018 is against the Order No. NRC/NCTE/Recognition/Common/D.El.Ed./2016/156644-62 dated 26/08/2016 of the Northern Regional Committee, granting recognition for conducting D.El.Ed. course with one unit (50 intake). The appellant wants recognition for two units (100 intake).

**AND WHEREAS** The appellant, aggrieved by the order of the N.R.C. filed a S.B. Civil Writs No. 19314/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 29/08/2018, disposed of the petition reserving liberty to the petitioner to avail of remedy of appeal, in accordance with law.

**AND WHEREAS** Sh. Rajesh Gupta, Secretary and Sh. Himanshu Chaturvedi, College Staff, Swami Vivekanand Shikshak Prashikshan Mahavidyalaya, Bhawani Mandi, Dug Road, Pachpahar, Rajasthan presented the case of the appellant institution on 17/11/2018. In the appeal and during personal presentation and in a letter dt. 16/11/2018 it was submitted that "they submitted an online application for grant of recognition of D.El.Ed. course for two units; after due scrutiny and considering the Visiting Team's Report, N.R.C. issued a Letter of Intent under Clause 7(13) prior to grant of recognition on 10/05/2016; N.R.C, after due scrutiny of the documents submitted by the appellant, in their 253<sup>rd</sup> Meeting (Part - I) decided to grant recognition for one unit instead of two units, without granting an opportunity of hearing; N.R.C. has approved two units for some institutions ignoring the aspect that they have less built up area in comparison to the appellant; and they have hugely invested in infrastructure,

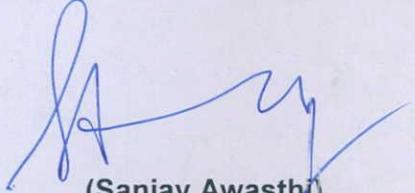
building and other amenities and appointed staff for two units. The appellant, inter-alia enclosed a faculty list of 16 persons countersigned by the Principal, Distt. Education and Training Institute, Jhalrapatan, Distt. Jhalawar.

**AND WHEREAS** Appeal Committee noted that impugned recognition order dated 26/08/2016 granting recognition for one unit of D.El.Ed. was issued by N.R.C. Last para of impugned recognition order clearly states that if the institution is not satisfied with the order, it may prefer appeal under Section 18 of the NCTE Act, 1993 within 60 days. The appellant did not prefer appeal on time and has also not furnished any reason for delay of one year and eleven months.

**AND WHEREAS** Appeal Committee noted that through impugned recognition order dated 26/08/2016 recognition was granted to 16 institutions and their approved intake varied from 2 units to 1 unit. Appeal Committee on examining the relevant regulatory file observed that Visiting Team did not specify the units for which Inspection was conducted and the recommendation was made. Appeal Committee, however, noted that appellant institution already stands recognised for conducting B.Ed. programme with an intake of 2 units. As per declarations made by appellant institution itself and the entries appearing in the Building Completion Certificate, the built up area available was 3737 sq. meters. The NCTE, Norms and Standards for infrastructure clearly prescribe that for one unit of B.Ed. & D.El.Ed. the institution is required to possess 3000 sq. meters of built up area, Additional built up area of 500 sq. meters is required for intake of each additional unit. As the appellant is already recognised to conduct B.Ed. programme with an intake of 2 units, the built up area available sufficed for only one unit of proposed D.El.Ed. programme. Keeping in view that eligibility of an institution is considered on the basis of documentary evidence, physical verification at the time of inspection, Appeal Committee observed that grant of recognition for one unit of D.El.Ed. programme was justified and accordingly the impugned recognition order granting recognition for only one unit (50 seats) of D.El.Ed. is confirmed.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to recognition order granting recognition for only one unit (50 seats) of D.El.Ed. is confirmed.

**NOW THEREFORE**, the Council hereby confirms the Order appealed against.



(Sanjay Awasthi)  
Member Secretary

1. **The Secretary/Appellant, Swami Vivekanand Shikshak Prashikshan Mahavidyalaya, Bhawani Mandi, Dug Road, Pachpahar, Rajasthan - 326512.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-631/E-88256/2018 Appeal/21<sup>st</sup> Mtg.-2018/21<sup>st</sup> & 22<sup>nd</sup> November, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31.12.2018

**ORDER**

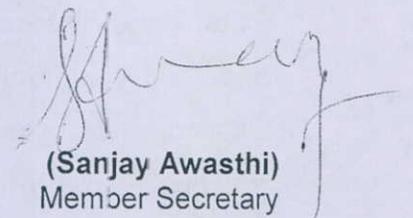
**WHEREAS** the appeal of Anjuman College of Education, Charokhra, Bhaguapura, Seondha, Datia, Madhya Pradesh dated 05/09/2018 is against the Order No. WRC/APP3287/222/293<sup>rd</sup> /(M.P.)/2018/193610 dated 18/06/2018 of the Western Regional Committee refusing recognition for conducting D.El.Ed. course on the grounds that "a reply has not been received from the institution. The matter was placed in 293<sup>rd</sup> WRC meeting held on June 12-14, 2018 and the Committee observed that "...The Minority Certificate produced by the institution was sent to the National Commission for Minority Educational institutions, New Delhi for validation. The Commission vide letter dated 07.03.2018 has informed that it has not issued the Minority Certificate to the institution under case No. 1276 of 2016. Show Cause Notice was issued to the institution on 26.03.2018 and reply has not been received so far. Hence, Recognition is withdrawn from the session 2018-19. FDRs, if any, be returned."

**AND WHEREAS** Sh. Prashant Singh, Principal, Anjuman College of Education, Charokhra, Bhaguapura, Seondha, Datia, Madhya Pradesh presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "the institution, in response to the decision taken in the WRC's meeting held during 21-23 March, 2018 to issue Show Cause Notice, had submitted a reply within the time limit to the WRC office stating that the name of the institution is noted in the list of Minority S No. 12642 case no. 1276 of 2016 and the certificate is correct. The appellant enclosed a photocopy of the list of Minority status certificates issued in support of their claim. The appellant also enclosed a copy of their reply dt. 25/06/2018 to the WRC which bears the receipt stamp dt. 03/07/2018.

**AND WHEREAS** the Committee noted that the reply of the appellant dt. 25/06/2018 is not in the file of the WRC. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the reply of the appellant, to be sent to them by the appellant again and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC their reply to the show cause notice and other documents submitted in appeal, within 15 days of receipt of the orders on the appeal.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to consider the reply of the appellant, to be sent to them by the appellant again and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC their reply to the show cause notice and other documents submitted in appeal, within 15 days of receipt of the orders on the appeal.

**NOW THEREFORE,** the Council hereby remands back the case of Anjuman College of Education, Charokhra, Bhaguapura, Seondha, Datia, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

  
(Sanjay Awasthi)  
Member Secretary

1. The Principal, Anjuman College of Education, Charokhra, Bhaguapura, Seondha, Datia – 475673, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.