



F.No.89-227/E-121625/2019 Appeal/21st Mtg.-2019/9th July, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/07/2019

ORDER

WHEREAS the appeal of V.G. Solanki B.Ed. College, Kodinar-Una Highway, Dolasa, Kodinar, Gujarat dated 16/06/2019 is against the decision taken by WRC in its 307th Meeting held on 30th to 31.05.2019 of the Western Regional Committee deciding to withdraw recognition for conducting for B.Ed. Course on the grounds that "Show Cause Notice was issued to the institution vide letter dated 19.11.2018. The institution has submitted reply of Show Cause Notice dated 08.12.2018. On perusal of the reply, the Committee observed that the institution has not appointed staff for B.Ed. programme till date. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

AND WHEREAS Sh. Karashnbhai M. Solanki, Trusty, V.G. Solanki B.Ed. College, Kodinar-Una Highway, Dolasa, Kodinar, Gujarat presented the case of the appellant institution on 09/07/2019. In the appeal and during personal presentation it was submitted that "we are submitting the approved staff profile by Bhakt Kavi Narsinh Mehta University which was already submitted in your office on 11.02.2019."

AND WHEREAS Appeal Committee noted that petitioner institution has filed a R/Special Civil Application No. 10040/2019 in the Hon'ble High Court of Gujarat at Ahmedabad and the Hon'ble High Court vide order dated 13/06/2019 has directed to decide the case within 2 weeks from the date of receipt of copy of the order. Hon'ble Court has not gone into merits of the case.

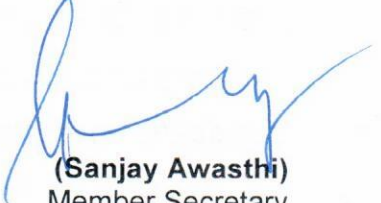
AND WHEREAS Appeal Committee noted that impugned decision of W.R.C. taken in its 307th Meeting (Sl. No. 18) is on the ground that appellant institution has not appointed staff for B.Ed. programme till date.

AND WHEREAS appellant during the appeal hearing on 09/07/2019 submitted copies of letters dated 30/05/2018, 23/01/2019, 01/02/2019 and 06/02/2019 conveying approval of Bhakta Kavi Narsinh Mehta University to the appointment of one Principal, 16 faculty and a librarian. Appellant further stated that approved staff profile was forwarded to WRC on 11/02/2019. The list of faculty sent by appellant institution is also found available on the regulatory file placed at p.p. 1189 to 1204/cor. Appellant had again submitted true copies of the list of approval faculty to WRC on 04/06/2019 which is found placed at pp. 1206 to 12016/cor. of the regulatory file.

AND WHEREAS Appeal Committee decided to set aside the impugned decision taken in 307th Meeting (Serial No. 18) and resultant letter dated 07/06/2019 addressed to appellant institution.

AND WHEREAS after perusal of the memorandum of Appeal, affidavit, documents on record and oral arguments advanced during the hearing. Appeal Committee concluded to set aside the impugned decision taken in 307th Meeting (Serial No. 18) and resultant letter dated 07/06/2019 addressed to appellant institution. WRC is required to revisit the matter taking into account the list of faculty approved by affiliating body and submitted by appellant institution to WRC.

NOW THEREFORE, the Council hereby remands back the case of V.G. Solanki B.Ed. College, Kodinar-Una Highway, Dolasa, Kodinar, Gujarat to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The V.G. Solanki B.Ed. College, Kodinar – Una Highway Near Petrol Pump at Dolasa, Kdoinar – 362720, 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.89-228/E-122126/2019 Appeal/21st Mtg.-2019/9th July, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/07/2019

ORDER

WHEREAS the appeal of Smt. Jayaben Dhirajlal Thakkar (Pumpvala) B.Ed. College, Radhanpur, Gujarat dated 19/06/2019 is against the Order No. WRC/323021/B.Ed./307th/GUJ/2019/203898 dated 07.06.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "in view of the direction of the Hon'ble High Court Gujarat at Ahmedabad SCA No. 9709 of 2018 converted from SCA/20413/2018 order dated 27/06/2018. The Committee considered the reply of the institution dated 14.05.2019 which is not as per NCTE Amended Regulation 2017. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

AND WHEREAS Smt. Jayaben Dhirajlal Thakkar (Pumpvala) B.Ed. College, Radhanpur, Gujarat presented the case of the appellant institution on 09/07/2019. In the appeal and during personal presentation it was submitted that "Affiliating university has approved the staff profile on 28/05/2019 which was forwarded to WRC on 29/05/2019 and received by WRC 31/05/2019. Revised recognition order for an intake of one unit (50 seats) in requested for."

AND WHEREAS Appeal Committee noted that appellant institution has filed a R/Special Civil Application no. 10836 of 2019 in the Hon'ble High Court of Gujarat at Ahmedabad and the Hon'ble Court vide order dated 21/06/2019 has without

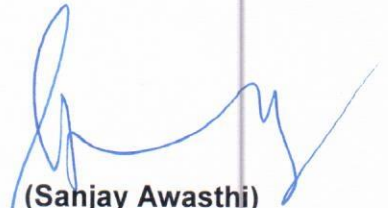
expressing any opinion directed the appeal to be disposed of by Appellate Authority within 2 weeks from the date of receipt of the order.

AND WHEREAS Appeal Committee noted that the letter dated 07/06/2019 of WRC intimating to the appellant institution its intent to withdraw recognition is on the ground that 'Reply of the institution dated 14/05/2019 is not as per amended Regulation, 2017.

AND WHEREAS Appeal Committee noted that the request of appellant institution for reduction in the intake from 100 seats (2 units) to 50 seats (1 unit) has already been noted by Regional Committee and the appellant institution was, of late, required to submit a staff profile of one Principal and 7 faculty (appointed after 2017) as per amended Regulations of 2017 which necessitated the faculty so possess NET or Ph.D. qualification. Appellant during appeal hearing on 09/07/2019 submitted a list of faculty approved by affiliating university. A bare perusal of this list shows that faculty approved by affiliating university on 29/05/2019 is either possessing Ph.D. degree or is NET qualified in case of their being approved for initial appointment after the date of amended Regulations. Appellant stated that this list was forwarded to WRC and received in Regional Committee office on 31/05/2019. The list along with forwarding letter of appellant institution is found available on the regulatory file. Appeal Committee, therefore decided to set aside the intent of letter conveyed to appellant institute by the impugned letter dated 07/06/2019.

AND WHEREAS after perusal of the memorandum of Appeal, affidavit, documents on record and oral arguments advanced during the hearing. Appeal Committee concluded to set aside the intent of letter conveyed to appellant institute by the impugned letter dated 07/06/2019. WRC is required to revisit the matter taking into account the list of faculty approved by affiliating body and submitted by appellant institution to WRC.

NOW THEREFORE, the Council hereby remands back the case of Smt. Jayaben Dhirajlal Thakkar (Pumpvala) B.Ed. College, Radhanpur, Gujarat to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Managing Trustee, Smt. Jayaben Dhirajlal Thakkar (Pumpvala) B.Ed. College, Radhanpur B.Ed. College, Radhanpur – 385340, 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.