



F.No.89-649/E-34612/2017 Appeal/21st Mtg.-2017/14th & 15th Dec., 2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/11/2018

ORDER

WHEREAS the appeal of Sant Ramlakhan Degree College, Kasaudhan, Beerapur, Handia, Allahabad, Uttar Pradesh dated 20.09.2017 is against the Order No. NRC/NCTE/NRCAPP 13921/261st Meeting/2016/163762-68 dated 27.12.2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "NRC considered the reply of the show cause notice submitted by the institution. CDs of the inspection conducted by the two VTs reveal that there exists only one building and the same has been shown to the two VTs by the institutions. These two institution are:- Sainik Degree College, Phoolpur, Allahabad (NRCAPP-13922, D.El.Ed. course). Sant Ram Lakhnan Degree College, Handia, Allahabad (NRCAPP-13921, D.El.Ed.)."

AND WHEREAS Sh. Suresh Gupta, Member and Shri Santosh Yadav, Manager, Sant Ramlakhan Degree College, Kasaudhan, Beerapur, Handia, Allahabad, Uttar Pradesh presented the case of the appellant institution on 15/12/2017. In the appeal and during personal presentation it was submitted that "At the time of submission of the application appellant submitted the building completion certificate of both the building situated at Maie Deokali Hanumanganj, Phulpur, Allahabad and Beerapur Kasaudhan Baraut Handia, Allahabad, duly approved by registered architect and VTs has also prepared two i.e. 2 CDs with regard to building and infrastructure. It is further stated that revenue authority including Lekhpal, Nayab Tahsildar, S.D.M. has also provided the report to the appellant for completion of the building in both the College. It is further submitted that once letter of intent is issued, the objection if any for grant of recognition is not permissible under the law."

AND WHEREAS Appeal Committee noted that appellant institution had filed a Writ Petition 35199/2017 challenging the impugned refusal order dated 27.12.2016 and the Hon'ble Court in its decision, made by a single Judge ordered that appellant

- 2 -

petitioner should exhaust his statutory alternative remedy under section 18 of the NCTE Act. The appellant then made an intra court appeal. The double bench court upheld the earlier order made by learned single judge. The appellant has now preferred an appeal under section 18 of the Act which is to be decided on merits.

AND WHEREAS Appeal Committee noted that prior to the issue of impugned refusal order dated 27.12.2016, a Show Cause Notice (SCN) dated 30.11.2016 was issued to appellant institution. The SCN was on the ground that CD submitted by the applicant institution reveals that there is only one building for the two institutions to start D.El.Ed. programme. Committee noted that appellant society had simultaneously applied for D.El.Ed. programme in two institutions with following addresses:-

- i) Sant Ram Lakhan Degree College Khasra No. 393, 394, 395, 396/1/, 377 Beerapur, Village Kasaudhan P.O. Baraut, Tehsil Handia, Allahabad.
- ii) Sainak Degree College Plot No. 342, Village Deokali P.O. Hanumangarh, Tehsil Phoolpur, Allahabad.

As per above addresses both the institutions are required to be located separately. The appellant in its appeal Memoranda had enclosed papers through which it has tried to justify that both the institutions are separate and are different in their design and location.

AND WHEREAS Appeal Committee after going through the videography done during inspection, photographs submitted with the Inspection Report and comparing these photographs with the photographs now submitted by appellant alongwith its appeal Memoranda is convinced that both the inspections were conducted at one place.

AND WHEREAS Appeal Committee, though does not find any problem in the different location and address of the two institutions proposed to be started by the appellant institution, yet finds it extremely difficult to understand as to why the visiting Team in its reports dated 16.03.2016 for Sant Ram Lakhan Degree College and

14.03.2016 for Sainak Degree College did not point out the coexistence of institutions at one place and one building.

AND WHEREAS the appellant in its appeal memoranda and other documents which include few photographs has made efforts to justify the existence of two separate buildings at two different locations. The photographs of Sant Ram Lakhan Degree College submitted by appellant with the appeal memoranda show a ground plus 2 storey structure of L shape. Some building material is also shown scattered in the compound. There are no sign boards visible on the main building whereas a flex sign board is seen placed on the concrete entry gate amidst the fields with no signs of any building behind the entry gate. The photographs of the entry gate of Sainak Degree College show structure of a building consisting of ground plus one storey where both the inspections were conducted.

AND WHEREAS Appeal Committee on going through the relevant records available on the regulatory file observed that Visiting Team Report dated 16.03.2016 contains few photographs of Ram Lakhan Degree College wherein members of the Inspection Team are also seen standing at the main gate with institution building in the back ground. The photograph shows that the main gate is different from the photograph of main gate now furnished by the appellant and the building is also different in design and also the number of storeys. To further verify the facts C.Ds containing the videography of both institutions was pursued and perusal of the videography further supported that inspection of the Visiting Team was got conducted in the same building which had only the ground plus one floor.

AND WHEREAS inspection of the institutions is conducted to assess the level of preparedness of the applicant institution to commence the programme. There is no doubt that as on the date of inspection i.e. 16/03/2016 the appellant society did not have necessary infrastructure and was not prepared to commence the programme. By observing that the same V.T. members have conducted the inspection of Sainak Degree College at Phoolpur, Allahabad on 13.03.2016 it is concluded that the inspection conducted was manipulated in a sister institution of its own located at a nearby place i.e. Sainak Degree College, Phoolpur, Allahabad. Appeal Committee cannot resist from saying that the quality of inspection was


- 4 -

compromised which is a serious matter to be looked into by the Northern Regional Committee as well as NCTE (HQs).

AND WHEREAS Appeal Committee noted that impugned refusal order dated 27.12.2016 is on the ground that 'there exists only one building and the same is shown to the two V.Ts by the institutions i.e. Sainak Degree College, Phoolpur and Sant Ram Lakhnan Degree College, Handia'. In the impugned refusal order dated 27.12.2016 N.R.C., Jaipur failed to point out that Visiting Team members who conducted the inspections on 14.03.2016 and 16.03.2016 were same and they ought to have honestly pointed out the deficiency. Applicant society is the same for the two institutions and the management had connived with the Visiting Team members to suppress the factual position in so far as the location of the institution is concerned. As on date both the institutions may have adequate facilities but the intention of the applicant society was not above board. Appeal Committee taking note of the fact that appellant institution has tried to obtain recognition by misrepresenting the facts decided to confirm the impugned refusal order.

AND WHEREAS Appeal Committee after considering all these facts decided to confirm the impugned refusal order dated 27.12.2016 and also recommends that suitable necessary action should also be taken against the V.T. members involved in the Inspection.

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Sant Ramlakhan Degree College, Kasaudhan, Beerapur, Handia - 221502, Allahabad, U.P.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



39

F.No.89-654/E-34782/2017 Appeal/21st Mtg.-2017/14th & 15th Dec., 2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 1/1/2018

ORDER

WHEREAS the appeal of Sainik Degree College, Deokali Maie, Phulpur, Allahabad, Uttar Pradesh dated 20.09.2017 is against the Order No. NRC/NCTE/NRCAPP 13922/261st Meeting/2016/163750-56 dated 27.12.2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "NRC considered the reply of the show cause notice submitted by the institution. CDs of the inspection conducted by the two VTs reveal that there exists only one building and the same has been shown to the two VTs by the institutions. These two institution are:- Sainik Degree College, Phoolpur, Allahabad (NRCAPP-13922, D.El.Ed. course). Sant Ram Laxhan Degree College, Handia, Allahabad (NRCAPP-13921, D.El.Ed.)."

AND WHEREAS Sh. Suresh Gupta, Member and Shri Santosh Yadav, Manager, Sainik Degree College, Deokali Maie, Phulpur, Allahabad, Uttar Pradesh presented the case of the appellant institution on 15/12/2017. In the appeal and during personal presentation it was submitted that "At the time of submission of the application appellant submitted the building completion certificate of both the building situated at Maie Deokali Hanumanganj, Phulpur, Allahabad and Beerapur Kasaudhan Baraut Handia, Allahabad, duly approved by registered architect and VTs has also prepared two i.e. 2 CDs with regard to building and infrastructure. It is further stated that revenue authority including Lekhpal, Nayab Tahsildar, S.D.M. has also provided the report to the appellant for completion of the building in both the College. It is further submitted that once letter of intent is issued, the objection if any for grant of recognition is not permissible under the law."

AND WHEREAS Appeal Committee noted that appellant institution had filed a Writ Petition 35200/2017 challenging the impugned refusal order dated 27.12.2016 and the Hon'ble Court in its decision, made by a single Judge ordered that appellant

petitioner should exhaust his statutory alternative remedy under section 18 of the NCTE Act. The appellant then made an intra court appeal. The double bench court upheld the earlier order made by learned single judge. The appellant has now preferred an appeal under section 18 of the Act which is to be decided on merits.

AND WHEREAS Appeal Committee noted that prior to the issue of impugned refusal order dated 27.12.2016, a Show Cause Notice (SCN) dated 02.11.2016 was issued to appellant institution. The SCN was on the ground that CD submitted by the applicant institution reveals that there is only one building for the two institutions to start D.El.Ed. programme. Committee noted that appellant society had simultaneously applied for D.El.Ed. programme in two institutions with following addresses:-

- i) Sant Ram Lakhan Degree College Khasra No. 393, 394, 395, 396/1/, 377 Beerapur, Village Kasaudhan P.O. Baraut, Tehsil Handia, Allahabad.
- ii) Sainak Degree College Plot No. 342, Village Deokali P.O. Hanumangarh, Tehsil Phulpur, Allahabad.

As per above addresses both the institutions are required to be located separately. The appellant in its appeal Memoranda had enclosed papers through which it has tried to justify that both the institutions are separate and are different in their design and location.

AND WHEREAS Appeal Committee after going through the videography done during inspection, photographs submitted with the Inspection Report and comparing these photographs with the photographs now submitted by appellant alongwith its appeal Memoranda is convinced that both the inspections were conducted at one place.

AND WHEREAS Appeal Committee, though does not find any problem in the different location and address of the two institutions proposed to be started by the appellant institution, yet finds it extremely difficult to understand as to why the visiting Team in its reports 14.03.2016 for Sainak Degree College and dated 16.03.2016 for

Sant Ram Lakhan Degree College did not point out the coexistence of institutions at one place and one building.

AND WHEREAS the appellant in its appeal memoranda and other documents which include few photographs has made efforts to justify the existence of two separate buildings at two different locations. The photographs of the entry gate of Sainak Degree College show structure of a building consisting of ground plus one storey where both the inspections were conducted. The photographs of Sant Ram Lakhan Degree College submitted by appellant with the appeal memoranda show a ground plus 2 storeys structure of L shape. Some building material is also shown scattered in the compound. There are no sign boards visible on the main building whereas a flex sign board is seen placed on the concrete entry gate amidst the fields with no signs of any building behind the entry gate.

AND WHEREAS to verify the facts, C.Ds containing the videography of both institutions were pursued and perusal of the videography supported that inspection of the Visiting Team was got conducted in the same building which had only the ground plus one floor. Appeal Committee on going through the relevant records available on the regulatory file of Ram Lakhan Degree College observed that Visiting Team Report dated 16.03.2016 contains few photographs wherein members of the Inspection Team are seen standing at the main gate with institution building in the back ground. The building shown in photographs of Ram Lakhan Degree College is the same as that of Sainak Degree College.

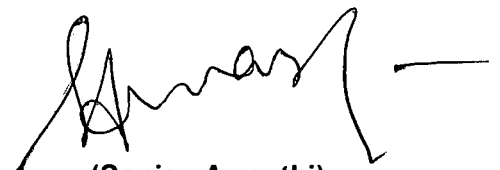
AND WHEREAS inspection of the institution is conducted to assess the level of preparedness of the applicant institution to commence the programme. There is no doubt that as on the date of inspection i.e. 04/03/2016 the appellant institution was assessed to be having necessary infrastructure and was prepared to commence the programme. But by observing that the same V.T. members have conducted the inspection of Sainak Degree College at Phulpur, Allahabad on 14.03.2016, it is concluded that the appellant society manipulated inspection of two institutions in a single premise located at a nearby places. Appeal Committee cannot resist from saying that the quality of inspection was compromised which is a serious matter to be looked into by the Northern Regional Committee as well as NCTE (HQs).

- 4 -

AND WHEREAS Appeal Committee noted that impugned refusal order dated 27.12.2016 is on the ground that 'there exists only one building and the same is shown to the two V.Ts by the institutions i.e. Sainak Degree College, Phulpur and Sant Ram Lakhan Degree College, Handia'. In the impugned refusal order dated 27.12.2016 N.R.C., Jaipur failed to point out that Visiting Team members who conducted the inspections on 14.03.2016 and 16.03.2016 were same and they ought to have honestly pointed out the deficiency. Applicant society is the same for the two institutions and the management had connived with the Visiting Team members to suppress the factual position in so far as the location of the institution is concerned. As on date both the institutions may have adequate facilities but the intention of the applicant society was not above board. Appeal Committee taking note of the fact that appellant institution has tried to obtain recognition by misrepresenting the facts decided to confirm the impugned refusal order.

AND WHEREAS Appeal Committee after considering all these facts decided to confirm the impugned refusal order dated 27.12.2016 and also recommends that suitable necessary action should also be taken against the V.T. members involved in the Inspection.

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Sainik Degree College, Deokali Maie, Phoolpur, Allahabad – 221505, U.P.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



40

F.No.89-666/E-38068/2017 Appeal/21st Mtg.-2017/14th & 15th Dec., 2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 1/1/2018

ORDER

WHEREAS the appeal of Lord Shiva Girls T.T. College, Near Mahaveer Nagar, Bhinmal, Rajasthan dated 03/10/2017 is against the Order No. NRC/NCTE/NRCAPP-11226/261st Meeting/2016/171388-44 dated 17/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./ B.Sc. B.Ed. course on the grounds that "The land of the institution is on private lease which is not acceptable as per NCTE Norms. The applicant institution has not submitted any proof/evidence that it is offering under graduate or post graduate programme of studies in the field of Liberal arts or humanities or Social Science or Science or Mathematics for getting grant of recognition for 4-year integrated programme leading to B.Sc. B.Ed./B.A. B.Ed. degree as has been mentioned in clause 2 b of NCTE Regulation, 2014 and clause 1.1 of the Appendix 13."

AND WHEREAS Sh. Shanti Lal Sharma, Secretary, Lord Shiva Girls T.T. College, Near Mahaveer Nagar, Bhinmal, Rajasthan presented the case of the appellant institution on 15/12/2017. In the appeal and during personal presentation it was submitted that the institution owned land and building on thirty-one years lease. Now this land and building has been purchased by the institution. Copies of Registry are enclosed. As per rule the institution has applied to the concerned authority for sanction and recognition of a Degree college. Copy of the application form is enclosed here with."

AND WHEREAS Appeal Committee noted that Hon'ble High Court Judicature for Rajasthan, Bench at Jaipur in its order dated 18/09/2017 in Writ Petition no.

12856/2017 has issued directions to address the grounds agitated by the appellant on merit and by issue of a speaking order.

AND WHEREAS Appeal Committee further noted that the impugned refusal order dated 17.04.2017 refusing recognition for 4 year integrated programme B.A. B.Ed./B.Sc. B.Ed. is on two grounds i.e.:

- (i) The land of the institution is on private lease which is not acceptable.
- (ii) The applicant has not submitted any evidence that it is offering under graduate or post graduate programme of studies in the field of liberal arts or humanities as has been mentioned in Clause 2 (b) of NCTE Regulations, 2014 and Clause 1.1 of the Appendix 13.

AND WHEREAS Appeal Committee noted that appellant in its appeal memoranda has contended that the institution owned land and building on thirty one years lease and now it has been purchased by the applicant. In support of its claim, the appellant has enclosed a copy of gift deed of land bearing khasra no. 4432/1 measuring 0.55 Hectare. The gift deed was registered on 02.08.2017 and a notary attested copy of gift deed is enclosed with the Memoranda.

AND WHEREAS Appeal Committee noted that with regard to the 1st ground of refusal NCTE Regulation 8 (4) clearly specifies that "No institution shall be granted recognition unless the institution or society sponsoring the institution is in possession of required land on the date of application. The land free from all encumbrance could either be on ownership basis or on lease from Government or Government institutions." The applicant was neither owning the land on ownership basis nor was the lease of land from Government or any Government Institutions.

AND WHEREAS appellant has drawn attention of the Appeal Committee to a judgement made by Hon'ble High Court of Himachal Pradesh, Shimla in C Writ Petition No. 2255/2015 dated 08.10.2015 wherein the Hon'ble High Court in the case of Dronacharya College of Education V/s NCTE had ruled that the applications

cannot be rejected on the only ground of institution not satisfying the conditions regarding the possession of land as per 2008 Regulations. Appeal Committee noted that the above judgement was in the context of requirement of adequate land area for the existing institutions. Committee is, not convinced that above quoted orders of Hon'ble High Court of Himachal Pradesh. The general applicability of the above orders would .the setting aside of the NCTE Regulations on land related matters for institutions established prior to 2009 Regulations.

AND WHEREAS Appellant institution is already recognised for conducting B.Ed. programme since 2007 and thus the applicant is fulfilling the criteria of a composite institution as mentioned in Clause 2 (b) of NCTE Regulations. But since the appellant institution has applied for 4 year Integrated course of B.A. B.Ed./B.Sc. B.Ed., it is important to verify whether the appellant institution is well equipped to fulfil the condition laid down in para 1.1 of Appendix 13 of the Norms and Standards for the 4 year programme. The appellant institution is neither offering under graduate nor post graduate programmes of studies in the field of Liberal Arts or Humanities or Social Science or Science or Mathematics for getting recognition for 4 year integrated programme. To cover the above deficiency, the appellant has submitted a copy of its application dated 02.01.2017 made to Government College, Bhinmal (Rajasthan) seeking permission to open a Girls Degree College from academic session 2017-18. Appellant during the course of appeal presentation could not show any evidence of having obtained the permission or N.O.C. to start of the Degree College.

AND WHEREAS Appeal Committee is therefore convinced that appellant neither owned the land on ownership basis on the date of application nor did have necessary academic support to fulfil the provision of para 1.1 of Appendix 13 of the Norms and Standards for B.A. B.Ed./B.Sc. B.Ed. programme. Committee, therefore decided to confirm the impugned refusal order dated 17.04.2017

AND WHEREAS after Perusal of the Memoranda of Appeal, affidavit, documents on record and the orders of Hon'ble High Court of Judicature for

Rajasthan, Bench at Jaipur in C.W.P. on 12856/2017 concluded to confirm the impugned refusal order dated 17.04.2017.

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Lord Shiva Girls T.T. College, Near Mahaveer Nagar, Bhinmal – 343029, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



41

F.No.89-675/E-39539/2017 Appeal/21st Mtg.-2017/14th & 15th Dec., 2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 1/1/2018

ORDER

WHEREAS the appeal of Virendra Singh Katiyar Mahavidhyalaya, Gandhi, Amritpur, Uttar Pradesh dated 16/10/2017 is against the Order No. NRC/NCTE/NRCAPP-13777/Recognition/D.El.Ed./261st Meeting/2016. dated 23/12/2016 of the Northern Regional Committee, granting recognition for conducting D.El.Ed. for one unit (50 seats) course on the grounds that "The NRC granted one unit of D.El.Ed. course against two units applied."

AND WHEREAS Sh. Rohit Kumar Shakya, Representative and Sh. Parveen Kumar Katiyar, Manager, Virendra Singh Katiyar Mahavidhyalaya, Gandhi, Amritpur, Uttar Pradesh presented the case of the appellant institution on 15/12/2017. In the appeal and during personal presentation it was submitted that "We have Applied for Two Units in D.El.Ed. Course accordingly all arrangements of infrastructural and instructional facilities have been created. The visiting team had also recommended for Two Units but only one unit has been granted compelled us to approach the High Court of Allahabad."

AND WHEREAS Appeal Committee noted that Hon'ble High Court of Allahabad, Uttar Pradesh in its order dated 04/09/2017 in W.P. Case no. 40286/2017 has ordered the petitioner either to take recourse to the remedy of appeal against refusal to grant recognition for 100 seats as claimed, or to file a fresh application for recognition for an additional intake of 50 seats.

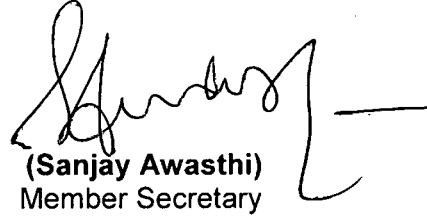
AND WHEREAS Appellant choosing the first option has preferred an appeal dated 16/10/2017 against the impugned order dated 23.12.2017 which is taken up on merit by Appeal Committee.

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 22.06.2015 seeking recognition for conducting D.El.Ed. programme with an annual intake of 100 seats. The intake of 100 seats was mentioned in the forwarding letter dated 03.07.2015 as well as in the affidavit enclosed with the application. Inspection of the institution was conducted on 23.01.2016 with a proposed intake of 100 seats in view. Committee further noted that a Letter of Intent (LOI) dated 27/06/2016 which was common for 23 institutions was issued without mentioning the approved intake. The name of appellant institution appears at serial no. 21 of the combined L.O.I. Since the appellant institution had applied for 100 seats, it was natural that appellant institution made compliance by sending approved list of faculty which was adequate for getting recognition with an intake 100 seats. The Regional Committee's decision to grant recognition for 50 seats is not supported by any reason. The impugned recognition order dated 23.12.2016 therefore, does not satisfy the requirement to the extent that it is not for 100 seats and part of the intake (50 seats) is deemed to have been refused.

AND WHEREAS since the Regional Committee has failed to assign any specific reason for denying full intake as applied for by the appellant institution, Appeal Committee decided to remand back the case to N.R.C. Jaipur for revisiting the matter with a view to grant recognition for full intake as per extant regulations after satisfying that appellant institution still holds adequate number of faculty approved by the affiliating body.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record, oral arguments and orders of the Hon'ble High Court of Allahabad (U.P.) in W.P. Case no. 40286/2017 concluded to remand back the case to N.R.C. Jaipur for revisiting the matter with a view to grant recognition for full intake as applied for by the appellant institution. Regional Committee should revisit the case as per extant Regulations after satisfying that appellant institution still holds adequate faculty approved by affiliating body.

NOW THEREFORE, the Council hereby remands back the case of Virendra Singh Katiyar Mahavidhyalaya, Gandhi, Amritpur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

- 1. The Manager, Virendra Singh Katiyar Mahavidhyalaya, Gandhi, SH29, Amritpur – 209621, U.P.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**



F.No.89-684(A)/E-40137/2017 Appeal/21st Mtg.-2017/14th & 15th Dec., 2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 1/1/2018

ORDER

WHEREAS the appeal of Sarvodaya Girls College, Naya Padariya Kalinjara, Bagidora, Rajasthan dated 13/10/2017 is against the Order No. NRC/NCTE/NRCAPP13739/267th Meeting (Part - 3)/2017/171528 dated 19/04/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Land was neither in the name of the applicant institution nor in the name of the sponsoring society as required under clause 8(4)(i) of the NCTE Regulations, 2014."

AND WHEREAS Mr. Jigar Jain, Member and Sh. Sandeep Josi, Representative, Sarvodaya Girls College, Naya Padariya Kalinjara, Bagidora, Rajasthan presented the case of the appellant institution on 15/12/2017. In the appeal and during personal presentation it was submitted that the petitioner institution applied for the aforesaid course to the NCTE and after the submission of the application when his application was considered by the answering respondents in its meeting 250th Part III held on 19th Feb., to 3rd March, 2016, then NRC has notified certain deficiencies including the deficiencies relating to the land documents and issued show cause notice dated 15.03.2016. The petitioner submitted reply dated 17.03.2016 to the show cause notice wherein petitioner submitted relevant land document as per the requirement of NCTE Regulation, 2014. Respondents have considered the reply of the petitioner institution which can be proved from the fact that after looking into the reply of the petitioner institution, NRC in its 250th Part II Meeting held from 19 April to 2 May 2016 decided to conduct inspection of the petitioner institution and it is necessary to submit here that the inspection of any institution is conducted as and when the NRC NCTE finds that the documents submitted by the any institution are upto the mark as per the requirement of NCTE Act, 1993 and NCTE Regulation, 2014 the V.T. report was considered by the NRC in its 252nd meeting held from 19 April to 2nd May and committee issued the letter of intent in favour of the petitioner institution. Further in response to the letter of

intent petitioner submitted letter dated 07.06.2016 showing the compliance of the condition precedent as per letter of intent. In 258th meeting held from 04 to 6 October, 2016 N.R.C. decided to grant recognition to the petitioner institution for D.El.Ed. Course for two units. Hence it is clear that the NRC is convinced with the land documents submitted by the petitioner institution in reply to the show cause notice dated 15.03.2016. That NRC has again kept the application of the petitioner institution in abeyance. and decided to issue show cause notice to the petitioner institution on account that at the time of filing of the application dated 22.06.2015 the land was not in the name of the petitioner institution and was on rent. NRC has acted against the law and principle of natural justice and same can be proved by the fact that NRC has rejected the application of the petitioner institution in its 267th meeting Part III held from 05 April to 07 April 2017 without considering the reply submitted by the petitioner institution and document on the record. Accordingly, NRC has passed Refusal order dated 19.04.2017. Respondents have wrongly passed the order dated 19.04.2017 without considering the aspect that petitioner has already submitted the relevant land documents and his case was well proceeded by the NRC and has granted recognition to the petitioner institution. Moreover, if the petitioner institution has not complied with the condition precedent as per the NCTE Act, 1993 and NCTE Regulation, 2014, then NRC should not have been considered the application of the petitioner institution and has authority to straight away reject its application. That the NRC are not considering the petitioner case as it has considered the case of sardar Patel Education Trust of Haryana, who has file civil writ petition no. 14037/2015 before Punjab and Haryana High Court on account of non-consideration of the application due to non-having land in the name of the institution at the time of the application but in the instant case court has considered that during the pendency of the application the petitioner institution has become owner of the land and fulfil the criteria and is liable to be proceeded as per NCTE Regulation, 2014, hence the petitioner is at par with the aforesaid institution and has become owner of the land during the pendency of the application hence it is liable to be considered fit and to grant recognition in the light of NCTE Regulation, 2014. Copy of the order dated 12.05.2017 is annexed and marked as Annexure 11."

AND WHEREAS Appeal Committee noted that appellant institution has preferred appeal dated 13.10.2017 in compliance to the orders dated 04.10.2017 issued by Hon'ble Court of Judicature for Rajasthan Bench at Jaipur. Hon'ble Court had ordered the disposal of Appeal on merits.

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 22.06.2015 seeking recognition for conducting D.El.Ed. programme. The address of the proposed institution as per online application was plot no. 706, Street No. NH 113, Village – Naya Padaniya Kalingra, Tehsil – Bagidora, Dist. – Banswara, Rajasthan. On the contrary the affidavit submitted alongwith application mentioned three plot numbers as 704, 705, 706. The registered rent agreement enclosed with the application pertained to property at Aragi No. 971/704, 972/705. Sale deed of agricultural land at Khasra No. 1704 measuring 0.17 Hec. was also enclosed. None of the above land documents is relevant because online application included only one piece of land at Plot no. 706.

AND WHEREAS Appeal Committee noted that Clause 8 (4) (i) of the NCTE Regulation very clearly prescribe that "No institution shall be granted recognition unless the institution or society sponsoring the institution is in possession of required land on ownership basis." Clause 7(2)(b) of the Regulation further prescribe for summary rejection of such applications where applicants fail to submit land documents as required under Clause 5(4). Appeal Committee further noted that a Show Cause Notice (SCN) dated 15/03/2016 was issued to applicant institution wherein possession of land on rent basis was shown as one of the deficiencies. Appellant institution failed to acknowledge the deficiencies pointed out in 250th Meeting of N.R.C on the basis of which above S.C.N. dated 15.03.2016 was issued and replied to only one point of deficiency which was shown in the 248th Meeting of N.R.C. held from 11 to 24 January, 2016. Northern Regional Committee also erred in further processing of the application by deciding to conduct inspection of the institution in its 252nd Meeting without settling the land related deficiency. It was decided by N.R.C. to issue Letter of Intent on the basis of V.T. Report dated 30.04.2016 submitted to N.R.C on 02.05.2016. In the haste of events decided in only one meeting (252nd Meeting), N.R.C erred and failed to note that the land documents submitted by the applicant vide its letter dated 17.03.2016 do not conform to the requirements of NCTE Regulations, being registered after the

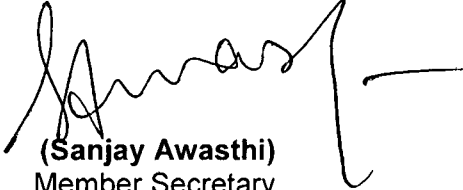
submission of online application. There is no doubt that N.R.C should not have acted in such haste to have decided issue of L.O.I. on 02.05.2016 (252nd Meeting) after receiving the V.T. on the same date. The appellant institution submitted compliance to the L.O.I. vide its letter dated 25.05.2016 which was received in N.R.C. on 03.06.2016.

AND WHEREAS Appeal Committee noted that appellant is aggrieved particularly by the fact that once N.R.C. had decided to grant recognition for D.El.Ed. programme in its 258th Meeting held on 04-6th October, 2016, it should not have reverted back and issued a S.C.N. dated 11.04.2017 on land related issues which were required to be settled before causing inspection.

AND WHEREAS Appeal Committee noted that a very casual approach of N.R.C. in processing the case of appellant institution and not summarily rejecting the application at first stage itself has not only caused inconvenience to applicant but has also deprived him from making a fresh application for the academic session 2017-18 when applications were invited in the year 2016. Appeal Committee, even after appreciating the difficulties faced by appellant cannot ignore the regulatory provision which requires an applicant institution to possess land on ownership basis on or before the date of making the application. Appeal Committee therefore, decided to confirm the impugned refusal order dated 19.04.2017.

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 19.04.2017.

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, Sarvodaya Girls College, Naya Padariya Kalinjara, NH-113, Bagidora – 327606, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-719/E-47805/2017 Appeal/21st Mtg.-2017/14th & 15th Dec., 2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

11/12/2018

ORDER

WHEREAS the appeal of Ideal T.T. College, Keshavraipatan, Rajasthan dated 05/11/2017 is against the Order No. NRC/NCTE/NRCAPP-10275/257th (Part-3) Meeting/2016/158886-89 dated 26/09/2016 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. 04.11.2015 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. Shiv Shanker Sharma, President, Ideal T.T. College, Keshavraipatan, Rajasthan presented the case of the appellant institution on 15/12/2017. In the appeal and during personal presentation the appellant quoted from the orders dated 12.10.2017 of Hon'ble High Court that "The impugned order dated 26.09.2016 is admittedly appealable under Section 18 of the NCTE Act, 1993. In my considered view, in the facts of the case there is no exceptional circumstances for the exercise of the extraordinary equitable jurisdiction of this Court under Article 226 of the Constitution of India to the exclusion of the alternative remedy of appeal. Resultantly I am not inclined to entertain the petition. The petition is however disposed of with liberty to the petitioner institution to avail to remedy of appeal against the order dated 26.09.2016 under Section 18 of the NCTE Act, 1993. It is directed that for the purpose of computation of limitation in filing of appeal, the period expanded in pursuing the petition before this Court be excluded ala under Section 14 of the Limitation Act. The petitioner shall also be free to file application under Section 5 of the Limitation Act, if so warranted and advised. If so filed along with the statutory appeal be considered by the Appellant Authority sympathetically. If delay is condoned the appeal be decided within eight weeks thereafter."

AND WHEREAS Appeal Committee noted that delay of 11 months in filing appeal may be condoned keeping in view the order dated 12.10.2017 issued by Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur in S.B. Civil Writ Petition no. 12826/2017.

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 24.05.2015 seeking recognition for conducting D.El.Ed. programme. Appellant institution was issued a Show Cause Notice (SCN) dated 04.11.2015 on account of its failure to submit N.O.C. of the affiliating body. The appellant institution instead of submitting N.O.C. issued by affiliating body as required under Clause 5 (3) of NCTE Regulation, 2014 stated vide its letter received in the office of N.R.C. on 09/12/2015 that its application be submitted to the State Government as required under Clause 7 (4) of the Regulations.

AND WHEREAS Appeal Committee further noted that the Writ Petition filed by the appellant institution in the High Court of Rajasthan Bench at Jaipur has been disposed of by the court by stating that statutory appeal filed by appellant under Section 18 of the NCTE Act be considered by the Appellate Authority sympathetically within 8 weeks after condoning the delay.

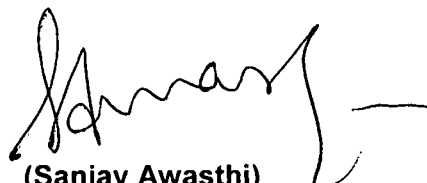
AND WHEREAS Appeal Committee noted that appellant has now made available a N.O.C. dated 07/09/2017 issued by office of Director, Primary Education, Rajasthan. Above N.O.C. which is issued by the Department of Primary Education, Rajasthan clearly states that it is issued in response to an order dated 24.08.2017 of Hon'ble Court in C.W.P. NO. 12826/2017. The N.O.C. is further subject to the condition that the institution will have to make an application to NCTE for ensuing academic year and NCTE will accept such an application.

AND WHEREAS Appeal Committee noted that Clause 7(1) of the NCTE Regulation, 2014 prescribes that 'In case the application is not complete or requisite documents are not attached with the application, the application shall be treated as incomplete and rejected.' No doubt the Regional Committees provide an opportunity to the institutions to submit documents which are sometimes essential but the essential documents should pertain to a date prior to the last date for submission of

applications. In this case conditional N.O.C. issued on 07.09.2017 is not relevant and acceptable as N.O.C. is required to be submitted alongwith application as per Clause 5 (3) of NCTE Regulations, 2014. Appeal Committee, therefore decided to confirm the impugned refusal order dated 26.09.2016.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record hearing, Appeal Committee concluded to confirm the impugned refusal order dated 26.09.2016.

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



(Sanjay Awasthi)
Member Secretary

1. **The Manager, Ideal T.T. College, Keshavraipatan – 323601, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

50



F.No.89-406/2017 Appeal/21st Mtg.-2017/14th & 15th Dec., 2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/1/2018

ORDER

WHEREAS the appeal of Mahendra College of Education, Majra Khurd, Mahendergarh, Haryana dated 24.05.2017 is against the Order No. NRC/NCTE/HR-1739/253rd (Part-1) Meeting/2016/153075 dated 11/07/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Government of Haryana vide its letter dt. 12.04.2016 has requested the NRC, NCTE not to entertain the applications of Societies / Trusts seeking recognition for 4-year integrated course B.A. B.Ed./B.Sc. B.Ed. and opening of new B.Ed. colleges in the State henceforth and during the years 2016-17 and 2017-18."

AND WHEREAS the Committee noted that the appellant, aggrieved by the order of the NRC filed writ petition W.P. © 857 of 2017 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court in their order dt. 02.02.2017 disposed of the petition granting liberty to the petitioner to file an appeal along with an application, seeking condonation of delay. The appellant filed the appeal on 24.05.2017 with an application for condonation of delay. In this application, the appellant submitted that as they filed a writ petition before the High Court against the order of the NRC dt. 11.07.2016 they did not appeal to the NCTE. Now the appeal is being filed as per the directions of the Hon'ble High Court. The appellant therefore, requested condonation of the delay in appeal. The Committee acceded to the request of the appellant and condoned the delay took up the appeal for consideration.

AND WHEREAS Sh. Mahender Singh, Chairman and Sh. Kapil Kumar, Secretary, Mahendra College of Education, Majra Khurd, Mahendergarh, Haryana presented the case of the appellant institution on 23/08/2017. In the appeal and during personal presentation it was submitted that "(i) the appellant originally applied for B.Ed. course on 29.07.2008 when the State Govt. of Haryana was allowing

opening of new B.Ed. colleges and the State Govt. imposed a ban 31.10.2008; (ii) thereafter their application was processed by the NRC and rejected on four occasions i.e. 01.06.2009, 07.06.2011, 08.01.2013 and 19.07.2015 but the rejections were on different grounds but not on the ground of State Govts ban; (iii) the appellant filed appeals against the orders of rejection and the Council remanded the matter to the NRC on all those appeals; (iv) against the order dt. 08.01.2013 the appellant approached the Hon'ble Delhi High Court and Hon'ble Court in their order dt. 29.09.2014 directed NRC to decide the application for the academic session 2015-16; (v) NRC conducted an inspection of the institution on 08.03.2016; (vi) according to the directions of the Hon'ble High Court, the NRC was to decide their application for the session 2015-16 and as the NRC did not do the needful a contempt petition was filed in the Hon'ble Delhi High Court and the Hon'ble Court in their order directed the NRC to consider their application within six months; and (vii) the NRC has now rejected their application on the ground of State Govt's order dt. 12.04.2016. The appellant submitted that the NRC, after the State Govt's ban dt. 12.04.2016 has granted recognition (i) for B.Ed. course in two colleges, namely, College of Modern Education, Distt. Rewari and Sohan Lal DAV College of Education, Distt. Ambala and (ii) for B.A. B.Ed./ B.Sc. B.Ed. course in two colleges, namely, S.D. College of Education, Distt. Mahendergarh and Teerthaukan KRD College, Distt. Gurgaon. In these circumstances, the appellant requested that their case may be remanded to the NRC to reconsider their application.

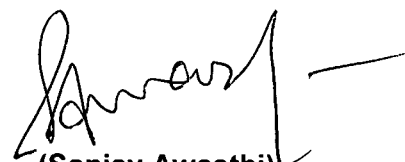
AND WHEREAS the Committee noted that the appellant in support of their contention that four institutions in Haryana have been granted recognition for conducting B.Ed. and B.A. B.Ed./ B.Sc. B.Ed. courses after the State Govt's ban dated 12.04.2016, has enclosed copies of the minutes of the 269th (part-8) meeting of the NRC held from 26.04.2017 to 02.05.2017. Since the appellant has cited examples of some institutions, in whose cases the NRC took decisions to issue Letter of Intent under clause 7(13) and grant recognition under clause 7(16) of the NCTE Regulations, it is suggested that in the first instance clarification may be obtained from the NRC for taking such decisions which are different from that taken in the case of the appellant institution.

AND WHEREAS the Committee, in their meeting held on 15.12.2017, was shown a copy of the NRC's reply dt. 07.11.2017 to the Council's letter dt. 23.10.2017 seeking certain clarification. The reply indicated that the college of Modern Education, Rewari, Sohan Lal & DAV College of Education, Mahendergarh, and Teerthankar KRS College, Gurgaon were granted recognition on the basis of those institutions belonging to the minority category.

AND WHEREAS the Committee, from the copies of the minutes of the NRC meeting (Parts 2 and 4) held on 19th April to 2nd May, 2016, wherein the decisions were taken to issue show cause notice and refusal order to the appellant institution, did not find what consideration was given to the reply submitted by the appellant to the show cause notice. The Committee also found that the refusal order is a non-speaking order as it did not mention the details of the reply to the show cause notice and the reasons for which the reply was not found acceptable, resulting in refusal of recognition. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to issue a speaking order.

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 N.R.C. with a direction to issue a speaking order.

NOW THEREFORE, the Council hereby remands back the case of Mahendra College of Education, Majra Khurd, Mahendergarh, Haryana to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Mahendra College of Education, Majra Khurd, Majra Road, Mahendergarh, Haryana - 123029.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.



F.No.89-742/E-51059/2017 Appeal/21st Mtg.-2017/14th & 15th Dec., 2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 1/1/2018

ORDER

WHEREAS the appeal of Shrimati Urmila Devi Mahavidyalay, Bholi Chauraha Bharthana, Bharthana Etawah, Bharthana, Uttar Pradesh dated 30/11/2017 is against the Order No. NRC/NCTE/NRCAPP-14376/256th Meeting/2016/157320 dated 02/09/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "NRC, NCTE issued a show cause notice to the institution and the reply of the institution was received in the NRC office on 19.07.2016 and observed that:- The list of faculty submitted by the institution pertains to the applicant institution but the names of the teachers are the same as mentioned in the list submitted earlier which were related with another institution. This established that the institution submitted fake list of the teachers for getting recognition for the D.El.Ed. course. The NOC issued by the CSJM University, Kanpur is not an affiliation letter/order and hence, the applicant institution is not a composite institution."

AND WHEREAS aggrieved by the order of the N.R.C, the appellant filed a Writ (C) no. 53093 of 2017 before the Hon'ble High Court of Allahabad. The Hon'ble High Court in their order dt. 10.11.2017 disposed of the petition with a direction that the petitioner may approach the Appellate Authority along with a certified copy of this order within a period of three weeks from today and in case such an application is filed, the Appellate Authority shall consider the matter and pass appropriate order in accordance with law within a period of four weeks, thereafter. The appellant filed the appeal on 30.11.2017.

AND WHEREAS Sh. Pushpendra Singh, Manager, Shrimati Urmila Devi Mahavidyalay, Bholi Chauraha Bharthana, Bharthana Etawah, Bharthana, Uttar Pradesh presented the case of the appellant institution on 15/12/2017. In the appeal and during personal presentation it was submitted that (i) they filed the list of faculty

approved by the Examination Regulatory Authority, Allahabad in their letter dt. 29.04.2016 and the NRC thereafter granted recognition on 02.05.2016; (ii) NRC issued a Show Cause Notice dt. 28.06.2016 on the ground that the list of teachers submitted by the institution does not pertain to the applicant institution; (iii) even though the show cause notice did not specifically mention any name of the faculty member allegedly matching with another institution and / or name of another institution, the appellant on their personal understanding submitted a modified list of faculty members in the N.R.Cs office on 19.07.2016; (iv) the N.R.C however, refused recognition on different grounds in their order dt. 02.09.2016; (v) this order is based on vague and non speaking grounds as neither the name of any faculty member allegedly matching with the faculty member or the name of 'another' institution has been disclosed; (vi) as the appellant had been granted recognition on 02.05.2016, it could only be withdrawn under Section 17 of the NCTE Act and the withdrawal will be operative from the next academic session but the order of refusal has been issued under Section 14 of the NCTE Act; (vii) pursuant to the passing of the order dt. 02.09.2016, the appellant selected staff afresh and submitted the list to Examination Regulatory Authority, Allahabad, who have approved the same on 08.06.2017; (viii) the appellant sent an application to the Respondent (NRC ?) on 30.06.2017 alongwith the approval letter dt. 08.06.2017 requesting reconsideration of their refusal order, but when they contacted the Respondent in Oct., 2017, they refused to accept the request; and (ix) in so far in the second ground of refusal is concerned, the appellant has obtained affiliation order of CSJM University, Kanpur dt. 16.04.2016. The appellant has cited the examples of some other institutions where the Appellate Authority remanded the matters for consideration of the subsequent developments and the orders of Hon'ble High Court's relating to those cases.

AND WHEREAS the Committee noted from the file of the N.R.C. that after they decided to issue the Letter of Intent to the appellant institution in their 252nd meeting held from 19th April to 2nd May, 2016, the appellant submitted various documents to the NRC which included among others a copy of the letter dt. 02.05.2016 issued by Examination Regulatory Authority, Uttar Pradesh approving the teaching faculty of JDSVSVS, Shiksha Sadan, Sultanpur and individual affidavits of the approved faculty members. The N.R.C. based on these documents, which did not pertain to

the appellant institution, granted recognition to the appellant on 02.05.2016, which they should not have done. Thereafter the N.R.C. issued the show cause notice dt. 28.06.2016 pointing out that the list of faculty submitted does not pertain to the appellant institution.

AND WHEREAS the Committee noted from the file that the appellant in an affidavit enclosed to their letter dt. 19.07.2016, admitting that by mistake the list was wrongly submitted, submitted a 'correct list'. The document enclosed to this reply is a letter dt. 29.04.2016 issued by Examination Regulatory Authority, Uttar Pradesh approving teaching faculty for D.El.Ed. course in Smt. Urmila Devi Mahavidyalaya, Etawa. The N.R.C. on examination of these documents found that while the list belonged to the appellant institution, the names of teachers are the same as mentioned in the list of another institution submitted earlier.

AND WHEREAS the Committee noted that the claim of appellant in the appeal that before grant of recognition on 02.05.2016, they submitted the list of their faculty approved on 29.04.2016 is not correct. In fact in reply to the show cause notice, the appellant admitted that earlier by mistake they sent a list (of another institution) wrongly. The appellant sent the list pertaining to them and approved on 29.04.2016 only with their reply dt. 19.07.2016 to the Show Cause Notice. The file does not contain the appellant's letter dt. 30.06.2017 with which he is reported to have sent a fresh list of faculty got approved by the Examination Regulatory Authority on 08.06.2017.

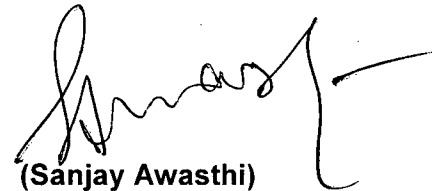
AND WHEREAS the Committee noting all the developments mentioned above concluded that matter deserved to be remanded to the N.R.C. with the following direction:-

- (i) NRC should point out specifically the commonality of the names between the lists approved by the Examination Regulatory Authority in their letters dt. 29.04.2016 and 02.05.2016 (relating to two separate institutions) and seek the comments of the appellant and the Examination Regulatory Authority.

- (ii) NRC should ask the appellant to give specific reasons for getting a new list of faculty approved by the Examination Regulatory Authority on 08.06.2017.
- (iii) NRC should seek clarification from the Examination Regulatory Authority as to the circumstances under which they approved two faculty lists of the same institution one on 29.04.2016 and another on 08.06.2017.

On receipt of the clarification mentioned above, NRC should take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Shrimati Urmila Devi Mahavidyalay, Bholi Chauraha Bharthana, Bharthana Etawah, Bharthana, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Manager, Shrimati Urmila Devi Mahavidyalay, Bholi Chauraha Bharthana, Usrahar Road, Bharthana Etawah, Bharthana – 206242, 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, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.