(1)

F.No.89-99/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Bagnan Teachers Training College, Bagnan, Howrah, West Bengal dated 14/02/2017 is against the Order No. ERC 218.7.16/ERCAPP3838/D.El.Ed/2016/48606 dated 29.7.2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "a. Show cause notice was decided in 212th ERC Meeting held on 19th-20th April, 2016 on the following grounds: (i) As per VT report, the built-up area is less than the requirement of B.Ed. + D.El.Ed. + M.Ed. programmes. (ii) Third and Fourth floor of the building not yet constructed as per VT report and building plan. (iii) Building Completion Certificate issued from any Govt. Engineer not submitted. (iv) Library and laboratories are to be upgraded. The reply of the institution dt. 11.05.2016 submitted on the basis of the proceedings uploaded on ERC website does not fulfil the requirements of the show cause notice. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3838 of the institution regarding recognition for D.El.Ed. programme (Addl. Course) is refused under Section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Bagnan Teachers Training College, Bagnan, Howrah, West Bengal was asked to present the case of the appellant institution on 03/05/2017, 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 the submission of the appeal has been delayed by four months and 16 days beyond the prescribed time limit of 60 days. The appellant, in a letter dt. 19.02.2017, submitted that though the draft of the appeal was ready it could not be filed in time as the website of the NCTE was down and was also under

maintenance work. In these circumstances, the appellant requested that their appeal may be accepted. The Committee acceded to the request and decided to condone the delay and take up the appeal for consideration.

AND WHEREAS Dr. Anant Jha, Principal, Bagnan Teachers Training College, Bagnan, Howrah, West Bengal presented the case of the appellant institution on 21.08.2017 i.e. the second opportunity granted to them. In the appeal and during personal presentation and in a letter dt. 18.08.2017, the appellant submitted that due to the sudden death of the Secretary of the College in a road accident in July, 2015, they could not continue the construction of the building. While agreeing with the VT report that their building was not fit for three courses, the appellant submitted that under the guidance of the new Secretary the building has been fully constructed and completed as per NCTE norms and the total built-up area is 409564 Sq. mts (this figure does not seem to be correct as according to the building plan available in the file the total built up area is only 4095 Sq. mts). The appellant also submitted that they have already applied for building completion certificate to the District Engineer and after inspection they will issue the certificate. The appellant requested that they may be allowed only two courses, namely, B.Ed and D.El.Ed.

AND WHEREAS the Committee noted that the main ground of refusal is inadequacy of the built-up area for the different courses to be conducted and non-submission of a building completion certificate issued by a Govt. Engineer. The Committee, noting the submission of the appellant about the steps taken by them to get a building completion certificate from a District Engineer, decided to give the appellant another opportunity i.e. the third and final opportunity to produce a building completion certificate from a Govt. Engineer and present their case.

AND WHEREAS Md. Rahmattullah, Sr Additional Principal, Bagnan Teachers Training College, Bagnan, Howrah, West Bengal presented the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity given to them. During presentation and in a letter dt. 14.12.2017, the appellant submitted that their building is fully completed in 2017 and it has the required built-up area for the existing two units

of B.Ed. and the proposed two units of D.El.Ed. and they are withdrawing the application No. FRC/2247/ERCAPP/3801/M.Ed/2016 i.e. for M.Ed. course. The appellant enclosed a building completion certificate signed by a Field Junior Engineer, Bagnan -II Dev Block showing the total built-up area of 43714 Sq ft. in ground + three floors. The appellant also submitted that the library, reading room and all laboratories have been upgraded with modern amenities and as per the requirements in various sections of the college, these are being enriched. The appellant enclosed copies of bills for purchase of books and instruments.

AND WHEREAS the Committee, noting the submission of the appellant, concluded that the matter deserved to be remanded to the ERC with a direction to conduct a re-inspection of the institution, on payment of the prescribed fee by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC, within 15 days of receipt of the order on appeal, (i) the building completion certificate signed by a Govt. Engineer, which was submitted in appeal, indicating therein the year of construction against item no. 12, which was not mentioned; (ii) other documents relating to library and laboratories submitted in appeal, and (iii) a written request to allow withdrawal of their application for grant of recognition for M.Ed. course.

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 deserved to be remanded to the ERC with a direction to conduct a re-inspection of the institution, on payment of the prescribed fee by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC, within 15 days of receipt of the order on appeal, (i) the building completion certificate signed by a Govt. Engineer, which was submitted in appeal, indicating therein the year of construction against item no. 12, which was not mentioned; (ii) other documents relating to library and laboratories submitted in appeal, and (iii) a written request to allow withdrawal of their application for grant of recognition for M.Ed. course.

NOW THEREFORE, the Council hereby remands back the case of Bagnan Teachers Training College, Bagnan, Howrah, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Bagnan Teachers Training College, 2730, 2731 & 3014, Deed of Conveyance, Mugkal Yan, Bagnan, Howrah, West Bengal – 711312.
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 - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(2)

F.No.89-142/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Gyan Prakash College of Education, Gaya, Bihar dated 17/02/2017 is against the Order No. ER-229.4.5/ERCAPP3587/D.El.Ed- Addl. Course/2017/51170 dated 28.01.2017 of the Eastern Regional Committee, on review, refusing grant of recognition for second unit of D.El.Ed. Course on the grounds that (i) in their 212th meeting held on 19-20 April, 2016, ERC took up the faculty position and found that M.Ed. marks sheet of a faculty member for psychology (Shri Chandrapal Yadav) was not acceptable as it was singed 'for Registrar'; the M.Ed. marks sheet of a faculty member for Economics (Shri Santosh Kumar Singh) was not acceptable as it was without seal and signature of the competent authority; and the B.Ed. M.Ed. marks sheet of a faculty member for Mathematics (Shri Avinash Khushwaha) were not acceptable as they are without the seal of the competent authority ; (ii) keeping in view the cut of date of 02.05.2016 for grant of recognition for the session 2016-17, it was decided not to issue show cause notice amounting to complete losing of enrolment of students for that session; (iii) the decision to grant recognition for one unit only was taken to the best of its fitness; and (iv) as the cut of date for 2016-17 is over it is not at all possible to consider and grant revised recognition for another unit.

AND WHEREAS Sh. Rajesh Ranjan Sahay, Joint Secretary, Gyan Prakash College of Education, Gaya, Bihar presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that "(i) the institution had created infrastructural and instructional facilities for 2 units of D.El.Ed. course at the time of inspection and the same was shown to the Visiting Team; (ii) despite the fact that their institution was having adequate instructional, infrastructural facilities and also appointed staff for two units of D.El.Ed. course, the ERC granted permission for one unit; (iii) their institution has appointed staff for two units of D.El.Ed. course since 16th April 2016 and the same are continuing in their

institution with the hope that another second unit of D.El.Ed. will be granted by ERC; (iv) no doubt the cut of date of grant of permission of the academic session 2016-17 is over, but recognition could be granted for the session 2017-18 for which the last date is 03.03.2017; (v) while refusing their application, the ERC had raised irrelevant objections, which are narrated below. The objection is irreverent as the Mark sheet can be signed by any officer/ authority with the approval of the Registrar of the University. Further, the institution has no locus-standi in the matter as this is totally the prerogative of the university/ Body issuing the Mark Sheet/ Degree as to who will sign the mark sheet/ Degree. The Copy of marksheet is attached, which shows that the Mark Sheet is signed by Controller of Examination. Even the copy of M.Ed. degree issued by the Registrar of Dr. Ram Manohar Lohia University was also submitted to ERC, a copy of which is again submitted to the Appeals Committee. The copies of mark sheets are attached, which shows that the mark sheets are signed by an official of the University. Moreover, a copy of the degree for B.Ed. issued by VBS University, Jaunpur and provisional for M.Ed. degree issued by Purvanchal University was also submitted to ERC, a copy of which is again submitted to the Appeal Committee. The Appeal Committee will appreciate that in the period of E-Governance when everything can be verified over internet, this question about the validity of mark sheet is not a valid objection, when the details can be verified by any one form the website of the concerned University by a click of button. The Appeal Committee will appreciate that their institution had already lost one session and will loose another if the matter is not resolved before 3rd March 2017. We request you to intervene in the matter and direct the ERC to sanction the two units for D.El.Ed. course".

AND WHEREAS in the course of presentation, the appellant gave a letter dt. 03.05.2017, requesting for some time as certain relevant documents for verification were left in their institution. The Committee acceded to the request and decided to give the appellant another opportunity to i.e. the second opportunity to present their case.

AND WHEREAS Gyan Prakash College of Education, Gaya, Bihar was asked to present the case of the appellant institution on 21.08.2017 i.e. the second opportunity granted to them, but nobody from the institution appeared. The

Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Sh. Rajesh Ranjan Sahay, Jt. Secretary, Gyan Prakash College of Education, Gaya, Bihar presented the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them. In the course of presentation, the appellant submitted a letter dt. 13.12.2017. The appellant enclosed to this letter (i) notarised copies of the marks sheet and M.Ed. degree certificate in respect of Shri Chandra Pal Yadav signed by 'for Registrar' and Registrar and Vice-Chancellor, Chhatrapati Sahu Ji Maharaj University, Kanpur respectively; (ii) notarised copies of mark sheet and M.Ed. degree certificate in respect of Shri Santosh Kumar Singh signed by the Controller of Examination and the Vice Chancellor, Dr. Ram Manohar Lohia Avadh University, Faizabad respectively; and (iii) notarised copies of B.Ed. degree certificate signed by the Vice-Chancellor, Veer Bahadur Singh Purvanchal University, Jaunpur, marks sheet of M.Ed. signed of the Controller of Examinations, VBS Purvanchal University and provisional M.Ed. certificate signed by the Dy./Asst. Registrar, VBS Purvanchal Univesity in respect of Shri Avinash Khushwaha. The appellant also enclosed a sworn affidavit in support of the documents submitted.

AND WHEREAS the Committee, noting that the appellant has made satisfactory submission in respect of the grounds mentioned in the order dt. 02.01.2017 in respect of the faculty members, concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents to be submitted by the appellant, in the light of the provisions relating to the qualifications for the academic faculty for D.El.Ed. course contained in the Norms and Standards and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward all the documents submitted in the appeal to the ERC 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 deserved to be remanded to

ERC with a direction to consider, the documents to be submitted by the appellant, in the light of the provisions relating to the qualifications for the academic faculty for D.El.Ed. course contained in the Norms and Standards and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward all the documents submitted in the appeal to the ERC within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Gyan Prakash College of Education, Gaya, Bihar to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Gyan Prakash College of Education, Sale Deed, 977, (New), Chiraila, Gaya Bihar - 805131.
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 - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

(5)

F.No.89-151/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Jan Seva Shiksha Samiti, Tikamgarh, Madhya Pradesh dated 20/08/2016 is against the Order No. WRC/APP2897/223/256th/2016/171333 dated 28.7.2016 of the Western Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "1. The land documents are still only scanned and notarized, whereas the land ownership documents should be originally certified by the Competent authority i.e. the Sub Registrar. 2. The notarized copy of CLU has not been submitted. A photocopy the CLU is attested by the principal of the J.S. Institute and not by Notary. 3. The Non-Encumbrance certificate submitted is not in the correct format. It is only an affidavit signed by the principal. The actual non-encumbrance certificate can be given by a competent revence authority i.e. Tehsildar or Nayab Tehsildar. 4. The Competent authority for approval of building plan is the Gram Panchayat in rural areas and the Municipal Body in urban area. Hence this document is also not acceptable. 5. The Applicant has not given any reply on the issue of being a 'stand alone' institution.

AND WHEREAS Jan Seva Shiksha Samiti, Tikamgarh, Madhya Pradesh was asked present the case of the appellant institution on 04/05/2017, but nobody appeared before Appeal Committee.

AND WHEREAS neither the regulatory file was received from W.R.C. nor did the appellant appear before the Committee for making a personal presentation of the case. Appeal Committee, therefore, decided to grant another (second) opportunity to appellant. In the meantime, NCTE (HQ) should obtain regulatory file from W.R.C. Bhopal.

AND WHEREAS the Committee noted that the relevant file has been received from the WRC.

AND WHEREAS Jan Seva Shiksha Samiti, Tikamgarh, Madhya Pradesh was asked to present the case of the appellant institution on 21.08.2017 i.e. the second opportunity granted to them, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Jan Seva Shiksha Samiti, Tikamgarh, Madhya Pradesh was asked to present the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them, but nobody from the institution appeared. The Committee, therefore, decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted from the file of the WRC and the documents submitted with the appeal that the appellant, in reply to the show cause notice submitted only notarised copies of the registered land documents and has not submitted certified copies of the same even in appeal. The appellant, with the appeal submitted (i) a copy of land use certificate dt. 22.12.2015 issued by Nagar and Gram Nivesha, Sagar M.P., which is not notarised; (ii) a copy of the building plan approved by Nagar and Gram Nivesha, Sagar and Chief Executive Engineer, Govt. Municipal Corporation, Prithvipur; and (iii) a copy of NEC dt. 18.04.2016 issued by Tahsildar Prithvipur.

AND WHEREAS the Committee however noted that the appellant has not made any submission about the status of their institution i.e. stand alone or composite. The Committee noted that according to the provisions of clause 8(1) of the NCTE Regulations, 2014 new teachers education institutions shall be located in 'composite' institutions, which are defined in clause 2(b) of the said Regulations. The Committee noted that the appellant in their on-line application dt. 30.05.2015 for B.Ed. course has not indicated whether they are running any programmes other than teacher education programmes or they have submitted application(s) for any other teacher education programme(s). In these circumstances, the Committee concluded that the appeal deserved to be rejected and the order of the WRC confirmed on the ground

that the appellant does not fulfil the requirements of the NCTE Regulations, 2014 as it is only a stand alone institution.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the WRC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The President, Jan Seva Shiksha Samiti, Niwadi Road, Prithvipur, Tikamgarh, Madhya Pradesh – 472336.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

(6)

F.No.89-154/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Azad Mission Teachers Training College, Jibanti, Murshidabad, West Bengal dated 16/02/2017 is against the Order No. ER/7-ER-226.8.8/ERCAPP3108/(D.El.Ed.-Addl. Course)/2016/50517 dated 21/12/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (Addl.) Course on the grounds that "a. SCN was issued on 29/07/2016 on the following grounds: (i) Inspection letter was issued to the institution on 06/02/2016. (ii) The institution has requested vide letter dt. 26/02/2016 for extension of three to four months' time for inspection because they are not ready enough to make inspection for D.El.Ed. course of the institution due to non-completion of the infrastructure facilities. (iii) As per NCTE Regulation 2014 the inspection shall not be conducted subject to the consent of the institution. (iv) The Committee has not accepted the request of the institution. b. In response to SCN, the institution has submitted its reply dt. 29/07/2016 along with building completion certificate and requested to conduct the inspection of the institution. The ERC considered the reply of the institution and found that the institution is still deficient on the following grounds: (i) Inspection letter was issued to the institution of 06/02/2016. At that time of issuance of inspection letter, the institution was not ready for inspection and had requested extension of three to four months' times. The ERC had already refused the request of the institution because as per NCTE Regulation 2014, the inspection shall not be conducted subject to the consent of the institution. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3108 of the institution regarding permission of D.El.Ed. programme is refused under Section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. A. Sufain Sheikh, Secretary and Sh. Ajay Dhar, Member, Azad Mission Teachers Training College, Jibanti, Murshidabad, West Bengal presented the case of the appellant institution on 04/05/2017. In the appeal and in

a letter dt. 21.02.2017, the appellant submitted that the inspection for additional D.El.Ed. course could not be conducted in due time as some parts of the building of D.El.Ed. additional course were still under construction. They could not complete it timely due to financial difficulties and they had to invest their funds for keeping two units B.Ed. course. The appellant also submitted that they had requested for extension of three to four months' time for inspection. Later, after completion of the said building part, they requested the ERC to conduct the inspection of the institution, but the ERC rejected their application on the ground that the inspection shall not be conducted subject to the consent of the institution.

AND WHEREAS appellant during the course of appeal presentation requested in a letter dt. 04.05.2017 for grant of another opportunity as the documents in support of their defence are not ready on that day. Appeal Committee decided to grant another (second) opportunity.

AND WHEREAS Azad Mission Teachers Training College, Jibanti, Murshidabad, West Bengal was asked to present the case of the appellant institution on 21.08.2017 i.e. the second opportunity granted to them, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Azad Mission Teachers Training College, Jibanti, Murshidabad, West Bengal was asked to present the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them, but nobody from the institution appeared. The Committee, therefore, decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the appellant has not submitted any additional documents for which he sought another opportunity. While the appellant in the first instance informed the ERC that their infrastructure is not complete and requested for extension of time for inspection by three to four months, in reply to the show cause notice. They informed the ERC on 12.08.2016 that they are ready for inspection as they have infrastructure facilities for an intake of 50, their on-line application being for an intake of 100.

AND WHEREAS the Committee noted that according to the provision 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 ERC was justified in refusing recognition and therefore the appeal deserved to be rejected and the order of the ERC 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 ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Azad Mission Teachers Training College, Ownership, Jibanti, Murshidabad, West Bengal – 742136.
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 - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(8)

F.No.89-160/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh dated 13/02/2017 is against the Order No. WRC/APP3296/B.A.B.Ed./264th/{M.P.}/2016/177081 dated 20/12/2016 of the Western Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "The VT report was perused and the CD viewed. It was found that the building is incomplete, together with the insufficiency of books and multipurpose hall. The society vide reply dt. 27/09/2016 has admitted that the building is yet to be completed. It is therefore clear that the institution is not prepared to run the course. Hence, recognition is refused."

AND WHEREAS Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh was asked to present the case of the appellant institution on 04/05/2017 but nobody appeared. In the appeal Memoranda it is submitted that "already replied in June-July 2016. Society ki 27/09/2016 ki reply basic infrastructure ke liye nahi decorate ke liye thi."

AND WHEREAS as per extant appeal rules, an appellant can seek upto three adjournments. Appellant did not appear before Appeal Committee on 04.05.2017. Hence Appeal Committee decided to give another (second) opportunity to the appellant for being heard personally.

AND WHEREAS Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh was asked to present the case of the appellant institution on 21.08.2017 i.e. the second opportunity granted to them, but nobody from the institution appeared. The

Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Sh. Abhishek Rai, Secretary, Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh presented the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them. In the appeal the appellant referred to their reply dt. 27.09.2016 to the Show Cause Notice. In the course of presentation, the appellant submitted a letter dt. 14.12.2017. In this letter, the appellant submitted that their reply dt. 29.07.2016 to the Show Cause Notice was about the completion of the outside requirements of the building such as painting, cleanliness and beautification etc., the size of the multipurpose hall is 187 sq. mts. and not 137 sq. mts., facilities of water and electricity are available in the vicinity of the College, the number books in the library is more than 3000 and building completion certificate issued by the Competent Authority has been sent in reply to the Show Cause Notice.

AND WHEREAS the Committee noted that as mentioned in the refusal order, the appellant in their reply to the Show Cause Notice admitted the incompleteness of their building. No Building Completion Certificate from the Competent authority has been sent with the reply to the Show Cause Notice. The file contains a certificate dt. 16.04.2016 issued by a private structural Engineer, which is not on the prescribed form and lacking many details. 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, equipped with all necessary amenities. Since the appellant did not fulfil this requirement, the Committee concluded that the WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the WRC 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 WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the WRC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Spriha Shiksha Evam Kalyan Samiti, Palari, Tehsil/Distt. – Seoni, Madhya Pradesh – 480661.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

(9)

F.No.89-164/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh dated 13/02/2017 is against the Order No. WRC/APP3232/223/264th/2016/177067 dated 20/12/2016 of the Western Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that a show cause notice was issued on 26.06.2016 and a reply was received on 27.09.2016. "The VT report was perused and the CD viewed. It was found that the building is incomplete, together with the insufficiency of books and multipurpose hall. The society, vide reply dt. 27/09/2016 has admitted that the building is yet to be completed. It is therefore clear that the institution is not prepared to run the course. Hence, Recognition is refused."

AND WHEREAS Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh was asked to present the case of the appellant institution on 04/05/2017 but nobody appeared. In the appeal it is submitted that already replied June-July 2016. 27/09/2016 ki reply basic infrastructure ke liye nahi decorate ki liye thi."

AND WHEREAS As per extant appeal rules, an appellant can seek upto three adjournments. As appellant did not appear before Appeal Committee on 04.05.2017, it was decided to grant another (second) opportunity to the appellant for being heard personally.

AND WHEREAS Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh was asked to present the case of the appellant institution on 21.08.2017 i.e. the second opportunity granted to them, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Sh. Abhishek Rai, Secretary, Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh presented the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them. In the appeal the appellant referred to their reply dt. 27.09.2016 to the Show Cause Notice. In the course of presentation, the appellant submitted a letter dt. 14.12.2017. In this letter, the appellant submitted that their reply dt. 29.07.2016 to the Show Cause Notice was about the completion of the outside requirements of the building such as painting, cleanliness and beautification etc., the size of the multipurpose hall is 187 sq. mts. and not 137 sq. mts., facilities of water and electricity are available in the vicinity of the College, the number books in the library is more than 3000 and building completion certificate issued by the Competent Authority has been sent in reply to the Show Cause Notice.

AND WHEREAS the Committee noted that as mentioned in the refusal order, the appellant in their reply to the Show Cause Notice admitted the incompleteness of their building. No Building Completion Certificate from the Competent authority has been sent with the reply to the Show Cause Notice. The file contains a certificate dt. 16.04.2016 issued by a private structural Engineer, which is not on the prescribed form and lacking many details. 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, equipped with all necessary amenities. Since the appellant did not fulfil this requirement, the Committee concluded that the WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the WRC 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 WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the WRC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Spriha Shiksha Evam Kalyan Samiti, Palari, Tehsil/Distt. – Seoni, Madhya Pradesh – 480661.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

(10)

F.No.89-165/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh dated 13/02/2017 is against the Order No. WRC/APP15679/B.Sc.B.Ed./264th/{M.P.}/2016/177179 dated 20/12/2016 of the Western Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that a show cause notice was issued on 25.07.2016 and a reply dated 06.08.2016 was received on 27.09.2016. "The VT report was perused and the CD viewed. It was found that the building is incomplete, together with the insufficiency of books and multipurpose hall. The society vide reply dt. 27/09/2016 has admitted that the building is yet to be completed. It is therefore clear that the institution is not prepared to run the course. Hence, Recognition is refused."

AND WHEREAS Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh "was asked to present the case of the appellant institution on 04/05/2017 but nobody appeared. In the appeal memoranda it is submitted that "already replied June-July 2016. 27/09/2016 ki reply basic infrastructure ke liye nahi decorate ki liye thi."

AND WHEREAS as per extant appeal rules, an appellant can seek upto three adjournments. As appellant did not appear before Appeal Committee on 04.05.2017, it was decided to grant another (second) opportunity to the appellant for being heard personally.

AND WHEREAS Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh was asked to present the case of the appellant institution on 21.08.2017 i.e. the second opportunity granted to them, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Sh. Abhishek Rai, Secretary, Spriha Shiksha Evam Kalyan Samiti, Seoni, Madhya Pradesh presented the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them. In the appeal the appellant referred to their reply dt. 27.09.2016 to the Show Cause Notice. In the course of presentation, the appellant submitted a letter dt. 14.12.2017. In this letter, the appellant submitted that their reply dt. 29.07.2016 to the Show Cause Notice was about the completion of the outside requirements of the building such as painting, cleanliness and beautification etc., the size of the multipurpose hall is 187 sq. mts. and not 137 sq. mts., facilities of water and electricity are available in the vicinity of the College, the number books in the library is more than 3000 and building completion certificate issued by the Competent Authority has been sent in reply to the Show Cause Notice.

AND WHEREAS the Committee noted that as mentioned in the refusal order, the appellant, in their reply to the Show Cause Notice admitted the incompleteness of their building. No Building Completion Certificate from the Competent authority has been sent with the reply to the Show Cause Notice. The file contains a certificate dt. 16.04.2016 issued by a private structural Engineer, which is not on the prescribed form and lacking many details. 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, equipped with all necessary amenities. Since the appellant did not fulfil this requirement, the Committee concluded that the WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the WRC 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 WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the WRC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Spriha Shiksha Evam Kalyan Samiti, Palari, Tehsil/Distt. – Seoni, Madhya Pradesh – 480661.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

(11)

F.No.89-172/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Bagnan Teachers Training College, West Bengal dated 22.02.2017 is against the Order No. ERC/224.7.3/ERCAPP3801/M.Ed/2016/50218 dated 02/12/2016 of the Eastern Regional Committee, refusing recognition for conducting M.Ed. (Addl.) course on the grounds that "the institution is still deficient on the following grounds: (i) As per VT Report, the built up area is less than the requirement of B.Ed.+D.El.Ed.+M.Ed. programmes. (ii) Third and fourth floor of the building not yet constructed as per VT report and building plan. (iii) Building Completion Certificate issued from any Govt. Engineer not submitted. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3801 of the institution regarding permission for M.Ed. programme is refused under section 15(3) (b) of NCTE Act, 1993."

AND WHEREAS Bagnan Teachers Training College, West Bengal was asked to present the case of the appellant institution on 05/05/2017 but nobody appeared. As per extant appeal rules, upto three adjournments can be allowed to an appellant for making personal presentation of the appeal case. Appeal Committee, therefore, decided to grant another (2nd) opportunity to the appellant for making personal presentation of the case.

AND WHEREAS Dr. Anant Jha, Principal, Bagnan Teachers Training College, Bagnan, Howrah, West Bengal presented the case of the appellant institution on 21.08.2017 i.e. the second opportunity granted to them. In the appeal and during personal presentation and in a letter dt. 18.08.2017, the appellant submitted that due to the sudden death of the Secretary of the College in a road accident in July, 2015, they could not continue the construction of the building. While agreeing with the VT report that their building was not fit for three courses, the appellant submitted that under the guidance of the new Secretary the building has been fully constructed and

completed as per NCTE norms and the total built-up area is 409564 Sq. mts (this figure does not seem to be correct as according to the building plan available in the file the total built up area is only 4095 Sq. mts). The appellant also submitted that they have already applied for building completion certificate to the District Engineer and after inspection they will issue the certificate. The appellant requested that they may be allowed only two courses, namely, B.Ed and D.El.Ed.

AND WHEREAS the Committee noted that the main ground of refusal is inadequacy of the built-up area for the different courses to be conducted and non-submission of a building completion certificate issued by a Govt. Engineer. The Committee noting the submission of the appellant about the steps taken by them to get a building completion certificate from a District Engineer, decided to give the appellant another opportunity i.e. the third and final opportunity to produce a building completion certificate from a Govt. Engineer and present their case.

AND WHEREAS Dr. Anant Jha, Principal, Bagnan Teachers Training College, West Bengal presented the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them. The appellant, who, in their earlier letter dt. 18/08/2017, requested that they may be allowed only two courses, namely, B.Ed. and D.El.Ed., in the course of presentation, verbally informed that they want to withdraw their appeal against the order refusing recognition for M.Ed. course.

AND WHEREAS the Committee acceded to the request of the appellant to withdraw their appeal in respect of M.Ed. course. The appellant is directed to write to the E.R.C. also to allow withdrawal of their application for grant of recognition for M.Ed. course.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Bagnan Teachers Training College, 2730, 2731 & 3014, Deed of Conveyance, Mugkalyan, Bagnan, Howrah, West Bengal – 711312.
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 - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(12)

F.No.89-177/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Karuna Shikshak Prashikshan Mahila Mahavidyalaya, Nawada, Hanumannagar, Rajasthan dated 28.02.2017 is against the Order No. NRC/NCTE/NRCAPP-14953/261st Meeting/2016/164915 dated 10/01/2017 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 given show cause notice as list of faculty submitted by the institution was approved by the Dean, Faculty of Education, Maharaja Ganga Singh University, Bikaner, who is not competent authority to approve the faculty. Institution has not submitted the list of faculty duly approved by the affiliating body."

AND WHEREAS Karuna Shikshak Prashikshan Mahila Mahavidyalaya, Nawada, Hanumannagar, Rajasthan was asked to present the case of the appellant institution on 05.05.2017, 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. Sutinder Pal, Chairman and Sh. Parveen Arora, Member, Karuna Shikshak Prashikshan Mahila Mahavidyalaya, Nawada, Hanumannagar, Rajasthan presented the case of the appellant institution on 22/08/2017 i.e. the second opportunity granted to them. Appellant submitted that "The order dt. 10/01/2017 is not sustainable for the reason that NRC had already issued a letter of intent (LOI) to appellant vide order dt. 10/05/2016 which clearly means that the appellant had available with it the requisite physical infrastructure and facilities for running B.A. B.Ed./B.Sc. B.Ed. course which was duly verified by the experts of visiting team. After issuance of LOI only approval of staff was pending and same was on account of decision taken by the affiliating body i.e. University. Thus, non-submission of compliance report of LOI and non-approval of staff was not related in

any manner attributable to appellant. Appellant had duly apprised and informed the Regional Committee vide its communication dt. 10/01/2017 that in the University no other authority is approving the staff list except the Dean of Education. As per Regulation 7(13) of NCTE Regulation, 2014, it has been clearly provided that in the process of appointment of staff, institution shall be provided all assistance to ensure that the staff and faculty is appointed as per norms of the Council. The Hon'ble Supreme Court has consistently held in various pronouncements from time to time that in the matters of Teacher Education, the NRC, NCTE is the paramount body and the State Govt. or University concerned cannot frustrate the decision taken by NRC, NCTE. It has also been held by the Hon'ble Supreme Court that the State Govt. or affiliating body must act as a facilitator for NRC in arriving at a proper decision and the State Govt. or University cannot have a policy contrary to that of NCTE (State of Maharashtra Vs. Sant Dynaeshwar, State of Rajasthan Vs. LBS T.T. College). It is settled legal position that a person/entity cannot be penalized for omission of other entity. However, in the instant case appellant has been penalized for no fault or omission on its part. NRC, NCTE has failed to consider that in response to the show cause notice, appellant had submitted its reply whereby the entire factual position was clarified but while passing the order dt. 10/01/2017, NRC has taken a very pedantic approach as it had rejected the application of appellant without appreciating the cause and circumstances."

AND WHEREAS the appellant during the course of appeal presentation requested for another opportunity to make available list of faculty duly authenticated by the competent authority. Appeal Committee decided to grant another (Third) opportunity to the appellant institution for submitting list of faculty approved and authenticated by the competent authority.

AND WHEREAS Karuna Shikshak Prashikshan Mahila Mahavidyalaya, Nawada, Hanumannagar, Rajasthan was asked to present the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them, but nobody from the institution appeared. The Committee, therefore, decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the appellant during the course of presentation on 22.08.2017 gave a letter dt. 22.08.2017 requesting a chance to grant recognition for B.A. B.Ed./B.Sc. B.Ed. course. The ground of refusal is that the Dean, Faculty of Education, Maharaja Ganga Singh University, Bikaner, who has approved the faculty list, is not the Competent authority. The submission of the appellant in the appeal is that in the university no other authority is approving the faculty list except the Dean of Education and despite their efforts the university is not meeting the insistence of the N.R.C., NCTE for approval of the staff by competent authority. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to ascertain from the university whether the Dean of Education is the only authority to approve the selected faculty of the appellant institution 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 deserved to be remanded to N.R.C. with a direction to ascertain from the university whether the Dean of Education is the only authority to approve the selected faculty of the appellant institution and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Karuna Shikshak Prashikshan Mahila Mahavidyalaya, Nawada, Hanumannagar, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Appellant, Karuna Shikshak Prashikshan Mahila Mahavidyalaya, Plot No. Lilaa 12 & 19 Street No. Bypass Road, Village – 2Nwn Nawana, City Hanumangarh Dist. – Hanumangarh, Rajasthan – 335512.
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.

(13)

F.No.89-178/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Suratgarh B.Ed. College, Suratgarh, Ganganagar, Rajasthan dated 28.02.2018 is against the Order No. NRC/NCTE/NRCAPP-10176/261st Meeting/2016/16901 dated 10/01/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The institution's reply to SCN dt. 26/09/2016 regarding submission of approved list of teachers by the affiliating university is not satisfactory. The institution has not submitted the approved list of teachers."

AND WHEREAS Suratgarh B.Ed. College, Suratgarh, Ganganagar, Rajasthan was asked to present the case of the appellant institution on 05.05.2017, 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. Raj Kumar Garg, Chairman and Sh. Parveen Arora, Trustee, Suratgarh B.Ed. College, Suratgarh, Ganganagar, Rajasthan presented the case of the appellant institution on 22.08.2017 i.e. the second opportunity granted to them. In the appeal and during presentation it is submitted that "The order dt. 10/01/2017 is not sustainable for the reason that NRC had already issued a letter of intent (LOI) to appellant vide order dt. 10/05/2016 which clearly means that the appellant had available with it the requisite physical infrastructure and facilities for running B.A. B.Ed./B.Sc. B.Ed. course which was duly verified by the experts of visiting team. After issuance of LOI only approval of staff was pending and same was on account of decision taken by the affiliating body i.e. University. Thus, non-submission of compliance report of LOI and non-approval of staff was not related in any manner attributable to appellant. Appellant had duly apprised and informed the Regional Committee vide its communication dt. 10/01/2017 in the University no other authority is approving the staff list except the Dean of Education. As per Regulation

7(13) of NCTE Regulation, 2014, it has been clearly provided that in the process of appointment of staff, institution shall be provided all assistance to ensure that the staff of faculty is appointed as per norms of the Council. The NRC while passing the order dt. 10/01/2017 has failed to consider this important legal aspect of the matter making the order dt. 10/01/2017 bad in the eye of law. Because the Hon'ble Supreme Court has consistently held in various pronouncements from time to time that in the matters of Teacher Education, the NRC, NCTE is the paramount body and the State Govt. or University concerned cannot frustrate the decision taken by NRC, NCTE. It has also been held by the Hon'ble Supreme Court that the State Govt. or affiliating body must act as a facilitator for NRC in arriving at a proper decision and the State Govt. or University cannot have a policy contrary to that of NCTE (State of Maharashtra Vs. Sant Dynaeshwar, State of Rajasthan Vs. LBS T.T. College). It is settled legal position that a person/entity cannot be penalized for omission of other entity. However, in the instant case appellant has been penalized for no fault or omission on its part. NRC, NCTE has failed to consider that in response to the show cause notice, appellant had submitted its reply whereby the entire factual position was clarified but while passing the order dt. 10/01/2017, NRC has taken a very pedantic approach as it had rejected the application of appellant without appreciating the cause and circumstances. Because even otherwise the order dt. 10/01/2017 is not sustainable in the eye of law and same is unjust, unfair, arbitrary and highly pedantic."

AND WHEREAS the appellant during the course of appeal presentation requested for another opportunity to make available list of faculty duly authenticated by the Competent authority. Appeal Committee decided to grant another (Third) opportunity to the appellant institution for submitting list of faculty approved and authenticated by the competent authority.

AND WHEREAS Suratgarh B.Ed. College, Suratgarh, Ganganagar, Rajasthan was asked to present the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them, but nobody from the institution appeared. The Committee, therefore, decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the appellant during the course of presentation on 22.08.2017 gave a letter dt. 22.08.2017 requesting a chance to grant recognition for B.A. B.Ed./B.Sc. B.Ed. course. The ground of refusal is that the institution has not submitted the approved list of teachers. The submission of the appellant in the appeal is that in the university no other authority is approving the staff list except the Dean of Education and despite their best efforts the university is not meeting the insistence of the N.R.C, NCTE for approval of the staff by the Competent authority. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to ascertain from the university whether the Dean of Education is the only authority to approve the selected faculty of the appellant institution 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 deserved to be remanded to N.R.C. with a direction to ascertain from the university whether the Dean of Education is the only authority to approve the selected faculty of the appellant institution and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Suratgarh B.Ed. College, Suratgarh, Ganganagar, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Appellant, Suratgarh B.Ed. College, Plot No. 318/4 N.H. 15 Suratgarh Distt. Sri Ganganagar, Rajasthan – 335804.
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.

(14)

F.No.89-190/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Ishrat Group of Institutions Sambhal, Moradabad, Uttar Pradesh dated 06.03.2017 is against the Order No. NRC/NCTE/NRCAPP-14265/255th Meeting/2016/156168-71 dated 22.08.2016 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. 24/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Ishrat Group of Institutions Sambhal, Moradabad, Uttar Pradesh was asked to present the case of the appellant institution on 05/05/2017 and 22.08.2017 but nobody appeared. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Sh. Shahroj Akhtar, Chairman, Ishrat Group of Institutions Sambhal, Moradabad, Uttar Pradesh presented the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them. In a letter dt. 14.12.2017 the appellant submitted that the delay (of four months and 15 days beyond the prescribed time of 60 days) in preferring the appeal occurred on account of their receiving the refusal order by hand on 01.03.2017. The Committee noting the submission of the appellant decided to condone the delay and consider the appeal.

AND WHEREAS in the appeal Memoranda it is submitted that "The Show Cause Notice issued by NRC, NCTE was not received by them. Rather they visited the NRC office in the Month of September 2016 to meet the Regional Director. The Regional Director was in the meeting so could not meet, however it was verbally informed that their case will be taken up shortly. Similarly, they did not receive the so-called Refusal/Rejection order also which was issued on 22/08/2016. Today on 01/03/2017 when they visited NRC a photo copy of Refusal order was given by hand.

The appellant with their letter dt. 14.12.2017 enclosed copies of No Objection Certificate dt. 07/04/2017 and affiliation letter dt. 29.05.2017 for conducting B.A., B.Sc. and B.Com course in their institution issued by Mahatma Jyotiba Phule Rohilkhand University, Bareilly.

AND WHEREAS the Committee noted that the ground mentioned in the Show Cause Notice dt. 24.06.2016 is that the institution has not submitted any proof / evidence to prove that it is a composite institution as per Clause 2 (b) of the NCTE Regulations, 2014. The appellant has now obtained NOC and affiliation for running B.A. B.Sc. and B.Com courses. In these circumstances, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the letters issued by the university and take further action as per NCTE Regulations, 2014. The appellant is directed to forward copies of the two letters of the university, submitted in the appeal, to the N.R.C. 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 deserved to be remanded to NRC with a direction to consider the letters issued by the university and take further action as per NCTE Regulations, 2014. The appellant is directed to forward copies of the two letters of the university, submitted in the appeal, to the N.R.C. within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Ishrat Group of Institutions Sambhal, Moradabad, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President, Ishrat Group of Institutions, 40/2, Reg. Bainama, Turtipur Ilha, Sambhal, Moradabad, Uttar Pradesh – 244302.
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.

(19)

F.No.89-842/2016 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: 13/2/18

ORDER

WHEREAS the appeal of Asha Devi Mahavidyalaya, Milkipur, Kumarganj, Faizabad, Uttar Pradesh dated 25.12.2016 is against the Order No. NRC/NCTE/NRCAPP-15450/254th Meeting/2016/153541 dated 14/07/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the show cause notice no. 125373 dt. 13/10/2015 was issued regarding failure to submit NOC issued by the concerned affiliating body. The institution's reply dt. 08/11/2015 regarding its helplessness to submit NOC was noted by the NRC. It was decided that in the absence of submission of NOC issued by the affiliating body, the application is rejected."

AND WHEREAS Asha Devi Mahavidyalaya, Milkipur, Kumarganj, Faizabad, Uttar Pradesh was asked to present the case of the appellant institution on 06/05/2017 and 22.08.2017, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the third opportunity to present their case.

AND WHEREAS Asha Devi Mahavidyalaya, Milkipur, Kumarganj, Faizabad, Uttar Pradesh was asked to present the case of the appellant institution on 14.12.2017 i.e. the third and final opportunity granted to them, but nobody from the institution appeared. The Committee, therefore, decided to consider the appeal on the basis of the records.

AND WHEREAS the submission of the appeal has been delayed by three months and 11 days beyond the prescribed period of 60 days. The appellant in the appeal submitted that the delay occurred as the Manager of the college, who is solely involved in the application process, was unwell and under treatment and

requested condonation of the delay. The Committee decided to condone the delay and consider the appeal.

AND WHEREAS the appellant, in the appeal submitted that (i) they filed the online application on 30.06.2016 (the correct date is 30.05.2015) and applied to the affiliating body on 26.06.2015 for issuance of the NOC; (ii) they reminded the affiliating university for NOC on 26.11.2015 and 05.01.2016; (iii) in reply to the Show Cause Notice they informed that the NOC is still pending with the university; (iv) the university granted the NOC for B.Ed. course on 29.02.2016 and it was submitted to the N.R.C., but they rejected their application; (v) the liability of issuing NOC is on the affiliating body and the institution cannot be held liable for the same; (vi) Regional Committees of the NCTE have accepted the NOC after cut off date and processed the applications; and (vii) the order appealed against may be set aside and appropriate relief granted to the appellant. The appellant enclosed copies of No Objection Certificate dt. 29.02.2016 and affiliation letter dt. 30.05.2016 issued by Dr. Ram Manohar Lohia Avadh University, Faizabad, Uttar Pradesh.

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 enclosed to the hard copy of the online application. The Committee also noted that the Council issued instructions to their Regional Committees to the effect that for 2016-17, the last date for submission of hard copies of the online applications together with the NOC, will be 15/07/2015, irrespective of the date of submission of online application. Since the appellant did not fulfil this requirement and obtained the NOC only on 29.02.2016, 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 and the documents available on records, 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, Asha Devi Mahavidyalaya, Vill. & Post – Pithla, Milkipur, Kumarganj, Distt. – Faizabad, Uttar Pradesh - 224229.
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.

(20)

F.No.89-766/2016 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: 13/2/18

ORDER

WHEREAS the appeal of Indraprastha College, Shivaji Road, Modipuram, Meerut, Uttar Pradesh dated 20/11/2016 is against the Order No. NRC/NCTE/F-3/UP-1403/157th Meeting/2010/20423-20429 dated 16.04.2010 of the Northern Regional Committee, withdrawing recognition for conducting (BTC)Course on the grounds that "the institution has not replied to letter F.No. NRC/NCTE/F-3/UP-1403/2008/54335 dated 11.07.2008."

AND WHEREAS the appellant, who has not filed any appeal, as per the provisions of NCTE Act, 1993 mentioned in the withdrawal order itself, filed a Writ C no. 48287 of 2016 before the Hon'ble High Court of Allahabad. The Hon'ble High Court in their order dated 04.10.2016, dismissed the petition on the ground of alternative remedy of appeal under section 18 of the NCTE Act. The appellant therefore filed the present appeal.

AND WHEREAS Sh. Alok Kumar, Member, Indraprastha College, Shivaji Road, Modipuram, Meerut, Uttar Pradesh presented the case of the appellant institution on 22/03/2017. In the appeal and during personal presentation it was submitted that "they have submitted a comprehensive reply in their letter dated 07.08.2008, which was not considered by the NRC and recognition was withdrawn. The appellant also submitted that the Govt. of UP did not permit self-financing institutions granted recognition by NRC to get affiliation from SCERT, Lucknow which have been granted recognition since 2004, Therefore, the D.El.Ed. programme could not be started in the entire State of UP and it could be started only in the academic session 2012-13." The appellant further submitted that they have adequate infrastructure and instructional facilities for this programme and the main point for withdrawal of recognition was non-availability of faculty as per NCTE norms and they have since appointed required faculty members for the programme and also obtained approval

of Examination Regulatory Authority, U.P. Allahabad. The appellant enclosed a copy of their reply letter dated 07.08.2008 and a copy of approval by the Examination Regulatory Authority, U.P., Allahabad of October, 2016.

AND WHEREAS the Committee noted that the appellant did not pursue the matter, after withdrawal, a statutory appeal i.e. the remedy available to them. He approached the Hon'ble High Court of Allahabad only in 2016 i.e. nearly six years after the withdrawal order, and after three years of restarting of this course, as per his own statement and appealed in November, 2016. The Committee concluded that inordinate delay made by the appellant in filing appeal cannot be condoned. However the Committee noted that the file of the NRC, which was not available may be obtained and placed before the Committee.

AND WHEREAS the Committee noted that the relevant file of the NRC, became available later and the appellant was asked to present the case of the appellant institution on 23.08.2017, but nobody from the institution appeared. The Committee, therefore, decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Indraprastha College, Shivaji Road, Modipuram, Meerut, Uttar Pradesh was asked to present the case of the appellant on 14.12.2017 i.e. the third and final opportunity granted to them, but nobody from the institution appeared. The Committee, therefore, decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the N.R.C. in their order dt. 16.04.2010 clearly mentioned that if the institution is not satisfied by the order, they can prefer an appeal to the Council in terms of Section 18 of the NCTE Act, 1993. According to Rule 10 of the NCTE Rules 1997, any person aggrieved by an order of the Regional Committee may prefer an appeal to the Council within sixty days of issue of such orders. The appellant has not adduced any sufficient/acceptable cause for not preferring the appeal within the period of limitation of sixty days. In these circumstances, the Committee decided not to admit the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit and the documents available on records and considering the oral arguments advanced during the hearing, the Committee decided not to admit the appeal.

(Sanjay Awasthi)
Member Secretary

1. The Director, Indraprastha College, 35-Shivaji Road, Modipuram, Meerut, 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.

(21)

F.No.89-477/E-8710/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Adarsh M.D. Mahila Mahavidyalaya, Talwal, Ghazipur, U.P. dated 14.06.2017 is against the Order No. NRC/NCTE/NRCAPP-3170/261st Meeting/2016/164252 dated 30/12/2016 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "The institution submitted lists of faculties dt. 14.03.2014 claimed to have been approved by the affiliating University on the basis of which it was granted recognition by NCTE to run the B.Ed. course. The affiliating university i.e. Veer Bahadur Singh Purvanchal University, Jaunpur made a compliant vide its letter dt. 28.07.2016 received in NRC office on 07.08.2016 against some institutions including the present one that the list of faculty claimed to have been approved by the affiliating university on 14.03.2014 has not been issued by the university and the university approved the list only on 07.05.2016. The institution has thus submitted a fake list of faculty for seeking grant of recognition. The reply submitted by the institution vide its letter received in NRC office on 10.10.2016 in response to SCN dt. 17.09.2016 cannot be accepted now since institution was granted recognition for B.Ed. course by NRC on 02.03.2015 for which institution submitted the fake list of faculty. NRC decided to withdraw the recognition for B.Ed. course under Section 17 of the NCTE Act, 1993 from the end of the academic session next following the date of order of withdrawal."

AND WHEREAS the Committee noted that the appellant, aggrieved by the order of the NRC dt. 30.12.2016, filed a Writ C. No. 26682 of 2017 before the Hon'ble High Court, Allahabad. The Hon'ble High Court in their order dt. 09.06.2017 disposed of the petition with liberty to the petitioner to file an appeal within a period of four days before Respondent No. 3 along with a certified copy of the order of this Court. The Hon'ble High Court also directed that, in case, such appeal is filed, the Respondent No. 3 shall decide the appeal in accordance with law without entertaining any

objection to limitation within a further period of ten days. The appellant filed the present appeal on 14.06.2017.

AND WHEREAS Adarsh M.D. Mahila Mahavidyalaya, Talwal, Ghazipur, U.P. was asked to present the case of the appellant institution on 23/08/2017, 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. Radheshyam Singh Yadav, Adarsh M.D. Mahila Mahavidyalaya, Talwal, Ghazipur, U.P. presented the case of the appellant institution on 14.12.2017 i.e. the second opportunity granted to them. In the appeal it is submitted that the N.R.C passed the withdrawal order in a mechanical manner without any documentary evidence and/or without any physical verification of the faculty members. In fact the faculty members mentioned in the list are actually teaching in the institution. The appellant enclosed copies of the letters of the Veer Bahadur Singh Purvanchal University, Jaunpur dt. 14.03.2014 and 07.05.2016 approving the teaching faculty for B.Ed. course in their institution.

AND WHEREAS the Committee noted that the N.R.C. issued a Letter of Intent (L.O.I) on 07.01.2014 to the appellant institution for conducting B.Ed. course. On the basis of the documents furnished by the appellant in response to the L.O.I., which included a copy of the letter dt. 14.03.2014 issued by V.B.S. Purvanchal University, Jaunpur approving 8 faculty members for B.Ed. course, N.R.C. issued a formal recognition order on 02.03.2015 for conducting B.Ed. course with two units (100).

AND WHEREAS the Committee noted that the Registrar, V.B.S. Purvanchal University wrote a letter to the N.R.C. on 28.07.2016, enclosing the details of the dates on which L.O.I. was issued, faculty was approved and formal recognition order was issued in respect of a number of institutions, including the appellant institution, and requested to verify the correctness of the details and take necessary action. In respect of the appellant institution, the dates of L.O.I., approval of faculty and formal recognition have been indicated as 07.01.2014, 07.05.2016 and 02.03.2015 respectively. The N.R.C. issued a show cause notice dt. 07.09.2016 to the appellant institution on the ground that the list of faculty approved by the university and

submitted by the institution for getting recognition is fake. The appellant in their reply dt. 29.09.2016 affirmed that the faculty was selected as per the procedure and forwarded again a copy of the university's letter dt. 14.03.2014 approving their faculty. N.R.C. after considering the reply wrote to the Registrar, V.B.S. Purvanchal University on 11.11.2016 requesting them to verify the authenticity of the contents of the approval order submitted by the institution. While no reply appears to have been received from the university, the N.R.C. issued the withdrawal order on 30.12.2016.

AND WHEREAS the Committee noted that while the appellant has not given explanation for getting another list of faculty approved on 07.05.2016 in the appeal, he has submitted in the Writ Petition that although the university approved their faculty list on 14.03.2014, pursuant to the NCTE Regulations, 2014, the institutions imparting teacher education courses, including the appellant, were asked to submit the list of faculty afresh to establish that the faculty members also qualify the requirements of the new 2014 Regulations. In these circumstances, the university issued a fresh letter of approval on 07.05.2016 and similarly fresh letters were issued to various other institutions. The Committee also noted that the appellant enclosed copies of the approval letters dt. 14.03.2014 and 07.05.2016 to the Writ Petition.

AND WHEREAS the Committee noting that the university has not replied to the N.R.C's letter dt. 11.11.2016 and also the position stated in para 7 above, concluded that the matter deserved to be remanded to the N.R.C with a direction to ascertain the authenticity of the two approvals dt. 14.03.2014 and 07.05.2016 from the affiliating university and take further action as per the NCTE Regulations, 2014.

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 N.R.C with a direction to ascertain the authenticity of the two approvals dt. 14.03.2014 and 07.05.2016 from the affiliating university and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Adarsh M.D. Mahila Mahavidyalaya, Talwal, Ghazipur, U.P. to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Adarsh M.D. Mahila Mahavidyalaya, Talwal, Fatullahpur to Hariharpur, Ghazipur, Uttar Pradesh - 233001.
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.

(25)

F.No.89-399/E-4816/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Shri Dhanrajji Shrichandji Badamia Teacher's Training College, Varkana via Bijowa Rani, Rajasthan dated 17.05.2017 is against the Order No. NCTE/NRC/NRCAPP 201615301/B.Ed./RJ/2017-18/2; dated 11.04.2017 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. The institution has not submitted the certified registered land documents issued by the Registering Authority or civil authority concerned. Khasra No. does not match in CLU and online application. The institution has not submitted the approved Building plan signed by the Competent Govt. Authority indicating the name of the course, name of the institution, Khasra No./Plot No., total land area, total built-up area and the measurements of the Multi-purpose Hall as well as the other infrastructural facilities such as class rooms etc. 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. Fateh Chand M. Ranawat, President and Sh. R.K. Choudhary, Representative, Shri Dhanrajji Shrichandji Badamia Teacher's Training College, Varkana via Bijowa Rani, Rajasthan presented the case of the appellant institution on 15/12/2017. In the appeal and during personal presentation it was submitted that "The institute submitted copy of NOC awarded by state govt to the society to start multidisciplinary degree college along with latest affiliation letter of JNV University, Jodhpur. The only mistake on the part of applicant institution is that the institution had applied on the name of SHRI Dhanrajji Shrichandji Badamia Teachers Training College but the institute is being run under the name of SHRI Dhanrajji Shrichandji Badamia College of Professional Studies. Being a composite institution, we would have applied under the same name on which the institute is

running other degree programs but we were guided by the affiliating university that a Teachers Training Institute must carry Teachers Training College in its name. As it was just an error in understanding the norm for the title of composite institution by the applicant institution, you are requested to give one opportunity to the institution to correct the mistake. The institution is sited on Khasara Number 364 and the account number in Govt. Jamabandi is 269. Therefore, the khasara number must be read as 364. The proof which was already submitted, was submitted once again. The approved map with all credentials and name of the institution and course was submitted. Measurements of the Multipurpose Hall as well as the other infrastructural facilities such as class rooms etc. were well mentioned in the map. The institute submitted copy of NOC awarded by state govt to the society to start multidisciplinary degree college along with latest affiliation letter of JNV University, Jodhpur."

AND WHEREAS Appeal Committee noted the submission made by the appellant was with regard to the following grounds of refusal mentioned in the impugned refusal order dated 11.04.2017:

(i) Non-submission of proof of composite institution.

(ii) Non-submission of certified copy of registered land documents.

(iii) Khasra No. in C.L.U. does not match with Khasra no. in the online application.

(iv) Non-submission of approved building plan with plot no., land area, measurement of multipurpose hall etc.

AND WHEREAS Committee noted that the applicant society is running an affiliated college with the name Shri Dhanraj ji Shrichand ji Badamia College of Professional Studies where B.Com and B.Sc. programmes (3 year degree) are being conducted since 2013-14. The appellant proposes to conduct the B.Ed. programme in the same premises/campus and is also willing to correct the name of proposed institution so that it exactly fits the criteria of 'Composite Institution' in letter and spirit. The appellant during the course of appeal presentation submitted certified copy of registered land documents. Appeal Committee further noted that appellant in its reply dated 19.03.2017 to a Show Cause Notice (SCN) dated 27.02.2017 had clarified that institution is located on Khasra No. 364 and the account number of this khasra in Govt. Jamabandi is 269 which was mentioned in the application form. Copy

of Jamabandi form which reflects Khatoni No. 269 and the khasra numbers 356, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376 as parts of khatoni 269 was enclosed by the appellant institution. The appellant had also enclosed with its reply to S.C.N. a copy of the building plan approved by Jr. Engineer, Sarv Shiksha Abhiyan, Pali.

AND WHEREAS appellant during the course of appeal presentation on 15.12.2017 submitted certified copy of land document. Considering that appellant institution has complied with the deficiencies, Appeal Committee decided to remand back the case to N.R.C. for further processing of the application. Appellant institution is required to submit to NRC, Jaipur certified copy of land documents and other relevant documents to prove that all deficiencies have been removed 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 N.R.C, Jaipur for further processing of the application. Appellant institution is required to submit to NRC, Jaipur certified copy of land documents and other relevant documents to prove that all deficiencies have been removed within 15 days of the issue of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Shri Dhanrajji Shrichandji Badamia Teacher's Training College, Varkana via Bijowa Rani, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, Shri Dhanrajji Shrichandji Badamia Teacher's Training College, Varkana via Bijowa Rani – 306601, 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.

(26)

F.No.89-401/E-4801/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Holy Mission College of Education, Village – Lehal Khurd, Lehragaga, Punjab dated 8.5.2015 is against the Order No. NRC/NCTE/NRCAPP-7707/262 Meeting/2017/168831 dated 10/03/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Reply of the show cause notice issued to the institution vide letter No. F.NRC/NCTE/NRCAPP-7707/247th meeting/2015/133384 dated 08.01.2016 has not been submitted till date."

AND WHEREAS Sh. Jagjit Singh, Managing Director, Holy Mission College of Education, Village – Lehal Khurd, Lehragaga, Punjab presented the case of the appellant institution on 24/08/2017. In the appeal and during personal presentation it was submitted that "Our institution has applied for D El Ed Course on 31.12.2012 by submitting online application. Inspection of our institution was conducted on 4th May 2015 by the Inspection Committee appointed by NRC NCTE Jaipur and letter of intent was issued to our institution on 25.05.2015. That a Show Cause Notice was issued to our institution in the minutes of 247th meeting held on 23rd to 29th December 2015. Our institution had already submitted the reply of your SCN issued in the 247th meeting held on 23rd to 29th December 2015 annexing our point wise reply supported with an Affidavit in original in support of written representation. Our case of approval of faculty is pending with the Affiliating Body SCERT Punjab. We have written to the affiliating body to appoint Nodal Officer for approval of our faculty but it is still awaited. Therefore, we are unable to submit approved faculty. Hence your good self is earnestly requested to please give us some more time to submit the list of faculty duly approved by the affiliating body."

AND WHEREAS Appeal Committee noted that a Letter of Intent (LOI) dated 25.05.2015 was issued to appellant institution. Noting that the appellant institution

did not submit compliance on any of the points, a Show Cause Notice (SCN) dated 08.01.2016 was issued seeking written representation within a period of 30 days. The impugned refusal order dated 10.03.2017 is on the ground that appellant institution did not submit reply to SCN.

AND WHEREAS appellant during the course of appeal presentation on 24.08.2017 stated that reply to SCN was submitted on 04.02.2016 by hand in the office of NRC, Jaipur. Appellant sought another opportunity to submit evidence in support of its claim of having submitted reply dated 04.02.2016 in the office of NRC. Appeal Committee, decided to grant another (second) opportunity to the appellant to present its case before Appeal Committee.

AND WHEREAS Sh. Jagjit Singh, Chairman, Holy Mission College of Education, Village – Lehal Khurd, Lehragaga, Punjab appeared before the Appeal Committee on 15.12.2017 and stated that affiliating body is not cooperating with the appellant institution in selection process of the faculty and thus faculty could not be appointed with the approval of Competent authority. On being asked to submit evidence in support of its earlier claim of having submitted reply dated 04.02.2016 in response to the S.C.N. dated 08.01.2016, the appellant could not show any evidence and started giving evasive replies. In its written submission dated 15.12.2017, the appellant requested to either accept the qualified staff appointed by the appellant institution or direct the affiliating body to approve the same. The appellant also requested to keep the status of application as it is, till the selection of staff is approved by SCERT, Mohali.

AND WHEREAS Appeal Committee noted that a L.O.I. dated 25.05.2015 was issued to appellant institution copy of the L.O.I. was also endorsed to SCERT, Punjab with a request to provide all assistance to the institution to ensure that staff or faculty is appointed as per NCTE Regulations. Committee further noted that a Show Cause Notice (SCN) dated 08.01.2016 was issued to appellant institution on the ground that appellant institution has not submitted any reply to L.O.I. The applicant in his appearance before the Appeal Committee on 24.8.2017 stated that a reply to S.C.N. was submitted on 04.02.2016 by hand in the office of N.R.C., Jaipur. Since the regulatory file did not contain any reply dated 04.02.2016, appellant was asked to

submit evidence in support of its claim of having submitted reply to S.C.N. which he could not submit. The impugned refusal order dated 10.03.2017 was simply on the ground that appellant did not submit reply to S.C.N. The appellant could not show any evidence of having submitted reply to S.C.N. Committee, therefore, decided to confirm the impugned refusal order dated 10.03.2017.

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 10.03.2017 issued by N.R.C., Jaipur.

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

(Sanjay Awasthi)
Member Secretary

1. The Director, Holy Mission College of Education, Village – Lehal Khurd, Lehragaga – 148031, Punjab.
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 Punjab, Chandigarh.

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F.No.89-411/E-5130/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Anindita College of Teacher Education, Nischintapur, Bhadutola, Salboni, West Bengal dated 19.05.2017 is against the Order No. ERC/239.8.20(Part-2)/ERCAPP201646298/B.Ed./2017/52897 dated 02/05/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. (Additional Intake) course on the grounds that "The Institution was granted recognition for B.Ed. course on 03.03.2014 with an intake of 100 seats. As per NCTE (HQ) letter no. 49-1/2016/NCTE/N&S/47/149 dated 08.12.2016 single institution shall not enhance intake more than 100 i.e. two basic units in B.Ed. course. In response, the institution vide letter dated 27.03.2017 stated that they have submitted application on 30.06.2016 i.e. before six months (approx.) of issuance of NCTE Hqrs. Letter dated 08.12.2016 and not coming under this provision, which is not accepted by the Committee. In view the above, the Committee decided as under: The committee is of the opinion that application bearing No. ERCAPP201646298 of the institution regarding recognition of additional intake in B.Ed. Programme is hereby refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. P. Ghosh, Secretary, Anindita College of Teacher Education, Nischintapur, Bhadutola, Salboni, West Bengal appeared before Appeal Committee on 15.12.2017. In his oral submission as well as in the Appeal Memoranda, it was submitted that "NCTE Hqrs. issued the letter No 49.1/2016/NCTE/N and S/47149 on 08.12.2016 where it has been mentioned that single institution shall not enhance intake more than 100 i.e. two basic units in the B.Ed. course but our application along with necessary documents and prescribed processing fees Rs. 150000.00 for B.Ed. Addl. Intake one unit was submitted on 30.06.2016 as per NCTE rules and regulations 2014. An Institution namely Sikkim Government B.Ed. college has got formal Recognition of NCTE Regulations 2014 for B.Ed. programme with an additional intake 50 one basic unit thus making total

intake 150 from the academic session 2017 2018 as per item no 239.6.62 of proceedings of 239th Meeting Part 3 Date 28th April to 2nd May 2017."

AND WHEREAS Appeal Committee noted that appellant in its oral submission as well as in the appeal memoranda has laid stress on the date i.e. 08/12/2016 on which administrative guidelines instruction were issued to all Regional Committee offices clarifying that standalone institutions should not be allowed to expand by increasing their intake beyond a maximum ceiling of two units (100 seats) in case of D.P.S.E., D.El.Ed. and B.Ed. programmes. These administrative instructions were issued in consonance of Clause 3 (a) of the NCTE Regulations, 2014. The plea of the appellant institution that it submitted its application on 30.06.2016 seeking recognition of additional intake in B.Ed. programme much before the date of issue of administrative i.e. 08.12.2016 is not tenable because the NCTE Regulations, 2014 came into force much earlier i.e. on 28.11.2014 and the clarificatory letter of NCTE (HQs) was only to strengthen the existing Regulations and it was not against any regulatory provision which existed earlier.

AND WHEREAS Appeal Committee noting that additional intake beyond two units (100 seats) is not provided for in the standalone institutions, decided to confirm the impugned refusal order dated 02/05/2017.

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 02/05/2017.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Anindita College of Teacher Education, Nischintapur, Bhadutola, Salboni – 721129, West Bengal.
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 - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(31)

F.No.89-437/E-6071/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Babu Pandit Rameshwar Prasad Diwedi Mahavidyalaya, Jariya, Raebareli, Uttar Pradesh dated 29.05.2017 is against the Order No. NRC/NCTE/NRCAPP-3546/266th (Part-4) Meeting/2017/169889 dated 30/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not submitted the staff list duly approved by the affiliating body. 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. D. B. Singh, Manager, Babu Pandit Rameshwar Prasad Diwedi Mahavidyalaya, Raebareli, Uttar Pradesh presented the case of the appellant institution on 15/12/2017. In the appeal memoranda it is stated that "the institution has already submitted the list of teachers approved for B.Ed. course. So, rejection is not valid."

AND WHEREAS Appeal Committee noted that a Letter of Intent (L.O.I.) dated 26/05/2015 was issued to appellant institution. As the appellant institution did not submit compliance, N.R.C., Jaipur issued a refusal order dated 27/07/2016 after giving appellant institution a fair opportunity to make a written representation i.e. by issuing a S.C.N. dated 24.02.2016. The appellant institution preferred an appeal against the refusal order dated 27.07.2016. Appeal Committee considered the matter in its 15th Meeting of 2016 held on 30.11.2016 and remanded back the case to N.R.C. by issue of an appeal order dated 03/01/2017. The ground on which N.R.C. was asked to consider the case was that "whereas impugned order dated 27.07.2016 was for the reason that institution has not responded to S.C.N. within stipulated time, the appellant was able to submit evidence that a reply dated 21.03.2016 was sent by speed post on 24.03.2016."

AND WHEREAS Appeal Committee noted that N.R.C. Jaipur after receipt of the Appeal order dated 03/01/2017 reconsidered the matter in light of the copy of letter dated 21.03.2016 addressed to N.R.C., Jaipur by the appellant institution in response to the S.C.N. dated 24.02.2016. Since a considerable time had lapsed after the appellant institution had sought some more time to submit required documents. N.R.C. again issued a S.C.N. dated 06th February, 2017 on the ground that institution has not submitted list of faculty approved by the affiliating body.

AND WHEREAS Appeal Committee further noted that appellant institution in reply to S.C.N. dated 06/02/2017, submitted to N.R.C. an affidavit and list containing the names of following faculty and Principal:-

S.No.	Name	Designation
1.	Sh. Mukesh Kumar Mishra	Principal
2.	Sh. Vivek Vikram Singh	Lecturer
3.	Ms. Ekta Gupta	Lecturer
4.	Sh. Shivesh Kumar	Lecturer
5.	Ms. Ankita	Lecturer
6.	Sh. Indu Shekhar Shukla	Lecturer
7.	Sh. Shashivendra Singh	Lecturer
8.	Ms. Jyoti Sahu	Lecturer
9.	Shweta	Lecturer

AND WHEREAS Appeal Committee observed that list containing the name of Principal and 8 faculty was not approved by the affiliating body and the impugned refusal order dated 30.03.2017 issued on ground of non-submission of faculty list approved by affiliating body is on sound footing.

AND WHEREAS the appellant in its appeal memoranda dated 29.05.2017 has stated that list of teachers approved for B.Ed. course was submitted to NCTE on 1.03.2017 and rejection on the ground that this list was not approved by affiliating body is not valid. Contrary to the submission made by appellant in its appeal memoranda, Appeal Committee noted that list containing the name of Principal and faculty was not approved by affiliating body and the submission made by appellant in the appeal memoranda is incorrect.

AND WHEREAS Appeal Committee noted that appellant during the course of appeal presentation on 15.12.2017 submitted copy of a different list of faculty containing the names of one principal and 15 faculty approved by affiliating body on 14.12.2017. Obviously, this list of faculty was not available with the appellant on 01.03.2017 and the earlier list containing the names of one Principal and 7 faculty submitted by appellant with its letter dated 01.03.2017 had no loco standee and was not valid. The present list approved by affiliating body does not contain the names of faculty which were stated to be approved by affiliating body earlier.

AND WHEREAS Appeal Committee noted that the present impugned refusal order was issued on 30.03.2017 and the affiliating body, in all its three communications, copies of which have been provided by the appellant during appeal presentation on 15.12.2017, have referred to appellant's letters dated 06-09.2017, 05-10.2017 and 12.12.2017. Considering that L.O.I was issued to appellant institution on 26.05.2015 and appellant could not submit list of faculty approved by affiliating body till the issue of impugned order dated 30.03.2017 and wrongly stated in its appeal memoranda that list submitted on 01.03.2017 was an approved one, decided to confirm the impugned refusal order dated 30.03.2017 issued by N.R.C. Jaipur.

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 30.03.2017.

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, Babu Pandit Rameshwar Prasad Diwedi Mahavidyalaya, Jariya, Lalganj Road, Raebareli – 229001, 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.

(33)

F.No.89-441/E-6191/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Gurukul College of Education, Gram Samaspura, Ratibad, Huzur, Madhya Pradesh dated 02.06.2017is against the Order No. NCTE/WRC/WRCAPP201660097/Diploma in Elementary Education (D.El.Ed.)/SCN/MP/2017-2018/ LSG. Sl. No. dated 03.04.2017 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Show cause notice was issued to the institution on the ground that the NCTE Hqrs. vide letter dated 08.12.2016 has clarified that, the institutions may apply for increase in intake in the same course already recognized provided it does not exceed maximum of two permissible units in case of DPSE, D.El.Ed. and B.Ed. Any application for increase in intake beyond two permissible units in these three courses is not permissible under the Regulation. Therefore, recognition for additional unit is refused."

AND WHEREAS Sh. Kanhiya Lal Amarnani, Director, Gurukul College of Education, Gram Samaspura, Ratibad, Huzur, Madhya Pradesh presented the case of the appellant institution on 15/12/2017. In the appeal memoranda it has been stated that "Institute has applied for additional intake in D.El.Ed. course for the session 2017 and 2018 through online application on 31.05.2016. As per NCTE Regulation 2014, initially institute can run two basic units and it can gradually exceed up to 4 units. Respected Sir my institute has running only two basic units of D.El.Ed. and now applied for one additional unit which comes NCTE Regulation 2014 appendix 2 clause 3.1. As per decision taken by NCTE WRC Bhopal by taking the view of letter dated 08.12.2016 of NCTE Head Quarter New Delhi which is totally ineligible according to NCTE Regulation 2014 appendix 2 as given above. It would be appropriate to mention here that a FAQ has been clarified in relation to the Regulations 2014 by Headquarters. In page number 4 of Part 1 of FAQ it has been clarified that institution can run initially two basic units and gradually exceed up to 4 units of D.El.Ed."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 30.05.2016 seeking recognition for one additional unit of D.El.Ed. programme. The appellant in its online application had declared that it is already recognised for conducting B.Ed. & D.El.Ed. programmes with an intake of 2 units each. As such the institution is already a composite institution.

AND WHEREAS Committee further noted that W.R.C. Bhopal in its 271st Meeting held on March 23-25, 2017 decided to refuse recognition for additional intake on the basis of administrative clarifications issued by NCTE (HQs) on 08.12.2016. The above administrative instructions were issued to ensure gradual movement of standalone institutions to composite institutions and vertical expansion of standalone institutions was not allowed. The NCTE Regulations, 2014 (Appendix – 2) says that for D.El.Ed. programme two basic units are permissible initially. The word 'initially' has a clear meaning. If an institution qualifies the norm and is otherwise found fit and suitable, additional intake can be allowed beyond two basic units in subsequent academic years.

AND WHEREAS Appeal Committee keeping in view the composite status of the institution, decided to set aside the impugned refusal order the date of which shall also be corrected. The impugned order was transmitted to appellant institution on 03.04.2017.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned refusal order dated 03.08.2016 issued by W.R.C. and transmitted to appellant institution on 03.04.2017.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Gurukul College of Education, Khasra No. 71/Ka/2, Gram Samaspura, Amla-Sarwar Road, Ratibad, Bhadbhada Road, Huzur – 462044, 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, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

(34)

F.No.89-444/E-6417/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Aryan Mahila Mahavidyalaya, Shishu Ranoli, Dantaramgarh, Rajasthan dated 06.06.2017 is against the Order No. NCTE/NRC/NRCAPP201615497/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2 dated 11/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "SCN was given in 262nd Meeting (Part-3) and reply received on 23.03.2017. The institution has submitted certified land documents of khasra No. 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 21, 22, 23, 06 but in online application only khasra no. 23 is mentioned. The institution has not submitted LUC of khasra No. 23. However, the institution has submitted LUC of khasra no. 2499/2 and converted land is only 1465 sq. mts. which is not sufficient for existing & proposed courses. NEC for khasra no. 23 is not submitted. Submitted building plan mentioned khasra no. 2499/2 which does not match with online application. 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. Rajesh Muwal, Secretary, Aryan Mahila Mahavidyalaya, Shishu Ranoli, Dantaramgarh, Rajasthan presented the case of the appellant institution on 15/12/2017. In the appeal memoranda it is stated that *"The Regional Committee Jaipur refused to grant such approval vide its order dated 27th May, 2016 (a copy of which is attached). The Appellant is a renowned Educational Society popularly known as Aryan Shisha Shod Sansthan Shishu, Shishu Rangoli, NH52 BSNL Office K Pass Dataramghar,Sikar , Rajasthan-332405. That the Aryan Shisha Shod Sansthan Shishu, Shishu Rangoli,Nh52 Bsnl Office K Pass Dataramghar,Sikar , Rajasthan-332405 has already sent the reply of SCN. The Aryan Shisha Shod Sansthan Shishu, Shishu Rangoli, NH52 BSNL Office K Pass Dataramghar, Sikar, Rajasthan-332405 had applied for approval of 4 years integrated course. The Society*

is in possession of land in its name in various adjacent plots namely 2499/2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 21, 22, 23 the same has been allocated for NCTE approval for said course. That the institution had at the time of filing to the online application had inadvertently filled in only one Plot No (Basically only the last Plot No i.e. Plot No 23) but had duly sent registered land documents of all the Plots mentioned (2499/2, 2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 21, 22, 23). The institution had at the time of filing of the online application had submitted the mandatory affidavit for Land clearly indicating and stating all plot No, namely 2499/2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 21, 22, 23. The Land Affidavit clearly states that the society is in possession of 8200 sq. mts. of land which is sufficient for running the applied course from NCTE.. The institution had also submitted the Non-Encumbrance Certificate which clearly states all the Plot No namely 2499/2, That the Aryan Shisha Shod Sansthan Shishu, Shishu Rangoli, NH52 BSNL Office K. Pass Dataramghar, Sikar, Rajasthan-332405 had also submitted the land use certificate bearing the plot no 2499/2, 7,8,9,10,11,12,13,14,15,16,18,21,22,23 The Building plan also submitted bears all the Plot No as well as all the details as required under the NCTE Norms.9.1n the light of the facts explained along with the supporting documents above by the appellant, it may be appreciated that impugn order of the NRC in its Emergency Meeting cannot form any bona-fide and prima face ground for the closure of course file of Aryan Mahila Mhavidyalaya, Rajasthan thus needs to be quashed."

AND WHEREAS appellant during the course of appeal presentation on 15.12.2017 clarified that as per details in the affidavit enclosed with the application, the land bearing khasra no. 2499/2, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 21, 22, 23 was mentioned and the land documents enclosed with the application, all these numbers have been mentioned. The appellant appears to have mentioned the Khata number 2499/2 only in the application form. Appellant also submitted copies of Non-Encumbrance Certificate dated 01/05/2017 and C.L.U. dated 23.03.2017 before Appeal Committee. Appellant in its reply dated 23.03.2017 to a Show Cause Notice had also informed the N.R.C. that appellant institution is affiliated to Deen Dayal Shekhavati University, Sikar, Rajasthan for conducting Under Graduate level courses in Arts, Science, Commerce. However, N.R.C. is required to ensure strict

compliance of para 1.1 of the Norms and Standards for B.A. B.Ed./B.Sc. B.Ed. programme as mentioned in Appendix 13 of the NCTE Regulations, 2014..

AND WHEREAS Appeal Committee having regard to fact that of late appellant has submitted copies of C.L.U. and N.E.C. and all the Khasra numbers were mentioned in the affidavit enclosed with the application, decided to remand back the case to N.R.C. for further processing of the application. Certified copy of land documents are already available on the regulatory file. Appellant institution is required to submit copies of the latest Non-Encumbrance Certificate and Change of Land Use Certificate to N.R.C., Jaipur within 15 days of the issue of Appeal oprder.

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 N.R.C. for further processing of the application. Appellant institution is required to submit to N.R.C. copies of latest N.E.C. & C.L.U. within 15 days of the issue of Appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Aryan Mahila Mahavidyalaya, Shishu Ranoli, Dantaramgarh, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Aryan Mahila Mahavidyalaya, Shishu Ranoli, NH52, Dantaramgarh – 332405, 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.

(35)

F.No.89-445/E-6347/2017 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: 13\2\18

ORDER

WHEREAS the appeal of Mother Teresa College of Education, Gobindapur, Raiganj, Uttar Dinajpur, W.B. dated 02.06.2017 is against the Order No. ER-213.6(i)318/ERCAPP3688/B.Ed./2016/46005 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 50 (one basic unit). The appellant wants recognition for two basic unit as applied for.

AND WHEREAS Sh. Susanta Ghosh, Secretary, Mother Teresa College of Education, Gobindapur, Raiganj, Uttan, Dinajpur, W.B. presented the case of the appellant institution on 15/12/2017. In the appeal memoranda it is stated that "Appellant institution has applied for 2 units of B.Ed. course and after issue of the recognition order dated 02.05.2016 granting recognition for only one unit had also represented to E.R.C. for modifying the recognition order."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 27.06.2015 seeking recognition for conducting B.Ed. programme. The applied for intake as mentioned in the affidavit was 2 units (100 seats). The appellant institution was inspected by a Visiting Team on 12.03.2016 with a proposed intake of 2 units. The appellant institution already stands recognised for conducting D.El.Ed. programme with an intake of one unit (50 seats). E.R.C. in its 211th Meeting dated 14th – 16th April, 2016 decided to issue a Letter of Intent (L.O.I.) but no intake was mentioned in the decision. Copy of formal L.O.I. which is required to be issued under Clause 7 (13) of NCTE Regulation, 2014 is not found available in the regulatory file and hence it is presumed by Appeal Committee that appellant submitted compliance to E.R.C. on the basis of the minutes of 211st Meeting of the E.R.C. On the basis of compliance letter dated 1.05.2017, E.R.C. in its 213rd meeting held on 1st & 2nd May, 2017 decided to issue formal recognition order granting recognition for one unit of B.Ed. programme.

AND WHEREAS Appeal Committee further noted that appellant institution after getting the impugned recognition order made representations dated 09.05.2016 and 14.03.2017 addressed to Regional Director, E.R.C. and requested for modifying the order to the extant to make it valid for 2 units (100 seats). E.R.C. neither informed the appellant institution any reason for granting recognition for a lesser number of seats nor did modify the order as per the request of appellant. Appeal Committee considers that E.R.C. was duty bound to have either stated the reasons for granting recognition for a lesser intake or suitably modifying the recognition order dated 02.05.2016. Appeal Committee, therefore, decided that appellant institution deserves relief and E.R.C. should grant recognition for additional 50 seats of B.Ed. course provided the appellant had fulfilled all other conditions laid down in the L.O.I. which is also mandatory to be issued under Clause 7 (13) of NCTE Regulations, 2014.

AND WHEREAS Appeal Committee decided to remand back the case to E.R.C., Bhubaneswar for revisiting the matter and taking remedial measures as per NCTE Regulations, 2014.

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 E.R.C. Bhubaneswar for revisiting the matter and taking remedial measures as per NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Mother Teresa College of Education, Gobindapur, Raiganj, Uttar Dinajpur, W.B. to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Mother Teresa College of Education, Gobindapur, 5 No. Serpur, G.P., Raiganj – 733134, West Bengal.
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 - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(36)

F.No.89-446/E-6416/2017 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: 13/2/18

ORDER

WHEREAS the appeal of Aryan P.G. College, Dantaramgarh, Rajasthan dated 26.05.2017 is against the Order No NCTE/NRC/NRCAPP201615331/B.A. B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2 dated 11/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The institution was issued SCN by NRC in its 263rd Meeting. The reply of the same was received by NRC on 24.03.2017 which was considered by the NRC and the following observation were made:- As per land documents submitted by the institution, the land is on private lease basis which is not acceptable as per NCTE Regulations, 2014. The institution has not submitted the Non-Encumbrance Certificate issued by the Competent Authority indicating that the land is free from all encumbrances. The institution has submitted the approved Building Plan signed by the Competent Govt. Authority, however, the details with regard to the name of the course, name of the institution, khasra no./plot no., total land area, total built-up area and the measurements of the Multi-purpose Hall as well as the other infrastructural facilities such as class rooms etc., have not been indicated thereon. 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. B.L. Muwal, Secretary, Aryan P.G. College, Dantaramgarh, Rajasthan presented the case of the appellant institution on 15.12.2017. In the appeal memoranda it is stated that "All rules certificates completed by our institution."

AND WHEREAS Appeal Committee noted that on the date of online submission of application i.e. 30.05.2016, the applicant had enclosed copy of sale deed of land which was in favour of Sh. Rameshwarlal. The sale deed of land measuring 0.80

Hec. was registered in the year 2000 as agricultural land. The applicant society got converted a part of that land measuring 3000 sq. mtrs. for non agricultural purpose.

AND WHEREAS Appeal Committee further noted that a Show Cause Notice (SCN) dated 09.02.2017 was issued to appellant institution on the ground that: a) Land document is in individual name (b) L.U.C. shows that land area is 3000 sq. meters (c) Non Encumbrance Certificate (NEC) not submitted and (d) Approved building plan does not have necessary details in its reply dated 23/03/2017 to the S.C.N. appellant institution submitted (i) N.E.C. which was not issued by the Competent authority (ii) registered lease deed in favour of Swami Vivekanand Shikshan Sansthan valid from 23.02.2006 to 24.02.2025, (iii) building safety certificate dated 14.03.2017 (iv) copy of building plan.

AND WHEREAS Appeal Committee noted that as per Clause 8(4) of NCTE Regulations, 2014 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 be either on ownership basis or on lease from Government or Government institutions. Appeal Committee noted that appellant institution or the society sponsoring the institution did not possess the land on ownership basis as on the date of application. Copy of NEC dated 10.04.2017 and copy of land documents which is only for 0.30 Hec. (not originally certified copy) were submitted by the appellant at the time of appeal on 15.12.2017. The appellant has submitted three different land documents i.e. (i) individual owned sale deed at the time of submitting application (ii) Lease deed agreement between an individual and society at the time of submitting reply to S.C.N. (iii) Zerox copy of a sale deed registered on stamp papers of Rs. 10/- each (5 pages). Since the appellant did not submit certified copy of required land documents as evidence of ownership of land by the society/institution despite getting an opportunity and the different documents submitted by the appellant institution cannot be relied upon, Appeal Committee decided to confirm the impugned refusal order dated 11.04.2017 issued by N.R.C. Jaipur.

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 11.04.2017 issued by N.R.C. Jaipur.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Aryan P.G. College, in front of B.S.N.L. Office, Danta Road, Dantaramgarh – 332703, 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.