

03/07/2015

ORDER

WHEREAS the appeal of Prayatna College of Education, Ghanegaon, Ahmednagar, Maharashtra dated 12/05/2015 is against the Order No. WRC/APP2356/218th/2015/132672 dated 11/03/2015 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "LOI dated 18.09.2013 was issued to the applicant. When no response was received to the LOI, Show Cause Notice dated 13.12.2013 was issued. The applicant has neither replied to the Show Cause Notice nor submitted the affidavit required under NCTE Regulations, 2014. Hence, recognition is reused u/s 14(3)(b) of NCTE Act, 1993".

AND WHEREAS Sh. Wabale Babanrao Hanumant, President, Prayatna College of Education, Ghanegaon, Ahmednagar, Maharashtra presented the case of the appellant institution on 27/06/2015. In the appeal and during personal presentation it was submitted that "they submitted the proposal of new B.Ed. college on 30.12.2012 and inspection was conducted by WRC, NCTE on 24/04/2013. Thereafter, they received the LOI dated 18/09/2013 on 30/09/2013. As a president of Prayatna Gramvikas Mandal, he was given power/authority to sign all the documents of proposed B.Ed. College and any other members were unable to take decision on any document. Since their college was to be started from June, 2014, he thought that they have time to submit the documents. But suddenly he became ill and was suffering from diseases flu, sugar, slip-disc, HTN c MDC Lumber P.I.D. and hepatitis. He had taken treatment in various hospitals and was admitted for 18-19 months in various hospitals. Doctors took various treatment/experiments on his body. Lastly he has become feeling well since end of March 2015, but doctor's treatment is continuously going on. He has submitted all the documents of hospitals. Only due to his hospitalization, he failed to submit necessary documents within time period. Now they have all the documents that are necessary to get order 7/11. He requested for further processing of their application".

AND WHEREAS the Committee noted that the W.R.C., after getting the institution inspected on 24.07.2013 (and not on 24.04.2013 as stated in the appeal), issued a Letter of Intent on 12/18-9.2013, requiring the institution to submit various documents for considering and granting formal recognition. As no response was received from the institution, the W.R.C. issued a show cause notice dated 30.12.2013, which was to be replied within 30 days. While no reply was received to this show cause notice, the W.R.C. in their letter dt. 23/24-12.2014 requested the institution to intimate their willingness to the processing of their application as per the provisions of the NCTE Regulations, 2014, which came into force w.e.f. 28.11.2014, and also forward various documents mentioned therein within 15 days. The institution did not respond to this letter.

AND WHEREAS the Committee noted that the failure of the appellant institution to respond to the various communications issued by the W.R.C. or even to send any interim reply, on the grounds that (i) no one other than the president was able to take a decision; (ii) the president was unwell and advised rest from 20.10.2013 to 21.01.2015 (as per a copy of the medical certificate dt. 21.01.2015 enclosed), and (iii) the college was to be started from June, 2014 and therefore they thought that they had time to submit the documents is neither justified nor acceptable. The requirements to be fulfilled for grant of formal recognition are not merely confined to submission of documents but involve, inter-alia, a process of appointment of qualified staff as per norms. In these circumstances, the Committee concluded that the W.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the W.R.C. confirmed.

AND Whereas After perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the 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.


(Juglal Singh)
Member Secretary

1. To, the President, Prayatna College of Education, At-Ghanegaon, Post-Jategaon, Tq.-Parner, Dist. Ahmednagar, Ghanegaon, Ahmednagar, Maharashtra - 414301.

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 Maharashtra, Mumbai.

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F.No. 89-55/2015 Appeal/6th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

03/07/2015

ORDER

WHEREAS the appeal of Vipra Arts, Commerce and Physical Education College, Raipur, Chhatisgarh dated 07/05/2015 is against the Order No. APW07040/725026/169th/2012/95276 dated 13/09/2012 of the Western Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "the institution has not been able to provide NAAC Accreditation."

AND WHEREAS Sh. Gyanesh Sharma, Chairman and Dr. Meghesh Tiwari, Principal, Vipra Arts, Commerce and Physical Education College, Raipur, Chhatisgarh presented the case of the appellant institution on 27/06/2015. In the appeal and during personal presentation and in a letter dt. 27.06.2015 it was submitted that "the institution has now been accredited by NAAC with the CGPA of 2.73 on a four point scale at "B" grade which is valid for a period of five years from 10/12/2014. Their institution has completed all the process of M.Ed. course before 13/09/2012 but the WRC in 169th meeting decided that the permission is refused as the institution has not been able to provide NAAC Accreditation. Immediately after the institution got accredited, they applied on 20/12/2014, 20.01.2015 and 07.02.2015 to WRC to consider their application for grant of permission to start M.Ed. course for the session 2015-16 but did not get any reply".

AND WHEREAS the Committee noted that the appellant earlier preferred an appeal on 30.10.2012 to the Council against the order of the W.R.C. dt. 13.09.2012 refusing recognition for conducting M.Ed. course. The Council, after considering the matter, in their order dt. 1.03.2013, rejected the appeal and confirmed the order of the W.R.C. There is no provision in the Rules or Act of the NCTE to prefer a fresh appeal against the same order of the Regional Committee after a statutory appeal has been disposed of. Further the NCTE Regulations, 2014, which came into force w.e.f. 28.11.2014, incorporate changes in the duration of the courses and other instructional and infrastructural requirements, necessitating submission of fresh applications by those institutions whose applications have been closed, if they desire to conduct the course as per the new Regulations or submission of required documents expressing their consent for further processing of their applications, if they are pending, in accordance with the new Regulations. The Committee concluded that the application of the appellant institution stands closed with the rejection of their earlier appeal and therefore a fresh appeal submitted by them cannot be admitted.

NOW THEREFORE, The Committee concluded that the application of the appellant institution stands closed with the rejection of their earlier appeal and therefore a fresh appeal submitted by them cannot be admitted.


(Juglal Singh)
Member Secretary

- 1. To, The Principal, Vipra Arts Commerce and Physical Education College, 422/1, 422/7, 422/24, 422/27, Chhattisgarh Yuva Vikas Sangat Dumar Talab Raipur (C.G.), Raipur, Chhattisgarh – 492010.**
- 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 Chhattisgarh, Raipur.**

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F.No.89-58/2015 Appeal/6th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

03/07/2015

ORDER

WHEREAS the appeal of PD Ashok Kumar Mishra Smarak Mahavidyalaya, Khutehana, Bahraich, Uttar Pradesh dated 21/05/2015 is against the Order No. NRC/NCTE/NRCAPP-9619/232th (2nd sitting) Meeting/2015/92346 dated 07/04/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the ground that the institution has not submitted reply of the show cause notice.

AND WHEREAS Sh. Prakash Chandra Shrivastav, Teacher and Sh. Sharwan Shukla, Teacher, PD Ashok Kumar Mishra Smarak Mahavidyalaya, Khutehana, Bahraich, Uttar Pradesh presented the case of the appellant institution on 27/06/2015. In the appeal and during personal presentation it was submitted that NRC sent a show cause notice file No./NRCAPP-9619/217th meeting dated 26 August, 2013 before summarily rejecting the application Code No. NRCAPP-9619 which was received by the institution on 14/09/2013. The institution has submitted the reply of show cause notice date on 16/09/2013 which was received at the Regional Office Jaipur on dated 25/09/2013 with all reasonable enclosures. NRC has also confirmed this statement through Under-Secretary, NCTE, New Delhi. Dr. S.K. Chauhan NRCAPP-9619 by mail from the case of Gist which is attached."

AND WHEREAS the Committee noted that N.R.C. issued a show cause notice dt. 26.08.2013 on the ground that "the application has been submitted on-line on 31.12.2012 and the hard copy alongwith supporting documents was despatched on 08.01.2013 by speed post and received in the office of NRC on 1-2.2013, which is not within 7 days from the date of on-line application as required in NCTE Regulations, 2009." The Committee noted that the appellant had submitted a reply to the show cause notice on 16.09.2013 and it was received in the N.R.C. office on 25.09.2013. This reply is available in the file of the N.R.C. It is therefore not correct to issue the refusal order on the ground that the institution has not submitted a reply to the show cause notice. The Committee further noted that according to the provisions of clause 7(2)(b) of the NCTE Regulations, 2014, which have come into force w.e.f. 28.11.2014, failure to submit print out of the applications made on-line along with the land documents within 15 days of submission of the on-line application, attracts summary rejection of the applications. Since the appellant had despatched the hard copy of the on-line application within 15 days, which is permissible under the NCTE Regulations, 2014, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to process the application of the appellant as per the NCTE Regulations, 2014

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to process the application of the appellant as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of PD Ashok Kumar Mishra Smarak Mahavidyalaya, Khutehana, Bahraich, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Jugta Singh)
Member Secretary

- 1. To, The Manager, PD Ashok Kumar Mishra Smarak Mahavidyalaya, Khutehna Branch 296, PD Ashok Kumar Mishra Smarak M, 296, Khutehana, Bahraich, Uttar Pradesh – 271870.**
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.

03/07/2015

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ORDER

WHEREAS the appeal of Shree Swaminarayan B.Ed. College, Vijapur, Mehsana, Gujarat dated 22/05/2015 is against the Order F.No. 89-400/2011 Appeal/2nd Meeting-2012/A52250 dated 28/05/2012 of the NCTE rejecting the appeal of the institution dt. 24.10.2011 and confirming the order of the W.R.C. dt. 25.07.2011 withdrawing recognition for conducting B.Ed. (Co-Ed.) course on the ground that "Principal has not been appointed."

AND WHEREAS Sh. Patel Nilesh N., Trustee and Dr. Bharat N Patel, Co-ordinator, Shree Swaminarayan B.Ed. College, Vijapur, Mehsana, Gujarat presented the case of the appellant institution on 27/06/2015. In the appeal and during personal presentation it was submitted that "the Principal has been appointed. The appellant also submitted a letter dt. 25.06.2015 from the Vice-Chancellor, Hemchandracharya North Gujarat University, Patan addressed to the Member Secretary, NCTE. In this letter it has been stated that Dr. Jogendra Singh Gangaram Yadav, who has been appointed as the principal of this College has been approved by the University in their letter dt. 03.06.2015. It is also mentioned in this letter that if the NCTE is ready to approve this college, the University will allow admission of students in the academic year 2015-16".

AND WHEREAS the Committee noted that with the rejection of the statutory appeal of the appellant by the Council in their order dt. 28.05.2012, the matter attained finality. There is no provision in the NCTE Act or NCTE Rules for preferring an appeal against the orders of the Appellate Authority. The Committee also noted that the Hon'ble High Court of Gujarat at Ahmedabad in their order dt. 16.06.2012 in Special Civil Application No. 7855 of 2012 filed by the appellant, has observed that statutorily, there is no provision of filing a second appeal under the NCTE Act and also there is no provision of review or re-call of an order passed by the Appellate Authority in an appeal filed under Section 18 of the said Act. In view of this position the Committee concluded that the appeal preferred by the appellant against an earlier order of the Appellate Authority is not sustainable and, therefore, it cannot be admitted.

NOW THEREFORE, In view of this position the Committee concluded that the appeal preferred by the appellant against an earlier order of the Appellate Authority is not sustainable and, therefore, it cannot be admitted.


(Juglal Singh)
Member Secretary

1. To, The President, Shree Swaminarayan B.Ed. College, Nr. Bhudhdhisagar Jain Temple, Chkkar Rode Vijapur, Mehsana, Gujarat – 382870.
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 Gujarat, Ahmedabad.

03/07/2015

ORDER

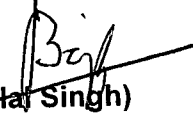
AND WHEREAS the appeal of Calicut University Teacher Education Centre, Valapad, Thrissur, Kerala dated 21/05/2015 is against the Order No. SRO/NCTE/APSO2951/B.Ed./KL/2015/64826 dated 15/05/2015 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "inadequate built-up area for the courses being run. The institution is not having regular staff."

AND WHEREAS Prof. (Dr.) P. Kelu, Director and Sh. Rajeevan Mallissery, Member, Calicut University Syndicate, Kerala presented the case of the appellant institution on 27/06/2015. In the appeal and during personal presentation and in their letters dt. 25.05.2015, 25.06.2015 and dt. 27.06.2015, regarding built up area, it has been submitted that the centre is now functioning in its own building in an area of 1.25 acres; buildings were constructed with MLA Fund and University Funds; now the present MLA Smt. Geeta Gopi has allotted Rs. 38 lakhs from Capital Development Fund for construction of building; as requested by the University, Kerala Government had directed to give a proposal for construction of the building of the Valapad Centre; and a proposal for construction of the said building at a cost of Rs. 145 lakhs has been submitted. Copies of the letters dt. 07.06.2014 from the MLA and the order dt. 22.04.2015 of the University of Calicut proposing an amount of Rs. 145 lakhs for the construction of first floor of the University Teacher Education Centre at Valapad, Thrissur have been enclosed. In the letter dt. 27.06.2015 it has been submitted that the construction has started, which is in progress and every step will be taken by the University to complete construction of the additional built up area required as per NCTE norms within 31st August, 2015. Regarding appointment of regular staff, it has been submitted that the University has issued a U.O. dt. 27.02.2015 to appoint regular staff in the scale of pay on par with that of the consolidated pay now paid. In support of their submission, the appellant enclosed copies of the orders of the University dt. 27.02.2015 and 04.04.2015. The appellant also enclosed a copy of the order of the University of Calicut dt. 03.06.2015 containing the revised pay structure of teaching staff in their various centres, including the Teacher Education Centres. The appellant also enclosed a staff profile of this centre duly approved by the Registrar, University of Calicut, indicating that the mode of appointment is full time. According to the norms of the NCTE Regulations, 2014, the staff should be on full time.

AND WHEREAS the Committee, noting the above submissions of the appellant regarding steps taken to remove the deficiencies, concluded that the matter deserved to be remanded to the S.R.C. with a direction to reconsider the same and take an appropriate fresh decision. In the meanwhile the order of withdrawal shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to SRC with a direction to reconsider the same and take an appropriate fresh decision. In the meanwhile the order of withdrawal shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Calicut University Teacher Education Centre, Valapad, Thrissur, Kerala to the SRC, NCTE, for necessary action as indicated above.


(Juglar Singh)
Member Secretary

1. To, the Principal, Calicut University Teacher Education Centre, Valapad, Valapad P.O., Thrissur, Kerala – 680567.

2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.

3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.

4. The Secretary, Education (looking after Teacher Education) Government of Kerala, Thiruvananthapuram.

ORDER

AND WHEREAS the appeal of Calicut University Teacher Education Centre, Koduvayur, Palakkad, Kerala dated 29/05/2015 is against the Order No. SRO/NCTE/APSO2944/B.Ed./KL/2015/63478 dated 23/04/2015 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "1. They do not have proper title to land. Panchayat lease cannot amount to Govt. lease. 2. Built up area is inadequate. The building is still under construction. 3. They do not have regular staff".

AND WHEREAS Prof. (Dr.) P. Kelu, Director and Sh. Rajeevan Mallissery, Member, Calicut University Syndicate, Kerala presented the case of the appellant institution on 27/06/2015. In the appeal and during personal presentation, in the communication dt. 24.06.2015 and letter dt. 27.06.2015, regarding title to the land, it has been submitted that as per the order of the Government of Kerala dt. 12.11.2008, the lease agreement for 99 years between Secretary of Koduvayur Gram Panchayat and the Registrar of University of Calicut was executed and registered in the office of the Sub-Registrar, Koduvayur on 23.03.2009. English versions of the order of the Government of Kerala and the Lease agreement have been enclosed. Regarding built up area, it has been submitted that out of the proposed three storey building construction of 793 sq. mts. of ground floor is completed; only 50 students (One Unit) will be admitted for 2015 batch; and a proposal has been submitted to the State Government for allotment of Rs. 145 lakhs for construction of additional built up area. A copy of the order of the University of Calicut dt. 22.04.2015 proposing allotment of Rs. 145 lakhs for construction of first floor of Teacher Education Centre at Koduvayur, Palakkad has been enclosed. In their letter dt. 27.06.2015, the appellant has submitted that construction has already started, which is in progress and the University shall take every step to construct the additional built up area required as per NCTE norms within 31st August, 2015. Regarding regular staff, it has been submitted that the State Government issued orders on 19.07.2014 regarding grant of State Scale of Pay to the faculty in the self financing institutions in the state and the University of Calicut issued orders dt. 03.06.2015 containing the pay structure of teaching staff in their various centres, including Teacher Education Centres. Copies of these orders have been enclosed. The appellant also enclosed the staff profile of this centre approved by the Registrar, University of Calicut, indicating that the mode of appointment is on full time basis. Accordingly to the norms of NCTE Regulations, 2014, the staff should be on full time.

AND WHEREAS the Committee, noting the above submissions of the appellant regarding steps taken to remove the deficiencies, concluded that the matter deserved to be remanded to the S.R.C. with a direction to reconsider the same and take an appropriate fresh decision. In the meanwhile the order of withdrawal shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to SRC with a direction to reconsider the same and take an appropriate fresh decision. In the meanwhile the order of withdrawal shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Calicut University Teacher Education Centre, Koduvayur, Palakkad, Kerala to the SRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

1. To, The Principal, Calicut University Teacher Education Centre, Near Mini Industrial Estate, Koduvayur PO, Palakkad Dist. Kerala – 678501.

2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.

3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.

4. The Secretary, Education (looking after Teacher Education) Government of Kerala, Thiruvananthapuram.

F.No.89-62/2015 Appeal/6th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002
03/07/2015

ORDER

AND WHEREAS the appeal of Calicut University Teacher Education Centre, Malappuram, Kaniyambetta, Wayanad, Kerala dated 29/05/2015 is against the Order No. SRO/NCTE/APSO2941/B.Ed./KL/2015/63479 dated 23/04/2015 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "deficiency in title to land; gram panchayat lease cannot be taken to be govt. lease and want of regular full time staff".

AND WHEREAS Prof. (Dr.) P. Kelu, Director and Sh. Rajeevan Mallissery, Member, Calicut University Syndicate, Kerala presented the case of the appellant institution on 27/06/2015. In the appeal and during personal presentation and in other documents, regarding title to land, it was submitted that as per the order of Government of Kerala – GO (Ms) No. 65/2006/LSGD: Thiruvananthapuram, dated 23.02.2006 permission was granted to hand over 1 Acre and 25 cents purchased by the Wayanad District Panchayat with Re-Survey No. 188/2 of Pongini Chikkallur Desom of Kaniyambetta village to the Calicut University for the purpose of constructing a building for the B.Ed. Centre functioning at Kaniyambetta under Calicut University. A notarised English Version of the State Governments order dt. 23.02.2006 has been enclosed. Regarding regular full time staff, it is submitted that as per the University Order No. 223/2015/Adm dated 27.02.2015 (copy enclosed) it is resolved to appoint principal and teachers on regular basis in the scale of pay in various B.Ed. centers under University of Calicut. The same is already intimated to NCTE by the Registrar of the University. The appellant also submitted staff details of this centre duly approved by the Registrar, University of Calicut. According to the norms of the NCTE Regulations, 2014, the staff should be on full time.

AND WHEREAS the Committee, noting the above submissions of the appellant regarding steps taken to remove the deficiencies, concluded that the matter deserved to be remanded to the S.R.C. with a direction to reconsider the same and take an appropriate fresh decision. In the meanwhile the order of withdrawal shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to SRC with a direction to reconsider the same and take an appropriate fresh decision. In the meanwhile the order of withdrawal shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Calicut University Teacher Education Centre, Malappuram, Kaniyambetta, Wayanad, Kerala to the SRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

1. To, The Principal, Calicut University Teacher Education Centre, Calicut University (P.O.) Malappuram, Kaniyambetta, Wayanad, Kerala – 673122.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Kerala, Thiruvananthapuram.

ORDER

AND WHEREAS the appeal of Calicut University Teacher Education Centre, Perambra, Kozhikode, Kerala dated 27/05/2015 is against the Order No. SRO/NCTE/APSO2943/B.Ed./KL/2015/63787 dated 01/05/2015 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "they do not have regular staff as required. A mere syndicate Resolution is not enough. It will take a long time to create posts and recruit staff".

AND WHEREAS Prof. (Dr.) P. Kelu, Director and Sh. Rajeevan Mallissery, Member, Calicut University Syndicate, Kerala presented the case of the appellant institution on 27/06/2015. In the appeal and during personal presentation and in the documents furnished, it was submitted that as per the Calicut University order dt. 03.06.2015, the University implemented the scale of pay and full time appointment for teaching faculty and as per Kerala Government order the payment is already implemented. A copy of the Government of Kerala order dt. 19.07.2014 regarding grant of State Scale of Pay for teaching faculty and a copy of the University of Calicut order dt. 03.06.2015 indicating the scale of pay of teaching staff in their various centres, including Teacher Education Centres, have been enclosed. The appellant also enclosed staff profile of this centre indicating mode of appointment as 'full time' and approved by the Registrar, University of Calicut. According to the norms of the NCTE Regulations, 2014 the staff should be on full time.

AND WHEREAS the Committee, noting the above submissions of the appellant regarding steps taken to remove the deficiencies, concluded that the matter deserved to be remanded to the S.R.C. with a direction to reconsider the same and take an appropriate fresh decision. In the meanwhile the order of withdrawal shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to SRC with a direction to reconsider the same and take an appropriate fresh decision. In the meanwhile the order of withdrawal shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Calicut University Teacher Education Centre, Perambra, Kozhikode, Kerala to the SRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

1. To, The Principal, Calicut University Teacher Education Centre, Chakkittapara, Cutec Chakkittapara Chakkittapara (PO) Kayanna (Via), Perambra, Kozhikode, Kerala - 673526.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Kerala, Thiruvananthapuram.

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F.No.89-64/2015 Appeal/6th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

03/07/2015

ORDER

WHEREAS the appeal of Radhika Singh Shikshak Prashikshan Sansthan, Teh. Budhanpur, Dist. Azamgarh, Uttar Pradesh dated 31/05/2015 is against the Order No. NRC/NCTE/NRCAPP-4877/234th Meeting/2015/99801-802 dated 24/04/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Institution did not submit the reply to show cause notice."

AND WHEREAS Sh. K.P. Singh, Representative, Radhika Singh Shikshak Prashikshan Sansthan, Teh. Budhanpur, Dist. Azamgarh, Uttar Pradesh presented the case of the appellant institution on 29/06/2015. In the appeal and during personal presentation it was submitted that "the Society before passing of impugned order in its 234 meeting dated 30, 31 March & 1 April, 2015 (Encl-1) has received deficiency letter dated 15.05.2013 (Encl-2) which was replied vide letter dated 04.07.2013 (Encl-3). Thereafter the society did not receive any communication from the NRC, NCTE. The regulations were changed and thereafter appellant received letter dated 09.01.2015 (Encl-4) regarding adherence to the New Regulations of 2014. The Society being willing to run the course promptly replied vide reply dated 03.03.2015 (Encl-5) wherein affidavits and undertaking in required formats were submitted in compliance of the letter dated 09.01.2015. Thereafter, not even considering the reply dated 04.07.2013 or 03.03.2015 and without issuing any show cause notice, the NRC, NCTE has rejected the application. It is stated that the society has not received any other letter except the letters dated 15.05.2013 and 24.04.2015."

AND WHEREAS Appeal Committee noted that a deficiency letter dated 15/05/2013 was issued to the appellant institution conveying four deficiencies on account of i) notarised change of land use certificate; ii) registration certificate of society; iii) seal of approving authority on approved building plan; (iv) affidavit on Rs. 100/- stamp paper.

AND WHEREAS Committee, further noted that the appellant institution vide their letter dated 04.07.2013 sought six months time for completion of formalities. The N.R.C. without referring to the appellant's letter, issued a S.C.N. dated 22.10.2013 seeking written representation from the appellant institution. The above S.C.N. was received back in N.R.C. office undelivered. The refusal order dated 24.04.2015 issued by N.R.C. on the ground that institution did not submit reply to the S.C.N. is therefore, not tenable. Committee decided to remand back the case to N.R.C. with a direction to re-issue the Show Cause Notice to the appellant institution and consider the reply, if any, furnished by the appellant within the stipulated time period.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to re-issue the Show Cause Notice to the appellant institution and consider the reply, if any, furnished by the appellant within the stipulated time period.

NOW THEREFORE, the Council hereby remands back the case of Radhika Singh Shikshak Prashikshan Sansthan, Teh. Budhanpur, Dist. Azamgarh, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

- 1. The Manager, Radhika Singh Shikshak Prashikshan Sansthan, Plot No. 693, Village Atarauliya (Purwa), Tehsil Budhanpur, District Azamgarh, Uttar Pradesh – 223223.**
- 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.**

ORDER

WHEREAS the appeal of Alwar Teachers Training College, Sanjay Nagar, Alwar, Rajasthan dated 08/06/2015 is against the Order No. NRC/NCTE/RJ-1703/232th(2nd Sitting), Meeting/2015/92769 dated 09/04/2015 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "the institution has not submitted the reply of show cause notice issued by the NRC, NCTE dt. 30/10/2014 within a period of 30 days from the issue of the notice. The letter of the institution dt. 08/02/2015 appears to be concerned with a show cause notice dt. 01/08/2013 and does not have any connection with the show cause notice dt. 30/10/2014. Therefore NRC decided the recognition of the institution for B.Ed. course be withdrawn under Section 17 of NCTE Act on the ground that the institution has not submitted the reply of show cause notice dt. 30/10/2014 till date."

AND WHEREAS Dr. R.J. Kushwaha, Treasurer and Sh. Trilok Jangid, Accountant, Alwar Teachers Training College, Sanjay Nagar, Alwar, Rajasthan presented the case of the appellant institution on 29/06/2015. In the appeal and during personal presentation it was submitted that "that the regional committee has withdrawn the grant of recognition on the ground that the appellant has not submitted reply to the show cause notice dated 30.10.2014. It is humbly submitted that the show cause notice dated 30.10.2014 issued by NRC Jaipur was never served upon the appellant. The first six deficiencies mentioned in the show cause notice dated 30.10.2014, which have been referred to in the withdrawal order dated 09.04.2015 are the same, which were pointed out in the earlier show cause notice dated 14.06.2010, the reply about which the appellant institution has already submitted in the memo of appeal dated 08.05.2013 filed before NCTE, Delhi against the withdrawal order of recognition of the institution dated 11.03.2013".

AND WHEREAS Committee noted that the recognition granted for conducting B.Ed. course to the appellant institution was withdrawn by N.R.C. vide its order dated 09/04/2015 on the grounds that institution has not submitted reply of Show Cause Notice (SCN) dated 30.10.2014. The appellant contends that the appellant institution was not served S.C.N. dated 09/04/2015. Committee noted that the deficiencies resulting into issue of S.C.N. dated 30.10.2014 are as follows: i) Gift deed of land is in the name of Sh. Ram Jivan Khushwaha who is not connected with the A.T.T. College, Alwar. ii) Building and Play ground are shared with school. iii) Number of appointed faculty is not as per NCTE Norms. iv) Internet facility does not exist. v) Website not updated. vi) Ten Computers not enough. vii) Copy of complaint dt. 22.05.2014 and 09/07/2014 enclosed for furnishing suitable reply.


AND WHEREAS Committee further noted that in the past also Show Cause Notices were issued to the appellant institutions on similar grounds and the only new point in the S.C.N dated 30.10.2014 was that a written complaint raising allegations about the ownership of land and land use certificate were levelled by one Sh. Vivek Gupta. Committee had also the privilege of glancing through a recent complaint dated 26.06.2015 made by Sh. Vivek Gupta and observed that allegations are verifiable and if found established are serious enough warranting suitable action. At the same time the appellant institution has a right to defend itself by furnishing explanation. For this, copy of S.C.N. dated 30.10.2014 alongwith copy of complaints dated 22.05.2014 and 09.07.2014 should be made available to the

appellant. Needless to mention that copy of the recent complaint dated 26.06.2015 shall also be sent to the appellant for comments.

AND WHEREAS Committee decided to remand back the case to N.R.C. with a direction to re-issue of the S.C.N. dated 30.10.2014 with all enclosures (copies of complaints dated 22.5.2014, 9.7.2014 and 26.6.2015) within a period of seven days from the date of issue of appeal order. It will be in the interest of appellant to furnish a detailed point wise reply so as to enable N.R.C.to have a fresh look in the case. If found necessary, the Regional Committee may recommend inspection under Section 13 of the Act.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to re-issue of the S.C.N. dated 30.10.2014 with all enclosures (copies of complaints dated 22.5.2014, 9.7.2014 and 26.6.2015) within a period of seven days from the date of issue of appeal order. It will be in the interest of appellant to furnish a detailed point wise reply so as to enable N.R.C.to have a fresh look in the case. If found necessary, the Regional Committee may recommend inspection under Section 13 of the Act.

NOW THEREFORE, the Council hereby remands back the case of Alwar Teachers Training College, Sanjay Nagar, Alwar, Rajasthan to the NRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

1. To, The Principal, Alwar Teachers Training College, Kush Marg Rly. Station Sanjay Nagar, Alwar, Rajasthan – 301001.
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.

03/07/2015

ORDER

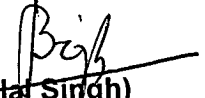
WHEREAS the appeal of Shri Venkateshwara Shikshan Sanstha Sanchalit Nanasaheb Mahadik Adhyapak Vidyalaya Peth, Islampur, Sangli, Maharashtra dated 26/12/2014 is against the Order No. WRC/WRCAPWO3985/123470/167th/2012/95122 dated 04.09.2012 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds "that (i) staff list not approved by the examining body and the qualification of Fine Arts Teacher; and (ii) the institution has submitted details of qualified Fine Arts Teacher. However, they still not submitted staff profile approved by the examining body."

AND WHEREAS Sh. Gaikwad Rajaram Shankar, Trustee, Shri Venkateshwara Shikshan Sanstha Sanchalit Nanasaheb Mahadik Adhyapak Vidyalaya Peth, Islampur, Sangli, Maharashtra appeared before the Committee on 14.04.2015. He gave a letter dt. 14.04.2015 stating that they do not have 2013 Court Order and requested for another opportunity to present their case alongwith the Court Order. The Committee agreed to their request and decided to give the appellant another opportunity.

AND WHEREAS Committee noted that letter of Intent dated 5.11.2008 was issued to the appellant institution under clause 7(9) of the NCTE (Recognition Norms & Procedure) Regulations, 2007. Before the grant of formal recognition the institution was required to make appointment of faculty. A Show Cause Notice (SCN) dated 19.09.2011 was issued to the appellant institution on following points: 1. Staff list not approved by examining body. 2. Fine Art Teacher not qualified as per NCTE norms. After considering replies furnished by the appellant, the W.R.C. vide its order dated 04.09.2012 issued refusal order on the grounds mentioned in para 1 above. The appellant had preferred a Writ Petition against the refusal order in the Bombay High Court which has been disposed of by the Hon'ble Court with liberty to the appellant to avail appropriate remedy of appeal under section 18 of the Act. Committee noted that letter of intent dates back to Nov. 2008 and the NCTE Regulations have been revised twice after this date. The institution had failed to appoint faculty duly approved by the affiliating authority and had written a letter dated 24.12.2014 to the affiliating University to approve the faculty selected by the appellant institution. Appeal Committee noting the fact that recognition was refused on 04.09.2012 for the reason that staff list was not approved by affiliating University and Fine Art Teacher not qualified as per NCTE norms, decided to confirm the refusal order issued by WRC. The appeal is delayed by more than 2 years and is also devoid of merit on grounds of non approval of faculty by the affiliating university till date.

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.


(Jugla Singh)
Member Secretary

1. To, The Secretary/Correspondent, Shri Venkateshwara Shikshan Sanstha Sanchalit, Nanasaheb Mahadik Adhyapak Vidyalaya Peth, A/P – Peth Naka, Tal – Walwa, Dist. - Sangli, Islampur, Sangali, Maharashtra – 415407.

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 Maharashtra, Mumbai.

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F.No.89-28/2015 Appeal/6th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002
03/07/2015

ORDER

WHEREAS the appeal of IPEM College of Education, Ghaziabad, Uttar Pradesh dated 02/03/2015 is against the Order No. NRC/NCTE/NRCAPP 5905/224th/2013/75132-135 dated 11.03.2014 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "certified copy of registered land documents issued by Registrar/Sub – Registrar has not been submitted. Notarized copy of change of land use certificate under clause 143 of UP land Act issued by the competent authority has not been submitted. The institution has also submitted another application i.e. NRCAPP-5823 for some course and has concealed these facts in the application."

AND WHEREAS Sh. Anupam Goyal, Secretary and Col. A.S. Malhotra representative of IPEM College presented the case of institution on 29.06.2015. In the appeal and during personal presentation it was submitted that "Certified copy of land documents was submitted. Change of Land Use Certificate is not required as land falls under Municipal limits and building plan is approved by the Hapur Pilkhuva Development Authority. The society did not conceal any fact."

AND WHEREAS the Committee noted that the society had made an application for B.Ed. course on 29.12.2012. Certified Copy of Land document is one of the essential documents to be furnished with the hard copy of application. The society furnished copy of land documents which were not certified. In response to a deficiency letter dated 05.05.2013 the institution furnished on 27.06.2013 copy of land documents attested by 'Oath Commissioner'. It is only in response to a Show Cause Notice dated 18/10/2013 that the institution furnished a copy of certified land documents. The land documents however remain the same. Committee also observed that the building plan of the proposed college is approved by Hapur Pilkhuva Development Authority for the proposed institutional building which obviates the necessity of a change of Land Use Certificate. The provisions of clause 8(2) of NCTE, Regulations, 2009 which debarred an institution from getting more than one course in a particular academic year has been diluted in the new Regulations of 2014. Committee therefore decided to remand back the case to N.R.C. with a direction to reconsider the application as per extant NCTE, Regulations of 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to reconsider the application as per extant NCTE, Regulations of 2014.

NOW THEREFORE, the Council hereby remands back the case of IPEM College of Education, Ghaziabad, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Juglar Singh)
Member Secretary

1. To, The Secretary, IPEM College of Education, 533, 534, 535, 537, 538, Parson, Jindal Nagar, Ghaziabad, Uttar Pradesh - 201010.

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.

03/07/2015

ORDER

AND WHEREAS the appeal of Sri Sai Balaji College of Education, Warangal Dist., Andhra Pradesh dated 25/09/2009 is against the Order No. F.SRO/NCTE/Ref/2008-09/5867 dated 06/10/2008 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds "1) As per the VT Report of Kakatiya University, Warangal the institution has the building which is located in not a congenial atmosphere for running B.Ed. Course. 2) The institution in its written communication dated 13.08.2008 informed about completion of civil work of the building by 10/09/2008. However, neither it shifted to new premises nor allowed the NCTE visiting team to inspect the institution on 17.09.2008. 3) The institution breached oath taken by it in the undertaking submitted to the university for shifting the building to its permanent building but failed to do so. 4) The institution did not cooperate to the visiting team in carrying out inspection unbecoming of an educational institution. 5) The institution violated the provisions contained under various sections of NCTE Act and regulations there under."

AND WHEREAS Shri. P. Someshwar Rao, Secretary and Mohd. Yakus Ali, Correspondent, Sri Sai Balaji College of Education, Warangal Dist., Andhra Pradesh presented the case of the appellant institution on 17.03.10. In the appeal and during personal presentation it was submitted that the institution was given three years' time for moving into its own premises; permission for running B.Ed. college having been granted on 12-4-07 the said period of 3 years will be completed with the ending of the academic year 2009-10; in pursuance of the orders of the Hon'ble High Court of AP in WP NO.22178 of 2008 dated 28-8-09 the appellant college was allotted students in counselling for the academic year 2009-10. The appellant also submitted a further letter 15-3-10 in which it was stated that the appellant during the pendency of writ petition have already shifted the college into the completed building and the same is being run in the new premises. The appellant has not given any explanation for shifting into the new building without getting it inspected by the NCTE providing with all necessary documents relating to the new building such as building plan, completion certificate etc. The appellant has also not furnished any reply for his non-cooperation in carrying out an inspection.

AND WHEREAS The Committee noted that Kakatiya University, Warangal while considering grant/extension of affiliation to this institution for the year 2007-08 has adversely commented on the atmosphere and failure of the institution to move into a new building despite their having given an undertaking to that effect. The Committee taking into account all aspects of the matter and in particular the directions of the Hon'ble High Court allowing allotment of students to this institution and directions to maintain the status-quo obtaining as on 28-8-09 i.e. the date of Order till such time the appeal is disposed of has come to the conclusion that there was no justification for accepting the appeal and it should be rejected but the order of withdrawal shall be effective from session 2010-11.

AND WHEREAS In pursuance of an order of the Hon'ble High Court of Andhra Pradesh dt. 18.09.2014 in Writ Petition No. 24355 of 2014, the matter was brought to the notice of the Committee in their meeting held on 14.01.2015. A representative of the institution, who was called to appear before the Committee on 14.01.2015, in his letter dt. 08.01.2015, requested for an adjournment on account of an important festival falling on 14.01.2015 and the Secretary & Correspondent of the institution being out of the country from 09.01.2015 to 15.01.2015. The Committee

acceded to the request and decided to give the appellant another opportunity to present their case. The appellant was asked vide NCTE's letter dated 15/03/2015 to appear before the Appeal Committee on 15.04.2015. Nobody from the appellant institution appeared before the Committee on the appointed day. Committee, therefore, decided to grant another opportunity (3rd & final) to appear before the Appeal Committee for making a personal presentation of the case.

AND WHEREAS Dr. P. Someshwar Rao, Secretary and Sh. Ravi Kumar, Academic Adviser representative of the appellant institution appeared before the Committee on 29.06.2015 and stated that the institution was granted recognition for conducting B.Ed. course vide order dated 18.12.2006 with a condition that the institution shall shift to its own premises/building within 3 years from the date of recognition. The withdrawal order dated 06.10.2008 issued by S.R.C. on the recommendation of affiliating University was without a physical verification by a team of S.R.C. The Inspection team was scheduled to make an inspection on 17/09/2008 but the institution was not ready for inspection and requested for postponement of inspection by 3 months. The appeal filed by the appellant institution against the withdrawal order was rejected and aggrieved by the appellate order the institution had filed different Writ Petitions in the High Court of Andhra Pradesh at Hyderabad. The Hon'ble Court had granted interim orders directing the affiliating University to extend affiliation for academic years 2011-12 and 2012-13. However, there have been no directions from the Hon'ble Court relating to postponement or cancellation of the withdrawal orders or setting aside the appellate orders.

AND WHEREAS Committee also noticed that the management of appellant institution had requested the S.R.C. to cause inspection and regularise the new building in which the college had started functioning. For shifting, necessary fee was also paid by the appellant and S.R.C. had accepted the fee. Appeal Committee also noted that the appellant has made a request for inspection vide its letter dated nil received in the office of S.R.C. on 07.03.2012. A demand draft of Rs. 40,000/- as shifting fee was also enclosed with this letter. The institution on demand by S.R.C. revalidated this demand draft on 25.07.2014. Notwithstanding the fact that the order of Hon'ble Court granting affiliation to the institution without NCTE recognition was in violation of Section 16 of the NCTE Act, Appeal Committee observed that it was incumbent on part of S.R.C. to either have not accepted the shifting fee and replied suitably or should have conducted inspection for rectifying its stand in respect of an institution which continued to conduct the course under directions of the Court.

AND WHEREAS Appeal Committee decided to remand back the case to S.R.C. with directions to conduct inspection of the new existing premises of the institution for compliance of the Court's directions in spirit. Committee also noticed that original demand draft dated 17/06/2014 of Rs. 40,000/- is lying unutilised in the file. It has neither been deposited in NCTE Account nor has been returned to the appellant resulting in financial impropriety.

AND WHEREAS On perusal of the Memoranda of Appeal, affidavit, documents on record, Hon'ble Court verdict in W.P. No. 24355 of 2014, Committee concluded to remand back the case to S.R.C. for conducting inspection of the new existing premises of the appellant institution.

NOW THEREFORE, the Council hereby remands back the case of Sri Sai Balaji College of Education, Warangal Dist., Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

- 1. To, The Secretary, Sri Sai Balaji College of Education No.3-32/7, Balaji Nagar Post, Thorrur, Warangal Dist. - Andhra Pradesh.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.**

03/07/2015

ORDER

AND WHEREAS the appeal of Central University Of Kerala, Kasaragod, Kerala dated 07/11/2014 is against the Order No. SRO/SRCAPP--/M.Ed./KL/2014/59566 dated 10/09/2014 of the Southern Regional Committee, withdrawing recognition for conducting M.Ed. course on the grounds that "in the 168th Meeting it was decided to withdraw recognition in the absence of recruitment of staff /faculty. It was pointed out that mere creation of posts would not suffice. There has been no change in the situation. Significantly, the posts created also are not in conformity with those specified in the NCTE Regulation. This Committee has no power to relax the Regulations in this regard. The request for review of the earlier decision is rejected."

AND WHEREAS Dr. M.A. Sudhir, Academic Co-ordinator, Central University Of Kerala, Kasaragod, Kerala presented the case of the appellant institution on 14-01-2015. In the appeal and during personal presentation and in a letter dt. 13.01.15 it was submitted that "(i) the appointment of the permanent faculty in the Department of Education was delayed due to non-availability of the Visitor's nominee for the selection committee meeting; (ii) the UGC has sanctioned 7 faculty positions (professor 1, associate professor 2, and assistant professor 4); (iii) One Academic Coordinator and four guest faculty have been appointed in the Department; (iv) on the basis of recognition granted by SRC, they conducted common entrance test for admission of students for M.Ed. programme and the classes were to begin on 11.08.2014, but could not be commenced due to withdrawal of recognition on 10.09.2014; and (v) interviews for filling up the posts on regular basis are slated in the first week of March 2015 and the new faculty will take charge in March, 2015 itself. Dr. M.A. Sudhir, the Academic Coordinator of the Deptt. of Education gave an undertaking during personal presentation that the entire selection process will be completed within three months and the faculty will be positioned within three months and the progress will be informed within this period."

AND WHEREAS the Committee considering the submissions of the appellant concluded that the appellant may be given another opportunity to present the progress about the appointment of the faculty on regular basis after three months from 14.01.2015.

AND WHEREAS Dr. M.A. Sudhir, Academic Co-ordinator, Central University Of Kerala, Kasaragod, Kerala presented the case of the appellant institution on 16.04.2015 i.e. the second opportunity given to them. The appellant submitted a letter dt. 13.04.2015 wherein it is mentioned that selection interviews for the faculty were held during 8-11 April, 2015 and the faculty positions will be filled up soon, except the Post of Associate Professor where clearance/approval from the Hon'ble High Court of Kerala is required. In the course of presentation, the appellant gave in writing that within two months, they will submit the details of the faculty joined for the Department of Education.

AND WHEREAS the Committee, noting the submissions of the appellant, decided to give another opportunity i.e. the third and final opportunity after two months to present the progress about the filling up of the faculty positions. Dr. M.A. Sudhir and Prof. Suresh appeared before the Appeal Committee on 29.06.2015 and apprised the Committee that Central University of Kerala has appointed one Professor, two Associate Professors and four Assistant Professors. Copies of appointment letters issued to faculty members by Central University of Kerala alongwith joining reports of faculty were also furnished. Appeal Committee decided

to remand back the case to S.R.C. for reconsideration on the basis of faculty list furnished.

AND WHEREAS on perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded to remand back the case to S.R.C. for consideration of the list of faculty. The appellant University shall also furnish to S.R.C. the complete details of the faculty appointed on full time basis for M.Ed. course within 7 days of the issue of Appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Central University Of Kerala, Kasaragod, Kerala to the SRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

1. To, The Registrar, Central University of Kerala, Tejaswini Hills, Periya, Kasaragod, Kerala – 671316.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Kerala, Thiruvananthapuram.

03/07/2015

ORDER

WHEREAS the appeal of Tata College of Chaibasa Pashchim Singhbhum, Jharkhand dated 16/04/2015 is against the Order No. ERC/178.2(ii).6/NCTE/APE00292/B.Ed./2014/28426 dated 01/01/2015 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "During granting recognition, the institution vide letter dated 21/02/2005 committed that the college has earmarked a separate complete building for the Department of Education of the college of B.Ed. and separate Psychology, Science lab, lecturer room and Library would be constructed in due course of time. As per recognition order, the B.Ed. Department hall was required to shift to its own building having separate campus within a period of 3 years. As per VT report, the new building for the Department of Education is under construction and the B.Ed. college is still functioning in the existing building of General college whereas 08 years have already elapsed. Laboratories and Library is not available in the B.Ed. Department. All teaching faculty have been appointed on contractual basis for a period of less than one year. No regular HOD has been appointed to supervise the work of the faculty. Separate supporting staff for the B.Ed. Department has not been appointed. Original FDRs of Rs. 5.00 lakh and Rs. 3.00 lakh are not submitted towards endowment fund and reserve fund respectively into joint account in the name of institution and RD, ERC, NCTE, Bhubaneswar."


AND WHEREAS Sh. Prem Madhusudan Gope, and Amar Kumar Bhadani, Office Staff, Tata College of Chaibasa Pashchim Singhbhum, Jharkhand presented the case of the appellant institution on 06/05/2015. In the appeal and during personal presentation it was submitted that "due to some administrative & technical problems the proposed B.Ed. building is incomplete but it would be completed soon. As B.Ed. department is not a separate wing and it is within the college so the students of B.Ed. are provided full facilities for Psychology practical's, Science laboratory classes in the General Psychology dept., Physics, Chemistry, Botany & Zoology Laboratories of the College. The books of B.Ed. are in central library. Lecturer rooms are also provided. As the B.Ed. building is under construction so whenever it would be completed all B.Ed. dept. would be shifted. As Tata College, Chaibasa is a constituent unit of Kolhan University, Chaibasa, it is not empowered to appoint any teacher on regular basis. Ministry of H.R.D., Jharkhand is responsible to appoint the teachers on regular basis on the recommendation of J.P.S.C., Jharkhand. As no teacher of B.Ed. is regular, hence no regular H.O.D can be appointed. Under the provision of the university one regular professor from general course has been appointed as coordinator of Vocational courses which includes B.Ed. One supporting staff has been appointed on contractual basis by the University. The college has a fixed deposit of Rs. 5.00 lakh (Five Lakh only) for B.Ed. endowment fund on 17.04.2004 at Allahabad Bank, Chaibasa vide receipt no. 595649 Amount of Rs. 3.00 Lakh as reserved fund would be deposited very shortly by means of joint A/c name of the college and R.D., E.R.C., NCTE, Bhubaneswar."

AND WHEREAS Committee noted that Tata College, Chaibasa is a constituent unit of Ranchi University since 1961 and recognition for conducting B.Ed. course was granted to it in March, 2005 subject to fulfilment of certain conditions such as (i) Appointment of Principal and 7 faculty members approved by affiliating University (ii) documentary evidence with regard to separate B.Ed. Department, library, psychology and science lab. (iii) shifting to own building having separate campus within a period of 3 years, (iv) F.D.Rs in joint name with E.R.C etc. Inspection conducted, under Section 13 of the NCTE Act, on 22.10.2013 revealed that the appellant institution has not complied with the above conditions stipulated in the order of recognition. The NCTE Regulations, 2014 allow co-existence of teacher education course with other courses of higher education provided land and built up area norms are fulfilled. The appellant institution therefore, need not have a separate building but must have adequate built up space for instructional purpose. The appellant during the course of appeal presentation could not satisfactorily explain the existence of infrastructural and instructional facilities. Appellant also could not furnish evidence of having valid F.D.Rs on account of endowment and reserve fund converted into joint name. It appeared to the Appeal Committee that appellants lacked proper knowledge of the subject matter which is pending consideration before the Committee. Committee therefore, decided to grant another opportunity to the appellant institution to make an appropriate presentation.

AND WHEREAS Sh. Arbind Prasad Pandit, Assistant Professor appeared before the Appeal Committee on 29.06.2015. On being asked by the Appeal Committee to furnish evidence of having sufficient instructional space for B.Ed., FDRs in Joint Name/Acctt. and appointment of faculty on full time basis, the representative could not satisfactorily explain the position. The representative could only furnish copy of an abstract of cost of B.Ed. building which is yet to be constructed. Specific earmarked area of B.Ed. course in the existing college premises also was not explained by the representative of appellant institution. As the appellant institution was reported to lack separate psychology, science lab, library, adequate built up area and also has failed to furnish evidence of having provided FDRs in Joint Account on account of endowment & reserve fund, the Committee decided to confirm the withdrawal orders dated 1.01.2015 issued by E.R.C., Bhubaneswar.

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.


(Juglal Singh)
Member Secretary

1. To, The Principal, Tata College Chaibasa, Pashchim Singhbhum, Jharkhand – 833202.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.