



F.No.89-298/E-77058/2C18 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of BCA T.T. College, Surajgarh Road, Buhana, Rajasthan dated 21/05/2018 is against the Letter No. Old App/RJ-----/130/2017/170543 dated 05/04/2017 of the Northern Regional Committee, returning their application seeking recognition for conducting B.Ed Course on the grounds that "in cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS the appellant, aggrieved by the Letter of the N.R.C. dt. 05/04/2017 returning their application, filed a S.B. Civil Writs No. 7391/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 06/04/2018 disposed of the petition granting liberty to the petitioner – institution to avail the remedy of statutory appeal provided under Section 18 of the Act of 1993. The Hon'ble High Court also observed that if the petitioner - institution files an appeal under Section 18 of the Act of 1993 before the concerned Appellate Authority, it is expected of the Appellate Authority to decide the same preferably within a period of two months.

AND WHEREAS BCA T.T. College, Surajgarh Road, Buhana, Rajasthan was asked to present the case of the appellant institution on 27/07/2018. The appellant did not appear before Appeal Committee for making personal presentation of its case. As per extent appeal rules, three adjournments in the appeal hearing can be made to provide opportunity to the appellant for making personal presentation, Appeal Committee decided to grant another (second) opportunity to the appellant for making personal presentation before the Committee.

AND WHEREAS Sh. Satendra Singh Yadav, Member, BCA T.T. College, Surajgarh Road, Buhana, Rajasthan presented the case of the appellant on 04/10/2018 i.e. the second opportunity granted to them. In the appeal and personal presentation, the appellant submitted that they submitted an application for B.Ed. course on 31/10/2008; the N.R.C. returned their application in the absence of the recommendations of the State Government of Rajasthan; on the directions of the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur dt. 02/03/2016 in S.B. Civil Writ Petition No. 6821/2016, the appellant again submitted their application on 16/06/2016; and the N.R.C. returned application with their letter dt. 05/04/2017. The appellant also submitted that if the institution were provided opportunity to file afresh as per directions of the Hon'ble High Court, it would have been done but due to virtual impossibility, afresh submission of the application online was totally impossible. "In a similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order no. 89-534/E-8922/2017 Appeal/15th Meeting – 2017 dt. 16/10/2017 titled "St. Meera T.T. College" directed the N.R.C. to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10/12/2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal." A copy of order dated 16/10/2017 is annexed. The controversy was also settled by the Appellate Authority vide orders dt. 27/02/2018, (copy enclosed) in respect of Vidyasthali B.S.T.C. College. The N.R.C. had already granted recognition to several institutions ignoring the above said short comings vide order dt. 26/08/2016, copy enclosed. The act of the respondent giving recognition to various institutions and rejecting their application is faulty and discriminatory in nature. The decision of the N.R.C. and the rejection order is neither reasoned or speaking order. The appellant has made necessary arrangements with regard to physical infrastructure and other facilities, but the application has been returned in a most arbitrary manner, thereby making it bad in the eyes of law and liable to be quashed and set aside.

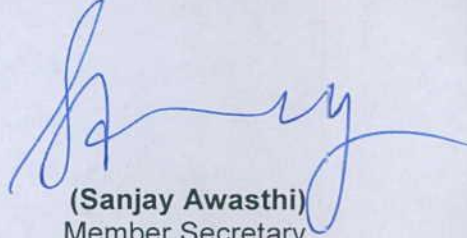
AND WHEREAS the Committee noted that the ground mentioned in the N.R.C's Letter dt. 27/09/2017 returning the application of the appellant, that is Clause 5, was

introduced for the first time, in the NCTE Regulations, 2014, whose requirements are to be fulfilled when the applications are invited pursuant to these Regulations and which can be filed only during the period when the NCTE Portal is open and not any other time. The appellant submitted their application in the year 2008 and the then existing Regulations did not contain the requirements mentioned in the order returning the application.

AND WHEREAS the Committee noted that the submission made by the appellant, inter-alia, citing certain Appellate orders issued in respect of consideration of the applications submitted in the years preceding the advent of NCTE Regulation, 2014, deserved to be accepted. In these circumstances, the Committee concluded that the ground mentioned in the Letter dt. 05/04/2017 cannot be held against the appellant and the matter deserved to be remanded to the N.R.C. for taking further action in accordance with 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 matter deserved to be remanded to the N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of BCA T.T. College, Surajgarh Road, Buhana, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, BCA T.T. College, MDR 64, Surajgarh Road, Buhana – 333502, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (Icoking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-308/E-72575/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Indu Devi Surya Narayan Verma Shikshan Prashikshan Sansthan, Village – Sumahi Sant Patti, Post – Gauri Ibrahim, Tamkuhiraj, Kushinagar, Uttar Pradesh dated 10/04/2018 is against the Order No. NRC/NCTE/NRCAPP-13599/28th Meeting/2018/188905 dated 09/02/2018 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that “reply of Show Cause Notice has not been submitted till date. 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. Nitesh Kumar, Member, Indu Devi Surya Narayan Verma Shikshan Prashikshan Sansthan, Village – Sumahi Sant Patti, Post – Gauri Ibrahim, Tamkuhiraj, Kushinagar, Uttar Pradesh presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that “The delay has been due to our affiliating University. Sir without issuing the NOC the affiliating University did not proceed for the approval of teaching staff. Sir the NOC its self has been issued by University after 15 months of our application for NOC 27 FEB. 2018. The affiliating University has now initiated the process of teacher approval after issuing the NOC. We had not received the letter of LOI issued by NRC NCTE. We had already made the FDRs corresponding to Reserve and Endowment funds in the joint name for 5 years dated 07 May, 2016. We are in the category of proposed composite institution and have already obtained the Recognition Order and Affiliation for the D.El.Ed. Course so we humbly request you to kindly allot us time for the teacher approval so that we can get the Recognition Order for B.Ed. course as well.”

AND WHEREAS appellant institution submitted a written request dated 27/07/2018 seeking another opportunity to present the case. As per extant appeal rules, an appellant can seek upto three adjournment for making personal presentation of its case before the Appeal Committee. Appeal Committee decided to grant another (second) opportunity to the appellant institution.

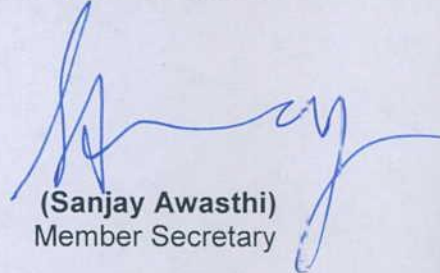
AND WHEREAS Sh. Nitesh Kumar, Member and Sh. Lokesh Pandey, Member, Indu Devi Surya Narayan Verma Shikshan Prashikshan Sansthan, Village – Sumahi Sant Patti, Post – Gauri Ibrahim, Tamkuhiraj, Kushinagar, Uttar Pradesh presented the case of the appellant institution on 04/10/2018 i.e. the second opportunity granted to them. The appellant, with their letter dated 04/10/2018, submitted (i) copies of two FDRs for Rs. 7 lakhs and Rs. 5 lakhs taken jointly with the Regional Director, N.R.C with maturity date of 07/05/2021; (ii) copy of the website page; (iii) copy of the letter dated 24/09/2018 from Deen Dayal Upadhyaya Gorakhpur University, Gorakhpur approving the faculty for B.Ed. course; (iv) particulars of the approved faculty with all details; and (v) a copy of No Objection Certificate dt. 27/02/2018 issued by Deen Dayal Upadhyaya Gorakhpur University, Gorakhpur.

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

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider these documents, to be submitted to them by the appellant and take further action as per the NCTE Regulations, 2014. The appellant

is directed to forward to the N.R.C. all the documents required as per the Letter of Intent, including those submitted in the appeal, within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Indu Devi Surya Narayan Verma Shikshan Prashikshan Sansthan, Village – Sumahi Sant Patti, Post – Gauri Ibrahim, Tamkuhiraj, Kushinagar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Manager, Indu Devi Surya Narayan Verma Shikshan Prashikshan Sansthan, Village – Sumahi Sant Patti, Post – Gauri Ibrahim, Tamkuhiraj, Kushinagar – 274406, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-326/E-73976/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Narmada Shiksha Mahavidyalaya, Vijay Nagar, Jabalpur, Madhya Pradesh dated 12/04/2017 is against the Order No. WRC/APW/2562/B.A. B.Ed./270th (M.P.)/2017/182235-242 dated 17/03/2017 of the Western Regional Committee, refusing recognition for conducting B.A. B.Ed. Course on the grounds that "consequent to the issue of L.O.I. Show Cause Notice was issued to the institution on the ground that the staff are almost identical for the D.El.Ed. B.Ed. and B.A. B.Ed. course. The institution has replied saying that the B.Ed. course will run in the morning shift and the B.A. B.Ed. course will run in the afternoon shift. This is not acceptable because both the courses are full time and regular. The attention of the institution is drawn to the Appendix – 4 Clause 2.2 (b), NCTE Regulations, 2014. Therefore, if the same staff is working for morning and afternoon shifts, they would be engaged for at least 12 hours of duty every day which cannot be permitted. Hence, Recognition is refused."

AND WHEREAS Narmada Shiksha Mahavidyalaya, Vijay Nagar, Jabalpur, Madhya Pradesh was asked to present the case of the appellant institution on 28/07/2018 but nobody appeared. In the appeal memoranda it was submitted that "There is no specific bar by NCTE to run courses in two shifts and due to shortage of qualified M.Ed., teachers the proposal of institution should have been considered favourably by WRC. That the WRC should have seen that the institution has sufficient infrastructure and has invested huge amount in building, furniture and other items and LOI has been granted after proper scrutiny. Therefore, an opportunity to appoint fresh faculties ought to have been given before refusal. The institution has with great difficulty identified 12 twelve new faculties (list attached) which are within the norms set by NCTE and wants to start the integrated course of four years B.A. B.Ed. from

ensuing session, if the appellate Committee is not willing to allow the institution to work two shifts on double payment to teachers. First shift to start from 6.30 am to 12.30 pm and second from 1.00 pm to 7.00 pm. After passing of order the institution approached the R.D., WRC, Bhopal stating that an opportunity be given to appoint fresh qualified faculties but the same was not acceded to on the ground that WRC does not have any power of Review. Hence this appeal."

AND WHEREAS as per extant appeal rules an appellant can seek upto three opportunities to present its case before Appeal Committee. Appellant by its communication dated 23/07/2018 has requested for grant of another opportunity as Secretary of the society is not available on 28/07/2018. Appeal Committee, therefore, decided to grant another (second) opportunity to the appellant to present its case before the Committee.

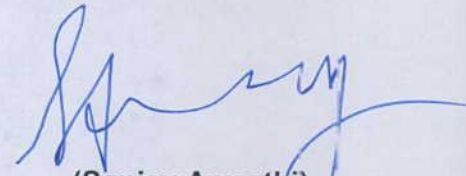
AND WHEREAS Sh. M.D. Maheshwari, Secretary, Narmada Shiksha Mahavidyalaya, Vijay Nagar, Jabalpur, Madhya Pradesh presented the case of the appellant institution on 04/10/2018 i.e. the second opportunity granted to them. The submission of the appellant is that with great difficulty they identified twelve new faculties which are within the norms set by NCTE to start the integrated course of B.A. B.Ed. from the ensuing session. No list of the new faculties has been enclosed to the appeal though it is mentioned that 'list attached'. The appellant, in the course of presentation submitted a set of documents including a copy of their letter dt. 26/12/2016 with which a list of 11 faculty members was enclosed and submitted to the WRC. The WRC on scrutiny found the list defective and issued a show cause notice. The reply of the appellant was not found acceptable as mentioned in the refusal order. Even now the appellant is proposing two courses to be run in shifts.

AND WHEREAS the Committee noted that the Letter of Intent, prior to grant of recognition, was issued on 04/11/2013, the requirements of which have not yet been fulfilled. No new list of exclusively approved faculty for the proposed course has been submitted and there is no provision for running two or more teacher training course in

shifts. In these circumstances, 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 Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to reject the appeal and confirm the refusal order dated 17/03/2017.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Narmada Shiksha Mahavidyalaya, Vijay Nagar, JDA Scheme No.5, Near Survey of India Quarter, Jabalpur – 482002, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-336/E-77315/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Shri Shyam Education College, Narora Wajidpur Road, Debai, Uttar Pradesh dated 04/06/2018 is against the Letter No. NRC/NCTE/NRCAPP-9394/277th Meeting/2017/185891 dated 14/12/2017 of the Northern Regional Committee, conveying their decision as follows:- "In compliance with order ct. 24.08.2017, passed by the Hon'ble High Court, Allahabad in writ (C) No. 37860/2017, the representation submitted by the institution was considered by NRC and observed that the list of faculty submitted earlier by the institution cannot be considered as on date in light of the amended Regulations, 2017."

AND WHEREAS Shri Shyam Education College, Narora Wajidpur Road, Debai, Uttar Pradesh was asked to present the case of the appellant institution on 28/07/2018. The representative of the appellant institution appeared before the Appeal Committee on 28/07/2018 and submitted a letter that Sh. S.P. Singh being unwell cannot attend appeal hearing. The appellant requested for appeal hearing on any subsequent date. Appeal Committee decided to grant another (second) opportunity to the appellant.

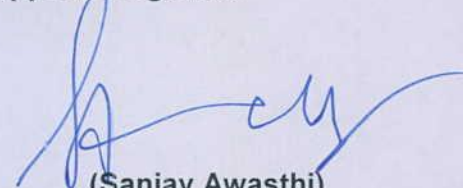
AND WHEREAS Sh. S.P. Singh, Representative, Shri Shyam Education College, Narora Wajidpur Road, Debai, Uttar Pradesh presented the case of the appellant institution on 04/10/2018 i.e. the second opportunity granted to them. In a document submitted in the course of presentation, the appellant submitted that on the date of approval of the faculty by the affiliating university, the then existing Regulations were complied with.

AND WHEREAS the Committee noted that according to the provisions of Clause 7 (10) of the NCTE Regulations, 2014, recognition to an institution shall be granted only after it fulfils all the conditions prescribed by the National Council under the Act, Rules or Regulations, including the Norms and Standards laid down for the relevant teacher education programme. The Committee also noted that the NCTE (Recognition Norms and Procedure (Amendment) Regulations, 2017, inter-alia widened the qualifications required for the faculty for B.Ed. course and these amended Regulations, came into force w.e.f. 29/05/2017, which have to be the followed. N.R.C., therefore, rightly held that the faculty submitted by the institution prior to these amended Regulations cannot be considered as on date in the light of the amended Regulations, 2017.

AND WHEREAS in view of the position stated above the Committee concluded that the appeal deserved to be rejected and the decision of the N.R.C. as contained in their letter dt. 14/12/2017 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 appeal deserved to be rejected and the decision of the NRC as contained in their letter dt. 14/12/2017 is confirmed.

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Shyam Education College, Plot No.78, Narora Wajidpur Road, Debai – 202397, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-347/E-74430/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Ananda Chandra Training College, Nayabasti, Kharia, Jalpaiguri, West Bengal dated 26/04/2018 is against the Order No. ER/7-252.6.7(Part-1)/B.Ed./(ERCAPP4131)/2018/53418 dated 03/03/2018 of the Eastern Regional Committee, refusing recognition for conducting M.Ed. Course on the grounds that "LOI u/c 7(13) was issued on 18.03.2017. Show Cause Notices u/s 15(3)(b) were issued on 09.01.2018 & 22.02.2018 giving 21 days each time for compliance of LOI. In response, the institution has submitted reply dated 24.02.2018 without any supporting documents, seeking extension of time for compliance of LOI. The Committee has not accepted the request of the institution. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP4131 of the institution regarding permission of applied M.Ed. Programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Dr. Subhendu, Principal and Dr. Saroj Kumar Ghosh, Associate Professor, Ananda Chandra Training College, Nayabasti, Kharia, Jalpaiguri, West Bengal presented the case of the appellant institution on 30/07/2018. In the appeal it was submitted that extension of time for compliance of LOI was sought as the said institution is a govt. Aided one and the teachers are recommended through the West Bengal College Service Commission. In the course of presentation the appellant gave a letter dt. 30/07/2018. In this letter the appellant submitted that they will request the Registrar, W.B.U.T.T.E.A, West Bengal for necessary approval of faculty list for their M.Ed. course. In the circumstances, the appellant requested for another

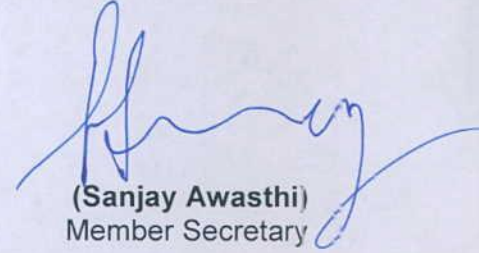
opportunity. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Dr. Subhendu, Principal and Dr. Saroj Kumar Ghosh, Associate Professor, Ananda Chandra Training College, Nayabasti, Kharia, Jalpaiguri, West Bengal presented the case of the appellant institution on 04/10/2018 i.e. the second opportunity granted to them. The appellant, with their letter dt. 01/10/2018, submitted a faculty list for the composite course (B.Ed. & M.Ed.), authenticated by the Registrar, WBUTTEPA, West Bengal.

AND WHEREAS the Committee noted that the appellant, who is already running B.Ed. course has applied for M.Ed. course and not for B.Ed. – M.Ed. course. In these circumstances, the Committee concluded that the matter deserved to be remanded to the ERC with a direction, after perusing the approved composite list submitted by the appellant, to obtain clarification from the appellant about the details of approved faculty independently for B.Ed. and M.Ed. courses and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the approved composite list submitted in appeal, duly clarifying the details of faculty for both the courses independently, 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 the ERC with a direction, after perusing the approved composite list submitted by the appellant, to obtain clarification from the appellant about the details of approved faculty independently for B.Ed. and M.Ed. courses and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the approved composite list submitted in appeal, duly clarifying the details of faculty for both the courses independently, within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Ananda Chandra Training College, Nayabasti, Kharia, Jalpaiguri, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Ananda Chandra Training College, Nayabasti, Kharia, Jalpaiguri – 735101, 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, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-348/E-74442/2018 Appeal/13th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Mts. R.P. Sidhdhapara Mahila B.Ed. & M.Ed. College, Kailash Nagar, Bhavnagar Highway, Jasdan, Gujarat dated 03/05/2018 is against the Order No. WRC/323067/Guj./20th/2018/96785 dated 04/04/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "consequent to the Issue of Revised Recognition order, Show Cause Notice dated 14.07.2017 was issued, and the Institution replied on 02.08.2017. It is seen that the institution has submitted a photocopy of the staff profile of 16 faculty members which is not approved by the Registrar. Principal has not been appointed. Secondly, the Building Completion Certificate in the prescribed format and countersigned by a Govt. Engineer not submitted in original and FDR for Rs.5.00 lakhs not submitted (in joint name) in original. Hence, Recognition is withdrawn from the end of the next academic session"

AND WHEREAS Sh. Arjanbhai L. Ramani, Managing Trustee and Sh. Anil Mathew, Campus Director, Mts. R.P. Sidhdhapara Mahila B.Ed. & M.Ed. College, Kailash Nagar, Bhavnagar Highway, Jasdan, Gujarat presented the case of the appellant institution on 30/07/2018. In the appeal the appellant submitted (i) a list of faculty of 15 members including a Principal for B.Ed. course which has been countersigned by the Registrar, Saurashtra University, Rajkot, (ii) F.D.R for Rs. 5 lakhs jointly held with the Regional Director, W.R.C.; and (iii) a copy of Notarised Building Completion Certificate issued by the Deputy Executive Engineer, R&B Division, Jetpur.

AND WHEREAS the Committee noted that according to the NCTE norms for B.Ed. course for two units of 50 students each the faculty strength required is 16. Since the approved faculty strength submitted is 15 only, the appellant, in their letter

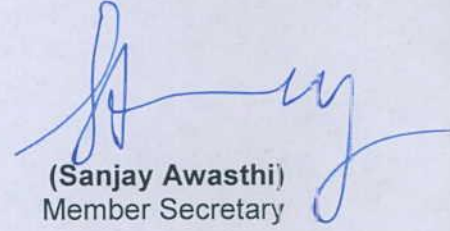
dt. 30/07/2018 requested for 20 days time and one more opportunity to submit approval for the remaining faculty member. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Ms. Meta Manish Kumar, Representative Mts. R.P. Sidhdhapara Mahila B.Ed. & M.Ed. College, Kailash Nagar, Bhavnagar Highway, Jasdan, Gujarat presented the case of the appellant institution on 04/10/2018 i.e. the second opportunity granted to them. In the course of presentation, the appellant submitted a letter dt. 04/10/2018 requesting grant of 20 days time for submitting the approval for the remaining faculty member.

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

AND WHEREAS after perusal of the 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 WRC with a direction to consider the documents, furnished in the appeal, to be submitted to them by the appellant and also the approval for one more faculty member, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC, all the documents submitted in appeal and approval for the remaining one faculty member, within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Mts. R.P. Sidhdhapara Mahila B.Ed. & M.Ed. College, Kailash Nagar, Bhavnagar Highway, Jasdan, Gujarat to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Managing Trustee, Mts. R.P. Sidhdhapara Mahila B.Ed. & M.Ed. College, (Proposed) Atkot, Kailash Nagar, Bhavnagar Highway, Jasdan – 360040, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (Looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-392/E-77601/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Sri J.G.S. Memorial B.Ed. College, Police Thane Ke Samne, Khajuwala, Rajasthan dated 23/06/2017 is against the Order No. NCTE/NRC/NRCAPP201616123/Bachelor of Education[B.Ed.]/RJ/2017-18/2; dated 27/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "The institution has not submitted the reply of the SCN issued by the NRC within the stipulated time. Hence, the Committee decided that the application is rejected, and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sri J.G.S. Memorial B.Ed. College, Police Thane Ke Samne, Khajuwala, Rajasthan was asked to present the case of the appellant institution on 31/07/2013, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

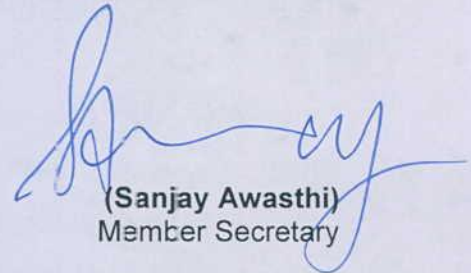
AND WHEREAS Sh. Ratan Singh, Secretary, Sri J.G.S. Memorial B.Ed. College, Police Thane Ke Samne, Khajuwala, Rajasthan presented the case of the appellant on 04/10/2013 i.e. the second opportunity granted to them. The appellant, in the course of personal presentation, stated that they have sent a reply to the show cause notice in April, 2017. The appellant submitted a copy of their letter dt. 18/04/2017 received in N.R.C. on 24/04/2017.

AND WHEREAS the Committee noted from the file of the N.R.C. that the appellant sent a reply on 24/04/2017 enclosing a copy of the Show Cause Notice dt. 04/04/2017. This reply has been received in the N.R.C. on 24/04/2017 and is available in their file. In these circumstances, the Committee concluded that the

matter deserved to be remanded to the N.R.C with a direction to consider the appellant's reply dt. 24/04/2017 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 matter deserved to be remanded to N.R.C with a direction to consider the appellant's reply dt. 24/04/2017 and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Sri J.G.S. Memorial B.Ed. College, Police Thane Ke Samne, Khajuwala, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sri J.G.S. Memorial B.Ed. College, Police Thane Ke Samne Khajuwala – 334023, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-393/E-77600/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of V.P.S. Memorial B.Ed. College, Sattasar, Bikaner Road, Chhatargarh, Rajasthan dated 23/06/2017 is against the Order No. NCTE/NRC/NRCAPP201616130/Bachelor of Education B.Ed./RJ/2017-2018/2 dated 27/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "the institution has not submitted the reply of the SCN issued by the NRC within the stipulated time. Hence, the Committee decided that the application is rejected, and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS V.P.S. Memorial B.Ed. College, Sattasar, Bikaner Road, Chhatargarh, Rajasthan was asked to present the case of the appellant institution on 31/07/2018, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. Ratan Singh, Secretary, V.P.S. Memorial B.Ed. College, Sattasar, Bikaner Road, Chhatargarh, Rajasthan presented the case of the appellant institution on 04/10/2018 i.e. the second opportunity granted to them. In the appeal the appellant submitted 'Accident problem in family and due to internet problem we were not able to receive NCTE mail in time. Please give chance to fulfil requirement according to NCTE notice.


AND WHEREAS the Committee noted from the file of the N.R.C. that the Committee, in their 265th meeting held from February, 27th to March, 3rd, 2017, decided to issue a Show Cause Notice to the appellant on five grounds. However, the file does not indicate whether a formal notice, indicating the date by which a reply has

to be sent, has been issued to the appellant. Further the refusal order dt. 27/04/2017 does not indicate the grounds contained in the show cause notice, which might have enabled the appellant to answer the grounds in their appeal, which has been filed in time. There is also a contradictory statement in the refusal order, i.e. "has considered the reply to the SCN dt. 27/04/2017", which in fact was not received, as mentioned in the order itself.

AND WHEREAS in the above circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to formally issue the Show Cause Notice to the appellant 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 formally issue the Show Cause Notice to the appellant and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of V.P.S. Memorial B.Ed. College, Sattasar, Bikaner Road, Chhatargarh, Rajasthan to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, V.P.S. Memorial B.Ed. College, Sattasar, Bikaner Road, Chhatargarh – 334021, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-394/E-77639/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Prithavi Shiv Kisan Majdur Balika Mahavidyalaya, Akhanpura (Katahura), P.O. – Rasara, Uttar Pradesh dated 30/05/2018 is against the Order No. NRC/NCTE/Recognition/D.El.Ed./2016/146821-7694 dated 02/05/2016 of the Northern Regional Committee, granting recognition for conducting one unit (50) of D.El.Ed. Course. The appellant wants recognition for two units (100 intake).

AND WHEREAS Sh. Vinod Kumar Sharma, Clerk, Prithavi Shiv Kisan Majdur Balika Mahavidyalaya, Akhanpura (Katahura), P.O. – Rasara, Uttar Pradesh presented the case of the appellant institution on 31/07/2018. In the appeal and during personal presentation it was submitted that the faculty of 16 approved by the affiliating body is sufficient for two units of D.El.Ed. course. All documents have been deposited in person on 30.04.2016. The institution is fulfilling all the provisions of the NCTE Act Rules and Regulations and has all the infrastructure parameters as per norms and Regulations, 2014 for two units (100 intake). In a letter dt. 31/07/2018, the appellant requested another opportunity to submit records.

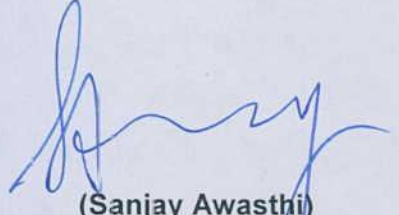
AND WHEREAS the submission of the appeal has been delayed by one year and eleven months beyond the prescribed period of 60 days. The appellant has not given any reason, whatsoever, for the inordinate delay in preferring the appeal. Since the appellant has requested for another opportunity, the delay part may be addressed when the appellant appears on the next opportunity sought for. The Committee, in the meanwhile, decided to accede to the request and give them another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. Vinod Kumar Sharma, Clerk, Prithavi Shiv Kisan Majdur Balika Mahavidyalaya, Akhanpura (Katahura), P.O. – Rasara, Uttar Pradesh appeared before the Committee on 04/10/2018 i.e. the second opportunity granted to them. The appellant presented the same records which were submitted alongwith the appeal.

AND WHEREAS the submission of the appeal has been delayed by one year and eleven months beyond the prescribed time limit of sixty days.

AND WHEREAS the Committee noted that according to the provisions of Rule 10 of the NCTE Rules, 1997 any person aggrieved by an order made under Section 14, Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the Proviso to this Rule, an appeal may be admitted after the expiry of the said period of sixty days, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the period of limitation of sixty days. The appellant has not given any cause whatsoever for not preferring the appeal within the period of limitation. In these circumstances, the Committee decided not to admit 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 decided not to admit the appeal.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Prithavi Shiv Kisan Majdur Balika Mahavidyalaya, Akhanpura (Katahura), P.O. – Rasara – 221706, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-398/E-78096/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4.12.18

ORDER

WHEREAS the appeal of Madanlal Memorial College of Education, Sinhet, Polba Dadpur, West Bengal dated 14/03/2018 is against the Order No. ER/7-250.6.43(Part-2)/(D.El.Ed.)/2018/56243 dated 02/03/2018 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "(i) LOI u/s 7(13) was issued on 31.03.2017. (ii) Show Cause Notice u/s 14(3)(b) was issued on 23.01.2018 giving 21 days' time for compliance of LOI. (iii) in response, the institution has submitted reply dated 12.02.2018 without supporting documents and the stipulated time period has already been over. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP2997 of the institution regarding recognition of applied D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Lakshmi Kanta Manna, Secretary and Surojit Chakraborty, Assistant Secretary, Madanlal Memorial College of Education, Sinhet, Polba Dadpur, West Bengal presented the case of the appellant institution on 31/07/2018. In the appeal and during personal presentation it was submitted that after receiving the LOI letter, they have advertised several times, but were unable to select teachers with required qualification. Though they have submitted their reply within 21 days of show cause notice, still it has been rejected. The appellant, in the course of presentation, gave a letter dt. 31/07/2018. In this letter the appellant submitted that they have provisionally recruited the required number of teaching staff with requisite qualifications in the presence of the WEBPE representative as nominee. The

appellant, stating that they will submit the original of teachers list in the prescribed format with the approval of WBBPE within a month, requested for time.

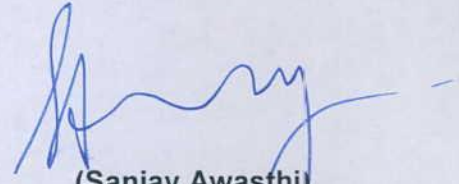
AND WHEREAS the Committee accepted the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. Surojit Chakrabarty, Assistant Secretary and Lakshmikanta Manna, Secretary, Madanlal Memorial College of Education, Sinhet, Polba Dadpur, West Bengal presented the case of the appellant institution on 04/10/2018 i.e. the second opportunity granted to them. In the course of presentation, the appellant submitted a letter dt. 04/10/2018. The appellant enclosed to this letter, various documents, including a list of faculty members for their D.El.Ed. course for the session 2019-20 countersigned by the Secretary, West Bengal Board of Primary Education on 11/09/2018.

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

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand the case to the ERC with a direction to consider these documents, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the documents submitted in the appeal and all other documents relevant to the Letter of Intent, within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Madanlal Memorial College of Education, Sinhet, Polba Dadpur, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Madanlal Memorial College of Education, Sinhet, 17-A, Polba Dadpur – 712305, 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, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-496/E-82387/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Mahatma Gandhi College of Education, Sitapura Tonk Road, Jaipur, Rajasthan dated 17/07/2018 is against the Letter No. 7-15/NRC/NCTE/Returning of Application/Sr. 451/Raj/2009 dated 08/03/2009 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. Course on the grounds that "the NCTE Hqrs. has independently decided to reiterate the decision already taken by NCTE not to grant recognition for B.Ed./STC/Shiksha Shastri course to any institution in the State of Rajasthan for the academic session 2009-10 and to return all the applications along with processing fee and documents to the institution concerned."

AND WHEREAS the appellant filed a S.B. Civil Writs No. 22488 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur praying for a direction to the respondents to adjudicate upon the pending appeal instituted by the petition and filed on 17/07/2018. The Hon'ble High Court in their order dt. 03/10/2018 disposed of the petition directing the respondent to expedite the proceedings and adjudicate on the pending appeal as expeditiously as possible; preferably within six weeks from the date a certified copy of this order is presented.

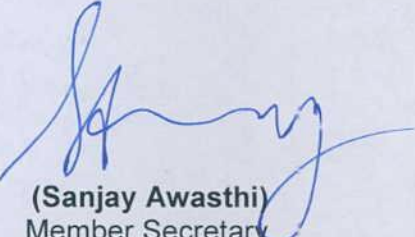
AND WHEREAS Sh. Nitin Kumar Bhatiya, Accountant and Sh. Ajay Singh, Office Assistant, Mahatma Gandhi College of Education, Sitapura Tonk Road, Jaipur, Rajasthan presented the case of the appellant institution on 04/10/2018. In the appeal and during personal presentation it was submitted that at the time of filing application State Government imposed ban on B.Ed. and D.El.Ed. Now the State Government has given NOC for the subject course for the session 2019-20. Hence, we are going for appeal for further processing of our application. The appellant, in the course of

presentation submitted a letter dt. 04/10/2018. In this letter the appellant submitted that they applied for D.El.Ed. course on 30/10/2008; their application was received on 31/10/2008; the N.R.C. returned their application on 02/03/2009 in the absence of recommendations of the State Government of Rajasthan, they submitted their application offline as per the then existing Regulations; the NCTE Appellate Authority, in their order dt. 16/11/2017 relating to St. Meera T.T. College, has settled the controversy stating that after applications are invited, the Regional Committee has no right to reject on the ground of ban imposed subsequently by the State Government; the Regional Committee in their order dt. 26/08/2016 granted recognition to several institutions ignoring the above shortcomings and rejecting their application is faulty and discriminatory in nature; no show cause notice as per Section 14 (3) (b) of NCTE Act, 1993 was issued before passing an adverse order; and the appellant made all necessary arrangements with regard to physical infrastructure and other facilities.

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by eight years, seven months and ten days beyond the prescribed period of 60 days. The Committee noted that according to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under Section 14, Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the proviso to Rule 10, an appeal may be admitted after the expiry of the said period of sixty days, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the period of limitation of sixty days.

AND WHEREAS the Committee noted that the letter of the N.R.C. dt. 03/03/2009 is not an order under any one of the Sections of the NCTE Act, 1993. Notwithstanding this position, the appellant inordinately delayed making their appeal. The reason given by the appellant that they have appealed now as the State Government has given NOC for this course for the session 2019-20 is not a sufficient cause for not preferring an appeal for eight years, seven months and ten days. In these circumstances, the Committee decided not to admit the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee decided not to admit the appeal.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Mahatma Gandhi College of Education, RIICO institutional Area, Sitapura Tonk Road, Jaipur – 302022, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-499/E-82455/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Shri Sanskar B.Ed. College, Bassi, Rajasthan dated 16/07/2018 is against the Order No. NRC/NCTE/NRCAPP-11366/257th (Part-3) Meeting/2016/159866 dated 10.10.2016 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 vide letter dt. 11.12.2015 with direction to submit the reply within 30 days. The institution did not submit any reply of Show Cause Notice within stipulated time."

AND WHEREAS Sh. Urmil Shanker, Joint Secretary and Sh. Nitin Agrawal, Secretary, Shri Sanskar B.Ed. College, Bassi, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that "the relevant document is with us and will show and submit the same at the time of hearing. Firstly, we have not received any show cause notice from your office till date. After long time when we approached to your office, we found our application rejected. However, we will submit all the related papers at the time of hearing due to which our application has been rejected. The relevant document is with us and will show and submit the same at the time of hearing."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 29/05/2015 seeking recognition for B.A. B.Ed./B.Sc. B.Ed. programme. Appellant, however, did not submit N.O.C. issued by affiliating body as required under Clause 5 (3) of NCTE Regulations, 2014. Committee further noted that a Show Cause Notice (SCN) dated 11/12/2015 was issued to appellant institution

seeking reply within 30 days on grounds of failure to submit N.O.C. Committee noted that impugned refusal order was issued on 10/10/2016 as institution failed to submit reply to SCN. Appellant institution was given 60 days time to prefer appeal in case it was not satisfied with the grounds on which impugned order was issued.

AND WHEREAS appellant's appeal dated 16/07/2018 is delayed by 1 year and 5 months and to get this delay condoned appellant has sought orders dated 04/10/2018 of Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur in S.B. Civil Writ Petition no. 22618/2018.

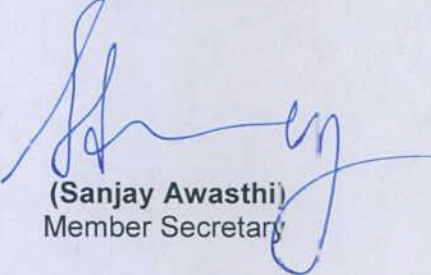
AND WHEREAS Appeal Committee noted that appellant during the course of appeal presentation on 05/10/2018 pleaded that S.C.N. dated 11/12/2015 was not received so it could not submit reply. Committee is of the view that had appellant institution been in possession of N.O.C. issued by affiliating body, it would have preferred appeal immediately after issue of impugned refusal order dated 10/10/2016. The regulatory file of N.R.C. does not contain any correspondence made by appellant in reply to either S.C.N. or the refusal order.

AND WHEREAS Appeal Committee further noted that appellant during appeal presentation on 05/10/2018 submitted copy of a N.O.C. dated 18/01/2018 issued by University of Rajasthan, Jaipur which is in respect of B.Ed. programme whereas the course applied for by the appellant was B.A. B.Ed./B.Sc. B.Ed. which is a four year integrated programme. The N.O.C. dated 18/01/2018 also could not have helped the appellant submit reply to S.C.N. dated 11/12/2015 or prefer timely appeal after issue of impugned order dated 10/10/2016. Appeal Committee decided that case of appellant is devoid of any merit and the impugned refusal order dated 10/10/2016 deserves to be confirmed.

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

concluded that case of appellant is devoid of any merit and the impugned refusal order dated 10/10/2016 deserves to be confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. **The Trustee, Shri Sanskar B.Ed. College, Bassi – 303301, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan Jaipur.



F.No.89-500/E-82456/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Sanskar B.Ed. College, Madhogarh, Tunga Road, Bassi, Rajasthan dated 16/07/2018 is against the Order No. NRC/NCTE/NRCAPP-11360/258th Meeting/2016/160386 dated 18.10.2016 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 vide letter dt. 11.12.2015 with direction to submit the reply within 30 days. The institution did not submit any reply of Show Cause Notice till date."

AND WHEREAS Sh. Uma Shanker, Joint Secretary and Sh. Nitin Agrawal, Secretary, Sanskar B.Ed. College, Madhogarh, Tunga Road, Bassi, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that "Said paper is with us and we will show and submit the same at the time of hearing. We have not received any show cause notice till date however after long time when we have not heard anything from your office, we approached to your office and found our application rejected. We will show and submit the related paper due to which our application has been rejected at the time of hearing. The said paper is with us and we will show and submit the same at the time of hearing."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 29/05/2015 seeking recognition for B.A. B.Ed./B.Sc. B.Ed. programme. Appellant, however, did not submit N.O.C. issued by affiliating body as required under Clause 5 (3) of NCTE Regulations, 2014. Committee further noted that a Show Cause Notice (SCN) dated 11/12/2015 was issued to appellant institution seeking reply within 30 days on grounds of failure to submit N.O.C. Committee noted

that impugned refusal order was issued on 18/10/2016 as institution failed to submit reply to SCN. Appellant institution was given 60 days time to prefer appeal in case it was not satisfied with the grounds on which impugned order was issued.

AND WHEREAS appellant's appeal dated 16/07/2018 is delayed by 1 year and 5 months and to get this delay condoned appellant has sought orders dated 04/10/2018 of Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur in S.B. Civil Writ Petition no. 22625/2018.

AND WHEREAS Appeal Committee noted that appellant during the course of appeal presentation on 05/10/2018 pleaded that S.C.N. dated 11/12/2015 was not received so it could not submit reply. Committee is of the view that had appellant institution been in possession of N.O.C. issued by affiliating body, it would have preferred appeal immediately after issue of impugned refusal order dated 13/10/2016. The regulatory file of N.R.C. does not contain any correspondence made by appellant in reply to either S.C.N. or the refusal order.

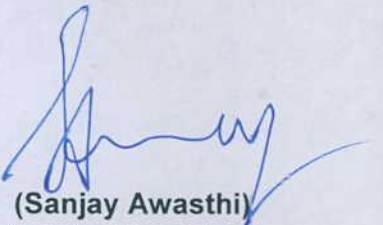
AND WHEREAS Appeal Committee noted that appellant during appeal presentation on 05/10/2018 stated that N.O.C. from affiliating body was with them but since they did not receive S.C.N. they are now submitting the N.O.C. Appeal Committee is not convinced with the pleading of appellant for the following reasons:

- (a) N.O.C. which was required to be submitted at the time of making application was not submitted by appellant.
- (b) N.O.C. was not submitted even in response to S.C.N. dated 11/12/2015.
- (c) Appeal was not preferred within 60 days time. Even if S.C.N. was not received, as stated by appellant, it could have preferred timely appeal and availed opportunity to submit N.O.C.
- (d) Regional Committee could not have waited indefinitely to get the N.O.C. Appeal forum shall not be used by appellants to submit documents belatedly i.e. almost three years after the application was made.

AND WHEREAS Appeal Committee is of the view that had the appellant not received the S.C.N. it could have made a timely appeal to apprise Appeal Committee that it is in possession of N.O.C. Committee does not find any correspondence made by appellant in this regard in the regulatory file. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 18/10/2016.

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 18/10/2016.

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



(Sanjay Awasthi)
Member Secretary

1. The Trustee, Sanskar B.Ed. College, Madhogarh, Tunga Road, Bassi – 303302, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-503/E-82626/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of B.R. Memorial B.A. B.Ed. Mahavidyalaya, Durjaniyawas Kalwar Road, Jhotwara, Rajasthan dated 18/07/2018 is against the Order No. Nil dated 23/03/2018 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "the applicant institution has not submitted the reply of the SCN within the stipulated time. Hence, the Committee decided that the application is rejected, and recognition / permission is refused u/s 14(15) (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. N. Lal, Secretary, B.R. Memorial B.A. B.Ed. Mahavidyalaya, Durjaniyawas Kalwar Road, Jhotwara, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that "Name B.R. Memorial B.A. B.Ed. Mahavidyalaya was written by mistake in online application. We will show and submit affidavit related the same at the time of hearing. Not applicable at this case. We will submit the corrected and approved building plan signed and sealed by competent authority at the time of hearing. The institution is running Degree Course and B.Ed. The recognition order of the same will be shown to you at the time of hearing."

AND WHEREAS Appeal Committee noted that appellant institution has preferred a S.B. Civil Writ Petition no. 22489/2018 in the High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble High Court by its order dated 04/10/2018 has directed the Appellate Authority to decide the appeal expeditiously.

AND WHEREAS Appeal Committee noted that neither the regulatory file contains copy of impugned order dated 23/03/2018 nor the appellant has enclosed

copy of the order along with its appeal memoranda. From the minutes of 270th Meeting of N.R.C. it is noted that N.R.C. had decided to refuse recognition on the ground that appellant has not submitted reply to S.C.N. A Show Cause Notice (SCN) dated 24/02/2017 issued online is however, found available on regulatory file. Appeal Committee also observes that reply dated 15/03/2017 diarised at Serial No. 164512 dt. 16/03/2017 submitted by appellant institution is kept placed on the regulatory file. It is therefore not justified on the part of N.R.C. to have decided the case on 29-30 May, 2017 by stating that 'applicant institution has not submitted reply of S.C.N.' Even if reply was a bit late by few days N.R.C. was duty bound to have considered the reply on merits. Appeal Committee decided to set aside the impugned decision mentioned at Serial number 161 of N.R.C's 270th Meeting held on 29 – 30 May, 2017. The case deserves to be remanded back to N.R.C. 'for consideration of the reply dated 15/03/2017 for taking a decision afresh on merits of the case.'

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 decision taken against serial no. 161 of the 270th Meeting of N.R.C. Committee further concluded to remand back the case to N.R.C. 'for consideration of the reply dated 15/03/2017 for taking a decision afresh on merits of the case.'

NOW THEREFORE, the Council hereby remands back the case of B.R. Memorial B.A. B.Ed. Mahavidyalaya, Durjaniyawas Kalwar Road, Jhotwara, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, B.R. Memorial B.A. B.Ed. Mahavidyalaya, Durjaniyawas Kalwar Road, Jhotwara – 303706, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-505/E-82636/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Rajasthan College, Pallu, Mega Highway, Rawatsar, Rajasthan dated 12/07/2018 is against the Order No. NCTE/NRC/NRCAPP201615156/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 15/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “reply received on 13.02.2017 from the institution in reference to the Show Cause Notice of NRC, along with the original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines of NCTE published from time to time were carefully considered by NRC and following observation was made; NEC issued by the Tehsildar is not acceptable. The institution has still not submitted the certified registered land documents issued by the Registering Authority or civil authority concerned. Title of the land is vested in the name of the Secretary of the Society. Total land area is not mentioned on the Building Plan. 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. Jai Kishan, Secretary, Rajasthan College, Pallu, Mega Highway, Rawatsar, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that “In our Region NEC is issued by Tehsildar who is equivalent to 1st grade Magistrate. The said documents is with us and we will show and submit the same at the time of hearing. We will show the title of land vested in the name of Society at the time of hearing. We have got the Building Plan with the total land area mentioned on it which we will show and submit at the time of hearing.”

AND WHEREAS Appeal Committee noted that in reply to the decision taken by N.R.C. in its 262nd Meeting (Item no. 24) held from 16/01/2017 to 24/01/2017 to issue

Show Cause Notice (SCN), the appellant submitted copies of documents to establish that it was composite in nature and has no encumbrance on the land owned by it. The documents were not found to be satisfactory as certified copy of land was not submitted in original and ownership was in the name of Secretary of the society. Appeal Committee noted that appellant had submitted Non Encumbrance Certificate which was in the name of Nav Vidyapeeth Educational Society and the conversion of land was also in the name of society. Further the appellant has submitted during the course of appeal hearing on 05/10/2018 original certified copy of land document. Appeal Committee also noting that appellant institution, by means of its conducting degree level courses is a composite institution. Committee, therefore, decided to remand back the case to N.R.C., for revisiting the matter. Appellant institution is required to submit to N.R.C. within 15 days of the issue of appeal order, complete set of documents such as (a) Original Certified copy of land documents (b) NEC (c) Building plan with full details of land and built up area.

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 revisiting the matter. Appellant institution is required to submit to N.R.C. within 15 days of the issue of appeal order, complete set of documents such as (a) Original Certified copy of land documents, (b) NEC (c) Building plan with full details of land and built up area.

NOW THEREFORE, the Council hereby remands back the case of Rajasthan College, Pallu, Mega Highway, Rawatsar, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

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



F.No.89-507/E-82631/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Sanskar B.S.T.C. College, Madhogarh, Tunga Road, Bassi, Rajasthan dated 16/07/2018 is against the Order No. NRC/NCTE/NRCAPP-11464/258th Meeting/2016/160793 dated 18/10/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "The institution was given show cause notice vide letter dt. 14.12.2015 with direction to submit the reply within 30 days. The institution did not submit any reply of Show Cause Notice till date."

AND WHEREAS Sh. Uma Shanker, Joint Secretary and Sh. Nitin Agarwal, Secretary, Sanskar B.S.T.C. College, Madhogarh, Tunga Road, Bassi, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that "NOC is with us and we will show and submit the same at the time hearing. Firstly, we have not received any show cause notice from your office till date. After long time when we approached to your office, we found our application rejected. However, we will submit all the related papers at the time of hearing due to which our application has been rejected."

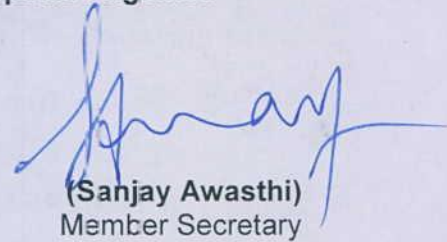
AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 29/05/2015 seeking recognition D.El.Ed. programme. Appellant, however, did not submit N.O.C. issued by affiliating body as required under Clause 5 (3) of the NCTE Regulations, 2014. Appeal Committee noted that impugned refusal order dated 18/10/2016 is on the ground that appellant institution failed to submit reply of Show Cause Notice (SCN) dated 14/12/2015. Appellant in its statement denied having received the SCN. Committee further noted that appellant has also failed to prefer online appeal within stipulated period of 60 days and the

present appeal is delayed by a year and 7 months. The appellant has attributed the delay in preferring appeal to some personal issues which is not justifiable.

AND WHEREAS Appeal Committee noted that appellant during the course of appeal presentation on 05/10/2018 submitted copy of a letter dated 01/01/2018 issued by Government of Rajasthan conveying approval to start D.El.Ed. programme in the state of Rajasthan. Committee is of the view that above communication of State Government of Rajasthan could not have helped the appellant's case which was decided in October, 2016 on the basis of non submission of reply to S.C.N. dated 14/12/2015. The case of appellant is devoid of any merit and reasons for delay in preferring appeal are also not justifiable. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 18/10/2016.

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 18/10/2016.

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



(Sanjay Awasthi)
Member Secretary

1. The Trustee, Sanskar B.S.T.C. College, Madhogarh, Tunga Road, Bassi – 303301, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-509/E-82570/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Mahendra College of Education, Majra Khurd, Majra Road, Mahendragarh, Haryana dated 19/07/2018 is against the Order No. NRC/NCTE/HR-1739/285th Meeting/2018/194351-56 dated 13/06/2018 of the Northern Regional Committee, granting recognition for conducting B.Ed. Course with an intake of one unit (50 seats).

AND WHEREAS Sh. Mahender Singh, Chairman, Mahendra College of Education, Majra Khurd, Majra Road, Mahendragarh, Haryana presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that the institution had applied an application to start the B.Ed. course on 28.07.2008. According to NCTE Regulation of that time, there was no unit/intake procedure and used to allot fixed 100 seats only. The institute had applied for 100 seats. Now the institution has fulfilled the infrastructure, land, staff and other requirements. The institution has 6 Kana 15 Marla land which is sufficient. The institution has 4740 sq. mts. covered area. The institution has submitted an affidavit of 2 units (100 students) for 7/16 dated 16/05/2018. The institution has submitted 16 staff members list teaching faculty approved by University for 7/16 on dated 16/05/2018.

AND WHEREAS Appeal Committee noted that appellant's case for grant of recognition for 100 seats (2 units) of B.Ed. programme is primarily based on its contention that it submitted affidavit for 2 units and has a land area of 6 Kanal 15 Marla and covered area of 4740 sq. meters.

AND WHEREAS Appeal Committee noted that the appellant institution submitted its application in the year 2008 seeking recognition for B.Ed. programme and since then NCTE Regulations, were revised twice in 2009 and 2014. Under the Supreme Court directions recognition to be granted shall be according to the Norms and Standards as prescribed under 2014, Regulations. Appeal Committee further noted that after a prolonged litigation and making several appeals, appellant institution was inspected on 10/03/2016 and the Visiting Team in its report mentioned that built up area available with the appellant institution is 1600 sq. meters and land area is 2541 sq. meters. Whereas inspection was conducted with proposed intake of 100 seats, Visiting Team categorically recommended for grant of recognition for one unit of 50 seats. Appeal Committee further noted that appellant of its own submitted on 22/04/2016 another Building Completion Certificate signed by registered architect which indicates a built up area of 16892.75 sq. feet on each of the ground floor and first floor (Total 33785 sq. feet).

AND WHEREAS Appeal Committee noted that Letter of Intent (L.O.I.) dated 03/03/2018 was issued to appellant institution quoting the relevant provisions of NCTE Regulations, 2014 regarding intake. Specific intake for which L.O.I. was issued was not mentioned in the letter dated 03/03/2018. After the appellant institution submitted compliance to L.O.I. by its letter dated 07/05/2018, the impugned recognition order for one unit was issued on 13/06/2018.

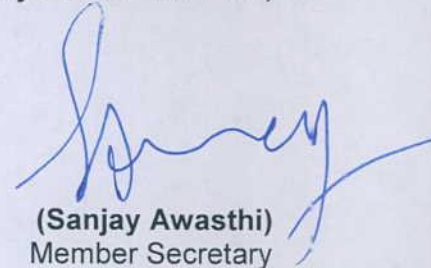
AND WHEREAS Appeal Committee after considering the relevant records available on regulatory file found that reasons for grant of recognition for one unit have nowhere been considered by N.R.C. which leaves Appeal Committee to presume that grant of recognition for one unit was on the basis of:

- (i) Assessment made by Visiting Team.
- (ii) Crossover of B.Ed. programmes from being a 1 year programme in earlier regulation to a two year course as per NCTE Regulations, 2014.

AND WHEREAS Appeal Committee further considers that appellant must be apprised, if it so desires, of the exact reason as to why full intake applied for was not granted as grant of recognition for partial intake amounts to partial denial. Appeal Committee, therefore, decided to remand back the case to NRC for consideration and issuing clarification to the appellant institution within 15 days of issue of Appeal order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that appellant must be apprised, if it so desires, of the exact reason as to why full intake applied for was not granted as grant of recognition for partial intake amounts to partial denial. Appeal Committee, therefore, decided to remand back the case to NRC for consideration and issuing clarification to the appellant institution within 15 days of issue of Appeal order.

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



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Mahendra College of Education, Majra Khurd, Majra Road, Mahendragarh – 123029, Haryana.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh



F.No.89-512/E-82978/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Anjuman Education Trust B.Ed., Rajpur Road, Balasinor, Gujarat dated 19/07/2018 is against the Order No. WRC/APW01538/323232/B.Ed./294th/Guj./2018/199310 dated 11/07/2018 of the Western Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "the case file was seen. Consequent to the Show Cause Notice, Compliance letter was issued to the institution on 04.04.2018 and the institution replied on 19.04.2018. It has submitted the Building Completion Certificate and FDRs. As per the Building Completion Certificate the built-up area is 1506 sq. mts. Therefore, the intake of B.Ed. course is reduced to one unit."

AND WHEREAS Sh. Samir Sheikh, Managing Trustee, Anjuman Education Trust B.Ed., Rajpur Road, Balasinor, Gujarat presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that "we had submitted Building Completion Certificate for one basic unit vide built-up area 1506, we had submitted additional built-up area Map for additional unit 1 of 50 students. Additional built-up area is 1166.00 sq. mts. is submitted. Total built-up area for our college are 2672.00 sq. mts. Building Completion Certificate for 2672.00 sq. mtrs. issued by Deputy Executive Engineer R and B Sub-Division Balasinor is attached. More details and document will be submit on hearing."

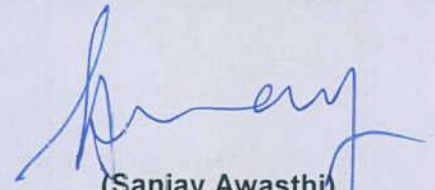
AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 04/04/2018 was issued to appellant institution on ground of non-submission of Building Completion Certificate (B.C.C.) in prescribed format and countersigned by a Government Engineer. Appellant in reply submitted required B.C.C. which was received in the office of W.R.C. on 19/04/2018. Since total built up area shown in the

B.C.C. was 1506 Sq. Meters impugned order dated 11/07/2018 was issued reducing the intake from 2 units to 1 unit.

AND WHEREAS Appeal Committee noted that appellant institution was recognised for conducting B.Ed. programme with an intake of 100 seats since the year 2005. Appellant further during the course of appeal presentation on 05/10/2018 submitted copy of its letter dated 10/07/2018 forwarding to WRC a revised B.C.C. for 2672 Sq. Meters. This letter is however, not found available in the regulatory file. Appeal Committee, therefore, decided that appellant is required to submit a copy of its letter dated 10/07/2018 along with revised B.C.C. to W.R.C. within 15 days of the issue of appeal orders. On receipt of the revised B.C.C., W.R.C. should revisit the case on merit and issue appropriate revised order.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded appellant is required to submit a copy of its letter dated 10/07/2018 along with revised B.C.C. to W.R.C. within 15 days of the issue of appeal orders. On receipt of the revised B.C.C. W.R.C. should revisit the case on merit and issue appropriate revised order.

NOW THEREFORE, the Council hereby remands back the case of Anjuman Education Trust B.Ed., Rajpur Road, Balasinor, Gujarat to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Managing Trustee, Anjuman Education Trust B.Ed., Rajpur Road, Balasinor – 388255, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-517/E-83136/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Sarju Rai Memorial Degree College, Soddopur, Mohammadabad, U.P. dated 25/07/2018 is against the Order No. NRC/NCTE/NRCAPP-4375/256th Meeting (Part-2)/2016/158817-18 dated 26/09/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "the institution was given show cause notice vide letter dt. 22.09.2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Sh. Abhijeet Rai, Member, Sarju Rai Memorial Degree College, Soddopur, Mohammadabad, U.P. presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that "Refusal order dated 26.09.2016 is bad, arbitrary, perverse and illegal and thus same cannot be sustained in the eyes of law. The decision for rejection is liable to be quashed and set aside. NRC in its letter of intent directed the institution to submit approved faculty list from the affiliating body. Institution started the process of appointment of qualified staff as per policy of the University Grant Commission or University. The appellant institution requested the affiliating body i.e. Veer Bahadur Singh Purvanchal University for nomination of selection panel for appointment of faculty. Unfortunately, the University did not set up the panel for several months. Because after issuance of the Intent Letter by NRC the appellant institution has approached the affiliating University for approval of staff for B.Ed. course. Thereafter the University has issued a letter dated 30.11.2015 and constituted a committee for selection of the Head of Department and lecturers for the B.Ed. course in the institution. The University reconstituted the selection committee by letter dated 04.11.2016. Copy of the letter dated 30.11.2015 and 04.11.2016 issued by the

University is enclosed. The institution completed all the formalities and selecting the staff for the B.Ed. course and submitted documents as required by the University. Thereafter the University issued the approval of staff vide letter dated 13.03.2018. Because after issuing the Intent Letter the institution has approached the University for selection of staff and the University has, constituted the Selection Committee on 30.11.2015 and reconstituted on 04.11.2016 and ultimately the selection of the lecturers was approved by the University on 13.03.2018 and same was submitted to the NRC vide letter dated 16/5/2018. Because the NRC in its LOI gave the direction to the institution to submit the documents after completing the process of approval before issuance of formal recognition under clause, 7(16) of the N.C.T.,E. Regulation, 2014, therefore after approval of staff from university, the appellant institution approached NRC office for formal recognition where the institution was informed that as the institution has failed to submit compliance report of LOI issued under clause 7(13) a show cause notice was issued to the institution on 22.9.2015 but no reply was given. Thereafter the application was rejected by NRC. The show cause notice dated 22.9.2015 and refusal order dated 26.9. 2016 was never communicated to the institution as alleged in the refusal order dated 26.9.2016 therefore, the impugned order dated 26.9.2016 is exparte and in Violation of natural justice. The institution filed a writ petition challenging the refusal by NRC before Hon'ble High Court of Uttar Pradesh at Allahabad and filed W.P. No. 12832/2018. The Hon'ble Court vide order dated 9/04/2018 directed the institution to file an appeal under section 18 within 2 months. However, due to the illness of wife of the appellant, the appellant could not file appeal on time. You are requested to kindly condone the delay. Because under Regulations, 2014 the "Council" has "powers to relax" any condition/regulation which causes undue hardship."

AND WHEREAS Appeal Committee noted that N.R.C. in its 235th Meeting held on 15-18 April, 2015 decided to issue Letter of Intent (L.O.I.). L.O.I dated 30/04/2015 issued to appellant institution clearly mentioned that compliance is required to be reported within 2 months of the issue of the letter. The appellant institution did not comply with the terms of L.O.I. which is admitted to have been received by the

appellant. Non compliance of the terms of L.O.I. resulted in issue of Show Cause Notice (SCN) dated 22/09/2015 and resultant impugned order dated 26/09/2016 was issued by N.R.C. after giving the appellant enough time to respond. Appellant in its appeal memoranda has denied having received the S.C.N. dated 22/09/2015 and impugned order dated 26/09/2016. Appellant further has said that delay in filing appeal is due to no receipt of impugned refusal order.

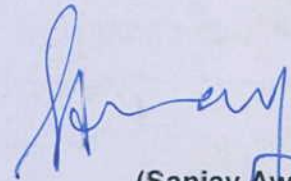
AND WHEREAS Appeal Committee noted that appellant institution filed Civil Misl. Writ Petition no. 12832 of 2018 in the Hon'ble High Court of Allahabad and the Hon'ble Court granted liberty to the petitioner to avail remedy of appeal provided that the petitioner is able to prove that impugned order was served upon them only recently and the appeal is filed within 60 days from the date of communication of the order. Appeal filed is to be decided within 3 months.

AND WHEREAS Appeal Committee noted that appellant has not furnished any evidence in support of its claim of having not received the impugned order dated 26/09/2016. The regulatory file also does not contain any evidence to support that the S.C.N. and impugned order were returned back as undelivered by postal authorities. The regulatory file also does not contain any correspondence made by appellant institution addressed to N.R.C. wherein it had enquired either the status of the case or have sought extension of time to appoint faculty. Appeal Committee further noted that appellant has failed to prefer appeal within 60 days of the Court's order dated 09/04/2018.

AND WHEREAS appellant in its appeal memoranda has also referred to an order of the Court in the case of Guru Nanak Khasa College (Supra) wherein Hon'ble Court has said that appeal is a continuation of original proceedings and the appellate court is always entitled to take subsequent events in view before deciding the case. Appeal Committee is of the view that appellant institution in the present case never made efforts to apprise N.R.C. of its own, of the developments nor sought extension of time over the period prescribed in the L.O.I. The appellant has also not tried to know the

status of its case for about two and half years and also failed to prefer appeal within 60 days even after Court's order. The forum of appeal simply cannot be allowed to be used as a platform for submitting required documents after inordinate delays.

AND WHEREAS Appeal Committee after considering the chronology of events decided not to condone the delay in preferring appeal. Appeal is accordingly not admitted.



(Sanjay Awasthi)
Member Secretary

1. **The Manager, Sarju Rai Memorial Degree College, Soddopur, Mohammadabad – 233225, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-520/E-83494/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 4-12-18

ORDER

WHEREAS the appeal of Mangalam College of Education, Ettumanoor, Mangarakalink – Mangalam Campus, Kottayam, Kerala dated 25/07/2018 is against the Order No. SRO/NCTE/AOSO0192/B.Ed.-AI/KL/2018/97530 dated 31/05/2018 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “1. This is a RPRO case of B.Ed. – AI. 2. Since they have not given the Affidavit affirming adherence to the 2014 Regulations, in spite a SCN from us in Nov. 15 we have to withdraw the recognition given to B.Ed. – AI on 23.08.2002, issue accordingly. 3. Inform the University. 4. We should also withdraw recognition given the Basic unit. Put up the Basic unit also.”

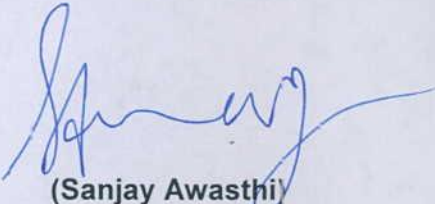
AND WHEREAS Dr. T. K. Mathew, Principal and Dr. Abraham, Representative, Mangalam College of Education, Ettumanoor, Mangarakalink – Mangalam Campus, Kottayam, Kerala presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that “letter was issued to the institution regarding notification of new Regulations 2014 seeking consent on willingness for fulfilling the revised Norms and Standards on 31.05.2015 and the institution has not submitted the Affidavit., hence Withdrawal Order. Non-submission of the affidavit was not due to our wilful negligence since the person dealing with letter correspondence of our institutions was bedridden for a very long period. That is the reason why we could not reply to the said letter dated 31.05.2015 and submit the Affidavit accordingly. We came to understand that you had issued such a letter regarding the notification of new Regulations 2014 only when we received the

Withdrawal Order dated 31.05.2018. We do hereby admit the failure even though it was caused by our staff due to his long illness. We apologise for it. Mangalam College of Education is one of the well reputed Colleges for Teacher Education in Kerala that was accredited by NAAC. Moreover, Mangalam College of Education was the first College for Teacher Education accredited by NAAC in the unaided sector. But due to the long illness of one of our employees who was dealing with letter correspondences, we could not have submitted the documents required by your Hon'ble authority. This being the real fact, as required by your Hon'ble authority vide the letter No. SRO/NCTE/RD/Regulations 2014/2014-15/60878 dated 31/12/2014 that is enclosed as Annexure-II, We had submitted the Affidavit dated 27/01/2015 in the prescribed format stating that we will abide the National Council for Teacher Education (Recognition Norms and Procedure) Regulations, 2014 and their implications for the existing Teacher Education Institutions offering NCTE recognised teacher education programme(s); also with the statement that the institution shall fulfil the revised Norms. Copy of the Affidavit is attached as Annexure-III."

AND WHEREAS relevant regulatory file is not available before the Committee for verification of facts. Appellant during appeal presentation orally stated that institution separately stands recognised for conducting B.Ed. programme with an intake of one unit and the present withdrawal order relates to additional intake of 20 seats which was originally approved by SRC by an order no. KL/SE/AI/11/SRO/NCTE/2002-2003/2578 dated 23/08/2002.

AND WHEREAS from the impugned withdrawal order dated 31/05/2018 it is evident that S.R.C. has withdrawn recognition for B.Ed. (Addl.) In the said impugned order it is further mentioned that recognition for basic unit should also be withdrawn for which case was required to be put up. Appeal Committee noted that appellant had no objection to the withdrawal of B.Ed. (Addl.) intake of 20 seats. The appeal filed by appellant is therefore, rendered infructuous and the impugned withdrawal order which

pertains to additional intake of 20 seats is confirmed. Appellant will be free to prefer a separate appeal in case of issue of fresh withdrawal order relating the basic intake.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Mangalam College of Education, Ettumanoor, Mangarakalink - Mangalam Campus, Kottayam - 686631, Kerala.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector - 10, Dwarka, New Delhi - 110075.
4. The Secretary, Education (Looking after Teacher Education) Government of Kerala, Thiruvananthapuram.



F.No.89-522/E-83449/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4.12.18

ORDER

WHEREAS the appeal of Shree Balaji Teachers Training Institute, Kalwar, Maliwada, Jaipur, Rajasthan dated 25/07/2018 is against the Order No. New Appl/RF/RJ/NRCAPP-7537/2013-2014 dated 21/06/2013 of the Northern Regional Committee, returning the application seeking grant of recognition for conducting D.El.Ed. Course on the grounds that "the NRC considered the letter No. 49-7/2012/NCTE/NSS dated 20.03.2013 containing instructions in respect of consideration processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgments of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 SPL No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils, the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgement dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE is under an obligation to make its recommendation within the time specified in the Regulations 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it is clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC

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

AND WHEREAS the appellant filed a S.B. Civil Writ Petition No. 1136/2018 in High Court of Judicature for Rajasthan Bench at Jaipur praying for issue of directions to the Appellate Authority for processing the appeal preferred by them in expeditious manner and within stipulated time frame. The Hon'ble High Court in their order dt. 18/09/2018 directed the Appellate Authority to expeditiously decide the pending appeal filed by the petitioner under Section 18 of NCTE Act.

AND WHEREAS Dr. Satyendra Singh, Principal and Sh. A. Rahis Khan, Chairman, Shree Balaji Teachers Training Institute, Kalwar, Maliwada, Jaipur, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that "Appeal submitted should be considered in view of the order dated 18/09/2018 of the Hon'ble High Court."

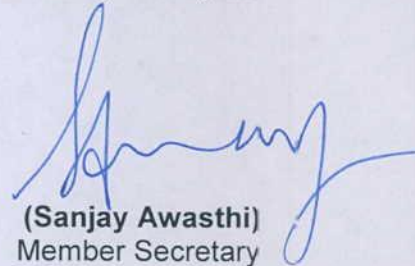
AND WHEREAS in the appeal and during personal presentation on 05/10/2018 it was submitted that (i) they applied for D.El.Ed. course online on 31/12/2012 and the application was received in the office of N.R.C. on 04/01/2013; (ii) the N.R.C. returned their application with their letter dt. 21/06/2013 in the absence of recommendations of State Government of Rajasthan; (iii) the controversy about State recommendations has been settled by the Appellate Authority in similar matter while disposing of an appeal vide order no. 89-488/E-9740/2017-Appeal/17th Meeting of 2017 dt. 27/11/2017 on the ground that 'Appeal Committee noted that the appellant applied in 2012, there was no ban by the State Government. Further the Appeal Committee is of the view that the blanket general ban imposed by the State Government can be taken in to account by NCTE only before issuing any notification inviting applications for teacher education course in a particular state for the prospective academic year (s). Once applications, are invited, the Regional Committee has no right to reject it on grounds of

ban imposed subsequently by the State Government.' The respondent had already granted recognition to several institutions ignoring the above said shortcomings. The respondent, before returning the application did not issue any show cause notice to the appellant as per the provisions of Section 14 (3) (b) of the NCTE Act, 1993 providing an opportunity of making a written representation; The State Government of Rajasthan vide their letter dt. 01/01/2018 written to NCTE has taken a policy decision to allow D.El.Ed. programme in new institutions for the academic session 2019-20.

AND WHEREAS the Regulatory file of the Institution is not available. The Committee, noting the submissions of the appellant, concluded that the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014 and in accordance with the decisions of the Appellate Authority in similar cases.

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 matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014 and in accordance with the decisions of the Appellate Authority in similar cases.

NOW THEREFORE, the Council hereby remands back the case of Shree Balaji Teachers Training Institute, Kalwar, Maliwada, Jaipur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Manager, Shree Balaji Teachers Training Institute, Kalwar, Maliwada, Jaipur – 303706, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-523/E-83490/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12-12-2018

ORDER

WHEREAS the appeal of Maharishi Institute of Education (STC), Udaipur, Shiv Nagar, Girwa —, Rajasthan dated 25/07/2018 is against the Letter No. 7-15/NRC/NCTE/Returning of Application/Sr. No. 148/Raj/2009/70911 dated 02/03/2009 of the Northern Regional Committee, returning application seeking grant of recognition for conducting D.El.Ed. Course on the grounds that "the NCTE Hqrs. has independently decided to reiterate the decision already taken by NCTE to grant recognition for B.Ed. / STC / Shaiksha Shastri course to any institution in the State of Rajasthan for the academic session 2009-10 and to return all the applications along with processing fee and documents to the institution concerned."

AND WHEREAS the appellant filed a S.B. Civil Writs No. 20737 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur praying for a direction to the respondents to adjudicate upon the pending appeal instituted by the petition and filed on 25/07/2018. The Hon'ble High Court in their order dt. 25/09/2018 disposed of the petition directing the respondent to expedite the proceedings and adjudicate on the pending appeal as expeditiously as possible; preferably within six weeks from the date a certified copy of this order is presented.

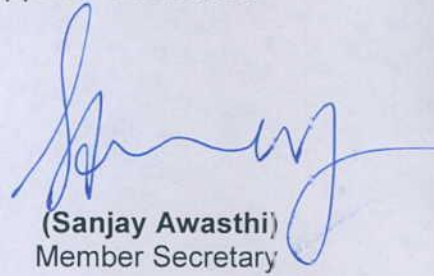
AND WHEREAS Sh. Jagdish Chandra Sharma, Chairman, Maharishi Institute of Education (STC) Udaipur, Shiv Nagar, Girwa, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that "At the time of filing application State Government imposed ban on B.Ed. and D.El.Ed., Now the State Government has given NOC for the subject course for the session 2019-20. Hence, we are going for appeal for further processing of our application. The appellant, in the course of presentation submitted a letter dt.

05/10/2018. In this letter the appellant submitted that they applied for D.El.Ed. course on 25/10/2008; their application was received on 27/10/2008; the N.R.C. returned their application on 09/03/2009 in the absence of recommendations of the State Government of Rajasthan, they submitted their application offline as per the then existing Regulations; the NCTE Appellate Authority, in their order dt. 16/11/2017 relating to St. Meera T.T. College, has settled the controversy stating that after applications are invited, the Regional Committee has no right to reject on the ground of ban imposed subsequently by the State Government; the Regional Committee in their order dt. 26/08/2016 granted recognition to several institutions ignoring the above shortcomings and rejecting their application is faulty and discriminatory in nature; no show cause notice as per Section 14 (3) (b) of NCTE Act, 1993 was issued before passing an adverse order; and the appellant made all necessary arrangements with regard to physical infrastructure and other facilities."

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by eight years, seven months beyond the prescribed period of 60 days. The Committee noted that according to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under Section 14, Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the proviso to Rule 10, an appeal may be admitted after the expiry of the said period of sixty days, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the period of limitation of sixty days.

AND WHEREAS the Committee noted that the letter of the N.R.C. dt. 02/03/2009 is not an order under any one of the Sections of the NCTE Act, 1993. Notwithstanding this position, the appellant inordinately delayed making the appeal. The reason given by the appellant that they have appealed now as the State Government has given NOC for this course for the session 2019-20 is not a sufficient cause for not preferring an appeal for eight years, seven months. In these circumstances, the Committee decided not to admit the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee decided not to admit the appeal.



(Sanjay Awasthi)
Member Secretary

1. **The Manager, Maharishi Institute of Education (STC), Udaipur, Shiv Nagar, Girwa – 313001, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-524/E-83595/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of R.G. Teachers Training College, Ganesh Ji Road, Viratnagar, Rajasthan dated 27/07/2018 is against the Order No. NRCAPP201615294 (B.A. B.Ed./B.Sc. B.Ed./2017-18/2 dated 23/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "the institution has not submitted the Non-Encumbrance Certificate issued by the Competent Authority indicating that the land is free from all Encumbrances. 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. Virendra Prasad, Secretary, R.G. Teachers Training College, Ganesh Ji Road, Viratnagar, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that "the said certificate has already been submitted to your Regional office, however we will show the same at the time of hearing."

AND WHEREAS Committee further noted that appellant has also filed a S.B. Civil Writ Petition No. 22488/2018 in the High Court of Judicature for Rajasthan Bench at Jaipur and Hon'ble High Court by its order dated 04/10/2018 has directed to decide the appeal expeditiously.

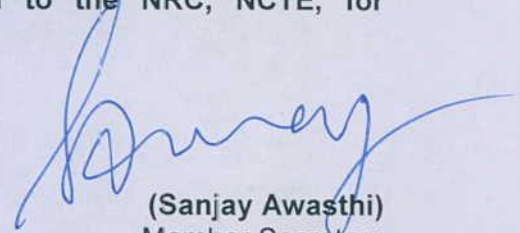
AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 23/01/2017 was issued to appellant institution seeking written representation on certain points of deficiencies inter-alia non-submission of Non Encumbrance Certificate (NEC) issued by Competent Authority. Appeal Committee noted that

appellant with its reply dated 03/02/2017 submitted copy of NEC issued by Tehsildar. Appellant during the course of appeal hearing on 05/10/2018 again submitted a fresh copy of NEC dated 01/10/2018 issued by Tehsildar Viratnagar certifying that there is no encumbrance on land bearing Khasra nos. 2907/0.43, 2917/0.07, 2920/0.12.

AND WHEREAS Appeal Committee taking into consideration the submissions made by appellant earlier by its letter dated 03/02/2017 and that during appeal hearing on 05/10/2018 decided to remand back the case to N.R.C. for revisiting the matter. Appellant is required to submit to N.R.C. a copy of latest N.E.C. issued by Tehsildar within 15 days of the issue of appeal order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for revisiting the matter. Appellant is required to submit to N.R.C. a copy of latest N.E.C. issued by Tehsildar within 15 days of the issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of R.G. Teachers Training College, Ganesh Ji Road, Viratnagar, Rajasthan to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellate, R.G. Teachers Training College, Ganesh Ji Road, Viratnagar – 303102, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-526/E-83608/2018 Appeal/13th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Harsh Teacher Training College, Govindgarh, Rambas, Laxmangarh, Rajasthan dated 25/07/2018 is against the Letter No. 7-15/NRC/NCTE/Returning of Application/S.No.-295/Rajasthan/2009/70561 dated 08/03/2009 of the Northern Regional Committee, returning the application seeking recognition for conducting D.El.Ed. Course on the grounds that "the NCTE Hqrs. has independently decided to reiterate the decision already taken by NCTE to grant recognition for B.Ed. / STC / Shaiksha Shastri course to any institution in the State of Rajasthan for the academic session 2009-10 and to return all the applications along with processing fee and documents to the institution concerned."

AND WHEREAS The appellant filed a S.B. Civil Writs No. 20596/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur praying for a direction to the respondents to adjudicate upon the pending appeal instituted by the petition and filed on 25/07/2018. The Hon'ble High Court in their order dt. 11/09/2018 disposed of the petition directing the respondent to expedite the proceedings and adjudicate on the pending appeal as expeditiously as possible; preferably within six weeks from the date a certified copy of this order is presented.

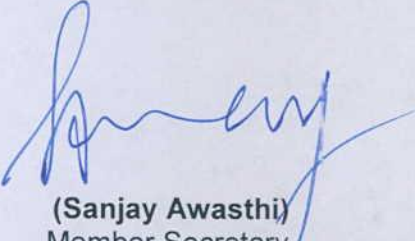
AND WHEREAS Sh. Sukhwant Singh, Secretary, Harsh Teacher Training College, Govindgarh, Rambas, Laxmangarh, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that at the time of filing application State Government imposed ban on D.El.Ed. Now the State Government has given NOC for the subject course for the session 2019-20. Hence, we are going for appeal for further processing of our application. The appellant submitted that they applied for D.El.Ed. course in 2008.

N.R.C. returned their application on 08/03/2009 in the absence of recommendations of the State Government of Rajasthan. They had submitted their application offline as per the then existing Regulations; the NCTE Appellate Authority, in one of its orders relating to St. Meera T.T. College, has settled the controversy stating that after applications are invited, the Regional Committee has no right to reject application on the ground of ban imposed subsequently by the State Government; the Regional Committee has also granted recognition to several institutions ignoring the above shortcomings and rejecting their application is faulty and discriminatory in nature; no show cause notice as per Section 14 (3) (b) of NCTE Act, 1993 was issued before passing an adverse order; and the appellant made all necessary arrangements with regard to physical infrastructure and other facilities.

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by more than eight years, beyond the prescribed period of 60 days. The Committee noted that according to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under Section 14, Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the proviso to Rule 10, an appeal may be admitted after the expiry of the said period of sixty days, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the period of limitation of sixty days.

AND WHEREAS the Committee noted that the letter of the N.R.C. dt. 08/03/2009 is not an order under any one of the Sections of the NCTE Act, 1993. Notwithstanding this position, the appellant inordinately delayed making the appeal. The reason given by the appellant that they have appealed now as the State Government has given NOC for this course for the session 2019-20 is not a sufficient cause for not preferring an appeal for eight years, seven months. In these circumstances, the Committee decided not to admit the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee decided not to admit the appeal.



(Sanjay Awasthi)
Member Secretary

1. . The Secretary, Harsh Teacher Training College, Rambas, Govindgarh, Rambas, Laxmangarh – 331403, Rajasthan
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-535/E-84115/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of M.D. College, Nohar Road, Rawatsar, Rajasthan dated 24/07/2018 is against the Order No. NCTE/NRC/NRCAPP201616099/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 15/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "The institution has still not submitted the certified registered land documents issued by the Registering Authority or civil authority concerned. Land document is for Patthar Number 209/53 whereas in online application Patthar number 209/5 has been mentioned. Submitted NEC & LUC are also for Patthar number 209/53 which is not mentioned online application. Submitted approved building plan is also for Patthar number 209/5. 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."

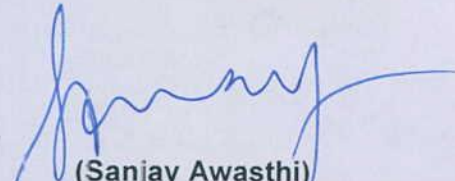
AND WHEREAS Sh. Kailash Sinwar, Secretary and Sh. Ranjeet Singh, Chairman, M.D. College, Nohar Road, Rawatsar, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that land document is of Patthar number 209/53 but by mistake online application.

AND WHEREAS Appeal Committee noted that in the online application, copy of which is made available by the appellant, the survey number of land was mentioned as 209/5 whereas all related documents such as CLU, Building Plan and Khatoni mentioned the survey number as 209/53. Committee considered that it is obvious that a digit '3' has been omitted and survey number was mentioned as 209/5 instead

of 209/53. It is a genuine typographical omission and appellant is allowed to rectify it. As regards furnishing of originally certified copy of land document, Appeal Committee observed that certified copy of land documents was submitted by appellant institution to N.R.C. on 08/03/2017. Appeal Committee decided to remand back to N.R.C. for revisiting the matter.

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 to N.R.C. for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of M.D. College, Nohar Road, Rawatsar, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

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



F.No.89-536/E-84130/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-2018

ORDER

WHEREAS the appeal of Vasudha Teacher Education Institute, Chala, Neem Ka Thana, Rajasthan dated 28/07/2018 is against the Letter No. Old App/NRCAPP-7969/197/2017/169591 dated 23/03/2017 of the Northern Regional Committee, returning their application seeking recognition for conducting D.El.Ed. Course on the grounds that "in cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Appeal Committee noted that appellant institution has filed a S.B. Civil Writ No. 6615/2018 in the High Court of Judicature for Rajasthan, Bench at Jaipur and the Hon'ble Court passed an order dated 02/04/2018 directing the appellate authority to decide the appeal within a period of two months.

AND WHEREAS Sh. Rajesh Kumar Kataria, Secretary, Vasudha Teacher Education Institute, Chala, Neem Ka Thana, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that our application was filed online. The hard copy of the same along with Appeal orders and other papers are being sent through post for your reference. We will produce all the documents related to the application and as per requirement of NCTE as per clause 5. Respondent has already granted recognition to several institutions ignoring the above shortcomings and respondents should act as per directions of the Hon'ble High Court.

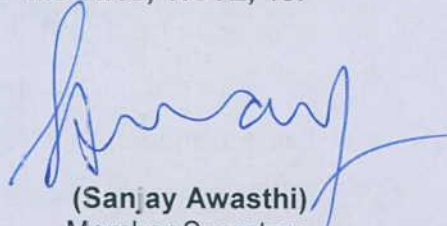
AND WHEREAS Appeal Committee noted from the contents of impugned letter dated 23/03/2017 that the application submitted online by the appellant institution on

31/12/2012 was returned on the assumption that it was made on offline mode. Committee therefore, observed that N.R.C's decision to return the application treating it as 'offline' was not correct and not substantiated. Moreover, no Show Cause Notice (SCN) was issued to appellant institution seeking written representation from the appellant.

AND WHEREAS the Committee noted that in view of the position stated in para 4 above, the submission made by the appellant, inter-alia, citing certain Appellate orders issued in respect of consideration of the applications submitted in the years 2012 preceding the advent of NCTE Regulation, 2014, deserved to be accepted. In these circumstances, the Committee concluded that the ground mentioned in the Letter dt. 23/03/2017 cannot be held against the appellant and the matter deserved to be remanded to the N.R.C. for taking further action in accordance with 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 matter deserved to be remanded to the N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Vasudha Teacher Education Institute, Chala, Neem Ka Thana, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vasudha Teacher Education Institute, Chala, Neem Ka Thana – 332706, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-649/E-89702/2018 Appeal/19th Mtg.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4.12.18

ORDER

WHEREAS the appeal of Agarwal STC College, Merta City Near Old Post Office, Merta City, Rajasthan dated 09/08/2018 is against the Order No. 7-15/NRC/NCTE/Returning of Application/S No.628/Raj./2009/71029 dated 08/03/2009 of the Northern Regional Committee, returning application seeking recognition for conducting D.El.Ed. Course on the grounds that "the NCTE Hqrs. Has independently decided to reiterate the decision already taken by NCTE not to grant recognition for B.Ed./STC/Shiksha Shastri course to any institution in the State of Rajasthan for the academic session 2009-10 and to return all the applications along with processing fee and documents to the institution concerned."

AND WHEREAS the appellant filed a S.B. Civil Writs No. 19230/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur praying for a direction to the respondents to adjudicate upon the pending appeal instituted by the petition or and filed on 09/08/2018. The Hon'ble High Court in their order dt. 28/08/2018 disposed of the petition directing the respondent to expedite the proceedings and adjudicate on the pending appeal as expeditiously as possible.


AND WHEREAS Punam Chand Agarwal, Administrative Officer, Agarwal STC College, Merta City Near Old Post Office, Merta City, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that at the time of filing application State Government imposed ban on D.El.Ed. Now the State Government has given NOC for the subject course for the session 2019-20. Hence, we are going for appeal for further processing of our application. The appellant, in the course of presentation submitted a letter dt. 05/10/2018. In this letter the appellant submitted that they applied for D.El.Ed. course

on 27/09/2008; their application was received on 30/09/2008; the N.R.C. returned their application on 09/03/2009 in the absence of recommendations of the State Government of Rajasthan, they submitted their application offline as per the then existing Regulations; the NCTE Appellate Authority, in their order dt. 16/10/2017 relating to St. Meera T.T. College, has settled the controversy stating that after applications are invited, the Regional Committee has no right to reject on the ground of ban imposed subsequently by the State Government; the Regional Committee in their order dt. 26/08/2016 granted recognition to several institutions ignoring the above shortcomings and rejecting their application is faulty and discriminatory in nature; no show cause notice as per Section 14 (3) (b) of NCTE Act, 1993 was issued before passing an adverse order; and the appellant made all necessary arrangements with regard to physical infrastructure and other facilities.

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by nine years, three months beyond the prescribed period of 60 days. The Committee noted that according to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under Section 14, Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the proviso to Rule 10, an appeal may be admitted after the expiry of the said period of sixty days, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the period of limitation of sixty days.

AND WHEREAS the Committee noted that the letter of the N.R.C. dt. 03/03/2009 is not an order under any one of the Sections of the NCTE Act, 1993. Notwithstanding this position, the appellant inordinately delayed making the appeal. The reason given by the appellant that they have appealed now as the State Government has given NOC for this course for the session 2019-20 is not a sufficient cause for not preferring an appeal for eight years, seven months. In these circumstances, the Committee decided not to admit the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee decided not to admit the appeal.



(Sanjay Awasthi)
Member Secretary

1. The Appellant, Agarwal STC College, Merta City Near Old Post Office, Merta City – 341510, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-650/E-89677/2018 Appeal/19th Mtc.-2018/4th & 5th October, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 4-12-18

ORDER

WHEREAS the appeal of Agarwal Girls STC College, Merta City, Rajasthan dated 23/08/2018 is against the Order No. 7-15/NRC/NCTE/Returning of Application/S.No.689/Raj./2009/70982 dated 02/03/2009 of the Northern Regional Committee, returning the application seeking recognition for conducting D.El.Ed. Course on the grounds that "the NCTE Hqrs. has independently decided to reiterate the decision already taken by NCTE not to grant recognition for B.Ed./STC/Shiksha Shastri course to any institution in the State of Rajasthan for the academic session 2009-10 and to return all the applications along with processing fee and documents to the institution concerned."

AND WHEREAS the appellant filed a S.B. Civil Writs No. 19227/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur praying for a direction to the respondents to adjudicate upon the pending appeal instituted by the petition and filed on 23/08/2018. The Hon'ble High Court in their order dt. 28/08/2018 disposed of the petition directing the respondent to expedite the proceedings and adjudicate on the pending appeal as expeditiously as possible; preferably within six weeks from the date a certified copy of this order is presented.

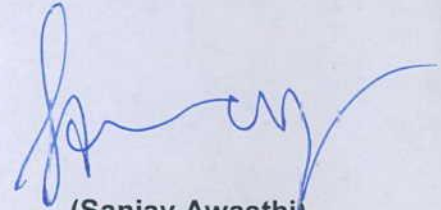
AND WHEREAS Punam Chand Agarwal, Administrative Officer, Agarwal Girls STC College, Merta City, Rajasthan presented the case of the appellant institution on 05/10/2018. In the appeal and during personal presentation it was submitted that at the time of filing application State Government imposed ban on D.El.Ed. and B.Ed., Now the State Government has given NOC for the subject course for the session 2019-20. Hence, we are going for appeal for further processing of our application. The appellant, in the course of presentation submitted a letter dt. 05/10/2018. In this

letter the appellant submitted that they applied for D.El.Ed. course in 2008; returned their application on 02/03/2009 in the absence of recommendations of the State Government of Rajasthan, they submitted their application offline as per the then existing Regulations; the NCTE Appellate Authority, in their order dt. 16/10/2017 relating to St. Meera T.T. College, has settled the controversy stating that after applications are invited, the Regional Committee has no right to reject on the ground of ban imposed subsequently by the State Government; the Regional Committee in their order dt. 26/08/2016 granted recognition to several institutions ignoring the above shortcomings and rejecting their application is faulty and discriminatory in nature; no show cause notice as per Section 14 (3) (b) of NCTE Act, 1993 was issued before passing an adverse order; and the appellant made all necessary arrangements with regard to physical infrastructure and other facilities.

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by more than nine years, beyond the prescribed period of 60 days. The Committee noted that according to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under Section 14, Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the proviso to Rule 10, an appeal may be admitted after the expiry of the said period of sixty days, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the period of limitation of sixty days.

AND WHEREAS the Committee noted that the letter of the N.R.C. dt. 02/03/2009 is not an order under any one of the Sections of the NCTE Act, 1993. Notwithstanding this position, the appellant inordinately delayed making the appeal. The reason given by the appellant that they have appealed now as the State Government has given NOC for this course for the session 2019-20 is not a sufficient cause for not preferring an appeal for eight years, seven months. In these circumstances, the Committee decided not to admit the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee decided not to admit the appeal.



(Sanjay Awasthi)
Member Secretary

1. . **The Secretary/Appellant, Agarwal Girls STC College, Merta City – 341510, Rajasthan**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.