



F.No.89-771/E-95011/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of K.R. Teachers Training Institute, Lakhani, Khandela, Ringus – 332409, Rajasthan dated 07.11.2018 is against the Letter No. Old App/NRCAPP-4285/288/2017/169553 dated 23/03/2017 of the Northern Regional Committee, returning application for recognition for conducting D.El.Ed. course on the following grounds: -

- *"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 filed a S.B. Civil Writs No. 24576 of 2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their Order dt. 01/11/2018, disposed of the petition reserving liberty to the petitioner to avail the remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS the appellant aggrieved by the Letter of the N.R.C. dt. 23/03/2017 returning their application, preferred an appeal and made the following submissions:-

- "i. The NRC erred in deciding the matter and did not make any effort to even look on the application in consonance of NCTE's Regulation under which*

the application was submitted offline. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court, the application was submitted offline.

- ii. If the institution were provided opportunity to file afresh as per the directions of Hon'ble Court, it would have been done but due to the virtual impossibility, afresh submission the application online was totally impossible.*
- iii. Further, in the similar matter while disposing of the appeal u/s 18 of the 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 NRC 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."*

AND WHEREAS K.R. Teachers Training Institute, Lakhani, Khandela, Ringus – 332409, Rajasthan was asked to present the case of the appellant institution on 30/01/2019. The appellant did not appear before Appeal Committee for making personal presentation of its case. As per extant 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. Mahendar, Secretary, K.R. Teachers Training Institute, Lakhani, Khandela, Ringus – 332409, Rajasthan presented the case of the appellant institution on 01/05/2019 i.e. the second opportunity granted to them. The appellant, with their letter dt. 01/05/2019, enclosing a copy of the order of the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur dt. 13/03/2019 in S.B. Civil Writs No. 5232/2019, filed by a society named Yash Public Shiksha Samiti, Ranoli and a copy the order of the Director, Primary Education, Rajasthan, Bikaner dt. 06/03/2019,

granting No Objection Certificate, as an affiliating body, to a number of institutions, including the appellant, for D.El.Ed. course during the academic year 2019-2020, requested that their case may be remanded to the N.R.C. for taking action as per the provisions of Clause 5 (3), 7(4), 7(5) and 7(6) of the NCTE Regulations, 2014.

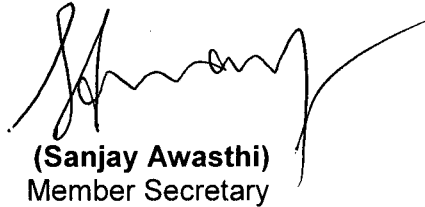
AND WHEREAS the Committee noted that the appellant is not a party to the S.B. Civil Writs No. 5232/2019. Moreover, the Council is taking appropriate steps to challenge the orders of the Hon'ble High Court dt. 13/03/2019.

AND WHEREAS the relevant regulatory file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains. The Committee noted that according to the provisions of Clause 5 (3) of the NCTE Regulations, 2014 referred to in the Council's letter dt. 18/12/2018, applications have to be submitted online electronically alongwith processing fee etc. and this is possible only as and when the Council, through a Public Notice, invites applications, for such teacher training courses as may be specified in the Public Notice and only during the period specified, when the NCTE portal remains open. The Committee also noted that in view of the N.R.C. returning the application, along with all documents to the appellant, virtually no application of the appellant exists as of now. Therefore, the question of N.R.C. taking any action as requested by the appellant does not arise.

AND WHEREAS in view of the above position and the categorical decision of the Council referred to in para 7 above, the Committee concluded that the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, K.R. Teachers Training Institute, Lakhani, Khandela, Ringus – 332409, 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.89-772/E-95010/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Shekhawati Gramin Teacher Training Institute, Bay Danta Road, Dantaramgarh – 332601, Rajasthan dated 05.11.2018 is against the Letter No. Old App/NRCAPP-4919/287/2017/169560 dated 23/03/2017 of the Northern Regional Committee, returning application for recognition for conducting D.El.Ed. course on the following grounds: -

- *"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 filed a S.B. Civil Writs No. 24577 of 2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their Order dt. 01/11/2018, disposed of the petition reserving liberty to the petitioner to avail the remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS the appellant aggrieved by the Letter of the N.R.C. dt. 23/03/2017 returning their application, preferred an appeal and made the following submissions:-

"The NRC erred in deciding the matter and did not make any effort to even look on the application in consonance of NCTE's Regulation under which the

application was submitted offline. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court, the application was submitted offline. If the institution were provided opportunity to file afresh as per the directions of Hon'ble Court, it would have been done but due to the virtual impossibility, afresh submission the application online was totally impossible. Further, in the similar matter while disposing of the appeal u/s 18 of the 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 NRC 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."

AND WHEREAS Shekhawati Gramin Teacher Training Institute, Bay Danta Road, Dantaramgarh – 332601, Rajasthan was asked to present the case of the appellant institution on 30/01/2019. The appellant did not appear before Appeal Committee for making personal presentation of its case. As per extant 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. Dinesh Kumar, Secretary, Shekhawati Gramin Teacher Training Institute, Bay Danta Road, Dantaramgarh – 332601, Rajasthan presented the case of the appellant institution on 01/05/2019 i.e. the second opportunity granted to them. The appellant, with their letter dt. 30/04/2019, enclosing a copy of the order of the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur dt. 01/03/2019 in S.B. Civil Writs Nos. 1222, 1223, 1225, 2089, 3221 and 2019 filed by some institutions and a copy of the order of the Director, Primary Education, Rajasthan, Bikaner dt. 27/03/2019, granting No Objection Certificate, as an affiliating body, to a number of

institutions, including the appellant, for D.El.Ed. course during the academic year 2019-2020, requested that their case may be remanded to the N.R.C. for taking action as per the provisions of Clause 5 (3), 7(4), 7(5) and 7(6) of the NCTE Regulations, 2014.

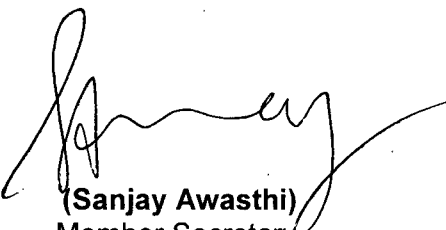
AND WHEREAS the Committee noted that the appellant is not a party to the S.B. Civil Writs Nos. 1222, 1223, 1225, 2089, 3221 and 3222 of 2019. Moreover, the Council is taking appropriate steps to challenge the orders of the Hon'ble High Court dt. 01/03/2019.

AND WHEREAS the relevant regulatory file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains. The Committee noted that according to the provisions of Clause 5 (3) of the NCTE Regulations, 2014 referred to in the Council's letter dt. 18/12/2018, applications have to be submitted online electronically alongwith processing fee etc. and this is possible only as and when the Council, through a Public Notice, invites applications, for such teacher training courses as may be specified in the Public Notice and only during the period specified, when the NCTE portal remains open. The Committee also noted that in view of the N.R.C. returning the application, along with all documents to the appellant, virtually no application of the appellant exists as of now. Therefore, the question of N.R.C. taking any action as requested by the appellant does not arise.

AND WHEREAS in view of the above position and the categorical decision of the Council referred to in para 7 above, the Committee concluded that the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Shekhawati Gramin Teacher Training Institute, Bay Danta Road, Dantaramgarh – 332601, 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.89-787/E-95311/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Oxford College, Khasra No. 407, Ward No.7, Nawalgarh, Jhunjhunu – 333042, Rajasthan dated 04.11.2018 is against the Letter No. New Appl./RF/Raj./NRCAPP-6861/2013-14/50897 dated 21/06/2013 of the Northern Regional Committee, returning application for recognition for conducting D.El.Ed. course on the following grounds: -

- *"The NRC considered the letter No. 49-7/2012/NCTE/N&S 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 judgements of the Hon'ble Supreme Court:-*
 - *The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP 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 judgment 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 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 applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants."*

AND WHEREAS the appellant filed a S.B. Civil Writs No. 24466 of 2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their Order dt. 31/10/2018, disposed of the petition reserving liberty to the petitioner to avail the remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS the appellant aggrieved by the Order of the N.R.C. dt. 21/06/2013 returning their application, preferred an appeal and it was submitted "*The controversy settled by the Appellate Authority, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-488/E-9740/2017 Appeal/17th Meeting-2017 dt. 27.11.2017 titled "J.B.M. College of Education" directed the NRC to process further the application 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 into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular State for the prospective academic year(s), applications are invited, the*

Regional Committee has no right to reject it on grounds of ban imposed subsequently by the State Government.”

AND WHEREAS Oxford College, Khasra No. 407, Ward No.7, Nawalgarh, Jhunjhunu – 333042, Rajasthan was asked to present the case of the appellant institution on 30/01/2019. The appellant did not appear before Appeal Committee for making personal presentation of its case. As per extant 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. Manu Mahindra, Secretary and Sh. Hari Singh, Member, Oxford College, Khasra No. 407, Ward No.7, Nawalgarh, Jhunjhunu – 333042, Rajasthan presented the case of the appellant institution on 01/05/2019 i.e. the second opportunity granted to them. In an undated letter submitted in the course of presentation, the appellant stated that the State Government of Rajasthan in their letter dt. 01/01/2018 are issuing No Objection Certificate for grant of recognition/increase in seats in D.El.Ed. course.

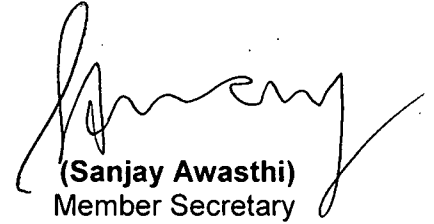
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to

the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in their above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

AND WHEREAS the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. The Committee also noted that in view of the N.R.C. returning the application in original to the appellant, with a request to the NCTE to refund the processing fee also, virtually no application exists as of now. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the positions stated in para 7 above, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Oxford College, Khasra No. 407, Ward No.7, Nawalgarh, Jhunjhunu – 333042, 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.89-793/E-95599/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Shekhawati STC School, Narayan Ka Bass, NH-11, Laxmangarh – 332313, Rajasthan dated 10.11.2018 is against the Letter No. New Appl./RF/Raj./NRCAPP-6852/2013-14/49817 dated 18/06/2013 of the Northern Regional Committee, returning application for recognition for conducting D.El.Ed. course on the following grounds: -

- *"The NRC considered the letter No. 49-7/2012/NCTE/N&S 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 judgements of the Hon'ble Supreme Court:-*
 - *The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP 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 judgment 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 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 applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants."*

AND WHEREAS the appellant filed a S.B. Civil Writs No. 24581 of 2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their Order dt. 01/11/2018, disposed of the petition reserving liberty to the petitioner to avail the remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS the appellant aggrieved by the Order of the N.R.C. dt. 18/06/2013 returning their application, preferred an appeal and it was submitted "*The controversy settled by the Appellate Authority, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-488/E-9740/2017 Appeal/17th Meeting-2017 dt. 27.11.2017 titled "J.B.M. College of Education" directed the NRC to process further the application 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 into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular State for the prospective academic year(s), applications are invited, the*

Regional Committee has no right to reject it on grounds of ban imposed subsequently by the State Government."

AND WHEREAS Shekhawati STC School, Narayan Ka Bass, NH-11, Laxmangarh – 332313, Rajasthan was asked to present the case of the appellant institution on 30/01/2019. The appellant did not appear before Appeal Committee for making personal presentation of its case. As per extant 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. Sunil Kumar, Secretary, Shekhawati STC School, Narayan Ka Bass, NH-11, Laxmangarh – 332313, Rajasthan presented the case of the appellant institution on 01/05/2019 i.e. the second opportunity granted to them. The appellant, with a letter dt. 29/04/2019, submitted in the course of presentation, inter-alia enclosed a copy of the order of the Director, Primary Education, Rajasthan, Bikaner, dt. 27/03/2019 granting, as the affiliating body, N.O.C. to the institutions mentioned therein, including the appellant institution for D.El.Ed. course during the academic year 2019-20. The appellant also enclosed a copy of the order of the Hon'ble High Court of Judicature for Rajasthan, Jaipur Bench dt. 01/03/2019 in S.B. Civil Writs No. 1222-25, 2089, 3059, 3221-2 filed by some other institutions in which certain directions were issued in the backdrop of adjudication made by the Hon'ble Delhi High Court.

AND WHEREAS the Committee, in the first instance, noted that the appellant was not a party in the S.B. Civil Writs mentioned in para 5 above. Moreover, the Council is taking appropriate steps to challenge the orders dt. 01/03/2019 passed by the Hon'ble High Court of Rajasthan.

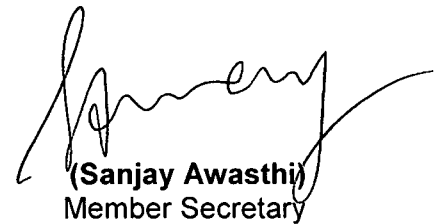
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in their above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

AND WHEREAS the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. The Committee also noted that in view of the N.R.C. returning the application in original to the appellant, with a request to the NCTE to refund the processing fee also, virtually no application exists as of now. In

view of this position, the Committee concluded that the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the position stated in paras 7 & 8 above, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shekhawati STC School, Narayan Ka Bass, NH-11, Laxmangarh – 332313, 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.89-796/E-95538/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Chaudhary Sahab Shivcharan Degree College, Norojpur Gurjar, Post – Tatiri, Bagpat – 250601, Uttar Pradesh dated 12.11.2018 is against the Order No. NRC/NCTE/NRCAPP-12514/288th Meeting/2018/196714 dated 12/09/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the following grounds that *“LOI was issued on 06.02.2018. No reply was received, Show Cause Notice was issued on 06.07.2017. Reply of SCN received on 18.07.2018 whereby the institution sought extension of time for submission of reply of LOI. The request for extension of time for submission of reply of LOI is not accepted.”*

AND WHEREAS Chaudhary Sahab Shivcharan Degree College, Norojpur Gurjar, Post – Tatiri, Bagpat – 250601, Uttar Pradesh was asked to present the case of the appellant institution on 30/01/2019. The appellant did not appear before Appeal Committee for making personal presentation of its case. As per extant 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. Subhash Chand, Chairman, Chaudhary Sahab Shivcharan Degree College, Norojpur Gurjar, Post – Tatiri, Bagpat – 250601, Uttar Pradesh presented the case of the appellant institution on 01/05/2019 i.e. the second

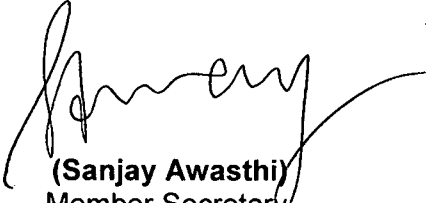
opportunity granted to them. The appellant, in the appeal and during presentation submitted that they had requested the N.R.C. in their letter dt. 17/04/2018 to extend period of compliance due to delay of faculty approval by the affiliating authority of Uttar Pradesh State. They had also replied to the Show Cause Notice dt. 06/07/2018 in their letter dt. 16/07/2018 in which they again requested extension of time to submit compliance of Letter of Intent as approval of faculty list by the affiliating body is expected soon.

AND WHEREAS the Committee noted that the Letter of Intent was issued on 26/02/2018, which was required to be complied within two months from the date of issue. The Committee noted that the two letters dt. 17/04/2018 and 16/07/2018 sent by the appellant seeking extension of time are available in the N.R.C's file. Though the appellant enclosed to their appeal, copies of their two reminders dt. 27/02/2019 and 15/03/2019 to the Examination Regulatory Authority, Uttar Pradesh, Allahabad requesting them to approve their faculty list, even as on date, the approval has not become available and therefore compliance of the Letter of Intent dt. 26/02/2018 is still pending.

AND WHEREAS in view of the position stated above, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

- 1. The Chairman, Chaudhary Sahab Shivcharan Degree College, Norojpur Gurjar, Post – Tatiri, Bagpat – 250601, 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.89-807/E-96103/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Cambridge Teacher Training Institute, Khandela, Kanwat – 332708, Rajasthan dated 14.11.2018 is against the Letter No. New Appl./RF/Raj./NRCAPP-8392/2013-14/51076 dated 21/06/2013 of the Northern Regional Committee, returning application for recognition for conducting D.El.Ed. course on the following grounds: -

- *"The NRC considered the letter No. 49-7/2012/NCTE/N&S 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 judgements of the Hon'ble Supreme Court:-*
 - *The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP 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 judgment 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 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 applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants."*

AND WHEREAS the appellant filed a S.B. Civil Writs No. 24575 of 2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their Order dt. 14/11/2018, disposed of the petition reserving liberty to the petitioner to avail the remedy of appeal. The Hon'ble High Court also observed that in case an appeal is instituted by the petitioner, the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS the appellant aggrieved by the Order of the N.R.C. dt. 21/06/2013 returning their application, preferred an appeal and it was submitted "*The controversy settled by the Appellate Authority, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-488/E-9740/2017 Appeal/17th Meeting-2017 dt. 27.11.2017 titled "J.B.M. College of Education" directed the NRC to process further the application 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 into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular State for the prospective academic year(s), applications are invited, the*

Regional Committee has no right to reject it on grounds of ban imposed subsequently by the State Government.”

AND WHEREAS Cambridge Teacher Training Institute, Khandela, Kanwat – 332708, Rajasthan was asked to present the case of the appellant institution on 31/01/2019. The appellant did not appear before Appeal Committee for making personal presentation of its case. As per extant 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. Hari Singh, President and Dr. Mahariya, Secretary, Cambridge Teacher Training Institute, Khandela, Kanwat – 332708, Rajasthan presented the case of the appellant institution on 01/05/2019 i.e. the second opportunity granted to them. The appellant, in a letter dt. 01/05/2019, submitted that the State Government Rajasthan, in their letter dt. 01/01/2018 (copy enclosed) decided to issue N.O.C. for D.El.Ed. course and the Director, Primary Education, Rajasthan, Bikaner on 15/03/2019 issued such N.O.C. to some institutions, including the appellant institution, and a copy of this communication is enclosed. The appellant requested that their papers may be sent to the Regional Committee for taking further necessary action.

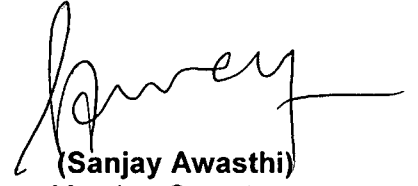
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new

B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in their above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

AND WHEREAS the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. The Committee also noted that in view of the N.R.C. returning the application in original to the appellant, with a request to the NCTE to refund the processing fee also, virtually no application exists as of now. In view of this position, the Committee concluded that the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the positions stated in para 7 above, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Cambridge Teacher Training Institute, Khandela, Kanwat – 332708, 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.89-493/E-82172/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of College of Education, Somwar Peth Pantach Kot, Karad, Maharashtra dated 27/06/2018 is against the Order No. WRC/OAPW0756/113074/MH/290th/2018/196854 dated 04/04/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "Consequent to the Revised Recognition order dt. 31.05.2015, Show Cause Notice dated 23.02.2016 was issued to the institution. The institution replied on 19.01.2017. The institution has submitted a list of seven faculty members who are not approved by the affiliating body, Principal has not been appointed. Secondly, Building Completion Certificate in the prescribed format and countersigned by a Govt. Engineer not submitted in original and FDRs for Rs. 12.00 lakhs not submitted (in joint name) in original. Hence, Recognition is withdrawn from the end of the next academic session."

AND WHEREAS Dr. Karale Dayanand, Principal (I/c), College of Education, Somwar Peth Pantach Kot, Karad, Maharashtra presented the case of the appellant institution on 27/08/2018. In the appeal and during personal presentation it was submitted that in the year 2014 the Principal Dr.Khade Sopan Govinda who was working as Principal in appellant college has resigned due to his personal reason. It may kindly be appreciated that the management has to follow the rules, regulations, directions given by the State Government of Maharashtra. It is respectfully submitted that as per the rules and regulations the management has verified the roster maintained by them through concerned authority i.e. Scheduled Caste Division, Pune. It is respectfully submitted that, as per the direction to fill the posts of teaching staff, the institution has to follow the reservation criteria. It is respectfully submitted that, the management has appointed the staff as per the criteria given by the NCTE, Regulation, 2014 but due to roster approval the affiliating authority i. e. Shivaji

University, Kolhapur has withheld the permission for filling of the said posts. Hence, it was practically difficult for management to appoint the concerned staff in Appellant college as per the Regulation 2014. It may be kindly appreciated that, due to this technical reason the management was unable to get approval of staff which has been appointed in the Appellant college. The list of staff along with their appointment order has been annexed with this appeal. It is respectfully submitted that, the Appellant Management/college has maintained the endowment fund and reserve fund as per the Regulation of NCTE in Oriental Bank of Commerce, Branch Tarabai Park, Kolhapur. It is respectfully submitted that the said certificate and receipt of endowment funds issued by the said bank has been annexed with this appeal. It is respectfully submitted that, the NCTE authority, Bhopal has not considered this fact before passing the withdrawal of recognition order. It is respectfully submitted that, the management is having area of 2585.87 Sq.M. at Karad wherein the appellant college is established. The Municipal Corporation, Karad has withheld the completion certificate of the said college hence it is practically difficult for the Appellant college to submit the said completion certificate as per the NCTE, Regulation, 2014. It is respectfully submitted that, the Appellant college is one of the oldest and reputed College in Karad City, Maharashtra which is having the reputation of making good students from the college. It is respectfully submitted that, before passing the withdrawal of recognition order NCTE, Authority has never given the opportunity of being heard which caused the denial of natural justice to the Appellant college. It is respectfully submitted that, the said order of withdrawal of recognition is without following the criteria which is set down the under the NCTE, Act. It may kindly be appreciated that, the Appellant College has received the revised order of recognition in the year 2015 thereafter no such time has been given by the NCTE, Authority for fulfilment of criteria under the NCTE Regulations, 2014. The said order of withdrawal of recognition is arbitrary. It may kindly be appreciated that, if the said order dated on 04/04/2018 is not set aside it will cause gross loss to the college, management, and staff which will never compensate in terms of money. In the interest of justice the order dated 04/04/2018 may kindly be set aside and give the reasonable opportunity for fulfilment of criteria contemplated under NCTE, Regulations, 2014. It is respectfully submitted that, the

said appeal will take more time for hearing and the final decision. Hence it is necessary in the interest of justice to pass the interim order that, during the pendency of the appeal the appellant college may be allowed to take admissions for the academic year 2018-19.

AND WHEREAS in the course of presentation, the appellant gave a letter dt. 27/08/2018 requesting for one more opportunity for submitting list of teaching staff duly approved by the affiliating body. 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 the appellant, in their letter dt. 14/02/2019, submitted that in order to complete all the supporting documentary evidence, they require some extra time. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

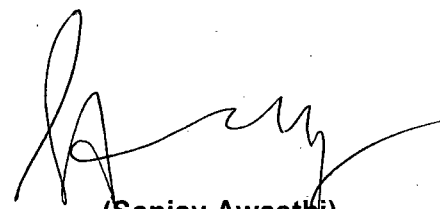
AND WHEREAS Dr. Dayanand Narayan Karale, I/c Principal and Sh. Milind Pawar, Member, College of Education, Somwar Peth Pantach Kot, Karad, Maharashtra presented the case of the appellant institution on 01/05/2019 i.e. the third and final opportunity granted to them. The appellant, in a letter dt. 01/05/2019 stated that proof of maintaining the Endowment Fund and Reserve Fund as per the Regulations, has already been filed in NCTE office and Building Completion Certificate issued by the Competent Authority (Karad Municipal Council, Karad) was also submitted in NCTE office previously. Regarding faculty approved by the affiliating university, the appellant stated that four teachers were appointed with due procedure and approval of Shivaji University Kolhapur. The appellant submitted that after getting a report from the Assistant Commissioner of Scheduled Castes, Pune, they have approached the university on 29/04/2019 seeking permission to publish advertisement for appointment of Principal and two lecturers and they are ready to comply with appointment to these posts within six months.

AND WHEREAS the Committee noted that the appellant with their letter dt. 01/05/2019 enclosed (i) copies of two FDRs, on for Rs. 4,81,643/- renewed upto 31/12/2022 and another for Rs. 7,55,602/- renewed upto 04/02/2022; (ii) a copy of building plan but not a Building Completion Certificate in the prescribed format signed by a Government Engineer; and (iii) a staff profile of four members.

AND WHEREAS the Committee, noting that the appellant has not complied with the requirements of the Show Cause Notice dt. 23/12/2016, issued nearly two and half years back and is still asking for extension of six months time for appointment of required faculty duly approved by the affiliating body, which is not acceptable, concluded that the WRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the WRC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The I.C. Principal, College of Education, Somwar Peth Pantach Kot, Karad – 415110, Maharashtra.
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 Maharashtra, Mumbai.



F.No.89-64/E-62832/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of DEO Nagina Teacher Training College, Mohiuddinpur, Masaurhi-Naubatpur Road, Masaurhi, Bihar dated 02/02/2018 is against the Order No. ERC/247.6.47/APP3804/B.Ed./2017/55601 dated 05/01/2018 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(i) LOI u/c 7(13) was issued on 23.09.2016. (ii) Show Cause Notice was issued on 08.04.2017 for compliance of reply to LOI. (iii) Reply from the institution has not been received within the stipulated period, which is already over. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP3804 of the institution regarding recognition of applied B.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Vinay Kumar Sinha, Director, DEO Nagina Teacher Training College, Mohiuddinpur, Masaurhi-Naubatpur Road, Masaurhi, Bihar presented the case of the appellant institution on 07/04/2018 and 28/08/2018. In the appeal and during personal presentation it was submitted that "Letter of Intent was not received by the Institution. The order of LOI was provided to the authorized person of the Institution on 21.03.2017. University Representative was also not nominated by the Affiliating Body within time for participating in the selection process for appointment. The Institution filed a writ petition bearing C.W.J.C. No. 9612 of 2017 before Hon'ble Patna High Court. UR was nominated by the University on 22.06.2017. Since the cut-off date for recognition for the Session ended on 31.05.2017 and UR was nominated subsequently as such the Institution was taking steps for appointment of faculty members before the start of Academic Session 2018-19. Even Advertisement in the daily News Paper has already been issued for

appointment of Faculty members. In the meanwhile, when the matter was pending before Court, the ERC of NCTE issued impugned order of refusal of recognition. The Honourable Court by order dated 25.01.2018 has disposed of the Writ Petition with certain positive direction. The Institution is ready with all other requirements as per the order of LOI. There has absolutely been no delay on the part of the Institution in submission of reply of LOI rather it was due to the latches on the part of the ERC and the Affiliating Body, the necessary reply pursuant to the LOI could not be submitted. The Institution craves leave to produce the Writ Petition as well as other Affidavits filed before Patna High Court at the time of hearing of Appeal by NCTE. The order passed by the ERC of NCTE may be quashed and the ERC be directed to grant recognition from the Academic Session 2018-19."

AND WHEREAS the appellant in the course of presentation gave a letter dt. 28/08/2018. In this letter the appellant stated that due to bifurcation of the affiliating university a new university named Patliputra University has emerged which will now be the affiliating body for the appellant institution. The appellant further sought another opportunity to submit faculty list which has been delayed due to change in the affiliating university. The Committee acceded to the request and decided to give the appellant another (third and final) opportunity i.e. to the appellant to present their case.

AND WHEREAS Sh. Vinay Kumar Sinha, Director, DEO Nagina Teacher Training College, Mohiuddinpur, Masaurhi-Naubatpur Road, Masaurhi, Bihar presented the case of the appellant institution on 16/02/2019 i.e. the third and final opportunity granted to them. The appellant, in a written submission dt. 15/02/2019, stated that, pursuant to the directive of the Hon'ble High Court, the new affiliating university, namely, Pataliputra University, Patna in their Notification dt. 14/02/2019 has nominated their representative. A copy of the Notification has been enclosed. The appellant further stated that the selection process would be now completed within two weeks and they may be allowed to submit the approved faculty list to E.R.C. so

that a final decision could be taken for the academic session 2019-20 before the cut-off date.

AND WHEREAS the Committee noted that the appellant, in their letter dt. 17/03/2017 (available in the file), informed the ERC that they have not received the Letter of Intent, but still wrote to Magadh University, Bodh Gaya for appointment of teachers, who did not take any further action for want of L.O.I. In these circumstances, he could not reply. The appellant, in the appeal, has explained in detail the steps that were being taken by them for getting the faculty selected with the help of the university's (Magadh University) nominee. There was an intervening development too, i.e. bifurcation of the previous university and emergence of a new university (Pataliputra University). Since the appellant has stated that advertisements have already been issued and under the orders of the Hon'ble Patna High Court, the new affiliating university has issued notification on 14/02/2019 nominating their representative, the Committee concluded that the appellant may be given one more opportunity, as a special case, to present their case.

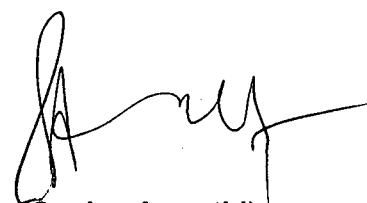
AND WHEREAS Sh. Vinay Kumar Sinha, Director, DEO Nagina Teacher Training College, Mohiuddinpur, Masaurhi-Naubatpur Road, Masaurhi, Bihar presented the case of the appellant institution on 01/05/2019 i.e. the additional opportunity given to them, as a special case. The appellant, with their letter dt. 01/05/2019, submitted a copy of the faculty list consisting of a principal and nine Assistant Professors for their B.Ed. course countersigned by the Registrar, Pataliputra University, Patna on 06/03/2019.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the staff list and other documents as required in the Letter of Intent, to be sent 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 faculty list submitted in appeal and all other

documents required as per the Letter of Intent, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the staff list and other documents as required in the Letter of Intent, to be sent 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 faculty list submitted in appeal and all other documents required as per the Letter of Intent, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of DEO Nagina Teacher Training College, Mohiuddinpur, Masaurhi-Naubatpur Road, Masaurhi, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, DEO Nagina Teacher Training College, Mohiuddinpur, Masaurhi-Naubatpur Road, Masaurhi – 804452, Bihar.
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 Bihar, Patna.



F.No.89-266/E-72143/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of HNBGU (Hemwati Nandan Bahuguna Garhwal University, A Central University Srinagar Garhwal, Uttarakhand dated 02/04/2018 is against the Order No. NRC/NCTE/NRCAPP-10142/281st Meeting/2018/189573 dated 23/02/2018 of the Northern Regional Committee, refusing recognition for conducting M.P.Ed. Course on the grounds that "the applicant University has not yet appointed the requisite number of faculty members with the designation Professor and Associate Professor. 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 HNBGU (Hemwati Nandan Bahuguna Garhwal University, A Central University Srinagar Garhwal, Uttarakhand presented the case of the appellant institution on 31/05/2018. In the appeal and during personal presentation it was submitted that "University has appointed one Professor and Three Assistant Professors in addition to the existing faculties. In the Department we have already two faculty members namely Dr. Joseph Singh and Dr. Mukul Pant, who have more than 10 years of teaching experiences and their promotion to Associate Professor under CAS is pending, which is likely to be conducted after appointment of regular Vice Chancellor. University is in process of advertising the posts of Physical Education. As there is No Regular Vice Chancellor in the University, recruitment process may take a few months more. However, the University is committed to maintain the quality of teaching and committed to follow the norms of NCTE act. Considering the above circumstances and the commitment of the University to follow the Norms of NCTE, I am requesting you to allow us to continue our M.P.Ed. Course.

The University on Priority will fill up the sanctioned vacant posts after the Appointment of Regular Vice Chancellor.”

AND WHEREAS Appeal Committee noted the written request dated 31/05/2018 made by appellant seeking another opportunity to present the case with action taken report by university for appointment of faculty. Appeal Committee decided to grant another opportunity to the appellant to present its case before Appeal Committee

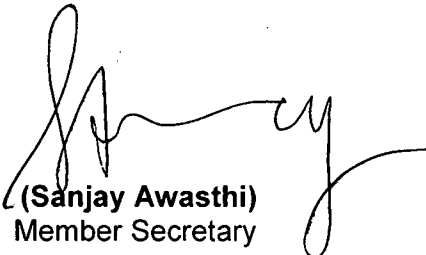
AND WHEREAS Sh. A.K. Jha, Registrar and Dr. Hiralal Yadav, Asstt. Professor, HNBGU (Hemwati Nandan Bahuguna Garhwal University), a Central University, Srinagar, Garhwal, Uttarakhand presented the case of the appellant institution on 16/02/2019. The appellant, in the course of presentation, submitted a letter dt. 16/02/2019, in which he requested extension of time upto 31/03/2019 to complete the process of recruitment of the requisite posts in the Physical Education Department. Considering that appellant institution is a Central University, the Committee acceded to the request and decided to give the appellant another opportunity as a special case.

AND WHEREAS Dr. Mukul Pant, Assistant Professor, HNBGU (Hemwati Nandan Bahuguna Garhwal University), a Central University, Srinagar, Garhwal, Uttarakhand presented the case of the appellant institution on 01/05/2019, the additional opportunity given to them, as a special case. The appellant, with their letter dt. 29/04/2019, submitted copies of the faculty lists, for their M.P.Ed. course, countersigned by the Registrar, HNBGU (Hemwati Nandan Bahuguna Garhwal University), Srinagar (Garhwal), Uttarakhand.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the faculty lists, 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. the faculty lists, submitted in the appeal, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and 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 the faculty list, 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. the faculty lists submitted in the appeal within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of HNBGU (Hemwati Nandan Bahuguna Garhwal University, A Central University Srinagar Garhwal, Uttarakhand to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Registrar, HNBGU (Hemwati Nandan Bahuguna Garhwal University, A Central University NH-58 Srinagar Garhwal – 246174, Uttarakhand.
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 Uttarakhand, Dehradun.



F.No.89-604/E-86999/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Geeta Co-Education Teacher Training College, Gharsana, Rajasthan dated 20/08/2018 is against the Order No. NCTE/NRC/NRCAPP201616132/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 28/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “the applicant institution has not submitted the reply of the SCN dated 23.01.2017 within the stipulated time. NRC decided to reject the application and refuse the recognition. 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 the appellant, aggrieved by the order of the N.R.C. dt. 28/03/2017, filed a S.B. Civil Writs No. 16944/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 03/08/2018, 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 three months.

AND WHEREAS Geeta Co-Education Teacher Training College, Gharsana, Rajasthan was asked to present the case of the appellant institution on 03/10/2018 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 Geeta Co-Education Teacher Training College, Gharsana, Rajasthan was asked to present the case of the appellant institution on 18/02/2019 i.e. the second opportunity granted to them, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Geeta Co-Education Teacher Training College, Gharsana, Rajasthan was asked to present the case of the appellant institution on 01/05/2019, i.e. the third and final opportunity granted to them, but nobody from the institution appeared. The Committee, therefore, decided to consider the matter on the basis of records.

AND WHEREAS the appellant, in their appeal, submitted that the Show Cause Notice dt. 23/01/2017, was not served in time and they received the same through e-mail on 22/02/2017, a copy of which is enclosed. The appellant also submitted that they sent a reply on 24/03/2017 along with desired / asked for documents. The appellant enclosed a copy of their undated letter, which bears the receipt stamp of the N.R.C. dt. 24/03/2017. This letter is available in the file of the N.R.C.

AND WHEREAS the submission of the appeal has been delayed by one year, two months and 23 days beyond the prescribed period of sixty days.

AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 16 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, 1993 and the Proviso thereunder, no appeal shall be admitted if it is preferred after the

expiry of the period prescribed therefor, provided that an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the committee noted that the appellant, in their appeal, has not given any reason, whatsoever for not preferring the appeal within the prescribed period. In these circumstances, the Committee decided not to admit this appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit and documents available on records, the Committee concluded not to admit the appeal on ground of delay. Hence the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Geeta Co-Education Teacher Training College, 24, ASC New Mandi, Gharsana – 335711, 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.89-501(A)/E-82457/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Maharishi Centre for Educational Excellence, Lambakheda, Huzur, Madhya Pradesh dated 18/07/2018 is against the Order No. WRC/APW03053/224109/291st{M.P.}/2018/197615 dated 08.05.2018 of the Western Regional Committee, withdrawing recognition for conducting B.P.Ed. Course on the grounds that "the matter was placed in 291st WRC meeting held on April 26-27, 2018 and the Committee observed that "Compliance letter was issued to the institution on 08.12.2017 and reply has not been received till date. Hence, Recognition is withdrawn from the end of the next academic session."

AND WHEREAS Maharishi Centre for Educational Excellence, Lambakheda, Huzur, Madhya Pradesh was asked to present the case of the appellant institution on 05/10/2018 but nobody appeared. As per extant appeal rules an appellant can seek upto three adjournment for making a personal presentation before Appeal Committee. Appeal Committee decided to grant another (second) opportunity to the appellant for making a personal presentation before Appeal Committee.

AND WHEREAS notice dated 23/01/2019 for hearing of the Appeal on 18/02/2019 was issued. Appellant in response to the above notice informed by its letter dated 15/02/2019 to give a fresh date of hearing after two months. Although the date of hearing cannot be postponed as per convenience of the appellant, yet the Appeal Committee decided to grant another i.e. third and final opportunity to be heard in person.

AND WHEREAS Maharishi Centre for Educational Excellence, Lambakheda, Huzur, Madhya Pradesh was asked to present the case of the appellant institution on 01/05/2019 i.e. the third and final opportunity granted to them, but nobody from the institution appeared. The Committee, therefore, decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the WRC, in their compliance letter dt. 08/12/2017 informed the appellant that the intake in B.P.Ed. cannot be reduced to 50 as requested, since the intake in the basic unit as per NCTE Regulations, 2014 is 100. The WRC also informed the appellant that they have submitted a list of one Principal, One HOD and six faculty members and the institution should appoint staff as per Appendix – VII of NCTE Regulations, 2014. There is no reply to this letter from the appellant.

AND WHEREAS the appellant, in the appeal, merely stated that teaching staff has now been approved, without giving any details. The appellant, in their letter dt. 15/02/2019, seeking extension of two months for next hearing, stated that the approval of teaching staff by the affiliating university is under process. The appellant did not appear even on the third and final opportunity granted to them.

AND WHEREAS in view of the above position, the Committee concluded that the WRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the WRC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

- 1. The National Coordinator, Maharishi Centre for Educational Excellence, Lambakheda, Berasia Road, Huzur – 462018, 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.89-566/E-85997/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Ramgarhia College of Education, Hadiabad Road, Satnampura, Phagwara, Punjab dated 28/07/2018 is against the Order No. NRC/NCTE/NRCAPP-2268/285th Meeting/2018/194456 dated 14/06/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution has not submitted the approved list of teachers for D.El.Ed. course from affiliating body. The NRC as per provisions of Regulations, 2014 has to consider the approved list of faculty members from the concerned affiliating body for D.El.Ed. programme for grant of formal recognition. 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. Mukesh Sharma, Assistant Professor and Dr. Yogesh Sharma, Representative, Ramgarhia College of Education, Hadiabad Road, Satnampura, Phagwara, Punjab presented the case of the appellant institution on 20/11/2018. In the appeal and during personal presentation it was submitted that "in compliance of the orders passed by the Hon'ble Punjab and Haryana High Court in C.W.P. No. 12034 of 2015, the Northern Regional Committee had sent a letter to Director SCERT Punjab for providing the State Government views with regard to faculty approval. Additionally, it has been recorded that no communication was received by the Northern Regional Committee from the State Government. However strangely it has further been recorded that the Northern Regional Committee can process our application only after the list of faculty is approved by the affiliating body i.e. SCERT Punjab. Accordingly, the refusal order under reference has been issued to us. In this regard it is submitted that the issuance of the refusal order under reference is unwarranted. The Honourable High Court in its judgment dated 04.08.2017 had

categorically stated that it is made clear that in case the NCTE does not receive any communication from the State of Punjab on or before 05.09.2017 it would be free to come to the conclusion that the State of Punjab has neither any objection to the proposed faculty or to the opening of new College. Thus, once it has been recorded in the show cause notice itself issued to Ramgarhia college of Education dated 09/02/2018 that the State Government has not given its views to the Northern Regional Committee it has to be presumed that they have no objection to the list of faculty submitted by us to the State of Punjab. Accordingly, you are requested to process application and grant the necessary permission / recognition at the earliest without insisting upon any further approval from SCERT Punjab."

AND WHEREAS appellant during the course of appeal presentation on 20/11/2018 submitted a written request seeking another opportunity to present its case before Appeal Committee. As per extant appeal rules an appellant can be granted adjournment for making presentation before Appeal Committee. Appeal Committee decided to grant another (second) opportunity to the appellant institution.

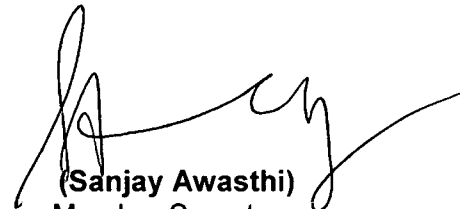
AND WHEREAS Sh. Mukesh Sharma, Assistant Professor, Ramgarhia College of Education, Hadiabad Road, Satnampura, Phagwara, Punjab presented the case of the appellant institution on 19/02/2019 i.e. the second opportunity granted to them. The appellant, in the course of presentation, submitted a letter dt. 19/02/2019 requesting another opportunity to present their case. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Ramgarhia College of Education, Hadiabad Road, Satnampura, Phagwara, Punjab was asked to present the case of the appellant institution on 01/05/2019 i.e. the third and final opportunity given to them. The appellant, without being present on 01/05/2019, sent a letter dt. 27/04/2019, merely stating that the case is already in process in Hon'ble High Court and without giving any details thereof and without any explanation.

AND WHEREAS the Committee noted that according to the provisions of Clause (13) of the NCTE Regulations, 2014, the institution shall submit inter-alia the list of faculty, as approved by the affiliating body, to the Regional Committee before grant of formal recognition. This requirement has been clearly mentioned in the Letter of Intent dt. 17/05/2015 issued to the appellant institution. The appellant has not been able to submit the approved faculty list till date. In these circumstances, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Principal, Ramgarhia College of Education, Hadiabad Road, Satnampura, Phagwara – 144402, Punjab.
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 Punjab, Chandigarh.



F.No.89-567/E-86002/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Dr. Ravinder College of Education, Mallha (Bajakhana) Mallah Road, Jaitu, Punjab dated 10/08/2018 is against the Order No. NRC/NCTE/NRCAPP-4483/285th/Meeting/2018/194413 dated 14/06/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution has not submitted the approved list of teachers for D.El.Ed. course from affiliating body. The NRC as per provisions of Regulations, 2014 has to consider the approved list of faculty members from the concerned affiliating body for D.El.Ed. programme for grant of recognition. 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. Hargobind Singh, Director, Dr. Ravinder College of Education, Mallha (Bajakhana) Mallah Road, Jaitu, Punjab presented the case of the appellant institution on 20/11/2018. In the appeal and during personal presentation it was submitted that "After issue of L.O.I., SCERT, Chandigarh did not cooperate in the selection process of faculty and appellant has moved Punjab and Haryana High Court vide C.W.P. 20205/2018.

AND WHEREAS appellant during the course of appeal hearing on 20/11/2018 requested for grant of another opportunity. Appeal Committee decided to grant another (second) opportunity to the appellant as per extant rules.

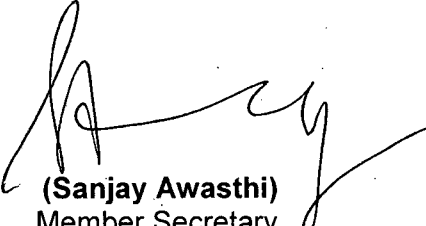
AND WHEREAS Dr. Ravinder College of Education, Mallha (Bajakhana) Mallah Road, Jaitu, Punjab was asked to present the case of the appellant institution on 19/02/2019 i.e. the second opportunity granted to them, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity, i.e. the third and final opportunity to present their case.

AND WHEREAS Dr. Ravinder College of Education, Mallha (Bajakhana) Mallah Road, Jaitu, Punjab was asked to present the case of the appellant institution on 01/05/2019 i.e. the third and final opportunity given to them, but nobody from the institution appeared. The Committee, therefore, decided to consider the appeal on the basis of records.

AND WHEREAS the Committee noted that according to the provisions Clause (13) of the NCTE Regulations, 2014, the institution shall submit, inter-alia, the list of faculty, as approved by the affiliating body, to the Regional Committee, before grant of formal recognition. This requirement has been clearly mentioned in the Letter of Intent dt. 17/09/2015 issued to the appellant institution. The appellant has not been able to submit the approved faculty list till date. In these circumstances, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Director, Dr. Ravinder College of Education, Mallha (Bajakhana) Mallah Road, Jaitu – 151205, Punjab.
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 Punjab, Chandigarh.



F.No.89-570/E-86087/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Sri Sai College of Education, Hinotia Alam, Kolar Road, Huzur, Madhya Pradesh dated 21/08/2018 is against the Order No. WRC/APW07647/223770/288th/2018/195746 dated 27/02/2018 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 was issued on 27.02.2017. Institution has not submitted the latest staff profile, Building Completion Certificate countersigned by the Government Engineer in original and additional FDR for Rs. 4.00 lakhs in original. Hence, Recognition is withdrawn from the academic session 2018-19. FDRs if any, be returned."

AND WHEREAS Sri Sai College of Education, Hinotia Alam, Kolar Road, Huzur, Madhya Pradesh was asked to present the case of the appellant institution on 20/11/2018, but nobody from the institution appeared. As per extant appeal rules an appellant can seek adjournment of appeal hearing to get an opportunity to present its case personally. Appeal Committee decided to grant another (second) opportunity to the appellant to present its case before the Committee.

AND WHEREAS Sh. Gaurav Tiwari, Representative and Sh. Sachin Jain, Admin. Officer, Sri Sai College of Education, Hinotia Alam, Kolar Road, Huzur, Madhya Pradesh appeared before the Committee on 19/02/2019 i.e. the second opportunity granted to them. The appellant, in a letter dt. 19/02/2019, requested another opportunity on account of deficiency of some documents. The Committee decided to


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

AND WHEREAS Sh. Gaurav Tiwari, Treasurer and Sh. Sachin Jain, Admin. Officer, Sri Sai College of Education, Hinotia Alam, Kolar Road, Huzur, Madhya Pradesh presented the case of the appellant institution on 01/05/2019 i.e. the third and final opportunity granted to them. The appellant, in the course of presentation, submitted a letter dt. 29/04/2019, to which he has enclosed (i) a copy of faculty list of one Principal and 15 faculty members for their B.Ed. course (2018-19), countersigned by the Registrar, Barkatullah University, Bhopal; (ii) a notarized copy of the Building Completion Certificate, signed by the Executive Engineer, PWD Maintenance, PWD Sub Division, Bhopal; and (iii) a copy of the FDR for Rs. 4 lakhs, held jointly with the Director, W.R.C. with maturity date of 18/02/2024.

AND WHEREAS the Committee, noting that the appellant has submitted all the documents found wanting in the withdrawal order, concluded that the matter deserved to be remanded to the WRC 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 WRC all the documents submitted in appeal, with originals, wherever necessary, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the above 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 WRC all the documents submitted in appeal, with originals, wherever necessary, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Sri Sai College of Education, Hinotia Alam, Kolar Road, Huzur, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Chairman, Sri Sai College of Education, Hinotia Alam, Kolar Road, Huzur – 462016, 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.89-595/E-86647/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Mahant Gurbanta Dass Memorial College of Education, Dabwali Road, Bathinda, Punjab dated 20/08/2018 is against the Order No. NRC/NCTE/NRCAPP-5109/285th/Meeting/2018/194430 dated 14/06/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution has not submitted the approved list of teachers for D.El.Ed. course from affiliating body. The NRC as per provisions of Regulations, 2014 has to consider the approved list of faculty members from the concerned affiliating body for D.El.Ed. programme for grant of formal recognition. 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. Manish Bansal, Manager and Sh. Surender Pal, Chairman, Mahant Gurbanta Dass Memorial College of Education, Dabwali Road, Bathinda, Punjab presented the case of the appellant institution on 21/11/2018. In the appeal and during personal presentation it was submitted that "the impugned order dated 04.06.2018 passed by respondent is highly unjust, arbitrary and same reflects non-application of mind. As the appellant had submitted relevant documents in response to the show cause notice which have been completely overlooked by NRC, making the order dated 14.06.2018 liable to be quashed and set aside. With regard to the observation of NRC with regard to approved list of faculty members from the concerned affiliating body for D.El.Ed. programme for grant of formal recognition, the appellant had submitted that when applicant institution had approached SCERT i.e. the affiliating body for granting approval of staff after constitution of selection committee, the SCERT had refused to constitute a panel while relying upon letter dated 24.09.2014 mentioning that a policy decision has been taken by Government of Punjab

for not permitting opening of new ETT (D.El.Ed.) Colleges for academic sessions 2015-17 and 2016-18. Therefore, applicant along with other similarly situated institutions were constrained to file writ petition bearing No. CWP NO. 26174/2015 Sant Bhumi Foundation Vs. Union of India & Others wherein, the Hon'ble Court was called upon to pass appropriate directions restraining State of Punjab in creating hurdles in recognition process. The Hon'ble Court vide its order dated 04.08.2017 had disposed off eleven writ petitions (including that of applicant herein) and it was directed to the respondent-State that in the event the petitioners submit their proposed faculty latest by 16.08.2017, State of Punjab would send its final comments on the faculty as well as on any other matter on or before 19.09.2017 and NCTE would decide the matter considering views of State of Punjab. In accordance with the order dated 04.08.2017 applicant moved a representation before State of Punjab/SCERT for compliance of the order vide its letter dated 14.08.2017. A copy of letter dated 14.08.2017 is enclosed. However, the SCERT vide its communication dated 14.08.2017 had refused to accord approval to faculty of applicant. The applicant thereafter filed a representation before the NCTE wherein it also highlighted the factual data and statistics with regard to seats in D.El.Ed. Course but no action had been taken by the NCTE due to want of approved staff. In view of the refusal of SCERT in granting approval to staff, humble applicant would draw your attention to certain legal aspects of the matter which would clearly show that the action on the part of State Government and SCERT is unjust and unwarranted. The applicant had filed its application for D.El.Ed. Course vide application dated 03.01.2013 and at the relevant time, NCTE Regulations, 2009 were in force. It is stated that as per the Regulation, 2009, NRC is to seek recommendations from State Government in terms of Regulations 7(2) 7(3) and Regulations 7(4) clearly states that if the State Government does not give its recommendation within stipulated time, the NCTE shall not defer the matter and would proceed further with the application. Similarly NCTE Regulations, 7(4) 7(5) of present NCTE Regulations, 2014 which came into effect from 01.12.2014 also maintains this provision. In any event, even if there are express positive or negative recommendations against an institution same are not binding upon NRC-NCTE and it is the NCTE which is the final authority to decide an application on merits. In case of

applicant, NCTE had already decided to cause inspection of applicant institution for verification of infrastructure and facilities which is a stage advance/subsequent to consideration of recommendations of the State Government. Thus, after NCTE having proceeded further in the matter by causing inspection and thereafter issuing a letter of intent, the recommendation of the State Government were not considerable in the eyes of law. Further, as per Regulations, 7 (13) of NCTE Regulations, 2014 the State Government/and affiliating body are bound to facilitate in granting approval to staff after due selection in accordance with their selection policy. Thus, neither the SCERT nor State of Punjab could cause any hindrance or impediment in recognition process of NCTE. In the case of Maa Vaishnavo Devi Mahavidyalaya Vs. State of UP [(2013) 2 SCC 617] the Hon'ble Supreme Court had clearly held that NCTE is sole authority constituted under Central Act with responsibility of maintaining educational standards and its opinion is of utmost importance and shall take precedence over the views of State as well that of the University. It was further stated that the department of the State concerned, and affiliating body have a role to play but it is limited in its application. They cannot lay down any guideline or any policy which would be in conflict with the Central Statutes or standards laid down by it. It was also stated that policy of the State Government must be in conformity with directives of the NCTE. Significantly, it was also stated by the Hon'ble Supreme Court that requirements which have been examined by NCTE shall prevail and cannot be altered, re-examined or infringed under garb of State law. The affiliating body and State Government must abide by the proficiency and command of NCTE and they cannot act in derogation to NCTE (Para 59 & 77). Thus, in view of above proposition and provisions of NCTE Act, 1993 and the scheme of processing an application as provided under the Regulations, the State Government cannot create any hindrance once it has been decided by NCTE to issue a letter of intent with direction to State Government and University to carry out needful exercise so that formal order of recognition could be issued. In the instant the case the actions of the SCERT as well as the State Government are derogative and same have the effect of undermining the provisions of NCTE Act, 1993 which cannot be sustained. Similarly, in the case of State of Maharashtra Vs. Sant Dynaeshwar Shikshak Prashikshan Mahavidyalaya {(2006)

Face 9 scc 9}, the Hon'ble Supreme Court had clearly held that the State Government as well as the University must act as facilitators of NCTE and they cannot have any policy or role other than the one expressly mentioned in the NCTE Act, 1993. In a similar case which had arisen in the State of Rajasthan namely CWP No. 8236/2012 Adarsh Shikshak Prashikshan Mahavidyalaya Vs. Regional Director decided on 26.09.2013, the Hon'ble Court in its detailed judgment had laid down that NCTE cannot take into consideration any decision of State Government for imposition of ban once the application has already reached the stage. This judgement was also not interfered by Division Bench in appeal filed by NCTE. The Hon'ble Court in its order dated 04.08.2017 had also directed the respondents to send its comments upon faculty and thus the State had to confine its comments with regard to faculty and staff but State has clearly travelled beyond the directives of Hon'ble Court which is highly unjust and contemptuous. Thus, comments of State Government regarding imposition of ban cannot be taken into consideration at this belated stage. The humble applicant had acted on basis of assurance of NCTE thus principle of Promissory Estoppel will operate in favour of applicant. The applicant has genuine and legitimate right and expectations for consideration application on merits. It has been well settled by the Hon'ble Court that once it files an application, it is legally entitled for consideration of application and its final decision on merits. Applicant would refer and rely upon judgments passed in W.P. No. 2889/20131) Divine Mission Society Vs. NCTE decided on 24.11.2014 passed by Hon'ble Delhi High Court. Further, in another order dated 19.05.2015 similar directions were given by Hon'ble Delhi High Court in WP No. 4414/2015 and connected Bunch of petitions. The appellant has made full compliance of the NCTE Regulations, 2014 and it has invested huge amount for development of infrastructure and facilities at its institution which would suffer adversely and same would remain unutilized for the entire academic session. Further, the students will also be deprived of quality education. The humble appellant craves indulgence of appellate body to prefer and rely upon relevant documents and pronouncements at the time of arguments of present appeal. Other appropriate grounds and submission shall be made at the time of arguments / hearing. Therefore, it is humbly prayed and requested that that instant appeal be considered and allowed and the rejection order dated 14.

06.2018 passed by respondent be quashed and set aside and it may further be directed to respondent to process application of appellant for grant of recognition of D.El.Ed. Course in accordance with law and thereafter issue formal order of recognition expeditiously.

AND WHEREAS the appellant, in the course of presentation, submitted a letter dt. 21/11/2018, stating that they are in the process of filing a Writ Petition in jurisdictional High Court for non-compliance of the order of the Hon'ble Punjab and High Court against SCERT. In these circumstances, the appellant requested another opportunity for presentation of their case. The Committee acceded to the request and decided to give the appellant second opportunity to present their case.

AND WHEREAS Dr. Surinder Pal Jassi, Chairman, Mahant Gurbanta Dass Memorial College of Education, Dabwali Road, Bathinda, Punjab appeared before Appeal Committee on 19/02/2019 and sought another opportunity by stating that the matter is under adjudication. Appeal Committee decided to grant another opportunity which will be the third and final opportunity for the appellant institution to present its case before the Committee.

AND WHEREAS Dr. S.P. Jassi, Chairman and Sh. Parminder Paul Sharma, M.D., Mahant Gurbanta Dass Memorial College of Education, Dabwali Road, Bathinda, Punjab presented the case of the appellant institution on 01/05/2019 i.e. the third and final opportunity given to them. The appellant, in a letter dt. 01/05/2019, informing that they have submitted the Court case with Dy. No. 2593673 dt. 30/04/2019 to the Hon'ble Punjab and Haryana High Court, Chandigarh, requested more time to show and represent the documentary evidences for the same within coming week.

AND WHEREAS the Committee noted that according to the provisions Clause (13) of the NCTE Regulations, 2014, the institution shall submit, inter-alia, the list of faculty, as approved by the affiliating body, to the Regional Committee, before grant of formal recognition. This requirement has been clearly mentioned in the Letter of Intent

dt. 21/05/2015 issued to the appellant institution. The appellant has not been able to submit the approved faculty list till date. Besides he is asking for more time. Since the appellant has already been given the maximum number of opportunities provided under Rule 11 (5) of the NCTE Rules, 1997, the request of the appellant for more time cannot be acceded to. In these circumstances, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Mahant Gurbanta Dass Memorial College of Education, Dabwali Road, Bathinda – 151001, Punjab.
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 Punjab, Chandigarh.



F.No.89-652/E-89753/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Dr. Radhakrishan T.T. College, Bansli, Nangal Saliya Road, Mundawar, Rajasthan dated 20/09/2018 against the Order No. NCTE/NRC/NRCAPP201616169/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 27.02.2017 of the Northern Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “the institution did not submit, NOC from affiliating body and Land Use Certificate issued by the Competent Authority to use the land for educational purpose, was rejected and the order of the N.R.C. was confirmed vide Appellate order F.No. 89-652/E-89753/2018 Appeal/20th Meeting – 2018/17th, 19th & 20th November, 2018 dt. 24/12/2018.

AND WHEREAS the appellant, in a letter dt. 22/04/2019 informed that in compliance of the order of the Hon’ble High Court of Judicature for Rajasthan, Bench at Jaipur dt. 28/02/2019 in S.B. Civil Writs No. 25852/2018, the N.R.C. in their 299th meeting held from 1-4 April, 2019 considered the matter and decided to constitute a Visiting Team. The appellant further informed that now no appeal from their institution is pending in the NCTE Hqrs. Hence no action is called for.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Dr. Radhakrishan T.T. College, Bansli, Nangal Saliya Road, Mundawar – 301401, 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.89-368/2011 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Swastik College of Education, At & Post Motera, Gujarat Stadium Road, Gandhinagar, Gujarat dated 20/09/2011 against the Order No. WRC/APW00128/323106/151/2011/80273 dated 26.07.2011 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "(i) the institution is not in possession of land as per Section 7(d) of the NCTE Norms and Standards 2002; and (ii) the college in possession of constructed area situated on floor numbers 1st and 2nd of the multi-storey building was rejected and the order of the WRC was confirmed vide Appellate order no. 89-368/2011 Appeal/8th Meeting – 2011 dt. 04/01/2012."

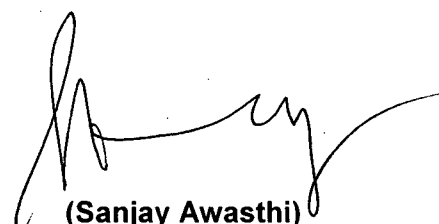
AND WHEREAS the appellant institution, after lapse of many years and after the institution ceased to function, approached the Hon'ble High Court of Gujarat at Ahmedabad through Letters Patent Appeal no. 554 of 2019 in respect of Special Civil Application no. 13749 of 2018, for restoring recognition. The Hon'ble High Court, in their order dt. 08/03/2019, disposed of the petition observing that it would be open to the appellant / original petitioner to convince the concerned appropriate authority of NCTE about fulfillment of norms required for recognizing or restoring recognition on the basis of available facilities and the appellant could not take timely action in view of inter-se dispute among trustees. The Hon'ble High Court also observed that in case a required representation is made by the appellant, same may be considered by the appropriate authority of NCTE keeping in mind the special circumstances of the appellant.

AND WHEREAS Sh. Suresh V. Patel, Trustee and Sh. Kuntal A Joshi, Administrator, Swastik College of Education, At & Post Motera, Gujarat Stadium Road,

Gandhinagar, Gujarat appeared before the Committee on 01/05/2019. The appellant institution, in their letter dt. 19/03/2019, enclosing a copy of the Hon'ble High Court's Order dt. 08/03/2019, requested processing of their application for B.Ed. course as per new norms of 2019. The appellant, in the course of presentation on 01/05/2019 submitted a copy of their Special Civil Application No. 13749 of 2018, filed before the Hon'ble High Court of Gujarat at Ahmedabad, without any explanation.

AND WHEREAS the Committee noted that there is no application of the appellant for grant of recognition for B.Ed. course pending with the NCTE. On the other hand, with the withdrawal of recognition granted earlier on 15/07/2004, on the basis of an application of the appellant, dt. 30/12/2002, by the WRC in their order dt. 26/07/2011 and which has been confirmed in the appeal in the Appellate Order dt. 04/01/2012, the matter has reached finality. The Regulations of the NCTE have been revised more than once in the past and the latest Regulations are those notified on 28th November, 2014. The NCTE entertains applications for those courses of teacher training and invited through Public Notice and which have to be submitted in accordance with the provisions of the NCTE Regulations, 2014. The appellant is at liberty to make a fresh application as and when applications are invited by the NCTE.

AND WHEREAS in view of the above position, the Committee concluded that no action is called for on the letter of the appellant institution dt. 19/03/2019.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Swastik College of Education, At & Post Motera, Gujarat Stadium Road, Gandhinagar – 382424, 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.89-129/E-108384/2019 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Jangipur College of Education, Kulori, Raghunathganj, Jangipur, West Bengal dated 23/02/2019 is against the Order No. ERC/256.2.5/ERCAPP3323/D.El.Ed./2018/57245 dated 12.06.2018 of the Eastern Regional Committee, confirming grant of recognition for conducting D.El.Ed. Course of one unit (50) and refusing recognition for one more unit (50) on the grounds that "the institution submitted approved faculty list (1 HOD, 10 lecturers for 50 intake (One Unit only) instead of required 1 HOD, 15 lecturers for 100 intake (Two Units) as per NCTE, Regulations, 2014. This order has been passed in compliance with the directions of the Hon'ble High Court of Delhi dt. 19/01/2018 in CWJC no. 2076 of 2018.

AND WHEREAS Md. Alauddin, President, Jangipur College of Education, Kulori, Raghunathganj, Jangipur, West Bengal presented the case of the appellant institution on 01/05/2019. In the appeal and during personal presentation it was submitted that the Trust, Netaji Subhas Charitable Trust submitted its Application to ERC, NCTE, Bhubaneswar Code No. ERCAPP3323 and ERCAPP3328 for a composite college (D.El.Ed. & B.Ed.) for two units each (100 for B.Ed. & 100 for D.El.Ed.). The VT had satisfied visiting our college getting all documents in support of two unit each. But in the meeting no. ER-222.6.21/ERCAPP3323/D.El.Ed./2016/50066 dt. 21.11.2016, ERC, NCTE gave us Recognition two units (100) for B.Ed. course and one unit (50) for D.El.Ed. course from the academic session 2017-18 under clause 7(16). They had earlier submitted faculty list of 10 members including HOD and it should have been 15 including HOD. Now they have understood their mistake and immediately published advertisement for faculties and with the cooperation of the W.B.B.P.E., they have made a faculty list of 18 members including the HOD and duly approved by the Board.

The appellant enclosed a copy of faculty list of 18 members, countersigned by the Secretary, West Bengal Board of Primary Education.

AND WHEREAS the Committee noted that the appellant in their application dt. 30/05/2015 and the enclosed affidavit mentioned that the intake proposed in D.El.Ed. course was 50 (Fifty) and the Visiting Team in their report dt. 09/03/2016 also noted that the proposed intake was 50. The appellant, in response to the Letter of Intent also submitted a faculty list of one Principal, nine lecturers and one librarian only. On the basis of the list, ERC granted recognition for one unit (50 intake) in their order dt. 21/11/2016, which has attained finality.

AND WHEREAS in the above circumstances, the Committee concluded that the decision contained in the ERC's order dt. 12/06/2018 is justified and therefore, the appeal deserved to be rejected and the order of the ERC confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the ERC was justified in granting recognition for one unit (50 intake) only and therefore, the appeal deserved to be rejected and the order of the ERC is confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The President, Jangipur College of Education, Kulori, NH-34, Raghunathganj, Jangipur – 742227, 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.89-130/E-112990/2019 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Shiv Vidya Shiksha Prasar Samiti, D.V.S. Mahavidyalaya, Saraswati Nagar-1, Gwalior, Madhya Pradesh dated 27/03/2019 is against the Order No. WRC/APW01595/223265/303rd/2019/201768 dated 07.03.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "clarification letters dated 26.03.2018 & 04.05.2018 were issued to the institution to fulfil the requirement additional Fund vide NCTE Regulations 2014. The institution has not submitted any reply in this regard. Hence, the committee decided to withdraw the recognition for B.Ed. programme from the academic session 2019-20, under Section 17(1) of the NCTE Act, 1993."

AND WHEREAS the appellant, aggrieved by the order of the WRC, filed a WP (C) 3929/2019 & CM APPL17812/2019 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 15/04/2019, disposed of the petition after noting that as per the submission of the Counsel for petitioner, the only deficiency remained to be rectified is furnishing of an additional FDR of Rs. 4 lakhs and his client is willing to furnish the said FDR and the Appellate Committee, may therefore, be directed to consider and take up the appeal in its next meeting, whenever it is held. The Hon'ble High Court ordered accordingly and also directed the Appeal Committee to communicate its decision to the petitioner within four weeks of the taking thereof.

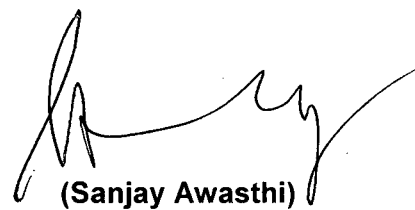
AND WHEREAS Sh. Arvind Singh, Joint Secretary, Shiv Vidya Shiksha Prasar Samiti, D.V.S. Mahavidyalaya, Saraswati Nagar-1, Gwalior, Madhya Pradesh presented the case of the appellant institution on 01/05/2019. In the appeal and during personal presentation it was submitted that the clarification letter dt. 26/03/2018 was complied by their reply dt. 20/04/2018. The clarificatory letter dt. 26/03/2018 did not utter any word on the requirement of additional fund as per the new Regulations. The

institution never received the clarification letter dt. 04/05/2018 from the WRC. Eventhough the NCTE Regulations exempt existing institutions from depositing revised FDRS if they are maintaining the FDRs, despite this provision, they are prepared to submit increased FDRS. The appellant, with their letter dt. 01/05/2019 enclosed a copy of the FDR for Rs. 4 lakhs jointly held with the Regional Director, WRC with maturity date of 18/04/2024.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the FDR for Rs. 4 lakhs 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 WRC the original of FDR for Rs. 4 lakhs within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the FDR for Rs. 4 lakhs 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 WRC the original of FDR for Rs. 4 lakhs within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shiv Vidya Shiksha Prasar Samiti, D.V.S. Mahavidyalaya, Saraswati Nagar-1, Gwalior, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shiv Vidya Shiksha Prasar Samiti, D.V.S. Mahavidyalaya, 48, Saraswati Nagar-1, Opp. of A.G. Office, Gwalior – 474002, 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.89-231/2016 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Shri Umiya Kanya Mahavidyalaya, Rangwasa, Rangwasa, Rau, Indore, Madhya Pradesh dated 13/04/2016 against the Order No. WRC/APP2559/223/241st/2016/161530 dated 25.02.2016 of the Western Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "and whereas, the matter was placed before WRC in its 241st Meeting held on February 4-6, 2016 and the Committee decided that "...Show Cause Notice dt. 10.11.2015 was issued on the grounds of State Government's negative recommendation, non-submission of NOC from affiliating body, non-submission of land documents and non-submission of notarized copies of Building Plan, Building Completion Certificate, CLU and Non-Encumbrance Certificate. The institution has sent a reply dt. 07.12.2015 and 05.01.2016, however he has not been able to submit either the NOC from the affiliating body nor the other documents which are required as per the NCTE Regulations, 2014 was rejected and the order of the WRC was confirmed on the grounds that (i) the appellant institution did not submit copy of the land documents and NOC issued by the affiliating body which are required to be submitted along with the application as per the NCTE Regulations, 2014; (ii) the land title certificate given by an advocate and submitted by the appellant repeatedly is not a substitute of land documents; and (iii) the NOC of the affiliating body dt. 13/04/2016 by no means could have been made available to the WRC along with the application vide Appellate order F.No. 89-231/2016-Appeal/8th Meeting – 2016/32662 dt. 11/07/2016.

AND WHEREAS the appellant, aggrieved by the Appellate order dt. 11/07/2016 filed a W.P. (C) 10356/2016 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 03/04/2019, disposed of the petition, setting aside the Appellate order and with a direction to the Appellate Committee to re-consider the

case of the petitioner, in accordance with the judgement of this court in Rambha College of Education. The Hon'ble High Court also observed that it would be for the petitioner to establish, to the Appellate Committee, that the requisite documents had been produced before the Appellate Committee, at its next meeting, the date whereof would be communicated by the Appellate Committee to the petitioner in advance.

AND WHEREAS Sh. Hari Narayan Patidar, Director and Dr. Mamta Tripathi, Professor, Shri Umiya Kanya Mahavidyalaya, Rangwasa, Rangwasa, Rau, Indore, Madhya Pradesh presented the case of the appellant institution on 01/05/2019. In the appeal and with a letter dt. 09/04/2019, the appellant stated they are again submitting the documents submitted earlier with their appeal together with a copy of the order of the Hon'ble High Court of Delhi dt. 03/04/2019.

AND WHEREAS the Committee, in compliance with the directions of the Hon'ble High Court reconsidered the matter. The Committee noted that the appeal of the institution was rejected earlier on the grounds of non-submission of NOC of the affiliating body and copy of land documents. The Committee noted that according to the provisions of Clauses 5 (3) and 5 (4) of the NCTE Regulations, 2014, a No Objection Certificate (NOC) issued by the concerned affiliating body and a copy of the registered land document have to be submitted along with the hard copy of the online application.

AND WHEREAS the Committee noted that while the online application for B.Ed. course was filed on 08/05/2015 and a NOC was not enclosed to the appellant's letter dt. 08/05/2015, with which the hard copy of the application was forwarded, Devi Ahilya Vishwavidyalaya, Indore issued the NOC on 13/04/2016. The appellant with their letter dt. 09/04/2019 also enclosed a copy of that NOC and copies of registered land documents.

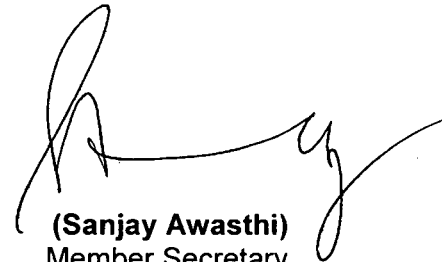
AND WHEREAS the Committee noted that WRC issued a Show Cause Notice on 10/11/2015 inter-alia on the ground of non-submission of NOC from the affiliating body. The appellant, with their reply dt. 07/12/2015, enclosed a copy of their letter dt.

07/11/2015 to Devi Ahilya University, Indore for a NOC. The appellant obtained the NOC on 13/04/2016. The Hon'ble High directed to reconsider the matter in the light of judgment delivered in the case of Rambha College of Education.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the NOC and copies of registered land documents, to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC, NOC and copies of registered land documents, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the NOC and copies of registered land documents, to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC, NOC and copies of registered land documents, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shri Umiya Kanya Mahavidyalaya, Rangwasa, Rangwasa, Rau, Indore, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Shri Umiya Kanya Mahavidyalaya, Rangwasa, 654, self, 654, Rangwasa, Rau, Indore, Madhya Pradesh – 453331
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.89-802/E-12416/2018 Appeal/14th Mtg.-2018/1st May, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/06/2019

ORDER

WHEREAS the appeal of Verma Educational Welfare Trust, Raunapar, Sagri – 276122, Uttar Pradesh dated 10.05.2018 and received on 20/11/2018 is against the Order No. NRC/NCTE/NRCAPP-4398/282nd /Part (2) Meeting/190305-10 dated 03/03/2018 of the Northern Regional Committee, granting recognition for conducting one unit (50 intake) of B.Ed. course. The appellant wants recognition for two units (100 intake).


AND WHEREAS Dr. A.B. Singh, Principal, Verma Educational Welfare Trust, Raunapar, Sagri – 276122, Uttar Pradesh presented the case of the appellant institution on 31/01/2019. In the appeal and during personal presentation and in a letter dt. 31/01/2019 the appellant submitted that they have land and building and got staff approval for two units and submitted the same, but they were granted recognition for one unit only.

AND WHEREAS the Committee noted that the appellant, in the affidavit enclosed to their online application dt. 27/12/2012 for B.Ed. course, did not indicate the intake for which recognition was sought. However, in the affidavit and Essential data submitted at the time of inspection, conducted on 24/05/2015, the appellant indicated that the intake sought was 50 (one unit). The Visiting Team in their Inspection Report dt. 24/05/2015 noted that the proposal was for one unit (50 intake). The Committee decided to seek some clarifications from the N.R.C. before taking further action.

AND WHEREAS the Committee considered the matter further in their meeting held on 01/05/2019. The Committee noted that the N.R.C. decided to grant recognition for one unit (50) on the basis of the request made by the appellant in the affidavit and essential date mentioned above, which was for an intake of 50. The appellant having land and building and getting staff approval for two units does not alter the request made at the relevant time. In the circumstances, the Committee concluded that the appeal deserved to be rejected and the order of the N.R.C. dt. 03/03/2018 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 NERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NERC is confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. **The Manager, Verma Educational Welfare Trust, Raunapar, Sagri – 276122, 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.