(1)

F.No.89-485/E-81794/2018 Appeal/17th Mtg.-2018/27th , 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of D.J. College, Gandhi Road, Baraut, Uttar Pradesh dated 07/07/2018 is against the Order No. NCTE/NRC/NRCAPP201616585/Master of Education (M.Ed.) S.C.N./U.P./2017-2018/LSG-Sl. No.) dated 18/08/2017 of the Regional Committee, summarily rejecting their application for grant of recognition for conducting M.Ed. course on the grounds that "The institution submitted application online on 30.06.2016 and hard copy of the application received in NRC on 17.08.2016. As per clause 7(2)(b) of NCTE Regulations, 2014, the hard copy of the application is to be submitted within 15 days of the submission of the online application. As per NCTE Hqrs. Direction,, the hard copy was acceptable up-to 15th July which was the last date for submission of hard copy irrespective of online submission. The hard copy of the application has been received in NRC on 17.08.2016 i.e. beyond 15th July, 2017. Hence, the Committee decided that the application is Summarily rejected."

AND WHEREAS dr. Virendra Singh, Vice-Principal, D.J. College, Gandhi Road, Baraut, Uttar Pradesh presented the case of the appellant institution on 27/08/2018. In the appeal and during personal presentation it was submitted that "Due to lack of knowledge college could not submit hard copy within time."

AND WHEREAS the Committee noted that according to the provisions of Clause 7 (2) (b) of the NCTE Regulations, 2014, failure to submit printout of the application made online alongwith land documents, as required under Sub-Regulation (4) of Regulation 5 within fifteen days of the submission of the online application, results in summary rejection of the online application. It is seen from the file of the N.R.C. that the print out of the online application dt. 30/06/2016 was received on 17/08/2016 only. In these

circumstances, the Committee concluded that the N.R.C. was justified in summarily rejecting the application and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Principal, D.J. College, Gandhi Road, Baraut – 250611, 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.

(3)

F.No.89-487/E-81866/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Mahatma Gandhi College of Education, Sitapura Tonk Road, RIICO, Sanganer Jaipur, Rajasthan dated 12/07/2018 is against the Order No. NRC/NCTE/NRCAPP-14204/274th Meeting/2017/181499-504 dated 07/09/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. M.Ed. course of three year duration on the grounds that "The institution has not submitted the reply of Show Cause Notice till date."

AND WHEREAS Sh. Nitin Kumar Bhatiya, Admn. Officer, Mahatma Gandhi College of Education, Sitapura Tonk Road, RIICO, Sanganer Jaipur, Rajasthan presented the case of the appellant institution on 27/08/2018. In the appeal and during personal presentation it was submitted that "they were supposed to file application for B.A. B.Ed. and B.Sc. B.Ed. 4 year integrated but by mistake, the application was filed for B.Ed. M.Ed. Proof of residential accommodation is not applicable for their Program as they intended to file the application for 4 year Integrated i.e., B.A. B.Ed. and B.Sc. B.Ed. and also the NOC received from university is for 4 years integrated program i.e., B.A. B.Ed, B.Sc. B.Ed."

AND WHEREAS the Committee noted that the appellant has not submitted a reply to the show cause notice issued on 27/05/2017 with reference to the application submitted by them. The Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the NRC was justified

in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

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

(4)

F.No.89-488/E-81868/2018 Appeal/17th Mtg.-2018/27th , 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/8/18

ORDER

WHEREAS the appeal of Shri Shyam Educational Institute, Reengus, Khatu Road, Shrimadhopur, Rajasthan dated 13/07/2018 is against the Order No. NRC/NCTE/RJ-----/278th Meeting/2017/186769 dated 05/01/2018 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The Petitioner Society has not submitted the application online electronically along with processing fees and relevant documents as per clause 5 of NCTE Regulations, 2014. No Objection Certificate issued by the concerned affiliating body has not been submitted by the petitioner Society alongwith the application. The institution has not submitted any proof/evidence of its being a composite institution as required under Clause 2(b) of NCTE Regulations, 2014."

AND WHEREAS the appellant, aggrieved by the order of the N.R.C., filed a S.B. Civil Writs No. 4915/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 06/03/2018 disposed of the petition by remitting the petitioner to the remedy of the statutory appeal provided under Section 18 of the Act of 1993. In the event of the appeal being filed by the petitioner, the Hon'ble High Court directed the Appellate Authority to dispose of the said appeal within a period of two months.

AND WHEREAS Sh. Vishal, Secretary, Shri Shyam Educational Institute, Reengus, Khatu Road, Shrimadhopur, Rajasthan presented the case of the appellant institution on 27/08/2018. In the appeal and during personal presentation it was submitted that "the appellant institution submitted an application for grant of recognition / permission to the B.Ed. course in the year 2008. However, the application was rejected and returned by the Northern Regional Committee in view of the general

negative recommendations of the State Government. The institution feeling aggrieved from the decision of rejection of its application submitted a writ petition before the Hon'ble High Court at Jaipur Bench which was numbered as 16936 / 2015 and the same was decided vide order dated 7th of April 2015. Vide order dated 7th of April 2015, while deciding the writ petition of the appellant institution, it was directed by the Hon'ble Court that in the event of filing of an application for grant of recognition to the B.Ed. course of the petitioner institution, the Northern Regional Committee shall consider the application in accordance with the Regulations of 2014. As per the verdict of the Hon'ble High Court dated 7th of April 2015, the appellant institution submitted the application along with the order of the Hon'ble Court and requested that the same may be processed as per the verdict of the Hon'ble Court. After submission of the application by the appellant institution, the Northern Regional Committee passed the order 30th of April 2016 in which it was decided that the visiting team shall be constituted for the inspection of the institute of the appellant institution. The order dated 30th of April 2016 was passed by the Northern Regional Committee in 252 meeting part 8. Accordingly, the visiting team was constituted and the inspection was carried out by the visiting time and thereafter, the appellant institution was waiting for issuance of letter of intent under the provisions of regulation 7(13) of the regulations of 2014. However, the Northern Regional Committee decided to reject the application of the appellant institution on the premise that the petitioner society did not submit the application online electronically along with the processing fees and relevant documents as per the provisions of Clause 5 of the NCTE Regulations 2014. It was also observed that the No Objection Certificate issued by the concerned affiliating body was also not submitted by the petitioner society along with the application. The observation that the institution did not submit any proof / evidence of its being a composite institution as required under the provisions of clause 2(b) of NCTE Regulations 2014 was also inserted in the order dated 5th of January 2018 by which the application of the petitioner / appellant institution was rejected. The appellant institution feeling aggrieved from the refusal order dated 5th of January 2018, preferred S.B. Civil Writ Petition bearing number 4915/2018 before The Hon'ble Rajasthan High Court at Jaipur bench. The above noted writ petition as preferred by the appellant

sansthan has been decided on 06/03/2018. The application was submitted by the appellant institution in the year 2008 at that time the Regulations of 2007 were prevalent. These Regulations of 2007 did not require the submission of the online application and the only mode available for filing of the application in the year 2008 under the Regulations of 2007 was the hard copy format. The application was re-submitted by the appellant institution only in pursuance of the orders passed by the Hon'ble High Court on the Writ Petition submitted by the appellant Institution according to which the application was required to be processed under the Regulations of 2014. It is submitted that the requirement of submission of the hard copy / online copy was already obviated and it was directed by the Hon'ble Court that the application shall be processed further under the Regulations of 2014 and therefore, the application of the appellant institution could not have been rejected at the threshold on the premise that the same was submitted in hard copy and not in the online format as required under clause 5 of the Regulations of 2014. The observations made by the Northern Regional Committee in refusal order dated 5th of January 2018 are not relevant as the same are the provisions contained in the Regulations of 2014 such as the requirement of submission of the no objection certificate of the affiliating body as well as the proof of being a composite Institution and as the application of the appellant institution was submitted in the year 2008, the prevailing NCTE regulations of 2007 did not require the no objection certificate of the affiliating body and therefore, the rejection of the application of the appellant institution on the premise that the same was not accompanied with the no objection certificate of the affiliating body is not sustainable. The appellant institution is a multiple teachers training institution as the Northern Regional Committee has already granted recognition / permission to more than one of the teacher training courses such as B.Ed., D.El.Ed. M.Ed. etc. and therefore, the appellant institution still fulfils the requirement as provided under clause 2(b) of the Regulations of 2014 being a multiple teacher training Institution. The Hon'ble High Court for Rajasthan at principal seat Jodhpur has decided the SB civil writ petition number 12712/2017 titled as Murli Singh Yadav Shikshak Prashikshan Sansthan versus National Council for Teacher Education and another vide order dated 17th of February 2018 in which it has been observed by the Hon'ble Court, while deciding the

petition filed on the similar facts, that the Regulations of 2014 were not applicable on the applications which was submitted in the year 2008 and therefore, the requirement of filing the online applications and the other conditions of Regulations of 2014 cannot be made applicable to those applications which was submitted before implementation of the regulations of 2014. It has also been observed by the Hon'ble Court that the appellate authority of the National Council after the verdict of the Hon'ble Court in SB civil writ petition number 1272 2017 titled as Murali Singh Yadav Shikshak Prashikshan Sansthan versus National Council for Teacher Education and another, the Northern Regional Committee in its 281 meeting, has granted the final recognition to the above named institution for the course of D.El.Ed. under the provisions of regulation 7(16) of the Regulations of 2014 and therefore, the controversy of online application or offline application does not survive anymore and is no longer res Integra. The case of the appellant institution is standing on the same legs as was the case of the Saint Meera T.T. college and Murali Singh Yadav Shikshan Prashikshan Sansthan which have been decided by the appellate authority of the National Council for teacher education and by the Hon'ble High Court in S.B. Civil Writ Petition number 1272/2017 and therefore, it is required that for maintaining parity, the appellant institution shall be granted permission to its institute for the course of B.Ed. while setting aside the refusal order dated 5th of January 2018. It is therefore requested that this appeal may be accepted and allowed and the refusal order dated 5th of January 2018 by which the application of the appellant institution was rejected by the Northern Regional Committee of the National Council for teacher education may be quashed and set aside and the Northern Regional Committee may also be directed to process the application of the appellant institution further and the final recognition may be granted to its Institute, Shree Shyam Educational Institute, Reengus, District Sikar, Rajasthan for the course of B.Ed. for the forthcoming academic session."

AND WHEREAS the committee noted that all the three grounds mentioned in the refusal order are the requirements introduced, for the first time, in the NCTE Regulations, 2014, which are to be fulfilled when the applications are invited pursuant to these Regulations and which can be filed only during the period when the NCTE portal

is open and not at any other time. The appellant submitted their application in the year 2008 and the then existing Regulations did not contain the requirements mentioned in the show cause notice /refusal order. The N.R.C. has althrough processed that application only and even conducted an inspection of the appellant institution on 04/05/2016.

AND WHEREAS the Committee noted that in view of the position stated in para 4 above, the submissions of the appellant vis-à-vis the grounds of refusal deserved to be accepted and the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to NRC with a direction to take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Shri Shyam Educational Institute, Reengus, Khatu Road, Shrimadhopur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Shyam Educational Institute, Reengus, Khatu Road, Shrimadhopur – 332404, 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.

(5)

NCTE

F.No.89-469/E-81785/2018/Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Vidya Teacher Training Institute, Village & Post – Chala Neem Ka Thana Road, Neem Ka Thana, Rajasthan dated 13/07/2018 is against the Letter No. Old App/RJ----/198/2017/169587 dated 23/03/2017 of the Northern Regional Committee, returning their application for grant of recognition for conducting B.Ed. course on the grounds that "In cases where the institutions have submitted the application by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS the appellant, aggrieved by the letter of the N.R.C. dt. 23/03/2017 returning their application, filed a S.B. Civil Writs No. 6617/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 02/04/2018 disposed of the petition by remitting the petitioner to the remedy of the statutory appeal provided under Section 18 of the Act of 1993. In the event of the appeal being filed by the petitioner, the Hon'ble Court directed the Appellate Authority to dispose of the said appeal within a period of two months.

AND WHEREAS Sh. Rajesh Kumar Kataria, Secretary, Vidya Teacher Training Institute, Village & Post – Chala Neem Ka Thana Road, Neem Ka Thana, Rajasthan presented the case of the appellant institution on 27/08/2018. In the appeal and during personal presentation it was submitted that "(i) they submitted their application for B.Ed. course on 30/10/2008; (ii) as their application was not processed, on the basis of

the Hon'ble Court's order dt. 18/05/2016 in Writ Petition No. 6084/216, the application was re-submitted on 23/05/2016; (iii) the N.R.C. without issuing a show cause notice returned their application with their letter dt. 23/03/2017; (iv) if the institution were provided an opportunity to file fresh application they would have done but submission of application online was virtual impossibility (v) in a similar matter, the Appellate Authority in their order no. 89-534/E-8922/2017-Appeal/15th Meeting – 2017 dt. 16/10/2017, held that submission of online application was a virtual impossibility due to closure of NCTE portal; and (vi) the respondent had already granted recognition to several institutions ignoring the above short comings and the act of the respondent rejecting their application is faulty and discriminatory in nature.

AND WHEREAS the Committee noted that the ground mentioned in the N.R.C's Letter dt. 23/03/2017 returning the application of the appellant i.e. Clause 5, was introduced, for the first time, in the NCTE Regulations, 2014, the requirements of which are to be fulfilled when the applications are invited pursuant to these Regulations and which can be filed only during the period when the NCTE portal is open and not at any other time. The appellant submitted their application in the year 2008 and the then existing Regulations did not contain the requirements mentioned in the letter returning the application.

AND WHEREAS the Committee, in view of the position stated in para 4 above and the submissions of the appellant, concluded that the ground mentioned in the letter dt. 23/03/2017 cannot be held against the appellant and the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to NRC with a direction to take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Vidya Teacher Training Institute, Village & Post – Chala Neem Ka Thana Road, Neem Ka Thana, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vidya Teacher Training Institute, Village & Post – Chala Neem Ka Thana Road, Neem Ka Thana – 332737, 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.

(6)

F.No.89-490/E-61782/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Vidya Teacher Training Institute, Chala, Neem Ka Thana, Rajasthan dated 12/07/2018 is against the letter No. Old App/NRCAPP-4158/2017/169511 dated 23/03/2017 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. course on the grounds that "In cases where the institutions have submitted the application 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 Sh. Rajesh Kumar Kataria, Secretary, Vidya Teacher Training Institute, Chala, Neem Ka Thana, Rajasthan presented the case of the appellant institution on 27/08/2018. In the appeal and during personal presentation it was submitted that "their application was filed online, the hard copy of the same along with Appeal orders and other papers are being sent through post for your reference. We will produce all the documents related to the application and as per requirement of NCTE as per clause 5, during hearing."

AND WHEREAS the Committee noted that the ground mentioned in the N.R.C's letter dt. 23/03/2017 returning the application of the appellant i.e. Clause 5, was introduced, for the first time, in the NCTE Regulations, 2014, the requirements of which are to be fulfilled when the application are invited pursuant these Regulations. The appellant had already submitted their application online on 26/12/2012 in accordance with the then existing Regulations. In these circumstances, the Committee concluded that the N.R.C. was not justified in returning the online application of the appellant. The Committee further concluded that the appeal deserved to be accepted and the

matter remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to NRC with a direction to take further action as per the NCTE Regulations, 2014.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vidya Teacher Training Institute, Chala, Neem Ka Thana – 332737, 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.

(8)

F.No.89-492/E-82221/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/11/18

ORDER

WHEREAS the appeal of School of Education Jaipur National University, Khorebariyan, Agra Bye Pass, Sanganer, Jaipur, Rajasthan dated 11/04/2018 is against the Order No. NRC/NCTE/NRCAPP-13300/280th Meeting/2018/189128 dated 15/02/2018 of the Northern Regional Committee, refusing recognition for conducting B.Ed./M.Ed. course on the grounds that "Reply of Show Cause Notice has not been submitted till date."

AND WHEREAS Prof. Kamala Nashishtha, Director, School of Education Jaipur National University, Khorebariyan, Agra Bye Pass, Sanganer, Jaipur, Rajasthan presented the case of the appellant institution on 27/08/2018. In the appeal and during personal presentation it was submitted that after receipt of the refusal letter dt. 15/02/2018, they had informed the N.R.C. in their letter dt. 28/02/2018 that they did not receive the show cause notice and if they had received the same, they would have definitely complied with it and submitted all the relevant documents. They also submitted that with their letter dt. 28/02/2018, they had submitted the relevant documents to the N.R.C.

AND WHEREAS the Committee noted from the file of the N.R.C. that the appellant's letter dt. 28/02/2018 has been received on the same date and it is available in the file. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the reply of the appellant dated 28/02/2018 and take further action as per the NCTE Regulations, 2014.

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

concluded that the matter deserved to be remanded to NRC with a direction to take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of School of Education Jaipur National University, Khorebariyan, Agra Bye Pass, Sanganer, Jaipur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Director, School of Education Jaipur National University, Khorebariyan, Agra Bye Pass, Sanganer, Jaipur – 302017, 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.

(11)

F.No.89-394/E-4839/2017 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Hill Queen College of Education, Sadar Circle, Arunachal Pradesh dated 16.05.2017 is against the Order No. NCTE/ERC/ERCAPP 201646187/B.Ed./AR/2017-18/4 dated 24.04.2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution is still deficient on the following grounds: (i) The applicant submitted single application for B.Ed. programme which comes under the category of standalone institution. (ii) The institution has not submitted the building plan duly approved by the Govt. Engineer/Authority."

AND WHEREAS Sh. Richo Padi, Member, Hill Queen College of Education, Sadar Circle, Arunachal Pradesh presented the case of the appellant institution on 24/08/2017. In the appeal and during personal presentation it was submitted that "The Respondent has incorrectly rejected the Application, despite the Appellant having provided all necessary information in due compliance with the Act and the Regulations. The decision of the Respondent rejecting the Application suffers from non-appreciation of the material on record, In particular (a) the letter dated 29 August 2016 issued by the Department of Education, State of Arunachal Pradesh informing the Respondent that the State Government had approved and recommended the Appellant for grant of recognition from the Respondent and (b) the Order dated 12 September 2016 issued by the Department of Education, State of Arunachal Pradesh granting permission to the Appellant for conducting the B.A. Course along with B.Ed. Course as a composite one. Both these documents, which were addressed, were made available to the Respondent by the Department of Education, State of Arunachal Pradesh. Appellant was seeking recognition as a composite institution and not a standalone institution. The letter/order dated 29 August 2016 and 12

September 2016 appear to have been issued pursuant to Regulation 7(5) of the Regulations and was required to have been taken into account by the Respondent in terms of Regulation 7(7) of the Regulations, while proceeding further with the Application. For that the fact that the Application had not been summarily rejected under Regulation 7(1) which establishes that the Appellant had duly enclosed all mandatory enclosures prescribed in the Application, including the Building Plan. The building plan submitted by the Appellant along with the Application, unequivocally establishes that the same had been certified by a Govt. Authority/Engineer. In this regard, reference may be had to the Building Plan enclosed with the Application, which was available on the record of the Respondent and ought to have been duly considered before rejecting the Application;. For that even with the letter dated 27 March 201 7, the Approved Building Plan certified by the Deputy Director (UD&TP) along with a certificate from the Office of the Deputy Commissioner, Lower Subansiri District certifying that the Deputy Director (UD&TP) was the head of the engineering wing for the district had been submitted by the Appellant for the Respondent's consideration. However, instead 'of considering these documents in the right earnest, the Respondent has incorrectly characterized and summarily rejected the information submitted by the letter dated 27 March 2017 as "copy of the sketch map and land area allotted in favour of the institution". Respondent is duty-bound to record its objective satisfaction based on a true and correct evaluation of the documents on record and failure to do so renders the decision ex-facie arbitrary and liable to be set aside; The documents on record in connection with the Application along with the Appellant's letter dated 27 March 2017 abundantly addressed the issues raised in the Respondent's letter dated 22 December 2016. Application came to be rejected during the 238th meeting of the Respondent without affording the Appellant an opportunity to be heard on the alleged deficiencies in the Application. Further, no reasons have been recorded in writing for not granting the Appellant any further opportunity to address the alleged continuing deficiencies. Presently there are very limited opportunities in the nearby areas which allow the members of such Apatani Tribe and people of Arunachal Pradesh as a whole to pursue a B.Ed. degree".

AND WHEREAS the appellant during the course of appeal presentation on 24.08.2017 sought another opportunity to submit certain documents in support of his claim. The Committee decided to grant another (second) opportunity to appellant to submit required documents.

AND WHEREAS Sh. Padi Richu, Member, Hill Queen College of Education, Sadar Circle, Arunachal Pradesh presented the case of the appellant institution on 14.12.2017 i.e. the second opportunity granted to them. In the course of presentation, the appellant gave a letter dt. 14.12.2017 stating that they will start composite courses by 30th June, 2018. The appellant, therefore, requested for further time. The Committee acceded to the request and decided to grant the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Hill Queen College of Education, Sadar Circle, Arunachal Pradesh was asked to present the case of the appellant institution on 03/04/2018 i.e. the third and final opportunity granted to them, but nobody from the institution appeared.

AND WHEREAS the Committee noted that the appellant, in their letter dt. 14.12.2017, submitting that they will start the composite courses by 30th June, 2018, sought further time. Since the appellant has been called for presentation in the first week of April, 2018 itself, the Committee decided to give the appellant another opportunity, as a special case, to present their case. The appellant may be given this special opportunity sometime in July, 2018.

AND WHEREAS Hill Queen College of Education, Sadar Circle, Arunachal Pradesh was asked to present the case of the appellant institution on 27/08/2018 i.e. the special opportunities given over and above the three opportunity given to them as per the NCTE rules, 1997, but nobody from the institution appeared. In these circumstances, the Committee decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the refusal of recognition for conducting B.Ed. course by the appellant was on two grounds, namely, (1) the appellant having submitted a single application for B.Ed. course comes under the category of standalone institution; and (ii) the building plan duly approved by the Government Engineer/Authority has not been submitted. Adverting to the second ground it is seen that the appellant, with their letter dt. 27/03/2017, forward to the ERC a sketch map in two parts – for ground and first floors approved by the Deputy Director, Urban Development & Housing, Ziro Division, Arunachal Pradesh and also a certificate dt. 27/03/2017 issued by the office of the Deputy Commissioner, Lower Subansiri division, Distt. Ziro, Government of Arunachal Pradesh certifying that the Department Urban Development and Town planning is the authority for planning and development, building and other infrastructure. In these circumstances, it may be held that the appellant has submitted a building plan duly approved by the Government Engineer/Authority.

AND WHEREAS the Committee, with reference to the first ground of refusal, noted that according to the provisions of Clause 8 (i) of the NCTE Regulations, 2014 new teacher education institutions shall be located in composite institutions and according to definition given in Clause 2 (b) of the said Regulations, a composite institution means a duly recognised higher education institution offering under graduate or postgraduate programmes of study in the field of liberal arts or humanities or social sciences or sciences or commerce or mathematics as the case may be at the time of applying for recognition of teacher education programmes or an institution offering multiple teacher education programmes. The contention of the appellant, who has applied for grant of recognition for B.Ed. course only, is that the Government of Arunachal Pradesh, Department of Education in their order dt. 12/09/2016 granted permission to their institution for conducting B.A. course alongwith B.Ed. course to make the institution a composite one as per NCTE Regulations, 2014 and Rajiv Gandhi University gave their N.O.C. on 29/09/2016 to the appellant institution to apply for and run the NCTE approved B.A./B.Ed. course as per NCTE Regulations, 2014. The appellant, in their letter dt. 14/12/2017, given in the course of hearing held on that

day (which was the second opportunity granted to them) stated that they will start composite course by 30.06.2018 and requested for further time. The appellant, who was called twice thereafter on 03/04/2018 and 27/08/2018 to make a presentation did not appear on both these occasions. The Committee, therefore, does not have any information about starting of B.A. course in the appellant institution or applying for B.A./B.Ed. course to qualify itself as a composite institution. In these circumstances, the Committee concluded that the ERC was justified in refusing recognition for conducting B.Ed. course on the ground that the appellant is not a composite institution and is only a standalone institution 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, and the documents available on records, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Hill Queen College of Education, Hapoli Main Road, Near ITBP Ziro 1 Sadar Circle – 791120, Arunachal Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Arunachal Pradesh, Itanagar.

(12)

F.No.89-653/E-34850/2017 Appeal/17th Mtg.-2018/27th , 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Shanti Devi Arya Mahila College, G.T. Road, Dinanagar, Punjab dated 30/09/2017 is against the Order No. NRC/NCTE/NRCAPP-12450/269th (Part-2) Meeting/2017/175998 dated 24/05/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The institution has not submitted the reply of the SCN issued by the NRC within the stipulated time."

AND WHEREAS Shanti Devi Arya Mahila College, G.T. Road, Dinanagar, Punjab was asked to present the case of the appellant institution on 20/12/2017, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Shanti Devi Arya Mahila College, G.T. Road, Dinanagar, Punjab was asked to present the case of the appellant institution on 03.04.2018 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. third and final opportunity to present their case.

AND WHEREAS Shanti Devi Arya Mahila College, G.T. Road, Dinanagar, Punjab was asked to present the case of the appellant institution on 27/08/2018 i.e. the third and final opportunity granted to them, but nobody from the institution appeared. In the circumstances, the Committee decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that refusal of recognition was on the ground that the appellant has not replied to the show cause notice. The appellant, in their appeal submitted that they had received the show cause notice dt. 08/02/2017 and sent a reply on 24/02/2017. The appellant, who did not appear before the Committee to make a presentation of their case, despite being given three opportunities, has not even enclosed to the appeal a copy of their stated reply dt. 24/02/2017. The file of the N.R.C. also does not contain this reply dt. 24/02/2017. 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, and the documents available on records, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The Principal, Shanti Devi Arya Mahila College, Dinanagar, G.T. Road, Dinanagar – 143531, 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.

(14)

F.No 89-690/E-42621/2017 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Tata Institute of Social Sciences, V.N. Purav Marg, Deonar, Maharashtra dated 27/10/2017 is against the Order No. APP201660186/10515/B.Ed. M.Ed./281st /M.P./2017/191928 dated 17/10/2017 of the Western Regional Committee, refusing recognition for conducting B.Ed./M.Ed. course on the grounds that "Show Cause Notice was issued to the institution on 16.05.2017 and the institute replied on 16.06.2017. in their reply the institute has said that it has five faculty members and additional faculty will be added after the start of the programme. This is not permitted by NCTE Regulations Appendix-15. Hence, Recognition is refused. FDR, if any, be returned."

AND WHEREAS Prof. Padma M. Sarangapani, Professor and Ms. Shubhangi Wankhede, COO, Tata Institute of Social Sciences, V.N. Purav Marg, Deonar, Maharashtra presented the case of the appellant institution on 21/12/2017. In the appeal and during personal presentation it was submitted that "We have submitted details of 6 faculties and not 5 faculties vide our letter dated 28th April 2017 to NCTE WRC in response NCTE WRCs Letter of Intent dated 31 03 2017 In response to NCTE WRC Show Cause Notice no 186023 dated 16 05 2017 we have submitted our response dated June 14 2017 seeking consideration for adding additional faculty after start of the programme We did not receive any communication from NCTE conveying that the request is not considered however In the meantime as we were approaching the notification of national admissions at TISS we decided to address all deficiencies in our application and secured additional support to make additional appointment of faculty. As soon as we were able to find suitable faculty we also processed the necessary documents to be submitted to NCTE WRC vide our communication dated 22nd Sept 2017 we have submitted details of remaining 4 faculties through the affidavit

in the prescribed format vide the mentioned communication we had also requested that the affidavits submitted for 4 faculties along with the earlier ones submitted for 6 faculties may be considered as fulfilment of NCTE regulation of appointment of 10 faculties."

AND WHEREAS Appeal Committee noted the written request dated 18/12/2017 made by appellant for seeking another opportunity to make personal presentation of its case. Appeal Committee decided to grant another (second) opportunity to the appellant for making personal presentation of the case.

AND WHEREAS Prof. Padma M. Sarangapani, Professor and Smt. Usha, Professor, Tata Institute of Social Sciences, V.N. Purav Marg, Deonar, Maharashtra presented the case of the appellant institution on 03.04.2018 i.e. the second opportunity granted to them. In the course of presentation, the appellant gave a letter dt. 03.04.2018 requesting another opportunity "to address an anomaly found in their affidavit, which had inadvertently crept in". The Committee acceded to the request and decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Prof. Padma M Sarangpani, Professor and Prof. Ajay Singh, Professor, Tata Institute of Social Sciences, V.N. Purav Marg, Deonar, Maharashtra presented the case of the appellant institution on 27/08/2018 i.e. the third and final opportunity granted to them. The appellant in their letter dt. 24/08/2018 signed by the Registrar, TISS, submitted a fresh list of ten faculty members – one Principal, one Professor, two Associate Professor and six Assistant Professors.

AND WHEREAS the Committee, noting that the appellant has submitted the list of faculty as required in Appendix – 15 to the NCTE Regulations, concluded that the matter deserved to be remanded to the WRC with a direction to consider the compliance of the appellant to be submitted to them, and take further action as per the

NCTE Regulations, 2014. The appellant is directed to forward to the WRC, a copy of their letter dt. 24/08/2018 with its enclosures, within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to WRC with a direction to consider the compliance of the appellant to be submitted to them, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC, a copy of their letter dt. 24/08/2018 with its enclosures, within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Tata Institute of Social Sciences, V.N. Purav Marg, Deonar, Maharashtra to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Tata Institute of Social Sciences, Deonar, V.N. Purav Marg, Deonar - 400088, 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.

15

F.No.89-656/E-35980/2017 Appeal/17th Mtg.-2018/27th , 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Katni Arts and Commerce College, Saraswati School Road, Katni, Madhya Pradesh dated 03.10.2017 is against the Order No. WRC/APP2888/223/269th/2017/181863 dated 09/03/2017 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that " "Clarification letter/Show Cause Notice dt. 02.06.2016 was issued to the institution. Reply has not been received till date. Hence, Recognition is refused."

AND WHEREAS Katni Arts and Commerce College, Saraswati School Road, Katni, Madhya Pradesh was asked to present the case of the appellant institution on 20/12/2017 and 04/04/2018 but nobody from the institution appeared. The Committee decided to give the appellant third and final opportunity to present their case.

AND WHEREAS Sh. Sharad Nirankari, Asstt. Professor, Katni Arts and Commerce College, Saraswati School Road, Katni, Madhya Pradesh presented the case of the appellant institution on 27/08/2018 i.e. the third and final opportunity granted to them. The appellant, in their appeal, submitted that a Show Cause Notice dt. 02/06/2016 was received by them and a reply was duly sent within the stipulated time. The appellant has not enclosed to the appeal, a copy of the reply stated to have been sent by them.

AND WHEREAS the Committee noted that a reply to the show cause notice stated to have been sent is not found in the file of the WRC. Further the appellant, during presentation also, has not submitted a copy of their reply stated to have been sent. In these circumstances, the Committee concluded that the WRC was justified in refusing

recognition and therefore, the appeal deserved to be rejected and the order of the WRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, Katni Arts and Commerce College, Saraswati School Road, Katni – 483501, 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.

(17)

F.No.89-684(B)/E-40269/2017 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/08/18

ORDER

WHEREAS the appeal of Sri Venkateswara College of Education, Dupadu (V), Kallur, Andhra Pradesh dated 14/10/2017 is against the Order No. SRC/NCTE/SRCAPP14935/B.Ed./AP/2016-17/92186 dated 04/03/32017 of the Southern Regional Committee, cancelling the L.O.I. dt. 26/02/2016 issued prior to grant of recognition for conducting B.Ed. course and rejecting their application on the grounds that "1. LOI for B.Ed. (two units) was given on 26.02.2016. 2. Inspite of extended time till 31.12.16, no reply was received. 3. They have not responded even till today. 4. We cannot wait indefinitely. 5. Cancel the LOI for B.Ed. (2 Units). 6. The application is rejected. 7. Return FDRs, if any. 8. Close the file."

AND WHEREAS Sri Venkateswara College of Education, Dupadu (V), Kallur, Andhra Pradesh was asked to present the case of the appellant institution on 21/12/2017 and 04/04/2018 but nobody appeared. In the appeal memoranda it is submitted that "Non-availability of staff approval from the concerned approving authority."

AND WHEREAS Sri Venkateswara College of Education, Dupadu (V), Kallur, Andhra Pradesh was asked to present the case of the appellant institution on 27/08/2018 i.e. the third and final opportunity granted to them, but nobody from the institution appeared. In these circumstances, the Committee decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the S.R.C. issued a Letter of Intent prior grant of recognition for B.Ed. course on 26/02/2016, the reply to which was to be sent within two months from the date of this letter. While no reply was received from

the appellant, the S.R.C. in their letter dt. 16/12/2016 granted time to the appellant upto 31.12.2016 for replying to the L.O.I. Even then the appellant did not respond. In the appeal, the appellant simply stated 'non-availability of staff approval from the concerned approving authority without any elaboration".

AND WHEREAS the Committee, noting that the appellant has not at all responded to the Letter of Intent, concluded that the SRC was justified in cancelling the Letter of Intent and rejecting the application of the appellant and therefore, the appeal deserved to be rejected and the order of the SRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary/Correspondent, Sri Venkateswara College of Education, Dupadu (v), Kallur – 518218, Andhra Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

(18)

F.No.89-684/E-40289/2017 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Sri Venkateswara College of Education, Dupadu (V), Kallur, Andhra Pradesh dated 14/10/2017 is against the Order No. SRC/NCTE/SRCAPP14902/D.El.Ed./AP/2016-17/92279 dated 07/03/2017 of the Southern Regional Committee, canceling the LOI dt. 26/02/2016 issued prior to grant of recognition for conducting D.El.Ed. course and rejecting their application on the grounds that "1. LOI for D.El.Ed. (2 Units) was given on 26.02.2016. 2. Inspite of extended time till 31.12.16, no reply was received. 3. They have not responded even till today. 4. We cannot wait indefinitely. 5. Cancel the LOI for D.El.Ed. (2 units). The application is rejected. 7. Return FDRs, if any. 8. Close the file."

AND WHEREAS Sri Venkateswara College of Education, Dupadu (V), Kallur, Andhra Pradesh was asked present the case of the appellant institution on 21/12/2017 and 04/04/2018 but nobody appeared. In the appeal memoranda it is submitted that "Non-availability of staff approval from the concerned approving authority."

AND WHEREAS Sri Venkateswara College of Education, Dupadu (V), Kallur, Andhra Pradesh was asked to present the case of the appellant institution on 27/08/2018 i.e. the third and final opportunity granted to them, but nobody from the institution appeared. In these circumstances, the Committee decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the S.R.C. issued a Letter of Intent prior grant of recognition for D.El.Ed. course on 26/02/2016, the reply to which was to be sent within two months from the date of this letter. While no reply was received from the appellant, the S.R.C. In their letter dt. 16/12/2016 granted time to the

appellant upto 31.12.2016 for replying to the L.O.I. Even then the appellant did not respond. In the appeal, the appellant simply stated 'non-availability of staff approval from the concerned approving authority without any elaboration".

AND WHEREAS the Committee, noting that the appellant has not at all responded to the Letter of Intent, concluded that the SRC was justified in cancelling the Letter of Intent and rejecting the application of the appellant and therefore, the appeal deserved to be rejected and the order of the SRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary/Correspondent, Sri Venkateswara College of Education, Dupadu (v), Kallur – 518218, Andhra Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

(21)

F.No.89-25/E-58292/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 22/10/18

ORDER

WHEREAS the appeal of Mascot College, Beegawas, Lalost Road, Lawan, Rajasthan dated 09/01/2018 is against the Order No. NCTE/NRC/NRCAPP201615238/B.Ed./SCN/RJ/2017-2018 dated 13/12/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not submitted reply of SCN dated 25.09.2017. 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 Mascot College, Beegawas, Lalost Road, Lawan, Rajasthan was asked to present the case of the appellant institution on 05/04/2018. The appellant sent a letter dt. 04.04.2018 stating that they have not received NCTE's notice for hearing of their appeal on 05.04.2018 and they came to know about it only through website. In this letter the appellant submitted that the Secretary of their society is suffering from acute lumbago and the doctor has recommended two weeks rest. Since their Secretary is unable to attend the hearing on 05.04.2018, the appellant requested for another date. 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 Sh. Zhumar Lal Saini, Chairman, Mascot College, Beegawas, Lalost Road, Lawan, Rajasthan presented the case of the appellant institution on

27/08/2018 i.e. the second opportunity granted to them. The appellant, in their appeal and in their letter dt. 24/08/2018, submitted that the matter relating to selection/approval of faculty was pending with the Rajasthan University and it was only on the directions of the Hon'ble High Court of Judicature for Rajasthan at Jaipur Bench dt. 19/12/2017 in the S.B. Civil Writ Petition No. 14368/2017 filed by them, the Rajasthan University in their letter dt. 25/04/2018 approved the faculty consisting of a principal and 15 lecturers for their B.Ed. course. The appellant enclosed a copy of this letter and the details of the faculty.

AND WHEREAS the Committee, noting that the appellant after many efforts has obtained the approval of the University of Rajasthan for the faculty for their B.Ed. course, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the approved faculty and other documents required as per the L.O.I. 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 N.R.C. the letter of the University of Rajasthan approving the faculty, the particulars of the faculty and all other documents required as per the Letter of Intent, within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to NRC with a direction to consider the approved faculty and other documents required as per the L.O.I. 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 N.R.C. the letter of the University of Rajasthan approving the faculty, the particulars of the faculty and all other documents required as per the Letter of Intent, within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Mascot College, Beegawas, Lalost Road, Lawan, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Mascot College, Beegawasl Lalost Road, Lawan, Rajasthan – 303303.
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.

(23)

F.No.89-40/E-60979/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Bhilai Mahila Mahavidyalaya, Bhilai Nagar, Durg, Chhattisgarh dated 24/01/2018 is against the Order No. WRC/APP3114/M.Ed./283rd/C.G./2017/193248 dated 21/11/2017 of the Western Regional Commlttee, refusing recognition for conducting M.Ed. course on the grounds that "Show Cause Notice was issued to the institution on 17.01.2017 regarding expiry of lease deed and non-approval of Building Plan. Since the institution has not complied with the Show Cause Notice recognition is refused."

AND WHEREAS Dr. Zehra Hasa, Principal and Sh. Surendra Gupta, Secretary, Bhilai Mahila Mahavidyalaya, Bhilal Nagar, Durg, Chhattisgarh presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "Bhilai Mahila Mahavidyalaya, Bhilai Nagar has been given 14 acres of land by Bhilai Steel Plant, Bhilai (SAIL) on lease of 30 years to be renewed for 3 periods i.e. for 90 years. The Building Plan of the College has been approved by the then Estate Manager, Bhilai Steel Plant, Bhilal from the inception of the college i.e. from 1979. The Bhilal Education Trust which is managing this college has obtained a verdict from the Supreme Court of India, to maintain "States Quo" vide Civil Appeal Nols) 19436/2017 dated 10/01/2018."

AND WHEREAS appellant during the course of appeal presentation on 06/04/2018 submitted a written request seeking another opportunity by which time the issue relating to lease with SAIL is expected to be settled. Appeal Committee decided

to grant another (second) opportunity to the appellant to present its case before the Committee.

AND WHEREAS Dr. Zehra Hasa, Principal and Sh. Surendra Gupta, Secretary, Bhilai Mahila Mahavidyalaya, Bhilai Nagar, Durg, Chhattisgarh presented the case of the appellant institution on 27/08/2018 i.e. the second opportunity granted to them. The appellant in a letter dt. 27/08/2018 submitted that (i) on review of original lease documents they found that the Government authorities have given permission for sale of subject land to the Trust for educational purpose under urban land ceiling; and (ii) on discussion the authority has agreed and considered the present lease as long term lease and have issued them a demand notice for payment of lease money of existing land, which they have paid. The appellant enclosed a copy of Ground Rent + Service charge bill 2018-19 for Rs. 52,69,017 which is to be paid by 31/03/2019 and a copy of the receipt dt. 18/07/2018 for a payment of Rs. 16,432/-.

AND WHEREAS the Committee, from the documents furnished by the appellant, did not find any communication from the lessor formally agreeing to extend or extending the tenure lease deed, which has already expired. The invoice for payment and receipt for payment of certain sums cannot be a valid substitute to a formal document signed by the lessor and the lessee extending the tenure of lease. In the circumstances, the Committee concluded that the ERC was justified in refusing recognition on the ground of expiry of the tenure of the lease deed 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, and the documents available on records, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The Principal, Bhilai Mahila Mahavidyalaya, Plot No. 62/001, Bhilai Nagar, Durg – 490009, Chhattisgarh.
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 Chhattisgarh, Raipur.

(24)

F.No.89-41/E-60922/2018 Appeal/17th Mtg.-2018/27th | 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Bhilai Mahila Mahavidyalaya, Bhilai Nagar, Durg, Chhattisgarh dated 22/01/2018 is against the Order No. WRC/APP3116/D.El.Ed./283rd/C.G./2017/193261 dated 21/11/2017 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The case file was seen. Show Cause Notice was issued to the institution on 17.01.2017 regarding expiry of lease deed and non-approval of Building Plan. Since the institution has not complied with the Show Cause Notice recognition is refused."

AND WHEREAS Dr. Zehra Hasa, Principal and Sh. Surendra Gupta, Secretary, Bhilai Mahila Mahavidyalaya, Bhilai Nagar, Durg, Chhattisgarh presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "The college Bhilai Mahila Mahavidyalaya, Bhilai Nagar has been given 14 acres of land by Bhilai Steel Plant, Bhilai (SAIL) on lease of 30 years to be renewed for 3 periods i.e. for 90 years. The Building Plan of the College has been approved by the then Estate Manager, Bhilai Steel Plant, Bhilai from the inception of the college i.e. from 1979. The Bhilai Education Trust which is managing this college has obtained a vadict from the Supreme Court of India, to maintain "States Quo" vide Civil Appeal Nols) 19436/2017 dated 10/01/2018."

AND WHEREAS appellant during the course of appeal presentation on 06/04/2018 submitted a written request seeking another opportunity by which time issue relating to the lease with SAIL is expected to be settled. Appeal Committee

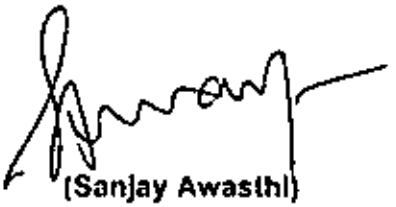
decided to grant another (second) opportunity to the appellant to present its case before the Committee.

AND WHEREAS Dr. Zehra Hasa, Principal and Sh. Surendra Gupta, Secretary, Bhilai Mahila Mahavidyalaya, Bhilai Nagar, Durg, Chhattisgarh presented the case of the appellant institution on 27/08/2018 i.e. the second opportunity granted to them. The appellant in a letter dt. 27/08/2018 submitted that (i) on review of original lease documents they found that the Government authorities have given permission for sale of subject land to the Trust for educational purpose under urban land ceiling; and (ii) on discussion the authority has agreed and considered the present lease as long term lease and have issued them a demand notice for payment of lease money of existing land, which they have paid. The appellant enclosed a copy of Ground Rent + Service charge bill 2018-19 for Rs. 52,69,017 which is to be paid by 31/03/2019 and a copy of the receipt dt. 18/07/2018 for a payment of Rs. 16,432/-.

AND WHEREAS the Committee, from the documents furnished by the appellant, did not find any communication from the lessor formally agreeing to extend or extending the tenure lease deed, which has already expired. The invoice for payment and receipt for payment of certain sums cannot be a valid substitute to a formal document signed by the lessor and the lessee extending the tenure of lease. In the circumstances, the Committee concluded that the ERC was justified in refusing recognition on the ground of expiry of the tenure of the lease deed 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, and the documents available on records, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC is confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The Principal, Bhilai Mahila Mahavidyalaya, Plot No. 62/001, Bhilai Nagar, Durg – 490009, Chhattisgarh.
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 Chhattisgarh, Raipur.

25

F.No.89-43/E-60976/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Saraswati Shikshan Sansthan, Sarsawa Bahar, Sarsawa Bahar Road, Nakkur, Uttar Pradesh dated 27/01/2018 is against the Order No. NRC/NCTE/NRCAPP-14772/262nd (Part-8) Meeting/2017/165837 dated 01/02/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution was issued SCN on 31.08.2016 with regard to compliance of LOI 7(13). The institution has not submitted the compliance till date."

AND WHEREAS Saraswati Shikshan Sansthan, Sarsawa Bahar, Sarsawa Bahar Road, Nakkur, Uttar Pradesh was asked to present the case of the appellant institution on 06/04/2018 but nobody appeared. In the appeal memoranda it was submitted that they have applied for B.Ed. Staff approval to the university under their college letter no. SSS2016-40 but the university did not give committee. They filed a court case on 24-06-2016 through C. No. 39330. On 24-08-2016 Court ordered for Staff Selection. The college applied for staff committee again on 30-8-2016 to the University. This matter was brought to the notice of NRC NCTE through college letter SSS2016-47 on dated 31-08-2016 but on the same date 31-08-2016 NRC issued refusal notice to the college. On 15-02-2017 university has communicated selection panel. On 18-02-2017 they informed the N.R.C. that college has been issued selection panel by university. University approved the staff for the college on 04-03-2017. College has submitted reply to 7(13) to NRC, NCTE on 09-03-2017 through letter no sss2017/29 alongwith supporting documents."

AND WHEREAS appellant by its letter dated 04/04/2018 sought another opportunity as representative of the Institution is ill and cannot attend the hearing on

06.06.2018. Appeal Committee decided to grant another (second) opportunity to the appellant.

AND WHEREAS Sh. Rohit Kumar, Lecturer and Sh. Anuj Kumar, Secretary, Saraswati Shikshan Sansthan, Sarsawa Bahar, Sarsawa Bahar Road, Nakkur, Uttar Pradesh presented the case of the appellant institution on 27/08/208 i.e. the second opportunity granted to them. In the appeal and during presentation, the appellant submitted that they had furnished all the documents to the N.R.C. with their letter dt. 09/03/2017 as soon as they received the approval of their faculty from the affiliating university. The appellant had enclosed a copy of the university's letter dt. 04/03/2017 to their letter dt. 09/03/2017 sent to the N.R.C. The appellant in the course of presentation submitted a faculty list approved by C.C.S University on 15/02/2018 indicating therein that the staff are NET qualified.

AND WHEREAS the Committee noted that the N.R.C. issued the refusal order on 01/02/2017 and the appellant submitted the documents including the letter of approval of their faculty dt. 04/03/2017 to the N.R.C. with their letter dt. 09/03/2017, which was received on 10/03/2017. This letter is available in the N.R.C's file. The Committee, noting the submission of the appellant regarding the delay in getting the university's approval to their faculty and the list of NET qualified and approved faculty now submitted, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the reply of the appellant dt. 09/03/2017 and the NET qualified 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 NET qualified faculty list approved by the university on 15/02/2018, within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to NRC with a direction to consider the reply of the appellant dt. 09/03/2017 and the NET qualified 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 NET qualified faculty list approved by the university on 15/02/2018, within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Saraswati Shikshan Sansthan, Sarsawa Bahar, Sarsawa Bahar Road, Nakkur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Saraswati Shikshan Sansthan, Sarsawa Bahar, Sarsawa Bahar Road, Nakkur – 247232, 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.

(27)

F.No.89-49/E-61629/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Sant Narayan Das College, Kamlapura, VAH, Uttar Pradesh dated 25/01/2018 is against the Order No. NRC/NCTE/NRCAPP-7443/278th Meeting/2017/186362 dated 27/12/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institute has submitted only one set of hard copy of online application instead of three sets. Original FDRs of Rs. Five Lakh and Three Lakh of nationalized bank towards Endowment Fund and Reserved Fund respectively not submitted. Certified copy of registered land documents issued by the competent authority (office of Registrar/ Sub Registrar) as required under provision of NCTE Regulations, 2009 not submitted. The institution has not submitted approved building plan in original. The original building plan approved by competent authority indicating name of Institution, name of the course, Khasra no./Plot No. of land, total land area & built up area, size of multipurpose hall, class rooms, library, different r esource centre etc as per NCTE norms for the proposed course is required to be submitted. Notarized copy of change of land use certificate issued under clause 143 of UP land Act by the competent authority not submitted. The DD No. 467983 dated 28.12.2012 is enclosed herewith in original which is to be submitted by the institution after revalidation. The specific information of land/ building demarcated area as required in clause 8(7)(ii) and information required under clause 8(2) 8(3) of NCTE Regulations, 2009 and information related to Resolution of the society for opening the said course on not for profit basis etc. has not given by the institution hence the same is required from the institution on affidavit (format of the affidavit is enclosed herewith). The NRC decided that the previous rejection order stands as such and the same be communicated to the institution through a speaking order."

AND WHEREAS Sant Narayan Das College, Kamlapura, VAH, Uttar Pradesh was asked to present the case of the appellant institution on 06/04/2018 but nobody appeared. In the appeal memoranda it is submitted that "Original FDRs of Rs. Five lakh and three lakh of nationalized bank endowment found and reserved fund required under provision of NCTE regulation 2009 were submmited and NCTE returned FDRs on 27.12.2017. Required document submmited by the Institute date 20.12.2017. Building plan submitted on date 20.12.2017.

AND WHEREAS Sh. Har Narayan Yadav, Manager and Sh. Avneesh Yadav, Secretary, Sant Narayan Das College, Kamlapura, VAH, Uttar Pradesh appeared before Appeal Committee 28.8.2018 and reiterated the submission made in the appeal memoranda. Appeal Committee noted that appellant submitted online application dated 31/12/2012 seeking recognition for B.Ed. programme. Committee further noted that a deficiency letter dated 28/01/2014 was issued to appellant institution pointing out several deficiencies inter-alia submission of only one set of hard copy of online application instead of three, Appeal Committee further noted that one set of application alongwith its enclosures consisted of 73 pages and the postal receipt mentions the weight of envelope as 300 grams.

. It therefore, becomes obvious that only one set of hard copy was submitted by appellant institution. Non submission of reply to deficiency letter resulted in issue of a Show Cause Notice (SCN) dated 17/06/2015. Appellant failed to submit reply to the S.C.N. which ultimately resulted in issue of refusal order dated 14/08/2015. Appellant institution was allowed 60 days time from the date of issue of above refusal order for preferring an appeal if it was not satisfied with the decision and desired to make an appeal.

AND WHEREAS Appeal Committee noted that appellant filed a Writ C. No. 48622 in the High Court of Allahabad. Hon'ble High Court vide its order dated 05/12/2017 issued direction to NCTE to consider the pending application taking into account the new Regulation of 2014 and also the fact that petitioner has already deposited the requisite cost for such consideration i.e. almost Rs. 17,000,00/-(amount appears to be wrong).

AND WHEREAS Committee noted that on the directions of Hon'ble High Court, N.R.C. reconsidered the earlier pending application dated 31/12/2012 of the appellant institution and decided the matter by a fresh 2nd refusal order dated 27/12/2017 stating that previous rejected order stands.

AND WHEREAS Appeal Committee noted that unless NCTE invites fresh applications by issuing a notification no institution is allowed to make fresh application. The purpose of the appellant paying 17,000.00/- is therefore, not understood. The appellant has also not contested the case on the points of non-submission of reply to (i) deficiency letter dated 28/01/2014 and (ii) Show Cause Notice dated 17/06/2015. NCTE Regulations, 2009 and 2014 are similar so for as requirement of submitting three sets of hard copies of online application is concerned. Appellant is also required to submit compliance report for removal of deficiencies and Show Cause Notice is also required to be replied to. As appellant institution has failed to submit reply to deficiency letter and Show Cause Notice, Appeal Committee decided to confirm the impugned refusal order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the Impugned refusal order.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Sant Narayan Das College, Kamlapura, VAH - 201001, 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.

(29)

F.No.89-62/E-62605/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of R.P. B.Ed. College, Vill. Matuk Bigha, Nawada Road, Chatihar, Gobindpur, Bihar dated 30/01/2018 is against the Order No. ERC/246.7.1/APP2452/B.Ed./2017/55269 dated 08/12/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(a) Show Cause Notice was issued on 09.10.2017 on the following grounds: (i) Consolidated building plan duly approved by Govt. Engineer / Authority not submitted. (ii) Site plan consisting of more than one plot issued from Land Revenue Deptt. not submitted. (b) In response, the institution submitted reply vide letter dated 09.10.2017 (on the basis of proceedings uploaded on ERC website) without complying the documents asked vide SCN dated 09.10.2017 and the institution is still deficient on the above grounds. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP2452 of the institution regarding recognition of applied B.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Mukesh Kuarm, Director and Ms. Shashi, Member, R.P. B.Ed. College, Vill. Matuk Bigha, Nawada Road, Chatihar, Gobindpur, Bihar presented the case of the appellant institution on 07/04/2018. In the course of presentation, the appellant gave a letter dt. 07/04/2018 requesting time for completion of their pending documents. The Committee agreed to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. Mukesh Kuarm, Director, R.P. B.Ed. College, Vill. Matuk Bigha, Nawada Road, Chatihar, Gobindpur, Bihar appeared before Appeal Committee on 28/08/2018 and submitted copies of a) building plan approved by Nagar Parishad Navada and (b) Site plan indicating location of various plot numbers. So far as site plan is concerned, Appeal Committee noted that plot area is marked in blue colour at Khasra No. 932 and 972 where building of R.P. B.Ed. College is located. The degree college is located at Khasra Nos. 898 and 896. Canteen is located in Khasra No. 926. The location of all these plot numbers/ Khasra numbers is not adjacent to each other and is bifurcated by other Khasra numbers. Site plan also indicates that whereas 7302 sq. feet built up area at Khasra/Plot No. 932 & 972, construction is going on at Khasra Nos. 927, 897 and 898. Anchal Adhikari has signed the site plan on 29/06/2018 Appeal Committee further noted that appellant in its online application dated 26/05/2015 has mentioned the following land identification:

Khasra No. 931

Plot Numbers : 931, 932, 935, 896

The Visiting Team in its Inspection report has mentioned the address of institution as Plot numbers 7, 71, 30, Matuk Bigha, Hisua, Nawada. Appeal Committee noted that case deserves to be remanded back to ERC for revisiting the matter after due verification of land identification numbers mentioned in the online application vis-à-vis the Khasra numbers mentioned in the site plan/building plan and land documents. Appellant is required to submit to ERC site plan and Building plan issued by Competent authorities within 15 days of the issue of appeal orders. Regional Committee, while revisiting the matter should focus on matching the details of land as submitted in the online application, the V.T. report and the site plan/Building plan.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to ERC for revisiting the matter after due verification of land identification numbers mentioned in the online application vis-à-vis the Khasra numbers mentioned in the site plan/building plan and land documents. Appellant is required to submit to ERC site plan and Building plan issued by Competent authorities within 15 days of the issued of appeal orders. Regional Committee, while revisiting the matter should focus on matching the details of land as submitted in the online application, the V.T. report and the site plan/Building plan.

NOW THEREFORE, the Council hereby remands back the case of R.P. B.Ed. College, Vill. Matuk Bigha, Nawada Road, Chatihar, Gobindpur, Bihar to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, R.P. B.Ed. College, Plot No. 931, Vill. Matuk Bigha, Nawada Road, Chatihar, Gobindpur – 805103, 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, Bhubaneshwar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

(31)

F.No.89-70/E-63101/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

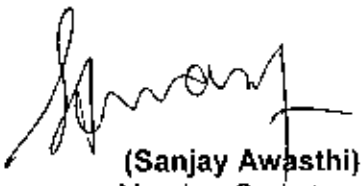
WHEREAS the appeal of Sri Babu Singh Degree College, Sayara, Sirathu, Uttar Pradesh dated 19/01/2018 is against the Order No. NRC/NCTE/NRCAPP-9584/240th Meeting/2015/120025 dated 03/08/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Reply submitted by the institution is not acceptable. Hence application is refused."

AND WHEREAS Sh. Apoorav Singh, Director, Sri Babu Singh Degree College, Sayara, Sirathu, Uttar Pradesh presented the case of the appellant institution on 28/08/2018.

AND WHEREAS Appeal Committee noted that impugned refusal order was issued on 03/08/2015 and appellant institution was allowed 60 days time to prefer appeal against the refusal order if it so desired. Committee further noted that the appeal dated 19/01/2018 made by appellant is delayed by more than 2 years and 3 months. Appellant in its appeal memoranda has stated the reason for delay 'Sickness of Manager'. Appeal Committee is not convinced with the reason given for the inordinate delay of more than 2 years and 3 months in preferring appeal against the impugned order dated 03/08/2015. Committee accordingly decided not to condone the delay. Appeal filed by appellant is accordingly not admitted.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded not to condone the delay. Appeal filed by appellant is accordingly not admitted.

NOW THEREFORE, the Council hereby do not condone the delay and therefore the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. . **The Manager, Sri Babu Singh Degree College, Sayara, Sirathu – 212217, 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.

(33)

F.No.89-216/E-74397/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of T.S.K. T.T. College, Chandela, Revdar Road, Abu Road, Rajasthan dated 25/04/2018 is against the Order No. NRC/NCTE/NRCAPP-14213/257th (Part-3) Meeting/2016/160193, dated 14/10/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 11.12.2015 with direction to submit the reply within 30 days. The institution did not submit any reply of Show Cause Notice within stipulated time."

AND WHEREAS T.S.K. T.T. College, Chandela, Revdar Road, Abu Road, Rajasthan was to present the case of the appellant institution on 12/05/2018 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 the appellant, aggrieved by the order of the N.R.C. filed a S.B. Civil Writ Petition No. 7789/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 12.04.2018 disposed of the petition with an observation that the petitioner institution is at liberty 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 Appellate Authority, it is expected of the Appellate Authority to decided the same preferably within a period of two months.

AND WHEREAS Appeal Committee noted that Impugned refusal order dated 14/10/2016 was on the ground that appellant institution did not submit any reply of

Show Cause Notice (SCN) dt. 10/12/2015 within stipulated time. Committee noted that S.C.N. was on the ground of non submission of N.O.C. from affiliating body.

AND WHEREAS Sh. Jabbar Singh, Director representing the appellant institution on 28/08/2018 submitted before Appeal Committee that reply to S.C.N. was submitted to N.R.C. twice on 05/01/2016 and 22/01/2016. The N.O.C. was also submitted by appellant institution by its letter received in the office of N.R.C. on 13/04/2016 (Diary No. 138817). Appeal Committee taking into account the submissions made by appellant on 28/08/2018 and the order dated 12/04/2018 issue by Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur decided to remand back the case to N.R.C. for considering the reply dated 5.1.2016 and 22.1.2016. Appellant institution is required to submit to NRC copies of its communications dated 5.1.16 and 22.1.16 within 15 days of the issue of appeal order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for considering the reply dated 5.1.2016 and 22.1.2016. Appellant institution is required to submit to NRC copies of its communications dated 5.1.16 and 22.1.16 within 15 days of the issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of T.S.K. T.T. College, Chandela, Revdar Road, Abu Road, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, T.S.K. T.T. College, Chandela, Revdar Road, Abu Road – 307026, 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.

(35)

F.No.89-746/E-50032/2017 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Vishwa Ganga B.T.C. College, Ranepur, Sakaldiha, Chandauli, U.P. dated 22.11.2017 is against the Order No. NRC/NCTE/NRCAPP-11958/256th Meeting (Part-2)/2016/158803-04 dated 26/09/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The Institution has not submitted any proof / evidence to prove that it is a composite institution as per clause 2(b) of NCTE Regulations, 2014. Building plan submitted by the institution does not mention the name of applicant institution. The institution has not submitted the proof to show that furniture in the resource centre is as per NCTE norms. No proof to show that library is per NCTE norms. Building Completion Certificate is not in the name of Vishwa Ganga BTC College."

AND WHEREAS Vishwa Ganga B.T.C. College, Ranepur, Sakaldiha, Chandauli, U.P. was asked to present the case of the appellant institution on 02/02/2018 but nobody appeared. In the appeal memoranda is submitted that "The Regional Committee, Jaipur refused to grant such approval vide its order dated September 2016. The appellant submit(s) that the approval ought to have been granted by the Regional Committee. The Regional Committee erred in deciding the matter on the following grounds. The appellant is a renowned Educational Trust popularly known as Vishwa Ganga Charitable Trust, Plot No. 24, Village Ranepur, District Chandauli – 232108, Uttar Pradesh. The Trust is basically striving hard to start a new Course in its College for the benefit of the students in and around the area and imparting quality Education for which all the necessary Infrastructure and facilities as required under the NCTE norms was constructed using all the Financial Resources that were contributed by the society/trust members. That the Vishwa Ganga Charitable Trust, Village Ranepur, District Chandauli – 232108 has already sent the reply of SCN

issued on 28.06.2016 to the queries raised by NRC within the stipulated time frame. That the inspection was also duly conducted, and a few deficiencies were raised by NRC by its SCN to which all reply was duly sent. That the Vishwa Ganga Charitable Trust is already running the undergraduate Courses and is thus a composite institute. The institute has all the Required Furniture as per the Requirement of the NCTE Norms. The Library is well Equipped and as per the NCTE Norms. Building Plan has been submitted with all details and specifications. BCC submitted again duly approved by the Competent Authority. In the light of the facts explained along with the supporting documents above by the appellant, it may be appreciated that impugned order of the NRC in its 256th Meeting (Part-2) cannot form any bona-fide and prima face ground for the closure of course file of Vishwa Ganga BTC College for D.El.Ed. course, thus needs to be quashed."

AND WHEREAS Appeal Committee noted that impugned refusal order dated 26.09.2016 was issued for following reasons:

(i) Non-submission of evidence to prove that appellant institution is a composite institution.

(ii) Building Plan does not mention the name of Institution.

(iii) Furniture in resource centre is not as per NCTE norms.

(iv) Library is not as per NCTE norms.

(v) Building Completion Certificate is not in the name of Visha Ganga B.T.C. College.

AND WHEREAS Appeal Committee noted that appellant institution was issued a Show Cause Notice (SCN) dated 28.06.2016 seeking written representation from the appellant on the above points of deficiency and N.R.C. had also considered the reply dated 04/07/2016 submitted by appellant.

AND WHEREAS Appeal Committee further noted that appellant institution had filed a Petition LPA 645/2017 in the High Court of Delhi and the Hon'ble High Court in in its order dated 26.10.2017 has required that *"Committee shall ensure that the*

reasons for rejection of the appellant's application for recognition are communicated preferably within two weeks. In such event, the appellate remedy may be resorted to by the appellant, if so advised."

AND WHEREAS Appeal Committee observed that appellant has preferred appeal dated 22/11/2017 and copy of impugned order dated 26.09.2016 has been enclosed with the appeal. It is therefore, deemed that order dated 26.10.2017 of the High Court of Delhi has been complied with and the appellant is in possession of the impugned order which has enabled him to avail appellate remedy.

AND WHEREAS extant appeal rules allow an appellant to seek upto three adjournment for making personal presentation of the appeal. The appellant did not appear before Appeal Committee in its meeting held on 02.02.2018. Appeal Committee, therefore, decided to grant another (second) opportunity to the appellant to appear before the Committee for making personal presentation.

AND WHEREAS Vishwa Ganga B.T.C. College, Ranepur, Sakaldiha, Chandauli, U.P. was asked to present the case of the appellant institution on 25/05/2018 i.e. the second opportunity granted to them, but nobody from the institution appeared. However, the appellant sent a letter dt. 25/05/2018 requesting for another opportunity to submit all the replies. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Sh. Umesh Narayan Singh, Lecturer of the appellant institution appeared before Appeal Committee on 28.8.2018 and submitted copies of a) building plan in the name of appellant institution (b) Affiliation letter dated 22/06/2017 issued by Mahatama Gandhi Kashi Vidyapeth and (C) list of some furniture items purchased for resource centre. Appellant is required to submit the above documents to N.R.C. within 15 days of the issue of appeal orders. Appeal Committee noted that Visiting Team while recommending grant of recognition for D.El.Ed. course was seized of the

difference in name mentioned in the Building Completion Certificate and the appellant institution. Committee decided to remand back the case to N.R.C. for consideration of the building plan and affiliation letter and start reprocessing the application.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for consideration of the building plan and affiliation letter for reprocessing the application.

NOW THEREFORE, the Council hereby remands back the case of Vishwa Ganga B.T.C. College, Ranepur, Sakaldiha, Chandauli, U.P. to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Vishwa Ganga B.T.C. College, Ranepur, Sakaldiha, Chandauli – 232108, 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.

(36)

F.No.89-723/E-47067/2017 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of A.K.G. College, Bikamaukala, Bakshi Ka Talab, Lucknow, U.P. dated 09/11/2017 is against the Order No. NRC/NCTE/NRCAPP-10117/275th (Part-1) Meeting/2017/182663 dated 26/09/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The institution has submitted reply of the SCN dated 02/08/2017 regarding approval of the faculty for the proposed course wherein the provisional approval letter dated 19.10.2016 has been submitted. The institution has not submitted a final approval letter of faculty from the affiliating body."

AND WHEREAS Sh. Mudit Garg, Nodal Officer, A.K.G. College, Bikamaukala, Bakshi Ka Talab, Lucknow, U.P. presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation it was submitted that "the affiliating body i.e the Lucknow University still has not created the syllabus for the course B.A. B.Ed. / BSc. B.Ed. for the current session 17/18, As the affiliating body has not itself started the course in the university itself and not prepared the syllabus so Lucknow university has not given any affiliation to any college in Lucknow In respect to this course B.A. B.Ed. Lucknow University is not giving final approval letter of teachers to any college regarding this course in Lucknow and has refused to do so until Lucknow University finalises the syllabus with all course details. They have submitted request to Lucknow University for final Teacher approval list which they have refused. Until Lucknow University approves final list of teachers they can only give provisional list of teachers approved by Lucknow University."

AND WHEREAS the appellant, in the course of presentation submitted a letter, requesting that as they need more time to arrange papers from Lucknow University to present their case, they may be given some more time. 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 Sh. Mudit Garg, Nodal Officer, A.K.G. College, Bikamaukala, Bakshi Ka Talab, Lucknow, U.P.presented the case of the appellant institution on 25.05.2018 i.e. the second opportunity granted to them. The appellant gave a letter dt. 25.05.2018 stating that the Lucknow University has not completed the syllabus yet and they cannot give final approval of teachers this year as it is against their rules and regulations to give final approval before the commencement of the course. The appellant also stated that they are not willing to give final approval till the start of the session of 2019-20. The appellant requested that they may be given time till the Lucknow University starts the course. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Sh. Manoj Gupta, representative of the appellant institution appeared before Appeal Committee on 28/08/2018. On being asked about the status of faculty approval, appellant was not able to submit any evidence of appointment of faculty with the approval of affiliating university. Committee noted that L.O.I. was issued to appellant institution in February, 2016 and it is more than 2 years and six months that appellant has not been able to complete the recruitment process of faculty as per NCTE Regulations. As decision on appeal cannot be kept pending for long and appellant has already been given three opportunities to submit list of faculty approved by affiliating university, Appeal Committee decided to confirm the impugned refusal order dated 26/09/2017.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 26/09/2017.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, A.K.G. College, Bikamaukala, Bakshi Ka Talab, Lucknow – 226201, 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.

(37)

F.No.89-764/E-55128/2017 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Radha Krishna Sikaria Educational Institute, Motihari Nakched Tola Motihari, Bihar dated 19/12/2017 is against the Order No. ERC/244.8.13/ERCAPP2368/B.Ed. (addl. Intake)/2017/54771 dated 23/10/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a. Show Cause Notice was issued on 15.04.2017 on the following grounds: (i) The institution was granted recognition for conducting B.Ed. course (ERCAPP943) on 27.12.2012 with 100 intake (two units) and also the permission order for additional intake in B.Ed. course (ERCAPP2367) was granted on 03.03.2016 with 100 intake. (ii) As per NCTE Hqrs. Letter No. 49-1/2016/NCTE/N&S/47149 dated 08.12.2016, single institution shall not enhance intake more than 100 i.e. two basic units in the B.Ed. course. b. In response the institution submitted reply vide letter dated 29.04.2017 & 18.05.2017 which has not been accepted by the Committee. As per NCTE Hqrs. Letter No. 49-1/2016/NCTE/N&S/47149 dated 08.12.2016, single institution shall not enhance intake more than 100 i.e. two basic units in the B.Ed. course. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP2368 of the institution regarding permission of applied additional intake in B.Ed. Programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Radha Krishna Sikaria Educational Institute, Motihari Nakched Tola Motihari, Bihar was asked to present the case of the appellant institution on 05/02/2018 but nobody appeared before Appeal Committee. As per extant rules three opportunities can be provided to an appellant for making presentation of its case before Appeal Committee. Appeal Committee, therefore, decided to grant another (second) opportunity to the appellant for making personal presentation of its case.

AND WHEREAS Radha Krishna Sikaria Educational Institute, Motihari Nakched Tola Motihari, Bihar was asked to present the case of the appellant institution on 25.05.2018 i.e. the second opportunity granted to them, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Sh. Shambhu Nath Sikaria, Chairman of the appellant institution appeared before Appeal Committee on 28.8.2018 and stated that appellant institution institution was contemplating making application for seeking recognition of D.El.Ed. course in 2016 but due to some exigencies the application could not be submitted. Appellant further stated that clarification furnished by NCTE by its letter dated 08/12/2016 was subsequent to the date of online application submitted by appellant institution seeking additional intake in B.Ed. programme and is thus not applicable to the appellant institution.

AND WHEREAS Appeal Committee noted that Clause 2 (b) of NCTE Regulations, 2014 defines the Composite Institution as "recognised higher education institution offering under graduate or post graduate programmes or an institution offering multiple teacher education programmes at the time of applying for recognition." Committee further noted that Clause 3 (c) of the 2014 regulation restricts the applicability of Regulations for seeking additional intake to composite institutions. The clarifications issued by NCTE (HQs) by its letter dated 08/12/2016 were only to reiterate the regulatory provisions and to avoid any confusion. The submission made by appellant that clarificatory letter dated 08/12/2016 was issued by NCTE (HQs) after the date of application seeking additional intake in a standalone institution, does not contain merit. Appeal Committee, therefore, decided that impugned refusal order dated 23/10/2017 deserves to be confirmed.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 23/10/2017.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Radha Krishna Sikaria Educational Institute, Motihari Nakched Tola Motihari – 845401, 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, Bhubaneshwar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

(43)

F.No.89-165/E-66366/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of DIET, (District Institute of Education & Training) Cachar, Durganagar Udharbond, Assam dated 19/02/2018 is against the Order No. ERC/247.12.17/ID No. 10057/D.El.Ed. – Addl. Intake/2017/55648 dated 09/01/2018 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "a. Show Cause Notice was Issued on 25.08.2017 on the following grounds: (i) The date of application through online is 03.06.2016 and date of receipt of hardcopy of online print out application Is 14.09.2016 i.e. after the 15th July 2016, which is not accepted as per Regulation, 2014 by the Committee. b. Reply from the institution has not been received with the stipulated period, which already over. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP201646111 of the Institution regarding permission of applied B.Ed. Programme is refused under section 15(3)(b) of NCTE Act 1993".

AND WHEREAS Dr. Jibendu Dutta, Senior Lecturer, DIET, (District Institute of Education & Training) Cachar, Durganagar Udharbond, Assam presented the case of the appellant institution on 28/08/2018. Principal, DIET in its letter dated 19/01/2018 stated that hard copy was mistakenly addressed to Director, SCERT, Assam and so the delay occurred.

AND WHEREAS Appeal Committee noted that last date for submission of hard copy of online application was 15/07/2016 irrespective of the date of submission of online application. In the present case online application was submitted on 03/06/2016 and hard copy was dispatched by speed post on 03/09/2016. The envelope containing the application is addressed to E.R.C., Bhubaneswar and

sender's name on envelope is DIET, Cachar. Whatsoever, the reasons may be, there is no provision to accept the hardcopy of applications submitted belatedly after 15/07/2016. Appeal Committee, therefore, decided that impugned refusal order dated 09/01/2018 deserves to be confirmed.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee decided that impugned refusal order dated 09/01/2018 deserves to be confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, DIET, Cachar, Udharbond (Assam), Durganagar Pt.-V, VIP Road, Udharbond, Assam – 788030.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.

(48)

F.No.89-170/E-66418/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Apex College of Education, Bidhai Khera, Tohana, Haryana dated 14/02/2018 is against the Order No. NRC/NCTE/NRCAPP-1518/277th Meeting/2017/185750 dated 13/12/2017 of the Northern Regional Committee, refusing recognition for conducting M.Ed. Course on the grounds that "Show Cause Notice was issued on 05/09/2017 on the grounds that (i) seal and signature of the issuing authority are not readable on the Non Encumbrance Certificate. Moreover, the NEC is not the latest one rather the institution submitted NEC dated 20/01/2016; and (ii) number of faculty appointed by the institution and approved by the affiliating university is not as per NCTE Norms, 2014 for the proposed course. The Institution has not submitted the reply of SCN dated 05.09.2017 till date".

AND WHEREAS Apex College of Education, Bidhai Khera, Tohana, Haryana was asked to present the case of the appellant institution on 28/05/2018, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. Vinod kumar, Chairman and Sh. Navdeep Singh, Assistant Professor presented the case of appellant institution on 28/08/2018. Appellants stated that list of teaching faculty appointed as per NCTE norms was submitted at N.R.C. Jaipur on 28/10/2017.

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 05/09/2017 was issued to appellant institution on grounds of non-submission of (i) Latest and legible Non-Encumbrance Certificate and (ii) Approved faculty as per NCTE norms. Appellant during the course of appeal presentation on 28/08/2018

submitted copy of an endorsement dated 22/08/2017 made by Telsildar, Tohana verifying non- occurrence of any encumbrance on the title of land mentioned in the application dated 22/08/2017 of the applicant. Appellant also submitted copies of approval letters dated 03/08/2017 and 13/09/2017 issued by Choudhary Rambir Singh University, Jind. The affiliating body by the above two letters approved the appointment of one Principal, 3 Associate Professors and 5 Assistant Professors. Committee noted that N.E.C. and list of appointed faculty was submitted by the appellant in the office of N.R.C. on 28/10/2017 and acknowledgement received.

AND WHEREAS Appeal Committee noted that a per Norms and Standards for M.Ed. programme given in Appendix 5 of the NCTE Regulations, the faculty requirements for an intake of 50 students is:

Professor - 2

Assistant Professor - 2

Assistant Professor - 6

Whereas the faculty appointed by appellant institution does not include professor level faculty, it is further noted that the Regional Committee did not take cognizance of the communication dated 28/10/2017 which was in reply to S.C.N. dt. 05/09/2017. Appeal Committee decided that appellant institution should resubmit to N.R.C. its letter dated 28/10/2017 with same enclosures. Further the Regional Committee is required to consider the submissions made by appellant for taking decision afresh as per NCTE Regulations, 2014 and citing valid reasons.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to that appellant institution should resubmit to N.R.C. its letter dated 28/10/2017 with same enclosures. Further the Regional Committee is required to consider the submissions made by appellant for taking decision afresh as per NCTE Regulations, 2014 and citing valid reasons.

NOW THEREFORE, the Council hereby remands back the case of Apex College of Education, Bidhal Khera, Tohana, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Apex College of Education, Bidhal Khera, Sanlana Road, Tohana, Haryana – 125120.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

(58)

NCTE

F.No.89-224/E-74779/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of L.C.R.T. College of Education, Mehrana, Gohana Road, Panipat, Haryana dated 03/05/2018 is against the Order No. NRC/NCTE/NRCAPP-15637/257st (Part-3) Meeting/2016/159077 dated 27/09/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "the Institution was given show cause notice vide letter dt. 21.06.2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice till date."

AND WHEREAS L.C.R.T. College of Education, Mehrana, Gohana Road, Panipat, Haryana was asked to present the case of the appellant institution on 30/05/2018 but nobody appeared before the Committee. As per extant appeal rules, Appeal Committee decided to grant another (second) opportunity to the appellant.

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 21/06/2016 was issued to appellant institution on the following deficiencies pertaining to non-submission of:-

(i) Evidence of offering undergraduate or post graduate courses required as per Clause 1.1 of Appendix 13.

(ii) Building Completion Certificate issued by Competent Authority.

(iii) Evidence of offering multiple teacher education programmes.

AND WHEREAS impugned refusal order dated 27/09/2016 was on the ground that appellant institution did not submit reply to the S.C.N. dated 21/06/2016. Last para of the impugned order contains the information that institution if not satisfied with the refusal order may prefer appeal within 60 days. The appellant preferred appeal which was delayed by a year and 5 months and to get this delay condoned appellant had sought order dated 03/05/2018 from the Hon'ble High Court of Delhi. The Court order says that appeal if filed by petitioner should be considered on merit and would not be rejected on grounds of limitation.

AND WHEREAS Appeal Committee noted that appellant in its appeal memoranda has stated that "the College on getting information about the deficiencies in the application submitted a reply by speed post on 03/05/2016". Appeal Committee does not find this reply placed on the relevant regulatory file. Moreover, the decision to issue S.C.N. to appellant institution was taken in the 252th Meeting of N.R.C. which concluded on 02/05/2016 and actual S.C.N. was approved on file on 15/06/2016. It is therefore, difficult to believe that reply to SCN was sent by the appellant even before a date on which SCN was approved to be issued.

AND WHEREAS appellant, has however, submitted copy of a forwarding letter dated 30/04/2016 issued by speed post on 03/05/2016 addressed to N.R.C. Appeal Committee decided to remand back the case to N.R.C. for considering the case on its merits after the appellant submits to N.R.C. a copy of its letter dated 30/04/2016 (with enclosures) within 15 days of the issue of Appeal orders.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to N.R.C. for considering the case on its merits after the appellant submits to N.R.C. a copy of its letter dated 30/04/2016 (with enclosures) within 15 days of the issue of Appeal orders.

NOW THEREFORE, the Council hereby remands back the case of L.C.R.T. College of Education, Mehrana, Gohana Road, Panipat, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, L.C.R.T. College of Education, Mehrana, Gohana Road, Panipat – 132103, Haryana.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

(59)

F.No.89-227/E-69753/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Habibi Institute of Higher Education, Gurer, Bilari, Uttar Pradesh dated 22/06/2018 is against the Recognition Order No. NRC/NCTE/Recognition/B.Ed./2016/147695-7783 dated 02/05/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course for conducting one unit as against two units applied for."

AND WHEREAS Mohd. Imran, Vice-Principal and Mohd. Zeeshan, Manager, Habibi Institute of Higher Education, Gurer, Bilari, Uttar Pradesh presented the case of the appellant institution on 29/08/2018. In the appeal memoranda it is submitted that "institution has applied for conducting B.Ed. course with an intake of 100 seats and appointed 16 faculties as required by NCTE Regulation, 2014. Our institution has sufficient infrastructural and instructional facilities to run two unit of proposed B.Ed. course. We have submitted our willingness for two units as per EDS submitted to VT Members. The inspection of our institution was carried out by VT member appointed by NRC, NCTE for Two Units. The order of recognition does not mention the reasons for reduced intake and NRC, NCTE did not give any opportunity to our Institution for clarification why institution granted recognition for one unit as against two unit applied for which is against the law of natural justice. The affiliating body has given N.O.C. for B.Ed. Course."

AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted on 13/03/2016 with a proposed intake of 50 seats (one

unit) in view. After Inspection Report was received in the office of N.R.C. on 07/04/2016, N.R.C. in its 252nd Meeting held from 19th April to 2nd May, 2016 (Part – 4) decided to issue a Show Cause Notice (SCN) on grounds of inadequacy of library books. Reply to proposed S.C.N. was submitted by appellant on 26/04/206 enclosing therewith invoice dated 26/04/2016 of books. N.R.C. in its 252nd Meeting (Part – 8) decided to issue L.O.I. and in Part 14 of the same meeting it was decided to issue formal recognition for 50 seats. Committee noted that all deliberations stating from the decision to issue S.C.N., L.O.I. and formal recognition were done in the same meeting of N.R.C. Committee further noted that appellant was vigilant enough to comply with the requirements of Show Cause Notice and Letter of Intent on the basis of minutes of the same meeting and without formal S.C.N. and L.O.I. having been issued at all. Issue of formal L.O.I. with a copy to the affiliating body is a must as per Clause 7 (13) of NCTE Regulations, 2014. The decision of N.R.C. to issue formal recognition was also taken in the same meeting of N.R.C. and formal recognition was issued through a combined order for 868 institutions. The name of appellant institution appears at Serial No. 514. The last para of the recognition order dated 02/05/2016 makes a mention about Section 18 of the NCTE Act under which institutions can prefer an appeal within a period of 60 days in case they are not satisfied with the order.

AND WHEREAS the present appeal made by appellant is delayed by more than 11 months. Appellant's plea that delay had occurred due to lack of legal knowledge and illness are not acceptable as the previous compliances reported by appellant were spontaneous and instant. Inspection of the institution was conducted with a proposed intake of 50 seats and no formal L.O.I. exists authorizing the appellant to appoint faculty for 2 units. Appeal Committee decided to confirm the impugned recognition order by not admitting the belated online appeal dated 22/06/2017.

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

NOW THEREFORE, the Council hereby do not condone the delay and therefore the appeal is not admitted.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Habibi Institute of Higher Education, Gurer, Bilari – 244301, 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.

(60)

F.No.89-227(A)/E-69753/2018 Appeal/17th Mtg.-2018/27th , 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Habibi Institute of Higher Education, Gurer, Bilari, Uttar Pradesh dated 22/06/2018 is against the Recognition Order No. NRC/NCTE/Recognition/D.El.Ed./2016/146821-7694 dated 02/05/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course for conducting one unit as against two units applied for."

AND WHEREAS Mohd. Imran, Vice-Principal and Mohd. Zeeshan, Manager, Habibi Institute of Higher Education, Gurer, Bilari, Uttar Pradesh presented the case of the appellant institution on 29/08/2018. In the appeal memoranda it is submitted that "institution has applied for conducting D.El.Ed. course with an intake of 100 seats and appointed 16 faculties as required by NCTE Regulation, 2014. Our institution has sufficient infrastructural and instructional facilities to run two unit of proposed D.El.Ed. course. We have submitted our willingness for two units as per EDS submitted to VT Members. The inspection of our institution was carried out by VT member appointed by NRC, NCTE for Two Units. The order of recognition does not mention the reasons for reduced intake and NRC, NCTE did not give any opportunity to our institution for clarification why institution granted recognition for one unit as against two unit applied for which is against the law of natural justice. The affiliating body has given N.O.C. for D.El.Ed. Course."

AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted on 13/03/2016 with a proposed intake of 50 seats (one unit) in view. After Inspection Report was received in the office of N.R.C. on

07/04/2016, N.R.C. in its 252nd Meeting held from 19th April to 2nd May, 2016 (Part – 4) decided to issue a Show Cause Notice (SCN) on grounds of inadequacy of library books. Reply to proposed S.C.N. was submitted by appellant on 26/04/206 enclosing therewith invoice dated 26/04/2016 of books. N.R.C. in its 252nd Meeting (Part – 8) decided to issue L.O.I. and in Part 14 of the same meeting it was decided to issue formal recognition for 50 seats. Committee noted that all deliberations stating from the decision to issue S.C.N., L.O.I. and formal recognition were done in the same meeting of N.R.C. Committee further noted that appellant was vigilant enough to comply with the requirements of Show Cause Notice and Letter of Intent on the basis of minutes of the same meeting and without formal S.C.N. and L.O.I. having been issued at all. Issue of formal L.O.I. with a copy to the affiliating body is a must as per Clause 7 (13) of NCTE Regulations, 2014. The decision of N.R.C. to issue formal recognition was also taken in the same meeting of N.R.C. and formal recognition was issued through a combined order for 868 institutions. The name of appellant institution appears at Serial No. 514. The last para of the recognition order dated 02/05/2016 makes a mention about Section 18 of the NCTE Act under which institutions can prefer an appeal within a period of 60 days in case they are not satisfied with the order.

AND WHEREAS the present appeal made by appellant is delayed by more than 11 months. Appellant's plea that delay had occurred due to lack of legal knowledge and illness are not acceptable as the previous compliances reported by appellant were spontaneous and instant. Inspection of the institution was conducted with a proposed intake of 50 seats and no formal L.O.I. exists authorizing the appellant to appoint faculty for 2 units. Appeal Committee decided to confirm the impugned recognition order by not admitting the belated online appeal dated 22/06/2017.

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

NOW THEREFORE, the Council hereby do not condone the delay and therefore the appeal is not admitted.

(Sanjay Awasthi)
Member Secretary

1. **The Manager, Habibi Institute of Higher Education, Gurer, Bilari – 244301, 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.

(62)

F.No.89-230/E-69605/2018 Appeal/17th Mtg.-2018/27th , 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/8/18

ORDER

WHEREAS the appeal of Akal College of Education for Women, Village Fatehgarh Chhanna Sangrur Dhuri Road, Sangrur, Punjab dated 16/03/2018 is against the Order No. NRC/NCTE/NRCAPP-9728/279th Meeting/2018/187802 dated 22/01/2018 of the Northern Regional Committee, refusing recognition for conducting M.Ed. Course on the grounds that "the institution has not submitted reply of SCN issued on 23.03.2017 till date."

AND WHEREAS Akal College of Education for Women, Village Fatehgarh Chhanna Sangrur Dhuri Road, Sangrur, Punjab was asked to present the case of the appellant institution on 30/05/2018 but nobody appeared. In the appeal memoranda it is submitted that "non availability of eligible candidates in spite of number of advertisements in two leading newspapers. The Institution has already submitted reply of SCN on 12.04.2017 through letter no. 391/Akal/Edu./2017."

AND WHEREAS Dr. Suman Bala, Principal and Ms. Rajni Bala, Librarian appeared before Appeal Committee on 29/08/2017 and submitted that refusal or recognition on the 'ground that institution had not submitted reply to S.C.N. dated 23/03/2017 is not justified as appellant institution had submitted reply dated 12/04/2017 enclosing therewith list of faculty and affidavit. As evidence of having sent a reply to S.C.N. appellant submitted copy of a Speed post receipt dated 12/04/2017.

AND WHEREAS Appeal Committee noted that relevant regulatory file is not made available to Appeal Committee for verification of the facts. Appellant is however, required to submit to N.R.C., copy of its letter dated 12/04/2017 alongwith necessary enclosures within 15 days of the issue of Appeal orders. Committee decided to

remand back the case to N.R.C. for considering the submission which the appellant institution is required to make to NRC within 15 days.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for revisiting the matter. The appellant is required to submit copy of its letter dated 12/04/2017 to N.R.C. within 15 days of the issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of Akal College of Education for Women, Village Fatehgarh Chhanna Sangrur Dhuri Road, Sangrur, Punjab to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Director, Akal College of Education for Women, Village – Fatehgarh Chhanna Sangrur Dhuri Road, Sangrur – 148034, 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.

(66)

F.No.89-238/E-70031/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of S.N. Singh Institute of Engineering and Technology, Chandrama Nagar, Jakhania, Uttar Pradesh dated 21/03/2018 is against the Order No. NRC/NCTE/NRCAPP-7489/264th (Part-1) Meeting/2017/168614 dated 09/03/2017 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "and whereas, the institution has submitted reply of Show Cause Notice vide letter dated 28.10.2016 which was considered by NRC in its 264th (Part-I) Meeting held from 20th to 23rdFebruary, 2017 (20.02.2017) The Committee observed that the institution was granted recognition under clause 7(16) vide Order 03.03.2015. After recognition, NRC received letter from the Registrar, Veer Bahadur Singh Purvanchal University, Jaunpur. In the letter, the Registrar mentioned that the institution has been given recognition on fake faculty list. Hence, institution was given show cause notice. The reply submitted by the institution is not acceptable. The institution misled the NRC by submitting a fake list of teachers. The Committee, therefore, decided to withdraw the recognition of the institution for B.Ed. course under Section - 17 of the NCTE Act, 1993."

AND WHEREAS the submission of the appeal has been delayed by ten months and 13 days beyond the prescribed period of sixty days. The appellant, in their appeal submitted that while he was in the process of filing appeal, he met with an accident and was hospitalized for a long time. After discharge from the hospital, he was in serious family problems. Due to these reasons he could not appeal in time. He requested condonation of the delay. He has enclosed a medical certificate from a hospital. The Committee decided to condone the delay and consider the appeal.

AND WHEREAS S.N. Singh Institute of Engineering and Technology, Chandrama Nagar, Jakhania, Uttar Pradesh was asked to present the case of the appellant institution on 30/05/2018 but nobody appeared. In the appeal it submitted that "the teacher approval was approved by the affiliating University namely Veer Bahadur Singh Purvanchal University, Jaunpur in year 2015. Thereafter and before starting the course, teacher approval was also revised due to non- joining/resignation by approved teacher and also some common teachers who were existed in other colleges on 13.07.2016. Thereafter, I had received a show cause notice from NCTE claiming that the copy of the teacher approval enclosed in the file while getting final approval i.e. 7/16 is fake. Immediately after getting the show cause notice, I had submitted my reply to NCTE, Jaipur stating that the teacher approval was correct. After getting my reply, the same was sent to the University for verification of the authenticity of the contents as the notice was issued by NCTE Jaipur based on the consolidated list sent by the University. It has come to my knowledge that the University had sent the reply stating that the teacher approval based on which approval was given by NCTE Jaipur was authentic. It is humbly submitted that the University vide its letter dated 20.05.2017 has again revised/given approval for head of B.Ed. course even after the best knowledge of the University of the above incidents. It is noted that if my initial approval was wrong, the University had never given me such permission. In view of above, I would like to request that the order for withdrawal of permission for conducting B.Ed. course from next session may kindly be rejected."

AND WHEREAS as per extant appeal rules an appellant is allowed to have three adjournments for making personal presentation of its case before Appeal Committee. Appeal Committee, therefore, decided to grant another (second) opportunity to appellant for making personal presentation of its case before Appeal Committee.

AND WHEREAS Sh. Manoj Singh, Manager, S.N. Singh Institute of Engineering and Technology, Chandrama Nagar, Jakhania, Uttar Pradesh presented the case of

the appellant institution on 29/08/2018 i.e. the second opportunity granted to them. In the presentation, the appellant reiterated the position stated in the appeal.

AND WHEREAS the Committee noted that after the N.R.C. issued the Letter of Intent dt. 17/01/2015, the appellant inter-alia submitted faculty lists approved by VBS Purvanchal University, Jaunpur on 04/02/2015 and 17/02/2015. The N.R.C. thereafter issued a recognition order on 03/03/2015. The Registrar, VBS Purvanchal University wrote a letter dt. 28/07/2016 to the N.R.C. enclosing a list of institutions granted recognition indicating therein the dates of issue of L.O.I., approval of faculty by the university and recognition order with a request to verify the details and take necessary action. The dates indicated in respect of the appellant institution are 17/01/2015 (L.O.I.) 07/05/2016 (approval of faculty by the university) and 03/03/2015 (recognition order). As this position indicated that faculty was approved after issue of recognition order, the N.R.C. issued a show cause notice to the appellant institution on 01/09/2016 alleging that the faculty list submitted for getting recognition was fake. The appellant replied on 26/09/2016 affirming that the approvals of the faculty dt. 04/02/2015 and 17/02/2015 were issued by the university and enclosing self-attested copies of the two approval letters. The appellant also submitted an affidavit swearing the truthfulness of the information submitted and his acceptance of any action by the NCTE/University. The appellant with their letter dt. 28/10/2016 also forwarded to the N.R.C. a fresh list of faculty of of 15 members approved by the university in their letter dt. 13/07/2016. The appellant stated that it was necessitated due to some faculty members selected earlier not joining duty and for meeting the requirements of teaching faculty as per NCTE Regulations, 2014. The Registrar, VBS Purvanchal University also wrote a letter dt. 21/12.2016 confirming the authenticity of the approvals for faculty conveyed in their letters dt. 04/02/2015 and 17/02/2015. This letter is available in the file of N.R.C.

AND WHEREAS In view of the position stated above and the submissions of the appellant, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to ascertain from the university the authenticity of their letter

dt. 13/07/2016 approving the 15 faculty members and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC with a direction to ascertain from the university the authenticity of their letter dt. 13/07/2016 approving the 15 faculty members and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of S.N. Singh Institute of Engineering and Technology, Chandrama Nagar, Jakhania, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, S.N. Singh Institute of Engineering and Technology, Chandrama Nagar, Jakhania – 275203, 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.

(69)

F.No.89-252/E-70617/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 22/10/18

ORDER

WHEREAS the appeal of Prince College, Chomu, Radhaswami Bagh, Chomu, Rajasthan dated 24/03/2018 is against the Order No. NCTE/NRC/NRCAPP201616542/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/SCN/RJ/2017-18/4; dated 04/03/2018 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "the institution was issued SCN dt. 25.09.2017. Reply dt. 03.03.2018 is not acceptable. The institution has submitted list of approved faculty which is not as per amended Regulations, 2017. 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 Prince College, Chomu, Radhaswami Bagh, Chomu, Rajasthan presented the case of the appellant institution on 31/05/2018 but nobody appeared. In the appeal it is submitted that "The northern regional committee issued the letter of intent FNo NCTE NRC NRCAPP201616542 B.A. B.Ed./B.Sc. B.Ed. 4 years integrated SCN RJ 2017 2018 2 dated 2nd of May 2017 under the provisions of Regulation 7 (13) of the Regulations of 2014 for 2 approved units of 100 students. After having received the letter of intent, the Institution immediately requested the affiliating University of Rajasthan Jaipur to grant approval to the list of the faculty The University of Rajasthan Jaipur thereafter provisionally approved the list of the faculty staff of the institution vide amended order no. AcadII 2017 4895 dated 10th of June 2017 and the same was submitted to the Northern Regional Committee on 14th of June 2017. The Northern Regional Committee thereafter, issued a show Cause Notice F.No. NCTENRC

NRCAPP201616542 B.A. B.Ed./ B.Sc. B.Ed. 4 years integrated SCNRJ2017 2018 3 dated 25th of September 2017 and thereby communicated that the approved list of faculty submitted by the institution was not as per Regulations of 2014 as amended vide notification dated 9th of June 2017. The institution submitted the reply of the show Cause Notice dated 25th of September 2017 promptly after the receipt of the same on 4th of October 2017 and submitted that the affiliating university which is University of Rajasthan, Jaipur was not accepting applications for grant of affiliation and the process of approval of the faculty for B.A. B.Ed./B.Sc. B.Ed. for academic session 2018 - 19 was not being initiated by the affiliating University. It was also narrated in explanation dated 4th of October 2017 that as soon as the University will grant the approval to the list of the faculty for the B.A. B.Ed./ B.Sc. B.Ed. 4 years integrated course as per the amended qualifications as inserted in the regulations of 2014 vide the amendment notification dated 9th of June 2017, the same will be submitted to the Northern Regional Committee for processing of the application of the institution and grant of final recognition. The Institution had complied with the terms and conditions of the letter of intent and the list of the faculty duly approved by the University of Rajasthan was submitted to the regional committee along with the communication dated 14th of June 2017 along with the order of approval of the list of faculty dated 10th of June 2017 and therefore the observations made by the committee that the reply of institution dated 3rd March 2018 was not acceptable is not sustainable and required to be set aside by the Appellate authority. That the Institution had invested Huge money in creation of the infrastructure and instructional facilities and in the event of rejection order passed by the Northern regional committee not being set aside by the appellate authority the institution will suffer huge financial setback which cannot be compensated in any manner. It is therefore, most humbly prayed that the refusal order F.No.NCTENRCNRCAPP201616542 B.A. B.Ed./B.Sc. B.Ed. 4 year integrated SCNRJ2017 2018 4 dated 4th of March 2018 may be quashed and set aside and the Regional Committee may be directed to process the application of the institution and grant final recognition for the four year B.A. B.Ed. B.Sc. B.Ed. integrated course for the forthcoming academic session."

AND WHEREAS as per extant appeal rules, three opportunities can be provided to an appellant to make personal presentation of its case before Appeal Committee. As appellant did not appear before the Committee on 31/05/2018. Committee decided to grant another (second) opportunity to the appellant for making personal presentation before the Committee.

AND WHEREAS Sh. Kailash Chandra Choudhary, Secretary, Prince College, Chomu, Radhaswami Bagh, Chomu, Rajasthan presented the case of the appellant institution on 29/08/2018 i.e. the second opportunity granted to them. In the course of presentation, the appellant submitted a letter dt. 27/08/2018 enclosing copy of a letter dt. 06/06/2018 from Rajasthan University, Jaipur in which they have approved 15 faculty members for the B.A. B.Ed./B.Sc. B.Ed. course in the appellant institution.

AND WHEREAS the Committee noting the above information furnished by the appellant, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider this approved list of faculty, 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 letter dt. 06/06/2018 from the Rajasthan University, Jaipur, within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC with a direction to consider this approved list of faculty, 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 letter dt. 06/06/2018 from the Rajasthan University, Jaipur, within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Prince College, Chomu, Radhaswami Bagh, Chomu, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Prince College, Chomu, Radhaswami Bagh, Chomu – 303704, 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.

(70)

F.No.89-254/E-70942/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Shri Radha Kishan Degree College, Bai Khera, Jarua Katra, Sadar Agra, Uttar Pradesh dated 26/03/2018 is against the Order No. NRC/NCTE/NRCAPP-13869/Recognition/276th Meeting/2017/184352 dated 07/11/2017 of the Northern Regional Committee, granting recognition for conducting D.El.Ed. Course with an intake of one unit (50 seats). The appellant wants recognition for two units."

AND WHEREAS Shri Radha Kishan Degree College, Bai Khera, Jarua Katra, Sadar Agra, Uttar Pradesh was asked to present the case of the appellant institution on 31/05/2018 but nobody from the Institution appeared. In the appeal memoranda it is stated that institution has a built up area of 4098 sq. meters and approved list of candidates for two units. Recognition order for D.El.Ed. course was issued for one unit as against two units."

AND WHEREAS as per extant appeal rules an appellant can seek upto three adjournments for making personal presentation of its case before Appeal Committee. As appellant failed to appear before the Committee on 31.05.2018, Appeal Committee decided to grant another (Second) opportunity to the appellant to present its case before Appeal Committee.

AND WHEREAS Sh. Shiv Kumar Singh, Office Head, Shri Radha Kishan Degree College, Bai Khera, Jarua Katra, Sadar Agra, Uttar Pradesh presented the case of the

appellant institution on 29/08/2018 i.e. the second opportunity granted to them. The appellant re-iterated the submissions made in the appeal.

AND WHEREAS the Committee noted that the appellant, in their affidavit enclosed to the online application dt. 24/06/2015 asked for one unit of 50 seats in D.El.Ed. course. The Visiting Team in their Inspection Report dt. 8th & 9th July, 2017 noted that the intake proposed was one unit (50 seats). The Visiting Team in their over all assessment of the institution recorded that the management requested sanction of one more unit of D.El.Ed. along with the proposed one unit. In their final recommendation, the Visiting Team did not mention the number of units. The N.R.C. in their Letter of Intent dt. 01/08/2017 mentioned that, as per Regulations, 2014, an institution can be given maximum two units of D.El.Ed. & B.Ed. programme. The appellant submitted a reply dt. 28/09/2017 inter-alia enclosing a faculty list of one Principal and 14 lecturers and an affidavit conveying their willingness for two units (100 seats). The N.R.C. however decided to grant recognition for one unit (50 intake) only.

AND WHEREAS the Committee noted that the N.R.C. in their Letter of Intent, on their own, mentioned, that according to NCE Regulations, 2014 an institution can be given maximum two units of D.El.Ed. Following this Letter of Intent, the appellant submitted an affidavit expressing their willingness for two units (100 intake) and also forwarded a faculty list of 15 members. The N.R.C. however decided to give recognition for one unit, without giving any reasons. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to issue a speaking communication to the appellant for granting recognition for one unit of D.El.Ed. course.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC with a direction to issue a speaking communication to the appellant for granting recognition for one unit of D.El.Ed. course.

NOW THEREFORE, the Council hereby remands back the case of Shri Radha Kishan Degree College, Bal Khera, Jarua Katra, Sadar Agra, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Radha Kishan Degree College, Khasra No.165, Bal Khera, Jarua Katra, Sadar Agra – 282001, 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.

(75)

NCTE

F.No.89-263/E-71529/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Chanakaya Institute of Education & Research, Vill.-Jorabat, G.S. Road, Ri-Bhoi, Meghalaya dated 16/03/2018 is against the Order No. ERC/232.9.7/Application ID: 8868/B.Ed./2016/51482 dated 27/02/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "(i) the applicant has submitted Demand Draft of Rs. 1.50 lacs towards processing fee. As per the online NCTE portal, payment through online only is accepted. (ii) As per the Print out copy of the online application it is observed that application number is not available. (iii) The application has not appeared on the dashboard of the online NCTE portal due to which online process cannot be carried out. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing ID No. 8868 of the institution regarding recognition of B.Ed. course is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Chanakaya Institute of Education & Research, Vill.-Jorabat, G.S. Road, Ri-Bhoi, Meghalaya was asked to present the case of the appellant institution on 31/05/2018 but nobody appeared. In the appeal memoranda it is submitted that "As payment of Rs. 1.5 lakh was not successful, so we sent DD to ERC, NCTE within time. Hence, we were not in fault as it was a problem of NCTE server and we were unable to pay online."

AND WHEREAS as per extant appeal rules three opportunities are provided to an appellant for making personal presentation of its case before the Committee. As appellant failed to appear before Appeal Committee on 31.05.2018, Committee

decided to grant another (second) opportunity to the appellant for making presentation before Appeal Committee.

AND WHEREAS Dr. M.K. Vajpayee, PVC, Chanakaya Institute of Education & Research, Vill.-Jorabat, G.S. Road, Ri-Bhoi, Meghalaya presented the case of the appellant institution on 29/08/2018 i.e. the second opportunity granted to them. In a letter dt. 29/08/2018, the appellant submitted that there was only one IT related issue and requested that the demand draft be accepted and even if late fine is applicable, they are ready to pay.

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by ten months and 19 days beyond the prescribed period of sixty days. The appellant in the appeal mentioned 'Court Matter' as the reason for delay. The appellant enclosed a copy of the order of the Hon'ble High Court of Meghalaya at Shillong dated 16/11/2017 in W.P. (C) No. 302 of 2017. In this order the Hon'ble High Court, dismissed the petition as withdrawn with liberty to the petitioner to take recourse of the appropriate remedy in accordance with law. The appellant appears to have preferred the present appeal in compliance with the orders of the Hon'ble High Court.

AND WHEREAS the Committee noted that the payment of processing fee is accepted only online and not by other means like Demand Draft. It is the responsibility of the applicant to send the fee in the prescribed manner. Since the appellant did not pay the fee online, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. **The Director, Chanakaya Institute of Education & Research, Vill.-Jorabat, G.S. Road, Ri-Bhoi – 793101, Meghalaya.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Meghalaya, Shillong.

78

F.No.89-250/E-72847/2018 Appeal/17th Mtg.-2018/27th, 28th & 29th August, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 22/10/18

ORDER

WHEREAS the appeal of Ginni Devi Modi Institute of Education, Hapur Road, Modinagar, Uttar Pradesh dated 13/06/2017 is against the Order No. NRC/NCTE/NRCAPP-10640/267th (Part-2) Meeting/2017/171065 dated 13/04/2017 of the Northern Regional Committee, refusing recognition for conducting M.Ed. Course on the grounds that "the institution has not submitted the required documents in response to SCN related to LOI issued on 15.02.2017 by NRC, NCTE. 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 Ginni Devi Modi Institute of Education, Hapur Road, Modinagar, Uttar Pradesh was asked to present the case of the appellant institution on 31/05/2018 but nobody appeared before Appeal Committee. In the appeal memoranda it is submitted that "we did not submit faculty approval detail in time as given by NRC, NCTE, Jaipur because it was delayed by Non-availability of CCS University, Meerut subject expert."

AND WHEREAS As per extant appeal rules an appellant can seek upto three adjournments for making personal presentation of its case before Appeal Committee. As appellant did not appear before the Committee on 31/05/2018, it was decided to grant another (second) opportunity to the appellant to appear before the Appeal Committee.

AND WHEREAS Dr. K.C. Behera, Principal and Sh. U.N. Mishra, Registrar, Ginni Devi Modi Institute of Education, Hapur Road, Modinagar, Uttar Pradesh presented the case of the appellant institution on 29/08/2018 i.e. the second

opportunity granted to them. The appellant, in the course of presentation submitted, with their communication dt. 29/08/2018, copies of two letters dt. 20/07/2018 and 27/08/2018 from the CCS University, Meerut approving nine faculty members for their M.Ed. programme.

AND WHEREAS the Committee, noting the above submission of the appellant, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the two approval letters of the university, 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 two communications received by them from the CCS University within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC with a direction to consider the two approval letters of the university, 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 two communications received by them from the CCS University within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Ginni Devi Modi Institute of Education, Hapur Road, Modinagar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Ginni Devi Modi Institute of Education, Hapur Road, Modinagar – 201204, 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.