F.No.89-249/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

ORDER

Date: 04/08/16

WHEREAS the appeal of Gujarat Research Society's Hansraj Jivandas College of Education, Khar West, Mumbai, Maharashtra dated 26/04/2016 is against the Order No. WRC/APP2858/241st/M.Ed./2016/161291 dated 24/02/2016 of the Western Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "The applicant has submitted a reply dt. 02/01/2016 (to the show cause notice dt. 02.12.2015) which is examined. It is seen that:- (i) Only a photocopy of the land documents has been submitted – it is not certified by competent revenue authority; (ii) the land is in the name of individual persons mentioned as Trustees of Gujarat Research Society; (iii) Originally notarized copies of CLU and NEC have not been submitted; (iv) Building Plan is not approved by competent authority; (v) A valid Building Completion Certificate showing the availability of the built up area has not been submitted. There is a part-occupancy certificate in which dimensions are not mentioned. Only in the application form, built up area is shown as 6354.41 sq. mts. there is no document to back this claim; and (v) State Govt. has not recommended the case on the basis of Supply and Demand. Hence, for the above reasons, Recognition is refused."

AND WHEREAS Dr. Usha A. Borkar, Assistant Professor and Ms. Vaishali M. Sawant, Assistant Professor, Gujarat Research Society's Hansraj Jivandas College of Education, Khar West, Mumbai, Maharashtra presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation it was submitted that (i) the institution has procured the land documents (Property Card) from the competent revenue authority (City Survey Office), Mumbai and a copy is attached with appeal; (ii) Gujarat Research Society is registered under Bombay Public Trusts Act, 1950 vide Registration No. F.354 (BOM) and true copy of Notarized document showing names of Trustees submitted to the office of the Charity

Commissioner, The Public Trust Registration office, Mumbai is attached with the appeal. The latest Property card shows the current names of the Trustees of Gujarat Research Society. Original property Card is attached with the appeal; (iii) Notarized CLU and original NEC along with attested copy of search report are submitted along with appeal; (iv) original Building Plans approved by competent authority (Building Proposal Deaprtment of Brihan Mumbai Mahanagar Palika) are submitted along with the appeal; (v) Affidavit by the President of Gujarat Research Society mentioning that (a) the Society's architect is in the process of procuring the Building Completion Certificate from Brihan Mumbai Mahanagar Palika's Building proposal Department, (b) Total built up area allotted to Hansraj Jivandas College of Education & (c) Attested copy of the Building Plan showing the Total Built-up area in possession of Gujarat Research Society is submitted with the appeal; and (vi) attested copy of the Recommendation of the State Government vide their order No. B.Ed-4615/C.R.203/Mashi-2 dated 15th March, 2016 is submitted with the appeal."

AND WHEREAS the Committee noted the various submissions of the appellant as contained in the appeal. The copy of the land document dt. 11.02.1958 furnished by the appellant to the W.R.C. indicates that the 'Purchasers', whose names are mentioned therein, are described as Trustees of Gujarat Research Society. The Certificate of Land dt. 22.04.2016 issued by the Tahsildar, Andheri enclosed to the appeal, also stated that the land in question is registered in the names of the Trustees of the Gujarat Research Society. According to the provisions contained in Clause 8(4) of the NCTE Regulations, 2014, no institution shall be granted recognition under these Regulations unless the institution or society sponsoring the institution is in possession of the required land on the date of application. Since the land is in the name of the Trustees (individuals) only and not in the name of the society sponsoring the institution, the Committee concluded that the W.R.C. was justified in refusing recognition on the ground that the land is in the name of individual persons and therefore, the appeal deserved to be rejected and the order of the W.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the WRC was justified in refusing

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

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

(Sanjay Awasthi)
Member Secretary

1. The Principal, Gujarat Research Societys Hansraj Jivandas College of Education, P & M CTS MO E 41, Free Hold, P & M, Khar West, Mumbai, Mumbai Suburban, Maharashtra – 400052.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

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F.No.89-250/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Rajeev Gandhi Memorial Teacher Training College, Patherdih, Jharia, Dhanbad, Jharkhand dated 27/04/2016 is against the decision of the Eastern Regional Committee taken in their 203rd meeting held on 4-6 February, 2016 to refuse recognition for conducting D.El.Ed. course on the grounds that "NOC from the affiliating body/examining body issued on or before 15th July, 2015 not submitted. Show Cause Notice has already been issued on 28/10/2015. No reply received from the institution till date.

AND WHEREAS the appellant in his appeal dt. 27.04.2016 submitted that the rejection/refusal order had not yet been received by their institution and pending the same they have preferred the appeal. This has been done on the basis of the proceedings of the E.R.C. meeting held on 4-6 Feb., 2016. The Committee also noted that the refusal order No. ERC/7-203.9(i).354/D.El.Ed./ERCAPP3209/2016/46687 was issued by the E.R.C. on 02.05.2016.

AND WHEREAS Dr. R.N. Choubey, Secretary and Sh. Chetlal Prasad, Member, Rajeev Gandhi Memorial Teacher Training College, Patherdih, Jharia, Dhanbad, Jharkhand presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation it was submitted that "The NOC has been issued by Director, Primary Education, Govt. of Jharkhand; on 9th July 2015 and the same was submitted to ERC. The copy of the same was sent to ERC on 30th October 2015 through Speed Post, Courier and E-mail also a copy of the same is again enclosed for the perusal of Appeals Committee. The contention of ERC is not acceptable as the reply to Show Cause Notice was sent to ERC vide letter no. RGMTTC/NCTE/NOC/2015/414-J through Courier, Speed Post and E-mail receipt of both are enclosed herewith. It is submitted that due to delay in process of recognition by the ERC for proposed D.El.Ed. from academic session 2016-17, they have again sent to the ERC copy of NOC through Speed Post vide letter No.

RGMTTC/NCTE/NOC/2015/414-Q/I, copy enclosed for kind consideration. Although the ERC in its meeting held in 6th February, 2016 had decided to reject their application, the rejection/refusal order has not yet been received by their institution. Pending refusal order, the appeal is preferred."

AND WHEREAS the Committee noted that the reply of the appellant stated to have been sent on 30.10.2015 to the E.R.C. along with the N.O.C. issued by the Director, Primary Education, Government of Jharkhand is not available in the file of the E.R.C. The file of the E.R.C. does not contain any communication from the appellant after the issue of the show cause notice on 28.10.2015. The Committee further noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with N.O.C., irrespective of the date of online submission. The appellant admitted that he submitted the N.O.C. only on 30.10.2015 (though this is not available in E.R.C's file). i.e. after the extended date i.e. 15.07.2015. In the circumstances, the Committee concluded that the E.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the E.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the 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, Rajeev Gandhi Memorial Teacher Training College, 516, Street No. 36, Village Nuudih, Tehsil Patherdih, Jharia, Dhanbad, Jharkhand – 828119.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

AND WHEREAS the Committee noted from the order of the Hon'ble High Court of Madhya Pradesh, Bench at Gwalior dt. 18.04.2016 in W.P. No. 2586/2016 that the Counsel for the petitioner fairly submitted that against the order dt. 1.03.2014, the petitioner has a remedy for filing an appeal under Section 18 of the NCTE Act, 1993 and the petitioner be granted a liberty to file an appeal alongwith application for condonation of delay. The Committee noted that the order dt. 1.03.2014 (copy of which has been enclosed to the appellant's letter dt. 21.06.2016) is an order issued by the W.R.C. granting recognition to the appellant institution for conducting B.Ed. course. The appellant, however, filed the appeal against the order of the W.R.C. dt. 11.09.2013 informing them that their application for D.El.Ed. was not being processed for the reasons stated therein.

AND WHEREAS Dr. P.S. Tomar, Secretary, RVS College, Porsa, Morena, Madhya Pradesh presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation and in a letter dt. 21.06.2016 it was submitted that "(i) The appellant has filed application for seeking the recognition of D.El.Ed. and B.Ed. both courses, for the session 2013-14; (ii) however, after scrutinizing their application the WRC has issued a notice dated 02/05/2013 because as per clause 8(2) of the regulation of NCTE 2009, the institution shall be considered for grant of recognition of only one course therefore in such circumstances the appellant has submitted the application for withdrawal of the D.El.Ed. Course; (iii) it is pertinent to mention here that on 11/09/2013 both the applications filed by the appellant for D.El.Ed. and B.Ed. courses in the village Porsa Distt. Morena were pending for consideration and as per the order passed by the Hon'ble Apex Court of India in the SLP No. 4247/2009 dated 10/09/2013, the applications filed by the appellant for seeking the recognition of D.El.Ed. and B.Ed. course shall be decided in accordance with the new regulations; (iv) the new regulations came into force in the month of November, 2014 and according to aforesaid 2014 regulations, both applications for seeking the recognition for D.El.Ed. and B.Ed. course can very well be considered because in the aforesaid regulation of 2014, there is no clause like clause 8(2) of the NCTE regulation 2009, which restricted the respondent WRC to consider only one course in first instance; (v) in fact on the contrary, 2014 regulations provide that composite courses are mandatory; (vi) since both the applications were pending on 11.09.2013, in view of the order passed by the Hon'ble Apex Court of

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F.No.89-251/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/16

ORDER

WHEREAS the appeal of RVS College, Porsa, Morena, Madhya Pradesh dated 27/04/2016 is against the Order No. WRC/APP2030/223/B.Ed/186/MP/2013-14/107723 dated 11.09.2013 of the Western Regional Committee, informing the appellant that, since the society, namely Arun Shiksha Samiti, informed that they want to withdraw their application for D.El.Ed. and have their application for B.Ed. course processed, the application under the APP2039 (for D.El.Ed. course) is not being processed.

AND WHEREAS the submission of the appeal has been delayed by 2 years 5 months and 26 days beyond the prescribed period of 60 days. The appellant in his appeal submitted that (i) in the order dt. 11.09.2013, W.R.C. decided to consider their application for B.Ed. only and rejected their application for D.El.Ed. course; (ii) the Hon'ble Apex Court of India passed an order dt. 10.09.2013 in SLP No. 4247/2009 directing NCTE and their Regional Committees to decide the pending applications as per the new Regulations; (iii) in the new NCTE Regulations, 2014 there is no restriction for consideration of two applications filed by one society for two courses; (iv) though the W.R.C. itself was required to consider their application for D.El.Ed. course which was pending on 11.09.2013 as per the Apex Court orders, the same was not done; (v) the appellant, several times, made requests to W.R.C. to consider their application for D.El.Ed. course and despite their representation dt. 30.09.2015 W.R.C. has not taken any decision; and (vi) the appellant approached the Hon'ble High Court, Gwalior by filing W.P. No. 2586/2016 which was disposed on 28.04.2016 by issuing direction to the NCTE to consider the appeal filed by the appellant, if it is filed within a period of two weeks alongwith a certified copy of the order and the same shall be decided on merit within a period of 3 months. The appellant, therefore, requested condonation of delay. The Committee decided to condone the delay and consider the appeal.

India, both the applications submitted by the appellant for D.El.Ed. and B.Ed. courses can very well be considered in the light of regulation 2014; (vii) compelling the appellant to submit an application for withdrawal of the application for one course and so also taking the decision on the aforesaid course by informing through the letter dated 11/09/2013 is clearly contrary to order of the Hon'ble Apex Court of India; (viii) in fact the respondent WRC was required to keep pending both the applications filed by the appellant for the D.El.Ed. and B.Ed. courses, but the WRC has taken the decision to process the application only for B.Ed.; (ix) against such illegal action on the part of WRC, the appellant approached the Hon'ble Court of M.P. Bench at Gwalior with the prayer to direct the WRC to consider the application (APP2039) submitted by the appellant for grant of recognition of D.El.Ed. Course as per the regulation 2014, as the appellant society is having required infrastructure, lab, furniture etc. for both the courses; and (x) however, the order of the Hon'ble Court disposing the petition no. 2586/2016 on 18/04/2016 was received by the appellant on 20/04/2016 and within a period of 2 weeks from 20/04/2016, present appeal is being filed, which is in time. The appellant, therefore, submitted that the order of the W.R.C. dt. 11.09.2013 be quashed to the extent of not considering their case for D.El.Ed. course and the W.R.C. directed to consider their application for grant of recognition for D.El.Ed. course as the processing fee of Rs. 50,000/- is also pending with the W.R.C."

AND WHEREAS the Committee noted that on receipt of two applications from the appellant dt. 24.12.2012 for conducting D.El.Ed. and B.Ed. courses in R.V.S. College, the W.R.C., citing the provisions of Clause 8(2) of the NCTE Regulations, 2009, which lay down that in the first instance, an institution shall be considered for grant of recognition of only one course for the basic unit as prescribed in the norms and standards for the particular teacher education programme, in their letter dt. 02.05.2013, asked the appellant to submit a written representation as to which of the application should be processed by the W.R.C. The appellant in their letter dt. 09.05.2013 requested the W.R.C. (i) to entertain only their B.Ed. course application (APP2030) in which they were interested and (ii) their second for D.El.Ed. course (APP2039) may be withdrawn and the F.D.Rs for Rs. 5 lakhs and Rs. 3 lakhs refunded to them. W.R.C. thereafter in their letter dt. 2.08.2013 informed the appellant that their application APP2039 is not being considered. It is observed from

the letter that the F.D.Rs were returned. W.R.C's letter dt. 11.09.2013 against which appeal has been preferred now is primarily a deficiency letter issued for processing the application for B.Ed. course, though it was mentioned therein that as per the request of the appellant to withdraw the application for D.El.Ed. course, the application under APP2039 was not being considered.

AND WHEREAS the Committee noted that the appellant wrote a letter to the W.R.C. on 30.09.2015. In that letter, while requesting that their application for D.El.Ed. be processed drew attention to the order of the Hon'ble High Court of Delhi at New Delhi dt. 12.03.2015 in W.P. (C) no. 1290/2015 filed on behalf of G.L.S. College, Jaloni Ambah against the order of the W.R.C. refusing recognition for B.Ed. course on the ground that the College has not completed three academic sessions after grant of recognition for their D.El.Ed. course, a condition laid down in Clause 8(3) of the NCTE Regulations, 2009. The Hon'ble High Court in their order, observing that (i) the Hon'ble Supreme Court of India in their decision dt. 10.09.2013 in SLP no. 4247/2009 inter-alia directing that all the pending applications shall also be decided in accordance with the new Regulations (i.e. 2014 Regulations); (ii) the new regulations do not contain any provision similar to Clause 8(3) of the 2009 Regulations; and (iii) the application of the petitioner which was pending on 10.09.2013 was to be decided in accordance with the new Regulations in terms of the order passed by the Hon'ble Supreme Court, set aside the order of the W.R.C. and the order of the Council, upholding the W.R.C's order and remanded the matter to the W.R.C. to process the application in accordance with the order of the Hon'ble Supreme Court.

AND WHEREAS the Committee, from the foregoing narrations, noted that (i) when the appellant submitted applications for grant of recognition simultaneously for two courses, namely, B.Ed. and D.El.Ed., the NCTE Regulations, 2009 were then in force and according to Clause 8(2) of those Regulations, an institution shall be considered for grant of recognition of only one course; (ii) the appellant was asked by the W.R.C. in their letter dated 02.05.2013 to submit a written representation as to which of the applications should be processed; (iii) the appellant, in his reply dt. 09.05.2013 informed the W.R.C. that their application only for B.Ed. may be entertained and their second application for D.El.Ed. course may be withdrawn,

meaning thereby that their application for D.El.Ed. course no longer exists; (iv) the W.R.C. in their letter dt. 02.08.2013 informed the appellant that their application for B.Ed. (APP2030) as requested will be processed and the application APP2039 (for D.El.Ed. course) is not being considered; and (v) the W.R.C. in their letter dt. 11.09.2013, communicating the deficiencies in repect of the application for B.Ed. course, has only repeated what has been stated in their earlier letter dt. 02.08.2013 regarding processing of B.Ed. application and not considering D.El.Ed. application. In these circumstances the application of the appellant for D.El.Ed. course was not pending on 10.09.2013, i.e. the date on which the Hon'ble Supreme Court of India pronounced their decision. The Committee also noted that the Hon'ble Apex Court in their decision granted liberty to make applications in accordance with the new Regulations. The NCTE Regulations, 2014 are in force now and the appellant is free to make an application for D.El.Ed. course, whenever applications are invited. Since no application of the appellant was pending on 10.09.2013, the appellant's case is not on the same footing with the application of GLS College referred to in the Hon'ble High Court of Delhi order dt. 12.03.2015. In these circumstances, the Committee concluded that the appeal deserved to be rejected.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be rejected.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, RVS College, 53, Arun Shiksha Samiti, Porsa, Morena, Madhya Pradesh – 476115.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-252/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Adarsh College of Education, Dhamnod, Dhar, M.P. dated 29/04/2016 is against the Order No. WRC/APP2746/223/243rd/2016/161502dated 25/02/2016 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "it is seen from the land ownership document, that the applicant has a private lease deed. As per clause 8(4)(i) of the NCTE Regulations, 2014 an applicant must own land in the name of the Society, on the date of application. Private lease is not allowed. Hence, Recognition is refused."

AND WHEREAS Dr. Shailendra Sharma, Principal and Sh. Ashish Indoriya, Asst. Professor, Adarsh College of Education, Dhamnod, Dhar, M.P. presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation it was submitted that "The land situated at Plot/khasra No. 100/4/1, Village Guljhara, Dhamnod, Tehsil Dharmpuri, District Dhar is held by the Society on long term lease of 30 years (lease deed has been registered under no. A-1/600 dated 05/01/2006). The society has constructed school and college buildings on the said land out of its own funds. The Regulations governing the recognition of institutes providing Higher Education courses (being run by the Society) do not stipulate that the land be held by the Society. In the course of presentation, the appellant submitted an affidavit affirming that if recognition for B.Ed. and B.Sc. B.Ed./B.A.,B.Ed. courses is granted, he will submit registered land documents within two months and construct building for these courses on the registered land within six months to one year."

AND WHEREAS the Committee noted that the appellant, along with his application, submitted a private lease deed for the land. According to the provisions of Clause 8(4)(i) of the NCTE Regulations, 2014, no institution shall be granted recognition under these Regulations unless the institution or society sponsoring the institution is in possession of required land on the date of application. The land free

from all encumbrances could be either on ownership basis or on lease from Government or Government institutions for a period of not less than 30 years. Since the appellant on the date of application, has the land on lease from a private person, which is not admissible under the NCTE Regulations, the Committee concluded that the W.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the W.R.C. confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Director, Adarsh College of Education, 100/4/1, Jankidevi Patidar Shikshan Sam, Patwari Halka No.26, Guljhara (Dhamnod), Dhamnod, Dhar, Madhya Pradesh – 454552.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-253/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Adarsh College of Education, Dhamnod, Dhar, M.P. dated 26/04/2016 is against the Order No. WRC/APP2760/B.A.B.Sc./MP/243rd/2016/161721 dated 27/02/2016 of the Western Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. (integrated) course on the ground that "it is seen from the land ownership document, that the applicant has a private lease deed. As per clause 8(4) (i) of the NCTE Regulations, 2014, an applicant must own land in the name of the Society, on the date of application. Private lease is not allowed. Hence, Recognition is refused."

AND WHEREAS Dr. Shailendra Sharma, Principal and Sh. Ashish Indoriya, Asst. Professor, Adarsh College of Education, Dhamnod, Dhar, M.P. presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation it was submitted that "the land situated at Plot/Khasra No. 100/4/1, village Gulijhara, Dhamnod is held by the society on long term lease of 30 years (lease deed has been registered under no. A-1/600 dt. 05.01.2006). The society has constructed school and college buildings on the said land out of its own funds. The regulations governing the recognition of institutes providing higher education courses (being run by the society) do not stipulate that the land be held by the society on ownership basis. The courses of B.A. and B.Sc. run by the society are permanently affiliated with the Devi Ahilya Vishwavidyalaya, Indore and the courses of B.Com. M.Com and M.Sc. affiliated with the same university on yearly renewal basis. Paras 7, 8 and 9 of the lease deed in particular would show that it provides absolute and unfettered powers to the society to use the leased land for promotion of educational activities. The lessee, who is also the Chairman of the society at present has expressed his intention to renew the said lease deed in favour of the society for a period of 99 years. In the course of presentation the appellant submitted an affidavit affirming that if recognition for B.Ed., B.Sc. B.Ed. and B.A. B.Ed. courses is granted

he will submit registered land documents within two months and construct building for these courses on the registered land within six months to one year.

AND WHEREAS the Committee noted that the appellant, along with his application, submitted a private lease deed for the land. According to the provisions of Clause 8(4)(i) of the NCTE Regulations, 2014, no institution shall be granted recognition under these Regulations unless the institution or society sponsoring the institution is in possession of required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Government or Government institutions for a period of not less than 30 years. Since the appellant on the date of application, has the land on lease from a private person, which is not admissible under the NCTE Regulations, the Committee concluded that the W.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the W.R.C. confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Director, Adarsh College of Education, 100/4/1, Jankidevi Patidar Shikshan Sam, Patwari Halka No.26, Guljhara (Dhamnod), Dhamnod, Dhar, Madhya Pradesh – 454552.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-254/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Sree Ramkrishna College of Education, Panchrahat, Birbhum, West Bengal dated 23/04/2016 is against the Order No. ER/7-205.8.72/ERCAPP3521/(B.Ed.)/2016/44418 dated 03/03/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "1. Show Cause Notice was issued on 10/02/2016 on the following grounds: (i) The applicant has submitted single application for B.Ed. Programme in the name of Sree Ramakrishna College of Education which comes under the category of standalone institution. Standalone institution is not considered as per NCTE Regulation 2014. 2. The institution submitted its reply on 08/02/2016 on the basis of proceedings uploaded in the website of the ERC. The reply of the institution is not satisfactory. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3521 of the institution regarding recognition for B.Ed. course is refused under section 14(3)(b) of NCTE Act, 1993."

AND WHEREAS Sh. Bankim Chandra Gop, Secretary and Sh. Banamali Ghosh, Member, Sree Ramkrishna College of Education, Panchrahat, Birbhum, West Bengal presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation it was submitted that "the applicant Trust, resolved in its general meeting held on 15th March 2015 at Birbhum office, of starting D.El.Ed. and B.Ed. College of academic session 2016-17 in the name of "Sree Ramkrishna PTTI for D.El.Ed." and "Sree Ramkrishna College of Education" under the Trust "Sree Ramkrishna Educational Trust". The applicant Trust, submitted its online application for grant of recognition for the academic session 2016-17 on 22/06/2015 for D.El.Ed. Programme (ERCAPP3520) in the name of "Sree Ramkrishna PTTI for D.El.Ed." and B.Ed. programme (ERCAPP3521) "Sree Ramkrishna College of Education" under the Trust "Sree Ramkrishna Educational Trust" with annual intake 100 (two basic units) each as a composite institute. The applicant Trust, before submitting online

application was in possession of 6624 sq. mts. of land and 4232.45 sq. mts. of built-up area in the name of managing body "Sree Ramkrishna Educational Trust" which satisfied the norms for composite institution as per NCTE, Regulation, 2014. The applicant trust obtained NOC from W.B.B.P.E.in the name of "Sree Ramkrishna PTTI for D.El.Ed.", dated 17/06/2015 and from the University of Burdwan in the name of "Sree Ramkrishna Educational Trust", dated 03/06/2015 and all other relevant documents including building plan are in favour of the institutions/trust. The applications for D.El.Ed. (ERCAPP3520) and B.Ed. (ERCAPP3521) are complete in all respects as per NCTE, Regulation 2014, whereas in the affidavit and undertaking it was clearly mentioned the proposed D.El.Ed. and B.Ed. application was under the same trust "Sree Ramkrishna Educational Trust". The applicant trust, in its reply dated 08/02/2015 to avoid the dispute against Show Cause Notice, vide proceedings of 205 meeting on 20th – 21st February, 2016 by ERC, NCTE, Bhubaneswar, in its written submission, explained its stance that the both of the institutions are in the same premises, under the same trust, and also prayed for consideration of the application. This was absolutely an unintended problem due to insufficient information/no proper guideline stated in NCTE, Regulations, 2014 and NCTE Act, 1993 about the name of the applicant college. Unfortunately, both the applications have not been considered by the ERC, NCTE. However, the managing body "Sree Ramkrishna Educational Trust" is same and in absolute possession of all functional aspects to establish the institution as a parent body, since in the initial stage, when there was no existence of the institution. The applicant society with good intention and willingness to become a composite institute filed both of the online applications for D.El.Ed. (ERCAPP3520) and B.Ed. (ERCAPP3521) programme in compliance with the NCTE Regulation 2014, but dispute in names of the college was completely unintended due to insufficient information of NCTE Regulation, 2014. ERC, NCTE. Without consideration of the facts and documentations including affidavit/undertaking rejected the application of B.Ed. (ERCAPP3521) applied for the academic session 2016-17 (vide order ER/7-205.8.72/ERCAPP3521/(B.Ed.)/2016/44418 dated 03/03/2016) with liberty to file an appeal to the applicant institution as per NCTE, ACT 1993. ERC, NCTE, after passing of 9 months (approx.) from the receipt of the hard copies of the online application (24/06/2015) to issuance of rejection order 03/03/2016) refused the application for B.Ed. programme. Hence, the applicant Trust/Institute had but no other alternate but to file an appeal under Section 18 of the NCTE, Act to reconsider the case for further

processing of the application. In the course of presentation, the appellant submitted a copy of the resolution of Sree Ramakrishna Educational Trust dated 10.03.2016 in which it was resolved that the D.El.Ed. and B.Ed. courses will be conducted in Sree Ramakrishna College of Education at village Barkuri, P.O. Panchrahat, P.S. & Block , Khairasole, District Birbhum – 731133 under the Trust.

AND WHEREAS the Committee, nothing the submissions of the appellant that the same Trust, namely, Sree Ramakrishna Educational Trust applied for B.Ed. and D.El.Ed. courses to be run in the same premises and under the same management, but with nomenclature of the institutions for running the two courses worded differently in the applications and they have since resolved to run the two proposed courses in a single institution, namely Sree Ramakrishna College of Education, the Committee concluded that the condition of composite institution i.e. institution offering multiple teacher education programmes is satisfied by the appellant. In these circumstances, the Committee concluded that the matter deserved to be remanded to the E.R.C with a direction to process the application further as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Sree Ramkrishna College of Education, Panchrahat, Birbhum, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sree Ramkrishna College of Education, Plot No. 1957, Village-Barkuri, Post Office-Panchrahat, Tehsil/Taluka-Barkur, Panchrahat, Birbhum, West Bengal – 731133.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-255/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Sree Ramkrishna PTTI for D.El.Ed. Birbhum, West Bengal dated 23/04/2016 is against the Order No. ER/7-205.8.73/ERCAPP3520/(D.El.Ed.)/2016/44469 dated 03/03/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show Cause Notice was issued on 11/02/2016 on the following grounds: (i) The applicant has submitted single application for D.El.Ed. Programme in the name of Sree Ramakrishna PTTI which comes under the category of standalone institution. Stand alone institution is not considered as per NCTE Regulation 2014. b. The institution submitted its reply on 08/02/2016 on the basis of proceedings uploaded in the website of the ERC. The reply of the institution is not satisfactory. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3520 of the institution regarding recognition for D.El.Ed. course is refused under section 14(3)(b) of NCTE Act, 1993."

AND WHEREAS Sh. Bankim Chandra Gop, Secretary and Sh. Banamali Ghosh, Member, Member, Sree Ramkrishna PTTI for D.El.Ed. Birbhum, West Bengal presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation it was submitted that "the applicant Trust, resolved in its general meeting held on 15th March 2015 at Birbhum office, of starting D.El.Ed. and B.Ed. College of academic session 2016-17 in the name of "Sree Ramkrishna PTTI for D.El.Ed." and "Sree Ramkrishna College of Education" under the Trust "Sree Ramkrishna Educational Trust". The applicant Trust, submitted its online application for grant of recognition for the academic session 2016-17 on 22/06/2015 for D.El.Ed. programme (ERCAPP3520) in the name of "Sree Ramkrishna PTTI for D.El.Ed." and B.Ed. programme (ERCAPP3521) "Sree Ramkrishna College of Education" under the Trust "Sree Ramkrishna Educational Trust" with annual intake 100 (two basic units) each as a composite institute. The applicant Trust, before submitting online

application was in possession of 6624 sq. mts. of land and 4232.45 sq. mts. of built-up area in the name of managing body "Sree Ramkrishna Educational Trust" which satisfied the norms for composite institution as per NCTE, Regulation, 2014. The applicant trust obtained NOC from W.B.B.P.E.in the name of "Sree Ramkrishna PTTI for D.El.Ed.", dated 17/06/2015 and from the University of Burdwan in the name of "Sree Ramkrishna Educational Trust", dated 03/06/2015 and all other relevant documents including building plan are in favour of the institutions/trust. The applications for D.El.Ed. (ERCAPP3520) and B.Ed. in (ERCAPP3521) is complete in all respects as per NCTE, Regulation 2014, whereas in the affidavit and undertaking it was clearly mentioned the proposed D.El.Ed. and B.Ed. application was under the same trust "Sree Ramkrishna Educational Trust". The applicant trust, in its reply dated 08/02/2015 to avoid the dispute against Show Cause Notice, vide proceedings of 205 meeting on 20th – 21st February, 2016 by ERC, NCTE, Bhubaneswar, in its written submission explained its stance that the both of the institutions are in the same premises, under the same trust, and also prayed for consideration of the application. This was absolutely an unintended problem due to insufficient information/no proper guideline stated in NCTE, Regulations, 2014 and NCTE Act, 1993 about the name of the applicant college. Unfortunately both the applications have not been considered by the ERC, NCTE. However the managing body "Sree Ramkrishna Educational Trust" is same and in absolute possession of all functional aspects to establish the institution as a parent body, since in the initial stage, when there was no existence of the institution. The applicant society, with good intention and willingness to become a composite institute filed both of the online applications for D.El.Ed. (ERCAPP3520) and B.Ed. (ERCAPP3521) programme in compliance with the NCTE Regulation 2014, but dispute in names of the college was completely unintended due to insufficient information of NCTE Regulation, 2014. ERC, NCTE without consideration of the facts and documentations including affidavit/undertaking rejected the application of D.El.Ed. (ERCAPP3520) applied for the academic session 2016-17 (vide order ER/7-205.8.73/ERCAPP3520/(D.El.Ed.)/2016/44469 dated 03/03/2016) with liberty to file an appeal to the applicant institution as per NCTE, ACT 1993. ERC, NCTE, after passing of 9 months (approx.) from the receipt of the hard copies of the online application (24/06/2015) to issuance of rejection order 03/03/2016) , refused application for D.El.Ed. Programme (ERCAPP3520). Hence, the applicant Trust/Institute had but no other alternate but to file an appeal under Section 18 of the

NCTE, Act to reconsider the case for further processing of the application. In the course of presentation, the appellant submitted a copy of the resolution of Sree Ramakrishna Educational Trust dt. 10.03.2016 in which it was resolved that the D.El.Ed. and B.Ed. courses will be conducted in Sree Ramakrishna College of Education at village Barkuri, P.O. Panchrahat, P.S. and Block Khairasole, District Birbhum – 731133 under the Trust.

AND WHEREAS the Committee, nothing the submissions of the appellant that the same Trust, namely, Sree Ramakrishna Educational Trust applied for B.Ed. and D.El.Ed. courses to be run in the same premises and under the same management, but with nomenclature of the institutions for running the two courses worded differently in the applications and they have since resolved to run the two proposed courses in a single institution, namely Sree Ramakrishna College of Education, the Committee concluded that the condition of composite institution i.e. institution offering multiple teacher education programmes is satisfied by the appellant. In these circumstances, the Committee concluded that the matter deserved to be remanded to the E.R.C with a direction to process the application further as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Sree Ramkrishna PTTI for D.El.Ed. Birbhum, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sree Ramkrishna College of Education, Plot No. 1957, Village-Barkuri, Post Office-Panchrahat, Tehsil/Taluka-Barkur, Panchrahat, Birbhum, West Bengal – 731133.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-261/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/16

ORDER

WHEREAS the appeal of Accurate Institute of Education, Mandideep, Raisen, Madhya Pradesh dated 26/04/2016 is against the Order No. WRC/APP3210/222/247th/{M.P.}/2016/165233 dated 20/04/2016 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the ground that "the institution has not replied to the show cause notice issued on 27/01/2016 on the ground that the institution is not a composite one which is not permitted as per section 2(b) of the NCTE Regulations, 2014.

AND WHEREAS Sh. Vijay Sisarwal, President, Accurate Institute of Education, Mandideep, Raisen, Madhya Pradesh presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation and in a letter dt. 21.06.2016 it was submitted that "the institution already have NOC from B.U. Bhopal for operating B.A. & B.Com. course for the session 2016-17 and the information regarding this fact was submitted by the institution to NCTE vide their letter dated 03/03/2016 to fulfil the reply of the SCN, which clearly establishes that their institution is already a composite one and thus the ground of rejection is not valid. The institute has replied the Regional Director of the NCTE in the stipulated time period. A copy of reply of SCN is enclosed herewith for ready reference. In the course of presentation the appellant submitted that their reply dt. 03.03.2016 was given by hand.

AND WHEREAS the Committee noted that the reply of the institution dt. 03.03.2016 to the show cause notice dt. 27.01.2016, which bears the receipt stamp of the W.R.C. dt. 03.03.2016, is not available in the file of the W.R.C. In these circumstances, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider the reply to the show cause notice and take further action as per the NCTE Regulations. The appellant is directed to resubmit

their reply to the show cause notice to the W.R.C. within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to W.R.C. with a direction to consider the reply to the show cause notice and take further action as per the NCTE Regulations. The appellant is directed to resubmit their reply to the show cause notice to the W.R.C. within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Accurate Institute of Education, Mandideep, Raisen, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Accurate Institute of Education, Kashara No. 117/1/2/2, Plot No. 117, Street No. Polaha Village – Polaha P.O. Mandideep, Tehsil/Taluka – Goharganj, Town/City – Mandideep, District - Raisen, Madhya Pradesh - 462046.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-262/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Maharaja Suhaildev Mahila P.G. College, Gaziapur, Ballia, Uttar Pradesh dated 27/04/2016 is against the decision of the N.R.C. contained in the minutes of their 252nd meeting held on 19th April to 2nd May, 2016 to refuse recognition for conducting D.El.Ed. course on the grounds that "the institution was given show cause notice in 250th (Part-III) meeting. The institution submitted reply dt. 24/02/2016 which was received on 02/04/2016. Institution has mentioned khasra No. 778M in Building Completion Certificate. In the online application above, khasra no. 778M whereas khasra no. in certified land documents is 1167/36A. 1167/48/1, 1167/46/1 which do not match. As such, application of the institution is rejected and recognition is refused. The N.R.C. issued the refusal order F.No. NRC/NCTE/NRCAPP-13866/252nd (Part-4)Meeting/2016/149505-08 on 27.05.2016.

AND WHEREAS Sh. Baban Rajmar, Manager, Maharaja Suhaildev Mahila P.G. College, Gaziapur, Ballia, Uttar Pradesh presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation it was submitted that "due to Chakbandi old khasra Nos. 11/67/36/1. 1167/48/1 and 1167/46/1 have been changed into new khasra no. 778M rakba 2.83Acre i.e. 1.145 Hect. Land Certificate was issued by Tehsildar dated 26/04/2016 (copy attached). The appellant with his letter dt. 27.4.2016 also enclosed copies of Chakbandi papers signed by the Tahsildar indicating the old and new khasra numbers.

AND WHEREAS the Committee, noting the clarification furnished by the appellant, concluded that the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014. The appellant is directed to submit copies of the certificate and Chakbandi papers issued by the Tahsildar, Bethararoad, Balia to the N.R.C. within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to take further action as per the NCTE Regulations, 2014. The appellant is directed to submit copies of the certificate and Chakbandi papers issued by the Tahsildar, Bethararoad, Balia to the N.R.C. within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Maharaja Suhaildev Mahila P.G. College, Gaziapur, Ballia, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Maharaja Suhaildev Mahila P.G. College, 778, Non-Agriculture Land, Bankara Sayad Bukhara Gaziapur, Belthara Road, Ballia, Uttar Pradesh – 221716.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-263/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Gossaigaon B.Ed. College, Gossaigaon, Kokrajhar, Assam dated 28/04/2016 is against the Order No. ERC/7-207.8.8/D.El.Ed. (Addl. Course)/ERCAPP3355/2016/44322 dated 03/03/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (Addl.) course on the grounds that "1. Show Cause Notice was issued on 10/02/2016 on the following grounds: a) The institution is recognised for B.Ed. programme. b) The building plan submitted is not a proper building plan. The institution is required to submit a blue print of building plan indicating total land area, total built up area etc. & duly approved by any Govt. Engineer. 2. The institution submitted its reply vide letter dated 23/02/2016 alongwith a building plan. As per submitted building plan, the built up area is not indicated. The measurement of land area is not mentioned with units i.e. sq. mts. or sq. ft. the building plan is not approved by any Govt. Civil Authority.

AND WHEREAS Sh. Mikoraj Brahma, Lecturer and Sh. Arup Barman, Lecturer, Gossaigaon B.Ed. College, Gossaigaon, Kokrajhar, Assam presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation it was submitted that "The institution submitted of the building plan of the college after taking approval of the Govt. Engineer as per previous guideline of NCTE but it did not indicate built-up area, land area in the plan. It ought to have been indicated in building plan itself now it is required to be approved by any Govt. civil authority as per latest order of NCTE. We pray you to give one more opportunity to submit the papers in accordance with your requirement afresh. The appellant, in the course of presentation, submitted a letter dt. 18.06.2016 enclosing a blue print of a building plan.

AND WHEREAS the Committee noted from the blue print of the building plan submitted by the appellant that it indicates the total land area and built up area in sq. mtrs. and it has been approved by the P.W.D. Engineers. In these circumstances,

the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to process the application further as per NCTE Regulations, 2014. The appellant is directed to submit the approved blue print of the building plan to the E.R.C. within 15 days of receipt of the orders on appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to E.R.C. with a direction to process the application further as per NCTE Regulations, 2014. The appellant is directed to submit the approved blue print of the building plan to the E.R.C. within 15 days of receipt of the orders on appeal.

NOW THEREFORE, the Council hereby remands back the case of Gossaigaon B.Ed. College, Gossaigaon, Kokrajhar, Assam to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal/Secretary, Gossaigaon B.Ed. College, Nepalpara Habrubil, Gossaiagaon, Kokrajhar, Assam – 783360.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.

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F.No.89-266/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Vivekanand Shiksha Avam Seva Samiti (SRC Bhopal) Sultanabad, Bhopal, Madhya Pradesh dated 29/04/2016 is against the Order No. WRC/APP15677/223/244th/2016/161802 dated 29/02/2016 of the Western. Regional Committee, summarily rejecting their application for grant of recognition for conducting B.Ed. course on the grounds that "the online application was received on 27/08/2015 and hard copy was received on 18/09/2015, both these dates are much beyond the stipulated last dates. Further, processing fee has not been submitted.

AND WHEREAS Sh. Swapnil Verma, Secretary to the Governing body and Sh. V.K. Verma, Treasure, Vivekanand Shiksha Avam Seva Samiti (SRC Bhopal) Sultanabad, Bhopal, Madhya Pradesh presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation and in a letter dt. 21.06.2016 it was submitted that "they have filed the online application on 30.06.2015 and also paid the required fee of Rs. 1,50,000/- on 30.06.2015 through net banking from their A/c No. 30998170904 in State Bank of India , Branch Link Road No. 1, Bhopal. In support of the payment the appellant enclosed copies of statements issued by State Bank of India indicating that the financial transaction dt. 30.06.2016 was a success. The appellant further submitted that after payment of the fee, the application ID was not created and a message appeared over the computer screen that the page not be displayed. Thereafter the appellant approached W.R.C., Bhopal and NCTE through e-mails and telephone and after repeated efforts the application ID was created by NCTE and after getting the same, they immediately sent the hard copy to the W.R.C. The appellant enclosed a copy of their letter to the NCTE requesting allotment of application ID.

AND WHEREAS the Committee noted that the records in the NCTE indicate that the payment of fees has been received (Payment ID 50527084). The Committee also noted that the NCTE instructed the concerned agency on 19.05.2015 to allot

the application ID to the appellant and the agency confirmed to NCTE on 31.08.2015 that ID No. WRCAPP 15677 has been generated. In these circumstances, when technical glitch delayed the submission of application, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to process the application further as per the NCTE Regulations, 2014.

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

NOW THEREFORE, the Council hereby remands back the case of Vivekanand Shiksha Avam Seva Samiti (SRC Bhopal) Sultanabad, Bhopal, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vivekanand Shiksha Evam Seva Samiti, Plot No.-J-339, Street-Kotra Sultanabad, Village-Bhopal, PO-Kamla Nagar S.O.(Bhopal), Tehsil-Huzur, City-Bhopal, District: Bhopal – 462003, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-268/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Gitanjali College of Physical Education, Sainthia, Birbhum, West Bengal dated 29/04/2016 is against the decision contained in the minutes of the Emergent meeting of the Eastern Regional Committee held on 24-25 April, 2016 to refuse recognition for conducting B.P.Ed. course on the grounds that "a) Show Cause Notice was decided in 210th ERC Meeting held on 7-9 April, 2016 on the following grounds that (i) As per VT report and CD, building construction not yet completed. (ii) The playground is not ready for physical education activities. (b) In response to show cause notice, the institution submitted its reply dated 13/04/2016 along with some photographs and CD. As seen in the CD, the construction work is not yet fully completed. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP2547 of the institution regarding recognition for B.P.Ed. course is refused under section 14(3)(b) of NCTE Act, 1993. The E.R.C. issued their refusal order no. ER/7-EM-212.7.15/ERCAPP2547/B:P.Ed./2016/46625 on 02.05.2016."

AND WHEREAS Sh. Raihan UL Haque, Representative and Sh. Shyama Charan Bandopadhyay, Representative, Gitanjali College of Physical Education, Sainthia, Birbhum, West Bengal presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation and in a letter dt. 18.06.2016 it is submitted that (i) the Visiting Team that inspected the building and other infrastructure were satisfied about the infrastructure facilities as well as construction of the building; (ii) while the construction of the building was completed in all respects, on the day of inspection only painting work of a part of inner portion of the building was incomplete and at present painting and other works are finished; (ii) the Sub-Asst. Engineer, PWD and Pradhan, Deriapur Gram Panchayat have issued the building completion certificate on 12.02.2016; (iv) University of Burdwan has issued N.O.C. after being satisfied on physical verification of the infrastructure and the Higher Education Department of Government of West Bengal had inspected the

College and they are going to issue N.O.C. very soon; and (v) during construction work various building materials were stored on the playground and they had to use JCB for cleaning and levelling the play ground resulting in insufficient green grass in the small corner of the play ground and now the playground is completely ready, with green grass throughout the large areas, for physical education activities. The appellant enclosed copy of C.D., comparative still photographs and a copy of the building completion certificate.

AND WHEREAS the Committee noted that the Visiting Team that inspected the institution on 1.03.2016 reported that the infrastructural and instructional facilities for conducting one unit each of B.P.Ed. and M.P.Ed. courses are available as per the NCTE norms. The V.T. found the quality of painting good and did not make any comments on the playground. From the photographs submitted by the appellant it is seen that the condition of the playground is satisfactory. The Committee after taking into account the submissions of the appellant concluded that the matter deserved to be remanded to the E.R.C. with a direction to take further action as per the NCTE Regulations.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to E.R.C. with a direction to take further action as per the NCTE Regulations.

NOW THEREFORE, the Council hereby remands back the case of Gitanjali College of Physical Education, Sainthia, Birbhum, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Gitanjali College of Physical Education, 1124, 1132, 1740, 943, Daikota, Sainthia, Birbhum, West Bengal – 731234.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-269/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Gitanjali College of Physical Education, Sainthia, Birbhum, West Bengal dated 29/04/2016 is against the decision contained in the minutes of the Emergent Meeting of the Eastern Regional Committee held on 24-25 April, 2016 to refuse recognition for conducting M.P.Ed. course on the grounds that a) Show Cause Notice was decided in 210th ERC Meeting held on 7-9 April, 2016 on the following grounds that "(i) As per VT report and CD, building construction not yet completed. (ii) The playground is not ready for physical education activities. (b) In response to show cause notice, the institution submitted its reply dated 13/04/2016 along with some photographs and CD. As seen in the CD, the construction work is not yet fully completed. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP2549 of the institution regarding recognition for M.P.Ed. course is refused under section 14(3)(b) of NCTE Act, 1993. The ERC issued their refusal order no. ER/7-EM-212.7.16/ERCAPP2549/M.P.Ed./2016/46626 on 02.05.2016."

AND WHEREAS Sh. Raihan UL Haque, Representative and Sh. Shyama Charan Bandopadhyay, Representative, Gitanjali College of Physical Education, Sainthia, Birbhum, West Bengal presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation and in a letter dt. 18.06.2016 it is submitted that (i) the Visiting Team that inspected the building and other infrastructure were satisfied about the infrastructure facilities as well as construction of the building; (ii) while the construction of the building was completed in all respects, on the day of inspection only painting work of a part of inner portion of the building was incomplete and at present painting and other works are finished; (iii) the Sub-Asst. Engineer, PWD and Pradhan, Deriapur Gram Panchayat have issued the building completion certificate on 12.02.2016; (iv) University of Burdwan has issued N.O.C. after being satisfied on physical verification of the infrastructure and the Higher Education Department of Government of West Bengal had inspected

the College and they are going to issue N.O.C. very soon; and (v) during construction work various building materials were stored on the playground and they had to use JCB for cleaning and levelling the play ground resulting in insufficient green grass in the small corner of the play ground and now the playground is completely ready, with green grass throughout the large areas, for physical education activities. The appellant enclosed copy of C.D., comparative still photographs and a copy of the building completion certificate.

AND WHEREAS the Committee noted that the Visiting Team that inspected the institution on 1.03.2016 reported that the infrastructural and instructional facilities for conducting one unit each of B.P.Ed. and M.P.Ed. courses are available as per the NCTE norms. The V.T. found the quality of painting good and did not make any comments on the playground. From the photographs submitted by the appellant it is seen that the condition of the playground is satisfactory. The Committee after taking into account the submissions of the appellant concluded that the matter deserved to be remanded to the E.R.C. with a direction to take further action as per the NCTE Regulations.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to E.R.C. with a direction to take further action as per the NCTE Regulations.

NOW THEREFORE, the Council hereby remands back the case of Gitanjali College of Physical Education, Sainthia, Birbhum, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Gitanjali College of Physical Education, 1124, 1132, 1740, 943, Daikota, Sainthia, Birbhum, West Bengal – 731234.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-272/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Sahid Khudiram College of Education, Tamluk, Midnapore, West Bengal dated 05/05/2016 is against the decision contained in the minutes of the 212th meeting of the Eastern Regional Committee held on 19-20 April, 2016 refusing recognition for conducting B.Ed. course on the grounds that "a. Show cause notice was issued on 14/04/2016 on the following grounds: (i) As per online application name of the institution is "Sahid Khudiram College of Education" whereas land (Gift Deed) is in the name of "Sahid Khudiram College of Education (D.El.Ed. & B.Ed.). b. In response to show cause notice, the institution submitted its reply dated 15/04/2016 on the basis of proceedings uploaded in the website of the ERC alongwith Deed on Declaration made on 15/04/2016 in the name of institution which is not acceptable. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3950 of the institution regarding recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act, 1993. E.R.C. issued the refusal order no. ER/7-212.7.17/ERCAPP3965/(B.Ed.)/2016/46537 on 02.05.2016.

AND WHEREAS Sh. Gopi Nath Samanta, President and Dr. Subhasis Samai, Trustee Member, Sahid Khudiram College of Education, Tamluk, Midnapore, West Bengal presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation and in a letter dt. 17.06.2016 it was submitted that "The Gift Deeds executed on 23rd June, 2015 and 24th June, 2015 were between Tapan Kumar Samanta, Gopinath Samantha, Subhasis Samai, Asish Samoi, Mita Samoi and Sankar Prasad Aditya (Donors) and Sahid Khudiram College of Education (Donee). The Mutation and Land Use Certificate clearly indicates that the land is in the name of Sahid Khudiram College of Education. Further, the application made by the appellant is in the name of Sahid Khudiram College of Education. While all land documents are in the name of Sahid Khudiram College of Education, due to an inadvertent typographical error made by the document writer in the middle pages of the Gift Deed(s) the name of the college was typed as Sahid

Khudiram College of Education (D.El.Ed. and B.Ed.) instead of Sahid Khudiram College of Education. At the time of submission of application, they could not notice this error. Even the same was not noticed by the Visiting team, which visited their institution. It came to their notice only after ERC decided to issue Show Cause Notice. In order to rectify this typographical error, the donors have made a deed of declaration where the name of the college was corrected as Sahid Khudiram College of Education instead of Sahid Khudiram College of Education, (D.El.Ed. and B.Ed.). As soon as the appellant came to know about this error it immediately took the corrective measure to rectify the same and on the very same day i.e. 15/04/2016, the appellant executed a correction deed. It is submitted that even though the D.El.Ed. and B.Ed. specify the names of the courses, it is nowhere connected with the name of the institution."

AND WHEREAS the Committee noting the submissions made by the appellant and the steps taken by him to get a correction Deed of Declaration, with regard to the name of the institution in the land documents, executed and registered with the District Sub-Registrar, concluded that the matter deserved to be remanded to the E.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to E.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Sahid Khudiram College of Education, Tamluk, Midnapore, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sahid Khudiram College of Education, 349, 353, 1377, Gifted Deed, 1006, 1553, 1555, Dakshin Mechogram, Panskura Panskura, Midnapore, West Bengal – 721139.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-273/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Vyagprastha College of Education, Baghpat, Uttar Pradesh dated 06/05/2016 is against the Order No. NRC/NCTE/NRCAPP-7001/243rd Meeting/2015/125010 dated 09/10/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the reply dated 15/09/2015 was submitted by the institution in response to the Show Cause Notice issued inter-illia giving 30 days time for submission of reply. The institution neither submitted reply within the 60 days period given under LOI nor it could comply the required documents in the SCN. Thus the institution got a period of 90 days to submit the required reply but it could not do so."

AND WHEREAS the submission of the appeal has been delayed by four months and twenty seven days beyond the prescribed period of 60 days. The appellant submitted that the refusal order was not provided to him saying that it was sent by post and it may be checked at the post office. After knowing that it is not available at the post office, the appellant visited by N.R.C. office on 18.03.2016 but could not get a copy of the refusal order. It was only on their next visit to N.R.C. on 22.03.2016 and after best efforts they got a copy of the refusal order dt. 09.10.2015. The appellant also submitted that the N.R.C. has never informed the factual status of their application and kept them in dark, eventhough it closed their file. On receipt of approval of affiliating university he rushed to the N.R.C.

AND WHEREAS Sh. Ashwani Kumar Vaid, President and Sh. Sandeepan, Trustee Member, Vyagprastha College of Education, Baghpat, Uttar Pradesh presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation it was submitted that they were issued LOI (letter of intent prior to recognition) by the NRC, NCTE, Jaipur vide letter dated 10/04/2015 inter-alia directing them to submit a list of teaching staff duly approved by the affiliating University within a period of 60 days. The appellant immediately took up the

matter with the CCS University, Meerut to grant affiliation and to approve the list of teaching staff vide letter dated 16/05/2015 Annexure-B & C. The appellant remained constantly engaged with the CCS University to approve the list of teaching staff and grant of affiliation to the appellant institution. A number of visits were made to the University officials as well as a sizable correspondence was made at various levels of the University (Annexure-D). after the marathon efforts of the appellant the CCS University approved the list of teaching staff of the appellant vide its letter dated 10/02/2016 (Annexure-E). The time taken by the affiliating university to approve the teaching staff is beyond the control of the appellant. The action of NRC to refuse recognition to the appellant on the ground of non-submission of reply in response to its SCN without ensuring that whether, this was received by the appellant or not is arbitrary, unjust and unlawful. However, now the appellant submits that he has already completed all the requisite conditions stipulated in the NCTE Regulations, Norms & Standards. The supporting documents in respect of every deficiency are submitted for kind perusal of the Hon'ble Appellate Authority. The appellant prays that the Hon'ble Appellate Authority to quash/set-a-side the order of NRC and grant justice to the appellant by accepting this appeal and issuing directions to the NRC to grant recognition to the appellant as per NCTE, Regulations.

AND WHEREAS the Committee noted that the N.R.C. issued a Letter of Intent (L.O.I.) to the appellant on 10.04.2015. As the appellant did not respond to the L.O.I. within the prescribed time, N.R.C. issued a show cause notice to him on 17.08.2015. The appellant submitted a reply (undated) which was received in the W.R.C. on 15.09.2015. In that reply the appellant submitted that they could not submit a reply to the L.O.I. because approval of teachers by C.C.S. University, Meerut was under process and the list of faculty will be submitted as soon as they get approval of the university. The appellant, with his appeal, enclosed copies of their letters to the C.C.S. University dt. 11.05.2015 and 16.05.2015 for grant of affiliation, letter dt. 22.01.2016 from C.C.S. University nominating subject experts, letter dt. 10.02.2016 from that university approving the teaching faculty and a copy of the N.O.C. dt. 10.11.2015 from C.C.S. University.

AND WHEREAS the Committee noting that the appellant, after the issue of the L.O.I. was pursing the matter with the C.C.S. University, Meerut, appraised the

N.R.C. with his reply to the show cause notice and also obtained the university's approval to the faculty, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the approved staff list and other relevant documents submitted by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit the approved staff list and other required documents to the N.R.C. within 15 days of receipt of the orders on appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to consider the approved staff list and other relevant documents submitted by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit the approved staff list and other required documents to the N.R.C. within 15 days of receipt of the orders on appeal.

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, Vyagprastha College of Education, 78, 91, 92, Village Habibpur Mirza, PO – Baghpat, Baghpat, Uttar Pradesh – 250609.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-274/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Sahid Khudiram College of Education, Tamluk, Midnapore, West Bengal dated 05/05/2016 is against the the decision contained in the minutes of the 212th meeting of the Eastern Regional Committtee held on 19-20 April, 2016 refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show cause notice was issued on 14/04/2016 on the following grounds: (i) As per online application name of the institution is "Sahid Khudiram College of Education" whereas land (Gift Deed) is in the name of "Sahid Khudiram College of Education (D.El.Ed. & B.Ed.). b. In response to show cause notice, the institution submitted its reply dated 15/04/2016 on the basis of proceedings uploaded in the website of the ERC alongwith Deed on Declaration made on 15/04/2016 in the name of institution which is not acceptable. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3950 of the institution regarding recognition for D.El.Ed. programme is refused under section 14(3)(b) of NCTE Act, 1993. ERC issued the refusal order no. ER/7-212.7.16/ERCAPP3950/(D.El.Ed.)/2016/46443 on 2.5.2016.

AND WHEREAS Sh. Gopinath Samanta, President and Dr. Subhasis Samai, Trustee Member, Sahid Khudiram College of Education, Tamluk, Midnapore, West Bengal presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation and in a letter dt. 17.06.2016 it was submitted that the Gift Deeds executed on 23rd June, 2015 and 24th June, 2015 were between Tapan Kumar Samanta, Gopinath Samantha, Subhasis Samai, Asish Samoi, Mita Samoi and Sankar Prasad Aditya (Donors) and Sahid Khudiram College of Education (Donee). The Mutation and Land Use Certificate clearly indicates that the land is in the name of Sahid Khudiram College of Education. Further, the application made by your appellant is in the name of Sahid Khudiram College of Education. While all land documents are in the name of Sahid Khudiram College of Education, due to an inadvertent typographical error made by the document writer in the middle pages of the Gift

Deed(s) the name of the college was typed as Sahid Khudiram College of Education (D.El.Ed. and B.Ed.) instead of Sahid Khudiram College of Education. At the time of submission of application they could not notice this error. Even the same was not noticed by the Visiting team, which visited their institution. It came to their notice only after ERC decided to issue Show Cause Notice. In order to rectify this typographical error the donors have made a deed of declaration where the name of the college was corrected as Sahid Khudiram College of Education instead of Sahid Khudiram College of Education, (D.El.Ed. and B.Ed.). As soon as the appellant came to know about this error it immediately took the corrective measure to rectify the same and on the very same day i.e. 15/04/2016, your appellant executed a correction deed. It is submitted that even though the D.El.Ed. and B.Ed. specify the names of the courses; it is nowhere connected with the name of the institution.

AND WHEREAS the Committee, noting the submission made by the appellant and the steps taken by him to get a correction Deed of Declaration, with regard to the name of the institution in the land documents, executed and registered with the District Sub-Registrar, concluded that the matter deserved to be remanded to the E.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to E.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Sahid Khudiram College of Education, Tamluk, Midnapore, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sahid Khudiram College of Education, 349, 353, 1377, Gifted Deed, 1006, 1553, 1555, Dakshin Mechogram, Tamluk, Midnapore, West Bengal – 721131.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-275/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:04/08/2016

ORDER

WHEREAS the appeal of The ICFAI University, Agartala, West Tripura, Tripura dated 02/05/2016 is against the Order No. ERC/208.8.57/ERCAPP3631/B.Ed./2015/45331 dated 12/04/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. (Odl) Mode course on the grounds that "1. Show cause notice issued on 23/02/2016 on the following grounds. (i) In the submitted building plan, total demarcated land area and built up area is not indicated D.El.Ed. (ODL mode) and B.Ed. (ODL mode). 2. In response to Show Cause Notice, the institution submitted its reply dated 04/03/2016. The institution is still deficient on the following grounds: (i) Building plan submitted is not approved by the Competent Civil Authority. Plot no. not mentioned in the building plan. Total area and built up area earmarked for the proposed programme not shown in the building plan. The Registrar has only marked the plan and written as earmarked for distance D.El.Ed. and B.Ed. programme. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP3631 of the institution regarding recognition for B.Ed. (ODL mode) is refused under section 15(3)(b) of NCTE Act, 1993."

AND WHEREAS Prof. S. Agaiah Chary, Advisor and Dr. A. Ranganath, Registrar, Advisor and Sh. Ranganath, Registrar, The ICFAI University, Agartala, West Tripura, Tripura presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "As per the norms we submitted the plan approved by the competent authority and also earmarked area for the distance education D.El.Ed. and B.Ed. (ODL mode) programme. Plot number is also mentioned in the building plan and also application form."

AND WHEREAS Appeal Committee noted that norms and standards for B.Ed. programme through O.D.L. system in the NCTE Regulations, 2014 mention following eligibility requirements:

"2.1 Eligibility of Institutions

"The institutions or academic units specially established for offering ODL programmes like the National Open University, State Open Universities and Directorates/ School of Open and Distance Learning in U.G.C. recognised universities shall be eligible to offer this teacher education programme.

Appeal Committee noted that norms and standards for the B.Ed. (ODL) further lay down eligibility conditions for study centres and only existing Teacher Education Institutions recognised by NCTE for offering the same programme in face to face mode and having all the requisite infrastructure and staff and having offered the relevant course for at least last five years shall qualify to be declared a study centre.

AND WHEREAS Appeal Committee observed that unlike Norms and Standards prescribed for face to face Teacher Education courses, the norms and standards for ODL mode donot prescribe any specific infrastructural requirements i.e. land and building/built up area etc. The reason behind it may be that established universities and Directorates only are eligible to apply for a teacher education course through O.D.L. mode. The ground on which Show Cause Notice (SCN) dated 23.02.2016 was issued is therefore, questionable. It would have been more appropriate for the Regional Committee to have examined the academic capability of the applicant to conduct the course through O.D.L. mode by keeping in view the curriculum framework and the capability of proposed study centres to disseminate the study material. Appeal Committee also noticed that the building plan submitted by the appellant in reply to the S.C.N. stands approved by Kamalghat Panchayat Authority in the year 2005 and the plan is marked as ICFAI campus, Tripura. Appeal Committee, therefore, decided to remand back the case to E.R.C. for processing the application keeping in view the norms and standards for the course applied for and concentrating on the academic and professional capabilities of the appellant university to conduct the programme through O.D.L.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for further processing of the application keeping in view the norms and standards prescribed for the programme and concentrating on the academic and professional capability of the appellant university to conduct the programme through O.D.L.

NOW THEREFORE, the Council hereby remands back the case of The ICFAI University, Agartala, West Tripura, Tripura to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Registrar, The ICFAI University Tripura, 3231, 6458, Kamalghat, Agartala, West Tripura.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Tripura, Agartala.

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F.No.89-276/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Siliguri Primary Teachers Training College, Siliguri, Darjeeling, West Bengal dated 02/05/2016 is against the Order No. ER/7-ER-205.8.16/ERCAPP3415/(D.El.Ed.)/2016/44474 dated 03.03.2016 of the Eastern Regional Committee, refusing recognition for conducting D.El..Ed. course on the grounds that "(a) Show cause notice was decided in 202nd meeting of ERC held on 18-23 January, 2016 on the following grounds: (i) The applicant has submitted single application for B.Ed. in the name of Siliguri Terai B.Ed. College, which does not come under the category of composite institution. (ii) The standalone institution is not considerable as per NCTE Regulation 2014. (b) The institution submitted its reply on 04/02/2016 on the basis of proceedings uploaded in the website of the ERC. The reply of the institution is not satisfactory. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3415 of the institution regarding recognition for D.El.Ed. is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Puspajit Sarkar, Secretary and Sh. Prasenjit Sarkar, Member, Siliguri Primary Teachers Training College, Siliguri, Darjeeling, West Bengal presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "The applicant has submitted two applications jointly as Siliguri Primary Teachers Training College and Siliguri Tarai B.Ed. College [A composite institute as per NCTE Norms, 2014]. Our society named our institution as above as composite application ID:ERCAPP3415 for D.El.Ed. and ERCAPP3786 for B.Ed. in a same contiguity plot. This is not a standalone institute. Our society used just two names for two programme jointly. Both the programme are in same land plot, same society, same applicant, same land address. Two names are used but we applied as composite institute and want to follow composite institution Rules of NCTE/2014. NOC issued by the affiliating body after inspection for both the

programme. Land contiguity certificate is issued by BL & LRO Govt. of West Bengal. Society is ready to follow the composite rules of NCTE/2014."

AND WHEREAS Regulation 8(i) of the NCTE Regulations, 2014 prescribes that 'New Teacher Education Institutions shall be located in composite institutions' Clause 2(b) of the above regulation defines composite institution to be a 'duly recognised higher education institution offering undergraduate or post graduate programmes in field of liberal arts, humanities or social sciences or commerce or mathematics or an institution offering multiple teacher education programmes.

AND WHEREAS Appeal Committee observed that in a number of cases the applicant societies/trust have proposed to add on a new course or apply for two different programmes and the name of applicant institution is slightly different depending on the nature of courses offered or proposed to be offered. For example if degree courses are already being conducted the name of existing institution is distinctive as Degree College and when a teacher education programme is applied for, the name of the institution is slightly modified to include the nomenclature such as of teacher education or B.Ed. or D.Ed. or Physical Education. In almost all such cases the Regional Committee have been rejecting the recognition on the ground that institution is not covered under the definition of a composite institution. Appeal Committee after considering many of such appeal matters has decided that the institution proposed to be established by the same management society or Trust in the same premises irrespective of little modification in the name shall be treated to be a composite institution.

AND WHEREAS Appeal Committee noted that appellant society i.e. Siliguri Tarai Education Welfare society has proposed to set up B.Ed. college and a D.El.Ed. institution on the same plot. The name of proposed institutions are slightly different as:-

(i) 'Siliguri Primary Teacher Training College'
D.El.Ed. course – ERCAPP 3415

(ii) 'Siliguri Tarai B.Ed. College'
(B.Ed.) – ERCAPP 3786

Application for both the programmes were for academic year 2016-17.

AND WHEREAS Appeal Committee decided to remand back the case to E.R.C. for processing the case by treating the institution to be a composite as the same society has applied for two courses.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. Bhubaneswar for processing the application by treating the Institution/Society composite.

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

(Sanjay Awasthi)
Member Secretary

1. The President/Secretary, Siliguri Terai B.Ed. College, 231 (Part) 232 (Part)/Khati 146, ownership, Dudhajote, Siliguri, Darjeeling, West Bengal – 734427.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-277/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Siliguri Terai B.Ed. College, Siliguri, Darjeeling, W.B. dated 02/05/2016 is against the Order No. ER/7-205.8.15/ERCAPP3786/(B.Ed.)/2016/44427 dated 03/03/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(a) Show cause notice was decided in 202nd meeting of ERC held on 18-23 January, 2016 on the following grounds: (i) The applicant has submitted single application for B.Ed. in the name of Siliguri Terai B.Ed. College, which does not come under the category of composite institution. (ii) The standalone institution is not considerable as per NCTE Regulation 2014. 2. The institution submitted its reply on 04/02/2016 on the basis of proceedings uploaded in the website of the ERC. The reply of the institution is not satisfactory. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3786 of the institution regarding recognition for B.Ed. is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Puspajit Sarkar, Secretary and Sh. Prasenjit Sarkar, Member, Siliguri Terai B.Ed. College, Siliguri, Darjeeling, W.B. presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "The applicant has submitted two application jointly as Siliguri Primary Teachers Training College and Siliguri Tarai B.Ed. College [A composite institute as per NCTE Norms, 2014]. Our society named our composite institute as above, in a contiguity land plot. This is not a standalone institute. Our society used just two names for two programme. Both the programmes are in same land plot, same society, same applicant, same land address. Two names are used but we applied as composite institute. NOC issued by the affiliating body after inspection for both the programmes. Land contiguity certificate is issued by BL & LRO Kharibari Block Govt. of West Bengal. Society is ready to follow the composite rules of NCTE/2014. The building was built as per approved building plan for both programmes and demarcated

as B.Ed. and D.El.Ed. Building. Our society is ready to follow the composite Rules NCTE/2014 and ready to make any alteration in names of college as suggested by NCTE HQ/NCTE RC, ERC. Therefore, we earnestly request you to consider our institute as composite."

AND WHEREAS Regulation 8(i) of the NCTE Regulations, 2014 prescribes that 'New Teacher Education Institutions shall be located in composite institutions' Clause 2(b) of the above regulation defines composite institution to be a 'duly recognised higher education institution offering undergraduate or post graduate programmes in field of liberal arts, humanities or social sciences or commerce or mathematics or an institution offering multiple teacher education programmes.

AND WHEREAS Appeal Committee has observed that in a number of cases the applicant societies/trust have proposed to add on a new course or apply for two different programmes and the name of applicant institution is slightly different depending on the nature of courses offered or proposed to be offered. For example if degree courses are already being conducted the name of existing institution is distinctive as Degree College and when a teacher education programme is applied for the name is college of teacher education or B.Ed. or D.Ed. or Physical Education added to that. In some cases the institutions find name of programme added after the name of institution. In almost all such cases the Regional Committee have been rejecting the recognition on the ground that institution is not covered under the definition of a composite institution. Appeal Committee after considering many of such appeal matters has decided that the institution proposed to be established by the same management society or Trust in the same premises irrespective of little modification in the name even will be treated to be a composite institution.

AND WHEREAS Appeal Committee noted that appellant society i.e. Siliguri Tarai Education Welfare society has also proposed to set up a B.Ed. programme on the same plot number. The name of proposed institutions are slightly different as:-

(i) 'Siliguri Primary Teacher Training College'
D.El.Ed. course – ERCAPP 3415

(ii) 'Siliguri Tarai B.Ed. College'
(B.Ed.) – ERCAPP 3786

Application for both the programmes were for academic year 2016-17.

AND WHEREAS Appeal Committee decided to remand back the case to E.R.C. for processing the case by treating the institution to be a composite as the same society has applied for two courses.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. Bhubaneswar for processing the application by treating the Institution/Society composite.

NOW THEREFORE, the Council hereby remands back the case of Siliguri Terai B.Ed. College, Siliguri, Darjeeling, W.B. to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President/Secretary, Siliguri Terai B.Ed. College, 231 (Part) 232 (Part)/Khati 146, ownership, Dudhajote, Siliguri, Darjeeling, West Bengal – 734427.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-279/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of ICFAI University, Agartala, West Tripura, Tripura dated 02/05/2016 is against the Order No. ERC/208.8.61/ERCAPP3636/M.Ed. (Addl. Course)/2015/45424 dated 13/04/2016 of the Eastern Regional Committee, refusing recognition for conducting M.Ed. (Addl.) course on the grounds that "1. Show cause notice was issued on 23/02/2016 on the following grounds. (i) The institution has not submitted the building plan, indicating the total land area, total built up area earmarked for teacher education programmes duly approved by any Govt. Engineer. 2. In response to Show Cause Notice, the institution submitted its reply dated 04/03/2016. The institution is still deficient on the following grounds: (i) Building plan submitted is not approved by the Competent Civil Authority. Plot No. not mentioned in the building plan. Total area and built up area earmarked for the proposed programme not shown in the building plan. The Registrar has only marked the plan and written as earmarked for M.Ed. programme. In view of the above, the committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3632 of the institution regarding permission for M.Ed. (Addl. Course) is refused under section 15(3)(b) of NCTE Act, 1993."

AND WHEREAS Sh. S.A. Chary, Adviser and Sh. A. Ranganath, Registrar, ICFAI University, Agartala, West Tripura, Tripura presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "As per the Norms we submitted the plan approved by the competent authority and also earmarked area for the M.Ed. programme. Plot number is also mentioned in the building plan and also application form."

AND WHEREAS Appeal Committee noted that infrastructural requirement for M.Ed. course as per NCTE Regulation, 2014 are as under:-

"An institution already having one teacher education programme and proposing to offer M.Ed. for one basic unit, shall possess a minimum of 3000

sq. mtrs. land area. The corresponding built-up area shall be 2000 sq. mtrs. For additional intake of one basic unit, the minimum additional built up area shall be 500 sq. meters."

AND WHEREAS Appeal Committee noted that the appellant university has furnished alongwith its application copy of Building Completion Certificate (B.C.C.) dated 16.07.2009 verifying a built up area of 5,98,856 sq. feet. It is also observed that appellant university is conducting a number of courses including non-teacher education programmes and teacher education programmes. The building plan submitted by the appellant is a compact building plan approved by the village authorities in the year 2009. The building plan mentions the following floor wise proposed built up area specifications:-

(i)	Basement Level	2450
(ii)	F. Ground Level	-
(iii)	Ground Level	1300
(iv)	First Floor Level	5050
(v)	Second Floor Level	8800
(vi)	Terrace Level	12550

Appeal Committee observed that the appellant has marked a certain area on the building plan as earmarked for M.Ed. programme. The specification of area earmarked for M.Ed. course has no where been mentioned. As the appellant university is conducting multiple non-teacher education courses, it was required to submit a concrete building plan specifying the area proposed for utilization of teacher education programmes as per NCTE norms and standards. The built up area should be sufficient for all the existing and proposed teacher education programmes duly supported by a Building Completion Certificate (B.C.C.) issued by competent authority. The building plan and B.C.C. should also be compatible.

AND WHEREAS Appeal Committee decided to grant the appellant another chance to submit to the E.R.C. copy of building plan containing built up area details for all the existing and proposed teacher education courses and a compatible B.C.C. within 30 days of the issue of appeal orders. E.R.C. is required to examine afresh

the matter provided the appellant submits required documents within 30 days of the issue of appeal orders.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for revisiting the matter on submission on building plan and B.C.C. as required in para 5 above.

NOW THEREFORE, the Council hereby remands back the case of ICFAI University, Agartala, West Tripura, Tripura to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Registrar, ICFAI University Tripura, 3231, 6458, Kamalghat, Agartala, West Tripura, Tripura – 799210.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Tripura, Agartala.

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F.No.89-280/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Ataur Rahman College of Education, Kalgachia, Barpeta, Assam dated 07/05/2016 is against the Order No. ERC/209.8.35/ERCAPP3702/D.El.Ed. (Addl. Course)/2015/55009 dated 13/04/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (Addl.) course on the grounds that "1. Show Cause Notice was issued on 10/02/2016 on the following grounds. (i) The submitted building plan is not readable. The institution is required to submit a blue print of building plan indicating total plot no., total land area, total built up area etc. & duly approved by any Govt. Engineer. 2. The institution submitted its reply dated 23/02/2016 along with a building plan indicating total built up area 2188.5 sq. mts. which is less than requirement for B.Ed. (existing two units) + D.El.Ed. (Proposed one unit). In view of the above, the committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3702 of the institution regarding permission for D.El.Ed. (Addl. Course) is refused under section 15(3)(b) of NCTE Act, 1993."

AND WHEREAS Sh. Fazlur Rahman, Secretary and Dr. Sorman Ali, Lecturer, Ataur Rahman College of Education, Kalgachia, Barpeta, Assam presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "The built up area was wrongly reflected as 2188.5 sq. mts. in place of 3030.34 sq. mts. However, a corrected blue print of building plan is enclosed herewith in original duly approved by the Government Executive Engineer, DRDA, Barpeta (Assam)."

AND WHEREAS Appeal Committee noted that E.R.C., Bhubaneswar issued a Show Cause Notice (S.C.N.) dated 10.02.2016, asking the appellant to submit building plan duly approved by Government Engineer indicating plot number, total land area and total built up area. The appellant in reply to the S.C.N. submitted blue print of a building plan vide its letter dated 23.02.2016.

AND WHEREAS Appeal Committee further noted that the outlay of the building plan as shown in the blue print matches the earlier plan submitted by appellant

alongwith application. The building plan submitted by the appellant institution vide its letter dated 23.02.2016 is approved by Executive Engineer, DRDA, Barpetta. Building plan indicates the property number as Dag. No. 257. Patta No. 161, Village Udmai, Dist. Barpetta and plot area is 5353.15 sq. meters. As regards the proposed built up area, details of two type of areas have been mentioned on the building plan. One is area before deduction and the second is area after deduction. The appellant during the course of appeal presentation submitted that entire floor area is treated as built up area and that area as per building plan is calculated to be 3030.34 sq. meters.

AND WHEREAS from the relevant records, Appeal Committee noted that appellant had submitted copy of a building completion certificate alongwith its application. As per this B.C.C. total built up area of the institution was shown as 1521 sq. meters but institution could have added to the built up area and applicant institution is free to submit evidence of adequate built up area at the time of inspection. The appellant has further submitted a building plan which has a similar sketch but the confusion of total built up area before and after deduction has been removed. Appeal Committee, decided to remand back the case to E.R.C. for processing the application. The built up area requirements can be verified at the time of inspection.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. Bhubaneswar for further processing of the application.

NOW THEREFORE, the Council hereby remands back the case of Ataur Rahman College of Education, Kalgachia, Barpeta, Assam to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Ataur Rahman College of Education, Ownership, DAG-257, Patta-161, Udmari, Kalgachia, Barpeta, Assam – 781319.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.

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F.No.89-281/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Smt. Amrit Kunwar Mahavidyalaya, Jalaun, Uttar Pradesh dated 03/05/2016 is against the Order No. NRC/NCTE/Recognition/D.El.Ed./2016/142867 dated 03/03/2016 of the Northern Regional Committee, granting recognition for conducting D.El.Ed. course with an intake of 50 seats.

AND WHEREAS Dr. Atul Ashutosh Sharan Gubrele, Lecturer, Smt. Amrit Kunwar Mahavidyalaya, Jalaun, Uttar Pradesh presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "partial intake was granted by the authority thus appellant is not satisfied by the order dated 03/03/2016 no. 142867-3467 because appellant applied for 100 seats for D.El.Ed. Course but only 50 seats are granted despite of institution fulfilling all the norms of NCTE Regulation, 2014."

AND WHEREAS Appeal Committee noted that appellant applied for grant of D.El.Ed. course in September, 2011 when NCTE Regulations of 2009 were in vogue. NCTE Regulations of 2009 did not allow applicant to apply for two units of D.El.Ed. course at a time. The processing of application, however, got delayed and by the time visiting team conducted 2nd inspection of the institution on 26.09.2015 NCTE Regulations, 2014 had come in force. Under NCTE Regulations, 2014, recognition for two units of D.El.Ed. course can also be granted provided the applicant has applied for it and has all necessary instructional and infrastructural facilities verified by the Visiting Team. In the instant case as the application was made by the appellant in the year 2011 and institution was inspected keeping in view the requirement of 50 seats, the Letter of Intent dated 17.10.2015 was issued. Further, it is observed by the Appeal Committee that appellant institution is also conducting B.Ed. course and B.P.Ed. courses with sanctioned intake of 100 and 50 respectively. The Visiting Team, therefore, was required to assess the resources of

the appellant institution for conducting all courses together which have not been done. Appellant's plea that it has mentioned 100 seats in the affidavit or has recruited faculty for 2 units of D.El.Ed. does not entitle the institution for grant of recognition for two units of D.El.Ed. compulsorily. Appeal Committee, therefore, decided to confirm the recognition order sanctioning single unit of D.El.Ed. course to the appellant institution.

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 order granting recognition for one unit of the D.El.Ed. to the appellant institution.

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, Smt. Amrit Kunwar Mahavidyalaya, Vill. & Post Atra Kalan, Tehsil Kalpi, District – Jalaun, Uttar Pradesh – 285123.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-282/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Shri Vishuddh Sagar Digamber Jain Buniyadi Prashikshan Sansthan, Sili Gunour, Panna, Madhya Pradesh dated 03/05/2016 is against the Order No. WRCAPP2732/B.A.B.Ed./MP/243rd/2016/161682 dated 27/02/2016 of the Western Regional Committee, refusing recognition for conducting B.A., B.Ed. (Integrated) course on the grounds that "The NOC dt. 15/07/2015 from Maharaja Chhatrasal Bundelkhand Vishwavidhyalaya mentions only one course, 'B.A.B.Ed.'. Since the applicant is neither conducting any other course nor has it applied for any other course, and in any case, the NOC is only for one course. Therefore, the application cannot be considered. Hence, Recognition is refused."

AND WHEREAS Sh. Vivek Kumar Khare, Lecturer and Sh. Surendra Kumar Jain, Secretary, Shri Vishuddh Sagar Digamber Jain Buniyadi Prashikshan Sansthan, Sili Gunour, Panna, Madhya Pradesh presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "That in the Show Cause Notice at 02/12/2015 the applicant was asked to clarify for which course it has applied in B.A.B.Ed./B.Sc.B.Ed. on this the applicant opted the B.A.B.Ed. otherwise they can also run the run the B.Sc.B.Ed. Course. We had applied to the Maharaja Bundelkhand University Chhatarpur for the affiliation of B.A.B.Ed. and B.Sc. B.Ed. Courses but they gave NOC only for B.A.B.Ed. integrated Course 4 years while the NOC for the B.Sc. B.Ed. Course still pending at the University. That in the refused order dated 27/02/2016 mention since the applicant is neither conducting any other Course nor it has applied any other Course. The applicant beg to submit that their application for B.Sc. B.Ed. Course still pending at the Maharaja Chhatrasal Bundel Khand University, Chhatarpur and required NOC can be given at any time."

AND WHEREAS Clause 8(1) of the NCTE Regulations mentions that 'New Teacher Education Institutions shall be located in composite institutions. The

appellant is neither an existing composite institution nor had it applied to NCTE for more than one teacher education course with a valid N.O.C. from affiliating body. Appeal Committee, therefore, decided to confirm the refusal order dated 27.02.2016 issued by W.R.C., Bhopal.

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 refusal order dated 27.02.2016 issued by W.R.C. Bhopal.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Vishuddh Sagar Digamber Jain Buniyadi Prashikshan Sansthan Sili Gunour 196, Buniyadi Prashikshan Samiti, 301/4301/5, Sili Gunour, Panna, Madhya Pradesh – 488059.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-283/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Sidhidata Sriniketan Siksha Mandir B.Ed. College, Birbhum, West Bengal dated 02/05/2016 is against the Order No. ER/7-205.8.30/ERCAPP3099/(B.Ed.)/2016/44421 dated 03/03/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The land document submitted by the institution is in the name of Sri Narayan Mandal S/o Pradeep Kumar i.e. in the name of individual which is not acceptable as per NCTE Regulation 2014. The "Porcha" submitted vide letter dated 10/02/2016 is not considerable. The application bearing code No. ERCAPP3099 of the institution regarding recognition for B.Ed. course is refused under section 14(3)(b) of NCTE Act, 1993."

AND WHEREAS Sh. Nayan Mondal, Secretary and Sh. Bijoyendra Mitra, Member of the Managing Society, Sidhidata Sriniketan Siksha Mandir B.Ed. College, Birbhum, West Bengal presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "The name of the Trust "Pramatha Memorial Trust" has been clearly mentioned on the part of "Buyer's Section" in the Sale Deed No. – 3409/2014 date: 26/02/2014. As per bye-laws of the Trust and Resolution adopted by the Trustees Nayan Mondal S/o Pradip Kumar Mondal, Secretary of Pramatha Memorial Trust will represent the Trust and can buy property on behalf of the Trust for setting up Teachers Training Institution namely "Sidhidata Sriniketan Siksha Mandir" at Siur, Sadaipaur, Birbhum. All the land documents issued by Land Revenue Department, Govt. of West Bengal, such as porcha, record, Mutation Certificate even tax receipts etc. are in the name of the Trust i.e. "Pramatha Memorial Trust". The observation of ERC, NCTE that the land document is in the name of an individual is therefore, not right. The applicant never had any malafide intention to buy the property in his "individual" name. The applicant has never ever concealed, suppressed or tampered anything to obtain favourable judgment. I, therefore, appeal against the decision of ERC,

NCTE vide no. ER/7-205.8.30/ERCAPP3099/(B.Ed.)/2016/44421 on dated 03/03/2016."

AND WHEREAS Appeal Committee noted that application for grant of recognition for B.Ed. course was made on 30.05.2015 by Pramatha Memorial Trust and the name of proposed institution is 'Sidhidata Sriniketan Shiksha Mandir D.El.Ed.' The application was signed and submitted by Sh. Nayan Mondal as Secretary of the Trust. Appeal Committee noted that in the sale deed of land, the name of Shri Nayan Mondal appears as purchaser and the words 'on behalf of Trust' is not found written in the deed. This gives an impression that land deed is in individual name and the individual concerned may have a right to sell or transfer the land without the consent of applicant Trust. But analysis of supporting documents such as "(i) C.L.U. dated 26.05.2015, (ii) site plan approved by Revenue Inspector, (iii) Non Encumbrance Certificate dated 26.05.2015 issued by Block Land and Land Reforms officer, Birbhum and (iv) Building Plan" evidently show that ownership of land lies with 'Pramatha Memorial Trust.'

AND WHEREAS the refusal order on the ground that ownership of land lies with an individual and not trust is therefore, not justified. The E.R.C. could have asked the appellant institution to register a relinquishment deed in support of the land documents to be in the name of the Trust. Appeal Committee, therefore, decided to remand back the case to E.R.C. for processing the case further after seeking relinquishment deed from the applicant in favour of the Trust. Applicant should get a relinquishment deed registered in the name of trust and submit a copy thereof to the E.R.C. within 30 days of the issue of appeal orders.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for processing of the case further after seeking relinquishment deed from the applicant favour of the Trust. Applicant should get a relinquishment deed registered in the name of trust and submit a copy thereof to the E.R.C. within 30 days of the issue of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Sidhidata Sriniketan Siksha Mandir B.Ed. College, Birbhum, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sidhidata Sriniketan Siksha Mandir B.Ed. College, 299, College, 753, Siur, Birbhum, West Bengal – 731102.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-284/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Sidhidata Sriniketan Siksha Mandir D.El.Ed. College, Siuri, Birbhum, West Bengal dated 02/05/2016 is against the Order No. ER/7-205.8.31/ERCAPP3124/(D.El.Ed.)/2016/44492 dated 03/03/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The land document submitted by the institution is in the name of Sri Narayan Mandal S/o Pradeep Kumar i.e. in the name of individual which is not acceptable as per NCTE Regulation 2014. The "Porcha" submitted vide letter dated 10/02/2016 which is not considerable. The application bearing code No. ERCAPP3124 of the institution regarding recognition for D.El.Ed. Course is refused under section 14(3)(b) of NCTE Act, 1993."

AND WHEREAS Sh. Nayan Mondal, Secretary and Sh. Bijoyendra Mitra, Member of the Managing Society, Sidhidata Sriniketan Siksha Mandir D.El.Ed. College, Siuri, Birbhum, West Bengal presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that the name of the Trust "Pramatha Memorial Trust" has been clearly mentioned on the part of "Buyer's Section" in the Sale Deed No. – 3409/2014 date: 26/02/2014. As per bye-laws of the Trust and Resolution adopted by the Trustees Nayan Mondal S/o Pradip Kumar Mondal, Secretary of Pramatha Memorial Trust will represent the Trust and can buy property on behalf of the Trust for setting up Teachers Training Institution namely "Sidhidata Sriniketan Siksha Mandir" at Siur, Sadaipaur, Birbhum. All the land documents issued by Land Revenue Department, Govt. of West Bengal, such as porcha, record, Mutation Certificate even tax receipts etc. are in the name of the Trust i.e. "Pramatha Memorial Trust". The observation of ERC, NCTE that the land document is in the name of an individual is therefore, not right. The applicant never had any malafide intention to buy the property in his "individual" name. The applicant has never ever concealed, suppressed or tampered anything to obtain favourable

judgment. I, therefore, appeal against the decision of ERC, NCTE vide no. ER/7-205.8.31/ERCAPP3124/(D.El.Ed.)/2016/44492 on dated 03/03/2016.

AND WHEREAS Appeal Committee noted that application for gran of recognition for a D.El.Ed. course was made on 30.05.2015 by Pramatha Memorial Trust and the name of proposed institution is 'Sidhidata Sriniketan Shiksha Mandir D.El.Ed.' The application was signed and submitted by Sh. Nayan Mondal as Secretary of the Trust. Appeal Committee noted that in the sale deed of land, the name of Shri Nayan Mondal appears as purchaser and the words 'on behalf of Trust' is not found written in the deed. This gives an impression that land deed is in individual name and the individual concerned may have a right to sell or transfer the land without the consent of applicant Trust. But analysis of supporting documents such as "(i) C.L.U. dated 26.05.2015, (ii) site plan approved by Revenue Inspector, (iii) Non Encumbrance Certificate dated 26.05.2015 issued by Block Land and Land Reforms officer, Birbhum and (iv) Building Plan" evidently show that ownership of land lies with 'Pramatha Memorial Trust.'

AND WHEREAS the refusal order on the ground that ownership of land lies with an individual and not trust is therefore, not justified. The E.R.C. could have asked the appellant institution to register a relinquishment deed in support of the land documents to be in the name of the Trust. Appeal Committee, therefore, decided to remand back the case to E.R.C. for processing the case further after seeking relinquishment deed from the applicant in favour of the Trust. Applicant should get a relinquishment deed registered in the name of trust and submit a copy thereof to the E.R.C. within 30 days of the issue of appeal orders.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for processing of the case further after seeking relinquishment deed from the applicant favour of the Trust. Applicant should get a relinquishment deed registered in the name of trust and submit a copy thereof to the E.R.C. within 30 days of the issue of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Sidhidata Sriniketan Siksha Mandir D.El.Ed. College, Siuri, Birbhum, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sidhidata Sriniketan Siksha Mandir D.El.Ed. College, 299, College, 753, Siur, Birbhum, West Bengal – 731102.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(30)

F.No.89-285/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/16

ORDER

WHEREAS the appeal of Krishna Prasad Memorial Teachers Training College, Sheoraphuli, Hooghly, West Bengal dated 07/05/2016 is against the Order No. ERC/7-210.7.11/ERCAPP2597/(D.El.Ed.)/2016/45943 dated 02/05/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "(i) No built up area is shown in the VT report. (ii) As per VT repot, building is under construction. The reply submitted by the institutionin response to S.C.N. is not satisfactory. The committee is of the opinion that application bearing code no. ERCAPP2597 of the institution regarding recognition for D.El.Ed. is refused under section 14(3)(b) of NCTE, Act 1993."

AND WHEREAS Dr. Sushen Kumar Golder, President and Sh. Kashinath Mandal, Treasurer, Krishna Prasad Memorial Teachers Training College, Sheoraphuli, Hooghly, West Bengal presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "The institution has total built up area of 3000 sqr. Mtrs. for composite institution of B.Ed. & D.El.Ed. course as per NCTE Norms. The building completion certificate from Govt. Engineer showing total built of area is attached. The building had already been fully constructed as per NCTE norms and standards with total build of area of 3000 sq. mtrs. The institute has already possesses well equipped Library-Cum-Reading room, class room, Multipurpose Hall & Laboratories with all equipment."

AND WHEREAS Appeal Committee noted that Visiting Team conducted inspection of the institution on 19.02.2016 and reported that *institution building is under construction and it may take time to complete and labs are yet to be developed.* Based on the findings of the Inspection Report, a Show Cause Notice (S.C.N.) dated 14.03.2016 was issued to the appellant institution. The appellant institution submitted reply to S.C.N. by sending a copy of Building Completion Certificate (B.C.C.) dated 29.02.2016. Year of construction in the B.C.C. in shown as 2015. From the relevant

records (Inspection Report), Appeal Committee observed that copy of another B.C.C. dated 11.02.2016 was submitted to the Inspection Team. By comparing both the B.C.Cs it is observed that where as details of telephone number, electricity connection, land area etc. match, the details of construction area do not match, the signatures of the Asstt. Engineer (Civil) Hooghly on different Building Completion Certificates also do not match. Appeal Committee, therefore, finds it difficult to decide as to which of the B.C.Cs is a genuine one. As V.T. in its report dated 19.02.2016 has stated that building is in complete and under construction and the B.C.Cs submitted by appellant indicate the year of construction of the building to be 2015, Appeal Committee decided that let another inspection be conducted to verify the infrastructural facilities and different B.C.Cs. The appellant is required to pay necessary fee for the 2nd Inspection.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that let another inspection be conducted by E.R.C., Bhubaneswar to verify the infrastructural facilities and geniuness of different B.C.Cs. The appellant is required to pay necessary fee for the 2nd Inspection.

NOW THEREFORE, the Council hereby remands back the case of Krishna Prasad Memorial Teachers Training College, Sheoraphuli, Hooghly, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Krishna Prasad Memorial Teachers Training College, 27/B V.K. Road, P.O. Sheoraphuli, Distt. – Hooghly, West Bengal – 712223.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(31)

F.No.89-286/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Dr. D.S.P. College of Education and Research, Kalyan, Thane, Maharashtra dated 04/05/2016 is against the Order No. WRC/WRCAPP2294/B.Ed./245th/2016/163114 dated 14/03/2016 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "...Following the decision of the 220th meeting of the WRC, the LOI was issued to the institution on 09/04/2015. The case was considered again in 240th meeting and it was found that the institution had not submitted any reply against the LOI. Hence, Show Cause Notice was issued on 03/02/2016. The institution has submitted a reply with the list of the faculty members. On perusal of the list, it is found that the Principal at serial No.1 does not have 55% marks in PG subject. Similarly Assistant Professor Shown at Serial No.4 is also not having 55% marks in PG subject, as required under the regulations. The list submitted by the institution is not approved by the affiliating body. Thus, the list of the faculty submitted by the institution cannot be considered. Hence, Recognition be refused."

AND WHEREAS Sh. Daulat Singh Paliwal, Secretary, Dr. D.S.P. College of Education and Research, Kalyan, Thane, Maharashtra presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "We had received LOI under clause 7(13) dated 09/04/2015. Prior to this letter the Maharashtra Govt. GR No. 201504301159031908 dated 29/04/2015 had declared that no new College to be open in academic year 2015-16. The appellants are a trust established by a linguistic minority (Hindi speaking) in the State of Maharashtra. The appellants are a society registered under the society registration Act, 1860. Respondent no.1 is the, WRC, NCTE, Bhopal.

The appellants by this inter alia challenging the impugned order dated 14/03/2016 not considered the petitioners application for starting a new B.Ed. college at Kalyan (W) Thane from the ensuring academic year. The impugned order passed by the respondent is in violation to the procedure of grant of the appellants

under articles 30(1) of the Constitution of India. The appellants say and submit that the minority college run by the appellants have a right to establish and Administer Educational Institution of their choice under article 30(1) of the Constitution of India. The appellants State that they had applied to the Regional Committee under section 14/15 of the National Council for Teacher Education Act, 1993 [73 of 1993] for recognition of B.Ed. course vide application dated 30/12/2012. After the follow-up and inquires respondent WRC NCTE issued code No. WRCAPP2294. The appellants submitted necessary documents along with the requisite details to the respondent as per the NCTE Norms and Standards. The appellants further respectfully State that NCTE, New Delhi by their instructional letter dated 03/02/2009 issued to all the Regional Committees for consideration of application institutions for year 2009-410 as specified in the said letter and the same is still prevailing. The appellant's further State that inspite of the aforesaid directions and compliances, the respondent has not considered the appellants application. The appellants have submitted all the requisite documents/information to the respondent no.1 for consideration of their application for starting a new B.Ed. College at Kalyan (W) Dist. Thane. The appellants State that after the submission of the visiting team report the respondent has issued a letter of intent for grant of Recognition for B.Ed. course under clause 7(9) of the NCTE (Recognition). Norms & procedure) Regulation 2009 and further directed to comply the requisition specified in the said letter of intent dated 09/04/2015 for formal Recogntion under 7(13) of the said Regulation. The appellants have followed all the procedure and complies approved by the examining body with in the prescribed time. The said compliance has not been fulfilled on account of a gross delay on the part of the examining body, I.E. University of Mumbai who has not approved the staff profile or the procedure thereof without assigning any reason. The appellants further State that vide their letter dated 11/05/2015, submitted the draft advertisement for the Selection Procedure of the faculty for the B.Ed. with the said university. Thereafter appellants followed with the same with various reminders, however the said approval has not been granted, and there is no fault on the part of the appellants. It is further to State that the said impugned action has caused serious prejudice to the appellants. The appellants states that they have received a show cause notice dated 03/02/2016 from the respondent inter alia directing the appellant to comply with the requisitions mentioned in the letter of intent by them. The appellants vide its letter dated

22/02/2016 replied to the said show cause notice and informed the genuine difficulty. As far as the matter concerning the staff approval list, the University of Mumbai has not given any response to respondents aforesaid letter of intent or given any response to the appellants. Regarding other points are concerned, the appellants have already complied with the same. The appellants further State that, inspite of the aforesaid repeated requests and reminders the University of Mumbai has not taken any action or cognizance on the appellants application. The appellants respectfully say and submit that from the above it can be noted that considerable time has lapsed in approving the appellants application for starting a new B.Ed. college at Kalyan (W) and till today no action has been taken by the University of Mumbai. It is further to State that respondent has also pointed out that in the staff profile, at sr. no.1, does not have 55% mark in the PG subjects (for the post of Principal) similarly the Asstt. Professor shown at sr. no.4 is als. Not having 55% mark in PG subject as required under the Regulations. In view thereof the respondent has not granted the necessary Recognition to the appellant for starting at Kalyan. The appellants application is pending since 11/05/2015 and as per the previous Regulations the aforesaid candidates at sr. nos. 1 and 4 in the staff profile were having adequate qualification and percentage of market and they are eligible for their respective posts. However, the new Regulation of the respondent for the faculty for the B.Ed. Course stipulates the aforesaid percentages. It is a matter of fact the appellants need to have the staff profile approved from the University of Mumbai for that purpose the appellants have submitted draft advertisement (viz, inviting application for appointment of staff for the aforesaid B.Ed. Course) for approval of the University of Mumbai. The aforesaid inaction on the part of University Mumbai causes a serious prejudice, loss and damage to the appellants and appellants should not suffer for no fault on their part. The appellants further say and submit that the appellants are still pursuing for the grant of approval of the staff profile from the University therefore the respondent ought to have granted some more time to enable the appellants to comply with Regulation 7(9) viz.. to submit the approved staff profile."

AND WHEREAS Appeal Committee noted that Letter of Intent (L.O.I.) dated 09.04.2015 was issued to appellant institution seeking compliance on various points including appointment of faculty approved by the affiliating body. Copy of the L.O.I.

was also endorsed to University of Mumbai. Clause 7(13) of the NCTE Regulation requires all affiliating bodies to provide assistance, to such institutions, to ensure that the staff or faculty is appointed as per norms of the Council within two months. The onus of completion of the process of appointment and seeking approval of the affiliating body lies on the institution concerned.

AND WHEREAS in the instant case, the appellant institution did not furnish any reply to the L.O.I. and W.R.C. issued Show Cause Notice on 03.02.2016. The appellant institution in its reply dated 22.02.2016 to S.C.N. submitted a list of faculty which was not approved by the affiliating body and the Principal and one of the faculty members were also found to be not possessing adequate percentage of marks. Recognition was finally refused on the ground that the 'list submitted by institution is not approved by affiliating body.'

AND WHEREAS the appellant in its appeal memoranda and oral presentation has stated that Principal and faculty possessed marks as per norms and standards of 2009 Regulations. The plea does not hold good as the appellant in reply to W.R.C's letter dated 24.12.2014 had expressed willingness vide their letter dated 12.01.2015 for grant of recognition under new Regulations & Norms, for B.Ed. course.

AND WHEREAS Appeal Committee is of the view that onus of completing the process of appointment of Principal and faculty and seeking approval of affiliating body lies on the applicant institution. The appellant had almost 10 months for getting the process completed but it could not do so. Appeal Committee, therefore, decided to confirm the refusal order dated 14.03.2016 issued by W.R.C. Bhopal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on records and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 14.03.2016 issued by W.R.C., Bhopal.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Dr. DSP College of Education and Research, Dr. D.S. Paliwal Ramkunwar Mension 503, Above Dr. TK Kalyan, Thane, Maharashtra – 421301.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

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F.No.89-287/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of ICFAI University, Agartala, West Tripura, Tripura dated 02/05/2016 is against the Order No. ERC/208.8.58/ERCAPP3632/D.El.Ed. (Addl. Course)/2015/45528 dated 14/04/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (Addl.) course on the grounds that "1. Show cause notice was issued on 15/01/2016 on the following grounds. (i) NOC issued from the affiliating/examining body not submitted. 2. In response to Show Cause Notice, the institution submitted it reply dated 28/01/2016 without NOC issued from affiliating/examining body of D.El.Ed. programme. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code no. ERCAPP3632 of the institution regarding permission for D.El.Ed. (Addl. Course) is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. S.A. Chary, Advisor and Sh. A. Ranganath, Registrar, ICFAI University, Agartala, West Tripura, Tripura presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "The ICFAI University Tripura has been approved, recognised and listed by the UGC, under Section 2(f) of the UGC Act, 1956. The University is competent to award Degrees as specified by the UGC under section 22 of the UGC Act vide letter no. F.8(4)-Law/leg-1/2004 dated on April 1st 2004. Academic Council of the ICFAI University, Tripura which is responsible for the academic aspects of the University approved the proposal to offer the D.El.Ed. program in its 22nd meeting agenda item number."

AND WHEREAS Appeal Committee noted that the appellant University is a private university recognised by U.G.C. The affiliating examining body for D.El.Ed. programme is the SCERT of concerned State Government. Academic body of a university may approve to conduct a course at Diploma level but N.O.C. of the competent affiliating body is required to be obtained. Appellant has at no stage

submitted clearance from SCERT, Tripura conveying its approval or N.O.C. to ICFAI University for conducting D.El.Ed. programme. Appeal Committee noted that appellant in reply to Show Cause Notice (SCN) dated 15/01/2016 on the ground of non submission of N.O.C., submitted its reply dated 28.01.2016. Appellant submitted with its reply a copy of N.O.C. which pertained to N.O.C. for Diploma in Physical Education (D.P.Ed.).

AND WHEREAS Appeal Committee is therefore, convinced that appellant was aware of the requirement of a N.O.C. which it could not submit alongwith the application for D.El.Ed. course. Appeal Committee, therefore, decided to confirm the refusal order dated 14.04.2016 issued by E.R.C., Bhubaneswar.

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 refusal order dated 14.04.2016 issued by E.R.C. Bhubaneswar.

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

(Sanjay Awasthi)
Member Secretary

1. The Registrar, ICFAI University Tripura, 3231, 6458, Agartala, West Tripura, Tripura – 799210.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Tripura, Agartala.

(33)

F.No.89-288/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Krishna Prasad Pal Memorial Teachers Training College, Sheoraphuli, Hooghly, West Bengal dated 07/05/2016 is against the Order No. ERC/7-210.7.12/ERCAPP2561/(B.Ed.)/2016/45942 dated 02/05/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(i) No built up area is shown in the VT report. (ii) As per VT report, building is under construction. The reply to S.C.N. dated 14/03/2016 submitted by the institution is not satisfactory. Application bearing code no. ERCAPP2561 of the institution regarding recognition for B.Ed. is refused under section 14(3)(b) of NCTE, Act 1993."

AND WHEREAS Dr. Sushen Kumar Golder, President and Sh. Kashinath Mandal, Treasurer, Krishna Prasad Pal Memorial Teachers Training College, Sheoraphuli, Hooghly, West Bengal presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "The institution have total built up area of 3000 sqr. Mtrs. for composite institution of B.Ed. & D.El.Ed. Course as per NCTE Norms. The building completion certificate from Govt. Engineer showing total built of area is attached. The building had already been constructed as per NCTE norms and standards with total built of area of 3000 sq. mtrs. The institute has possesses well equipped Library-Cum-Reading room, class room, Multipurpose Hall & Laboratories with all equipment. "

AND WHEREAS Appeal Committee noted that Visiting Team conducted inspection of the institution on 19.02.2016 and reported that institution building is under construction and it may take time to complete and labs are yet to be developed. Based on the findings of the Inspection Report, a Show Cause Notice (S.C.N.) dated 14.03.2016 was issued to the appellant institution. The appellant institution submitted reply to S.C.N. by sending a copy of Building Completion Certificate (B.C.C.) dated 29.02.2016. Year of construction in the B.C.C. in shown as 2015. From the relevant

records (Inspection Report) Appeal Committee observed that copy of another B.C.C. dated 11.02.2016 was submitted to the Inspection Team. By comparing both the B.C.Cs it is observed that whereas details of telephone number, electricity connection, land area etc. match, the details of construction area do not match. The signatures of the Asstt. Engineer (Civil) Hooghly on both these certificates also do not match. Appeal Committee, therefore, finds it difficult to decide as to which of the B.C.Cs is a genuine one. As V.T. in its report dated 19.02.2016 has stated that building is in complete and under construction and the B.C.Cs submitted by appellant indicate the year of construction of the building to be 2015, Appeal Committee decided that let another inspection be conducted to verify the infrastructural facilities and different B.C.Cs. The appellant is required to pay necessary fee for the 2nd Inspection.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that let another inspection be conducted by E.R.C., Bhubaneswar to verify the infrastructural facilities and geniuness of different B.C.Cs. The appellant is required to pay necessary fee for the 2nd Inspection.

NOW THEREFORE, the Council hereby remands back the case of Krishna Prasad Pal Memorial Teachers Training College, Sheoraphuli, Hooghly, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Krishna Prasad Pal Memorial Teachers Training College, 27/B V.K. Road, Sheoraphuli, Distt. – Hooghly, West Bengal – 712223.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-289/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Minerva Institute of Education, Domkal, Murshidabad, W.B. dated 03/05/2016 is against the Order No. ER/7-205.8.90/ERCAPP3023/(E.El.Ed.-Addl.Intake)/2016/44467 dated 03/03/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that (i) NOC from the affiliating/examining body i.e. West Bengal Board of Primary Education not submitted."

AND WHEREAS Sh. Bijesh Mondal, Secretary and Sh. Anupam Ghosh, Member, Minerva Institute of Education, Domkal, Murshidabad, W.B. presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "N.O.C. is dated 14/07/2015. But NOC was received on 12/03/2016 and sent to ERC, NCTE on 15/03/2016."

AND WHEREAS Appeal Committee noted that appellant institution did not submit N.O.C. of affiliating body alongwith hard copy of the application. The impugned order dated 03/03/2016 was on ground of non-submission of N.O.C. Submission of N.O.C. after the date of refusal has no justification even if the N.O.C. is dated much earlier as submission of N.O.C. is mandatory. Appeal Committee decided to confirm the refusal order dated 03/03/2016 issued by E.R.C. Bhubaneswar.

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 refusal order dated 03/03/2016 issued by E.R.C., Bhubaneswar.

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

(Sanjay Awasthi)
Member Secretary

1. The President, Minerva Institute of Education, 977, 980, Ownership, Sadikhansdearh, Domkal, Murshidabad, West Bengal – 742303.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-290/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Juss Institute of Education, Sekhwan, Gurdaspur, Punjab dated 10/05/2016 is against the Order No. NRC/NCTE/NRCAPP-8499/246th Meeting/2015/131819dated 17/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution has not submitted the proof/evidence to the effect that it is a composite institution in its reply of the SCN issued on 17/09/2015. Hence, the Committee decided that recognition/permission to the institution is refused u/s 14/15(3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Sunil Kumar Bhambhu, Director, Juss Institute of Education, Sekhwan, Gurdaspur, Punjab presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "The Juss Memorial Trust has already submitted the proof/evidence of being a composite campus. It is already affiliated with the I.K.G. Punjab Technical University, Jalandhar and running the B.Sc. (IT), B.Sc. (Agriculture) and B.Com. Professional Course."

AND WHEREAS Appeal Committee noted that Clause 8(1) of NCTE Regulations, 2014 provide that 'New Teacher Education Institutions shall be located in composite institution.' Composite institution as per Clause 2(b) of the regulations means; '*a duly recognised higher education institution offering under graduate or post graduate programme of study in the field of liberal arts or humanities or social science or sciences or commerce or mathematics as the case may be.*'

AND WHEREAS Appeal Committee further noted that the application for D.El.Ed. course was submitted by appellant institution on 31.12.2012 under NCTE Regulations, 2009 and after inspection a Show Cause Notice was issued to appellant institution on 17/09/2015 seeking N.O.C. of the affiliating body and status with regard to the composite nature of the institute. Appeal Committee noted that

appellant institution submitted reply dated 16.11.2015 to the S.C.N. enclosing therewith an affidavit and copy of affiliation letter 24.04.2015 (with English translation) issued by Guru Nanak Dev University, Amritsar. Approval of affiliating university was conveyed to the courses like B.Sc. (Medical), B.Sc. (Non-Medical) B.C.A., B.A. (Part – I) from the academic session 2015-16. The reply to S.C.N. is placed on the relevant file of N.R.C. diarised on 23.11.2015 (Diary No. 123489). Refusal order dated 17.12.2015 on the ground that 'the institution has not submitted proof/evidence to the effect that it is a composite institution' is not valid and substantiated. Appeal Committee decided to set aside the refusal order dated 17.12.2015 and remand back the case to N.R.C. for further processing of the application.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on refusal and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the refusal order dated 17.12.2015 and remand back the case to N.R.C. for further processing of the application.

NOW THEREFORE, the Council hereby remands back the case of Juss Institute of Education, Sekhwan, Gurdaspur, Punjab to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, Juss Institute of Education, Khatoni No. 828, 1863, J.U.S.S. Sekhwan M. Trust, Sekhwan, V.P.O. Sekhwan, Gurdaspur, Punjab – 143518.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Punjab, Chandigarh.

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F.No.89-291/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Apsam College of Education, Jagdishpur, Bhojpur, Bihar dated 06/05/2016 is against the Order No. ER-210.6.31/ERCAPP3814/B.Ed. (Addl. Intake)/2016/45719 dated 27/04/2016 of the Eastern Regional Committee, granting recognition for conducting one unit of B.Ed. (Addl.) course against an applicaton for two units."

AND WHEREAS Sh. Madheshwar Singh, Chairman, Apsam College of Education, Jagdishpur, Bhojpur, Bihar presented the case of the appellant institution on 22/06/2016. In the appeal and during personal presentation it was submitted that "Our institution had submitted an application to ERC for two additional units of B.Ed. course. When the visiting team visited our institution, they were shown the infrastructural and instructional facilities for four (two existing + two additional) units B.Ed. course and they were very much satisfied with the infrastructural and instructional facilities provided in our institution. While deciding grant of 7 (13) to our institution, the ERC had sought option from our institution for one / two units of B.Ed. course and our institution in reply to 7 (13) had submitted the option for two units of B.Ed. course and appointed additional staff so as that complete staff for four units of B.Ed. course is available in our institution as per NCTE, Regulation 2014. In response to 7(13) decided by ERC, our institution had appointed additional staff for two units of B.Ed. Course (100) and had submitted the affidavits and approval of the University for the same. As on date, our institution is having staff strength for four units of B.Ed. course (200), the details of which have already been submitted alongwith the reply to 7 (13) to ERC under NCTE Regulation, 2014. Inspite of the fact that our institution had appointed total staff for two additional units (total four units) of B.Ed. course, duly approved by the University, the ERC decided to grant recognition to our institution for additional intake of one unit only. On the decision of ERC to grant one additional unit, our institution made a representation to ERC vide letters dated 12/04/2016 and 20/04/2016 with a request to review their decision and grant recognition to our

institution for two additional units of B.Ed course, but ERC did not pay heed to our request. As on date our institution is having total built up area of 2656 sqm. Land area of 3522 sqm. As against requirement of 2500 sqm. Each of land and built up area. Our institution had also appointed staff for two additional units of B.Ed. course, thereby making staff for four units of B.Ed. course."

AND WHEREAS Appeal Committee noted that online application does not contain any column where intake of a course applied for is mentioned. The appellant's contention that it applied for 2 additional units of B.Ed. is therefore, meaningless. It is however, a fact that Visiting Team in its Inspection Report dated 23.02.2016 has made a mention that inspection of the institution is for 2 additional units of B.Ed. Appeal Committee further noted that L.O.I. dated 03.03.2016 mentioned in para 3 that issuance of formal recognition will depend on the decision to offer one or two units.

AND WHEREAS Appeal Committee, quite surprisingly, noted that reply to L.O.I. dated 3/03/2016 was given by appellant institution on 03.03.2016 itself enclosing therewith the list of faculty approved by the selection panel on 15.06.2015 (even before online application was registered).

AND WHEREAS Appellant in its appeal memoranda has referred to two representations dated 12.04.2016 and 20.04.2016 addressed to E.R.C. Bhubaneswar requesting for grant of two additional units of B.Ed. but these representations are not found placed on the relevant file of E.R.C.

AND WHEREAS the Committee noted that under the provisions of Clause 3.1 of the Norms & Standards for B.Ed. course (Appendix 4 to NCTE Regulation, 2014) there shall be a basic unit of 50 students, with a maximum of two units. The Committee also noted that in Clause 5.1 of the same Norms & Standards concerning Academic Faculty, for an intake of two basic units of 50 students each i.e. total strength of 200, there shall be 16 full time faculty members. There is no mention of additional teaching faculty beyond the strength of 200 students. The Committee further noted that as per the provisions of Clause 6.1 of the said Norms and Standards concerning infrastructure, for institutions established prior to 2014 Regulations, for an additional intake of one hundred students, built up area is to be increased by 500 sq. meters. In

the circumstances, Appeal Committee concluded to remand back the case to E.R.C. for revisiting the case with reference to extant Regulations.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to E.R.C. for revisiting the case with reference to extant Regulations.

NOW THEREFORE, the Council hereby remands back the case of Apsam College of Education, Jagdishpur, Bhojpur, Bihar to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, Apsam College of Education, 2878/7670, Ownership, 2878/3670, Utarwari Jungle, Jagdishpur, Bhojpur, Bihar – 802158.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-292/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of SKS College of Education, Kurukshetra, Haryana dated 11/05/2016 is against the decision of the Northern Regional Committee contained in the minutes of their 251st meeting held on 7-9, April, 2016 (Part 3.11-13-4-2016) to refuse recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "the applicant institution has not submitted any proof/evidence that it is offering under graduate or post graduate programme of studies in the field of Liberal Arts or Humanities or Social Science or Science or Mathematics for getting grant of recognition for 4 year integrated programme leading to B.Sc. B.Ed. / B.A. B.Ed. degree as has been mentioned in Clause 2(b) of NCTE Regulations, 2014 and clause 1.1 of the Appendix 13 (Norms & Standards for B.A. B.Ed. / B.Sc. B.Ed. Degree). The N.R.C. issued their refusal order F.No. NRC/NCTE/NRCAPP-14850/251st (Part 3) Meeting/2016/150469-72 on 10.06.2016."

AND WHEREAS Sh. Gurpree Singh, Chairman, SKS College of Education, Kurukshetra, Haryana presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation it was submitted that "as per clause 1.2 of Appendix 13 of NCTE, Regulations, it has been specified that this programme can be offered in Composite institution as specified in Clause 2 of NCTE Regulations 2014, which states as under: "Composite Institution" means a duly recognised Higher Education Institution offering undergraduate or postgraduate programmes of study in the field of liberal arts or humanities or social science or sciences or commerce or mathematics, as the case may be, at the time of applying for recognition of teacher education programme, or an institution offering multiple teacher education programmes. Their institution is already running a B.Ed. course and to become a composite institution in compliance with NCTE Regulations 2014, their institution had submitted an application for 4 years integrated courses. Further, their institution had also submitted an application to State Govt. of Haryana for B.A. / B.Sc. / B.Com after taking NOC from Kurukshetra University (copy of NOC of University attached). It is also submitted that it shows the indifferent attitude of NRC in refusing their application

on the ground, which was to be verified at the time of processing of application. The NRC cannot refuse recognition to their institution after causing inspection and issuing letter of intent under clause 7 (13), on the ground that theirs is not a composite institution, which is an essential requirement for processing of application.

AND WHEREAS the Committee noted that the appellant in their online application dt. 30.06.2015 (page 4) has stated that their College has been recognised for conducting D.El.Ed. and B.Ed. courses. The Committee also noted that the institution was inspected on 25.1.2016 and a Letter of Intent for B.A./B.Sc., B.Ed. course was issued to them on 24.02.2016. According to the provisions of Clause 1.2 of the Norms and Standards for four year integrated programme of B.Sc. B.Ed./B.A., B.Ed. (Appendix 13 to the NCTE Regulations, 2014) such programmes shall be offered in a composite institution as defined in the Regulation 2.1. The definition of composite institution given in 2 (b) of the Regulations includes an institution offering multiple teacher education programmes. The Committee, therefore, noted that the appellant, which is already conducting D.El.Ed. and B.Ed. programmes, falls under the category of composite institution and is eligible to commence B.Sc. B.Ed./B.A. B.Ed. programmes. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

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

NOW THEREFORE, the Council hereby remands back the case of SKS College of Education, Kurukshetra, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, SKS College of Education, Plot No. 50, 51/Khas. No.22, 16, Ownership, 50, 51, Kirmach, Kurukshetra, Haryana – 136119.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

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F.No.89-293/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Sundaram College of Education, Burdwan, Bardhaman, West Bengal dated 09/05/2016 is against the Order No. ERC/7-203.9(i).246/(4 ys B.A. B.Sc. B.Ed. Integrated)/ERCAPP3901/2016/42731 dated 11/02/2016 of the Eastern Regional Committee, refusing recognition for conducting B.A. B.Sc., B.Ed. Integrated course on the grounds that 1. NOC from the affiliating body/examining body not submitted. 2. Show Cause Notice has already been issued on 28/12/2015. 3. No reply received from the institution till date. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3901 of the institution regarding permission for B.A./B.Sc. B.Ed. integrated 4 year programme is refused under section 15(3)(b) of NCTE Act 1993.

AND WHEREAS Sh. Amit Mandal, Secretary and Sh. Jahid Akhther, Member, Sundaram College of Education, Burdwan, Bardhaman, West Bengal presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation and in a letter dt. 09.05.2016 it was submitted that they applied for 4 years integrated B.A. / B.Sc. – B.Ed. course to the ERC, NCTE, Bhubaneswar for the session 2016-17. At the time of application they had not submitted the NOC from the affiliating body i.e. the University of Burdwan. ERC, NCTE issued the Show Cause Notice to the institution for non-submission the NOC in its meeting vide letter no. ERC/7.200.9(1).97/(4yr.Integrated B.A. B.Sc. B.Ed.)/ERCAPP3901/2015/39749, dated 28/12/2015. The University of Burdwan issued the NOC for the same on 13th July 2015. In the compliance report of the show cause notice, they have submitted the NOC issued by the University of Burdwan, vide letter no. 183/SCE/BWN, dated 08/01/2016 i.e. just after the issuance of the show cause notice by ERC NCTE, which was received by ERC, NCTE on 19/01/2016. Without considering the submitted NOC along with the compliance report, the ERC, NCTE rejected the application

ERCAPP3901 vide letter No. ERC/7.203.9(1).246/(4 yr. Integrated B.A. B.Sc. B.Ed.)/ERCAPP3901/2016/42731, dated 10/02/2016.

AND WHEREAS the Committee noted that, the appellant, in their letter dt. 08.01.2016, in response to the show cause notice, with which they forwarded the N.O.C., stated that even though they received the N.O.C. from Burdwan University before 15.07.2015, they failed to produce it in time due to some unavoidable circumstances.

AND WHEREAS the Committee noted that the Council issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with N.O.C. irrespective of the date of submission of online applications. Since the appellant submitted the N.O.C. after the prescribed last date i.e. 15.07.2015, the Committee concluded that the E.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the E.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the 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, Sundaram College of Education, 4473, 4474, Kusumgram, Durdwan, Bardhaman, West Bengal – 713422.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-294/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Rohitash Institute of Elementary Education, Mahendragarh, Haryana dated 09/05/2016 is against the Order No. NRC/NCTE/NRCAPP-5834/246th Meeting/2015/132002 dated 18/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the ground that "the institution did not submit reply of SCN issued by NRC office."

AND WHEREAS the Submission of the appeal has been delayed by two months and 20 days beyond the prescribed period of 60 days. The appellant in his letter dt. 23.06.2016 submitted that he was corresponding with the N.R.C. and as there was no reply from them, submission of the appeal was delayed. The Committee decided to condone the delay and consider the appeal.

AND WHEREAS Ms. Veena Yadav, Vice Chairperson and Sh. Hukum Singh, Adm. Officer, Rohitash Institute of Elementary Education, Mahendragarh, Haryana presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation it was submitted that "the trust had already submitted all the required documents by hand to Regional Director, NCTE, Jaipur on 21st Sept. 2015 vide their office diary No. 117175 dated 21st Sept., 2015 (copy enclosed). The documents were again submitted by regd. Post to NCTE, NRC on 19th Jan. 2016 (copy enclosed) and again sent reminder on 18th March, 2016 (copy enclosed) but till date no reply has been received by this office."

AND WHEREAS the Committee noted that the file of the N.R.C. does not contain the appellant's original reply to the show cause notice stated to have been delivered personally on 21.09.2015. The appellant submitted a copy of his reply dt. 19.09.2015 which bears the N.R.C's receipt stamp dt. 21.09.2015 with Dy. No. 117175. The file however contains an e-mail dt. 06.01.2016 and a letter dt. 19.01.2016 sent by the appellant stating that the required documents have already

been submitted. The appellant with his letter dt. 19.01.2016 submitted to the N.R.C a copy of his earlier letter dt. 19.09.2015 and some other documents.

AND WHEREAS the Committee, in the above circumstances, concluded that the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations. The appellant is directed to submit all the documents mentioned in the show cause notice dt. 21.08.2015 to the N.R.C. within 15 days from the receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to take further action as per the NCTE Regulations. The appellant is directed to submit all the documents mentioned in the show cause notice dt. 21.08.2015 to the N.R.C. within 15 days from the receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Rohitash Institute of Elementary Education, Mahendragarh, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, Rohitash Institute of Elementary Education, 40/17, Gift Deed, 00, Khod, Ateli Mandi, Mahendragarh, Haryana – 123021.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

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F.No.89-295/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Nirmala Memorial Foundation College of Education, Mumbai, Mumbai City, Maharashtra dated 10/05/2016 is against the Order No. WRC/APP15685/248th/D.P.S.E/2016/165181 dated 20/04/2016 of the Western Regional Committee, refusing recognition for conducting D.P.S.E. course on the grounds that "The institution is already running a B.Ed. course for two units and has applied for one unit of D.P.S.E. course. A Show Cause Notice was issued to the institution on seven grounds. Among them, one ground was about non-availability of required land for running two units of B.Ed. course and one unit of D.P.S.E. course (minimum land required for two units of B.Ed. and one unit of D.P.S.E. is 3000 sq. mtrs.). The Society in its reply, has submitted that it is difficult to acquire additional land area required for the purpose. Thus, the case of society cannot be considered for new course of D.P.S.E. Hence, Recognition be refused."

AND WHEREAS Mrs. Aruna Desai, Director and Ms. Sylvia Fernandes, CEO, Nirmala Memorial Foundation College of Education, Mumbai, Mumbai City, Maharashtra presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation and in a letter dt. 23.06.2016 it was submitted that "as per the NCTE Regulations, 2014, it was necessary for every B.Ed. college running two units of 100 students to start at least one more teacher training programme and therefore they applied for D.P.S.E. course. The total land area available with Nirmala Memorial Foundation is 2036.20 sq.m + 1948.60 sq.m of playground area = 3984.20 sq.m. The total built up area made available to B.Ed. College is 3000 sq. m. However, it is regretted that they missed to mention about the playground area while replying the Show Cause Notice issued to them in this regard and hence this Refusal order. In fact they have a play ground measuring 1948 sq. mts. adjacent to their institution. The Mumbai Mahanagar Palika, which marks play ground in Mumbai gives permission to adjoining educational institution to use it in exchange for its maintenance. Mumbai Mahanagar Palika has given permission to Nirmala Memorial

Foundation to use this playground on the condition that the maintenance of this playground be taken care of by Nirmala Memorial Foundation. The appellant enclosed a copy of Mumbai Mahanagar Palika letter dt. 26.03.2014 in Marathi (with a translation into English by the appellant) to Nirmala Memorial Foundation permitting them to use adjoining ground no. 638 F (copy of map enclosed) by their students for sports activities. The appellant also submitted that they mentioned the total land area as 2036.20 sq. mts. without inclusion of the playground. Now taking into consideration the playground, the total area with the Foundation account to 3984.80 sq. mts. which fulfills the requirements of the norms for B.Ed. and D.P.S.E. courses.

AND WHEREAS the Committee noted that according to the provisions of Clause 8(4) of the NCTE Regulations, 2014 no institution shall be granted recognition under these Regulations unless the institution or society sponsoring the institution is in possession of required land on the date of application on ownership basis or on lease from Government or Government institutions. The playground which has been given just for use by the applicant is not land on ownership basis or lease basis. In these circumstances, the Committee concluded that the W.R.C. was justified in refusing recognition on the ground of inadequacy of land and therefore, the appeal deserved to be rejected and the order of the W.R.C. confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Director, Nirmala Memorial Foundation College of Education, 90 Feet Road, Asha Nagar, Thakur Complex, Kandivali East Mumbai, Mumbai City, Maharashtra – 400101.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

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F.No.89-296/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Shimla College of Education, Sanjauli, Shimla, Himachal Pradesh dated 06/05/2016 is against the decision of the Northern Regional Committee contained in the minutes of their 252nd meeting held from 19th April to 2nd May, 2016 (Part -14, 2.5.2016) to refuse recognition for conducting D.El.Ed. course on the grounds that "(i) in compliance with the order of Hon'ble High Court of Himachal Pradesh at Shimla dt. 16.03.2016 in C.W.P. NO. 4755 of 2015, the applicant institution letter dt. 02.03.2016 was considered by the Committee and N.R.C. decided the land for the proposed programme (D.El.Ed. course) is on private lease basis which is contravenes the provisions of 8(4)(i) of the NCTE Regulations, 2014. Hence, grant of recognition is refused. (ii) Further, a complaint letter by Narendra Thakur , Counsellor, Kamla Nagar, Ward No. 6, Shimla was received in this office on 12.04.2016 against the institution may forward to Secretary, HP Board of School Education, Dhramshala, Kangra for necessary action. N.R.C. issued the formal order no. F. NRC/APP-59/NRC/NCTE/2014/148228-29 dt. 06.05.2016 confirming their earlier order F. NRCAPP-59/246th Meeting/2015/132169-73 dt. 21.12.2015."

AND WHEREAS Dr. R.K. Shandil, Chairman, Shimla College of Education, Sanjauli, Shimla, Himachal Pradesh presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation it was submitted that "at the time applying for B.Ed. course in the year 2005, appellant institute furnished a certified copy of registered Trust Deed in which 10 Bighas and 7 Bishwas (8032 sq. mts.) of land has been blended into the corpus of Trust property, copy of Zamabandi (khatauni) showing Mutation of title of land transferred in the name of Trust by the Revenue Authority, Himachal Pradesh. The documents so submitted by the institute were considered and the NRC vide its deficiency letter no. APN02787/609 dated 6th June, 2006 asked to produce legally valid land documents in the form of registered Sale deed/ Lease deed etc. Consequently) the institution submitted the same by

executing the registered lease deed dated 28th September, 2006. After getting satisfied from the documents submitted by the institution, NRC, NCTE issued letter of recognition on 07/04/2007. When the institution applied for D.El.Ed. course, the same was refused by NRC file No. NRC/Acad/Misc/2010/206 dated 22nd April 2010 on grounds which read as "Your application for D.El.Ed. course is supported with land documents of private lease (notarized) which is not as per requirement of clause 8.7(i) of NCTE Regulations, 2009". An appeal was filed against the refusal order. The appellate authority vide its order dated 13/08/2010 rejected the appeal on the ground which point out the following defect in the lease deed submitted. "The applicant institution submitted a lease deed dated 28/09/2006 between Dr. R.K. Shandil, Chairman, Shimla Education Society and Trust and Shimla College of Education for a period of 30 years from 27/09/2006. Thus, the requirement of Clause 8(7) (i) of NCTE Regulations, 2009 was not satisfied in this case". The institution challenged both these orders in CWP No. 5944 of 2010 filed in the High Court of Himachal Pradesh and the stay was granted on the operation of these orders. Meanwhile, the defect pointed out by the Appellate Authority in its order dated 13/08/2010 was rectified by way of registering a supplementary lease deed dated 01/12/2010 the compliance of which was shown to Court as well as to NRC. The Hon'ble High Court of Himachal Pradesh passed further order in CWP5944/2010 on 16/06/2011 repeated on 26/07/2011 whereby direction were issued to NCTE, New Delhi and NRC, NCTE, Jaipur to consider the case of the institution afresh in the light of the steps taken by the institution. The Hon'ble Court of Himachal Pradesh passed another order on 16/08/2011 which reads as "Learned counsel appearing for NCTE submits that within three weeks from today, the decision on the request made by the petitioners will be taken. However, it is submitted that the petitioner may be directed to submit a set of documents pertaining to the lease deed. The petitioner may do so within three days. It is made clear that the consideration will only be in respect of the dispute on lease deed. Post on 6th September, 2011". Accordingly a complete set of entire land documents were made available to NRC personally vide diary no. 25904 dated 18/08/2011. On submission of the aforesaid documents the NRC in its 188th meeting held from November 11th to 15th, 2011 considered the case of the institution at item no. 548 and took the decision, "In compliance of the order of Hon'ble High Court of Himachal Pradesh, the case was considered and it is observed that as the land is in the possession of the Society on ownership basis hence VT be constituted.

This decision of NRC completely satisfies the requirement of Clause 8(7)(i) of NCTE Regulations, 2009 and clause 8(4)(i) of NCTE Regulation, 2014. The aforesaid refusal of NCTE is further assailed on the following grounds: The institution is running B.Ed. course since 2007 for 100 seats. This Course was granted recognition on the basis of land documents under question. On the scrutiny of documents, the NRC issued letter of intent for D.El.Ed. course in 235th Meeting.The land is provided by the parent society trust, namely Shimla Educational Society Trust to the institution namely Shimla College of Education for 30 years through a registered lease deed. It not a third party lease but a lease by parent Society Trust to the institution. The recognition for two units of B.Ed. and LOI for D.El.Ed. course was given by relying upon the same documents as filed by the appellant. In refusing the D.El.Ed. course the provision of clause 8(7)(i) of Regulations, 2009 and provisions of clause 8(4)(i) of Regulations, 2014 have been misread as the Parent Society Trust running the institution is in effective control and ownership of the land in question. Copy of the certificate issued by Tehsildar, Shimla (Rural) District Shimla is attached. By deciding to refuse recognition under the provision of clause 8(4(i) of NCTE Regulation, 2014, the NRC grossly erred by misreading and misinterpreting its contents. The NRC further erred by not taking in to account the provision of Clause 8(4)(iii) of NCTE Regulations, 2014. Moreover, the NRC grossly erred in not complying and also not taking into account Appeal Committee order dated 13/10/2015 as well as order dated 2nd March, 2016 of Chairperson of NCTE on the issue of similar observation of NRC in file no. NRCAPP-7052 for M.Ed. course. In this order appeal and representation of the institute was allowed in favour of the institute. Once the earlier order of the NRC on land was reversed by the NCTE in appeal, and also in the order of Chairperson at the instance of Court order, then the NRC was incompetent and lacked jurisdiction to take up the same objection again. The Refusal order as such amounts to overreaching the order of the superior Appellate Authority. On this ground alone the impugned refusal order is liable to be set aside and further order be passed to grant recognition forthwith. It is unthinkable that a subordinate body is openly flouting order of higher body. It is submitted that NRC is under statutory obligation to implement the order of the Appeal Committee of the NCTE in letter and spirit. The NCTE has clearly decided the land issue in favour of the institute. It is submitted that racking up the same land issue again shows the refusal on part of subordinate authority under a statue to carry the direction of higher appellate authority and this

virtually amounts to denial of justice and is destructive of one of the basic principles in the administration of Justice. The impugned refusal is violative of principles of natural Justice as before passing said order, the NRC did not issue show cause notice as mandated under Section 15 of the NCTE, Act. The NRC is forwarding the complaint to third party which shows that the NRC is not taking any cognizance of the same. Suffice it is to say that this is only a frivolous ground either to delay or reject the case for recognition and it must be at the instance of Sh. Y.K. Sharma. Though complaint has not been supplied, but it must be centring on the ill impressions of Sh. Y.K. Sharma on the basis of which he is able to mould the entire Committee against the institute."

AND WHEREAS the Committee noted that the appellant's request for grant of recognition for conducting M.Ed. course was rejected by the N.R.C. on the same ground that the land was on lease basis, which is not acceptable as per the NCTE Regulations. The appellant appealed to the Council against the order of the N.R.C. The Council in their order F. No. 89-71/2015 Appeal/9th Meeting -2015 dt. 13.10.2015, holding that as long as the society is able to establish its ownership rights over the property through legally permissible documents and also able to transfer the land and built up area thereon in the name of the appellant institution within 6 months after grant of recognition, there was no objection to the appellant society's leasing out the land to the appellant college, remanded the matter to N.R.C. with a direction to process the application. The Committee also noted that the Chairperson, NCTE issued an order dated 02.03.2016 in this very matter concerning grant of recognition to M.Ed. course for which the appellant applied, which was forwarded to the Regional Director, N.R.C. with the Council's letter no. F. 64-12/2016/NCTE/Legal 23367 dt. 2nd /3rd March, 2016. The N.R.C. was to consider the application for M.Ed. course as per the direction contained in that order.

AND WHEREAS the Committee, noting that the issue relating to grant of recognition for conducting D.El.Ed. course by the appellant is similar to the grant of recognition for M.Ed. course and the Council through their appellate order dt. 13.10.2015 and the Chairman's order dt. 02.03.2016 has given appropriate directions to the N.R.C. for processing the application for M.Ed. course, concluded that the

matter deserved to be remanded to the N.R.C. with a direction to take further action in this case also as per those directions.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to take further action in this case also as per those directions.

NOW THEREFORE, the Council hereby remands back the case of Shimla College of Education, Sanjauli, Shimla, Himachal Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Shimla College of Education, Sheetal Kunj Estate BPO Kamlanagar, Sanjauli, Shimla, Himachal Pradesh – 171006.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Himachal Pradesh, Shimla.

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F.No.89-298/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Bhagirathi Primary Teachers Training Institute, Sadarghat, Jiaganj, Murshidabad, West Bengal dated 19/05/2016 is against the Order No. ER-213.6(i)232/ERCAPP3072/B.Ed./2016/46161 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 50 (one basic unit) from the academic session 2016-17.

AND WHEREAS Sh. Sankar Mandal, Secretary and Sh. Chiranjit Niogi, Office Superintendent, Bhagirathi Primary Teachers Training Institute, Sadarghat, Jiaganj, Murshidabad, West Bengal presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation the appellant requested reconsideration of the decision of ERC, NCTE to grant permission under Clause 7(16) of the NCTE, Regulations, 2014 for applied B.Ed. Programme with an annual intake of 50 students (1 basic unit) from academic session 2016-17 instead of 2 basic units comprising of 100 students, as was applied for.

AND WHEREAS the Committee noted that the appellant in his online application dt. 30.05.2015 mentioned the name of the course applied for as B.Ed. and in the affidavit enclosed to the hard copy, he has stated that the application is for an intake of 100. The Visiting Team in their report mentioned the intake as one unit (50 students). The Committee, however, noted that the E.R.C. in their Letter of Intent dated 03.03.2016 inter- alia asked the appellant to submit consent/willingness for basic unit (one or two) for the said course. The appellant with his reply dated 20.04.2016 submitted an affidavit stating that they want two basic units (100 students) and also inter-alia enclosed a faculty list of one principal and 15 lecturers approved by the affiliating body, both which have been taken note of by the Eastern Regional Committee as could be seen from their file. However, no reasons have been adduced for granting recognition for one basic unit only. In these circumstances, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to

consider the request of the appellant for two units of 50 students each in the B.Ed. course and take further action as per the Regulations.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to E.R.C. with a direction to consider the request of the appellant for two units of 50 students each in the B.Ed. course and take further action as per the Regulations.

NOW THEREFORE, the Council hereby remands back the case of Bhagirathi Primary Teachers Training Institute, Sadarghat, Jiaganj, Murshidabad, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Bhagirathi Primary Teachers Training Institute Additional B.Ed. Course, L.R. 1341, 160, 250, 546, 1230, 1231, Own, L.R. 543, 547, 548, 554, 11, 298, Sadarghat, Jiaganj, Murshidabad, West Bengal – 742123.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-299/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of ICFAI University, Kamalghat, Agartala, West Tripura, Tripura dated 17/05/2016 is against the Order No. ERC/209.8.8/ERCAPP3633/D.El.Ed(ODL Mode)/2015/45457 dated 13/04/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (ODL) course on the grounds that 1. Show cause notice was issued on 23/02/2016 on the following grounds. "(i) in the submitted building plan, total demarcated land area and built up area is not indicated for D.El.Ed. (ODL Mode) and B.Ed. (ODL Mode) programme. (ii) NOC from affiliating/examining body for D.El.Ed. (ODL Mode) programme not submitted. 2. In response to Show Cause Notice, the institution submitted its reply dated 04/03/2016 along with a copy of NOC issued from SCERT Tripura on 30/07/2015 i.e. after stipulated date of 15th July, 2015 which is not considerable as per NCTE Regulation, 2014. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3633 of the institution regarding permission for D.El.Ed. (ODL Mode) is refused under section 15(3)(b) of NCTE Act, 1993."

AND WHEREAS Sh. S.A. Chary, Advisor and Sh. A. Ranganath, Registrar, ICFAI University, Kamalghat, Agartala, West Tripura, Tripura presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation it was submitted that "as per the Norms we submitted the plan approved by the competent authority and also earmarked area for the distance education D.El.Ed. and B.Ed. (ODL Mode) programme. Plot number is also mentioned in the building plan and also application form."

AND WHEREAS Appeal Committee noted that refusal for D.El.Ed. (ODL) is on the ground that appellant institution did not submit N.O.C. of the affiliating body along with application. From the reply dated 04.03.2016 submitted by appellant in response to S.C.N., it is observed that N.O.C. was issued by SCERT, Government of Tripura

on 30.07.2015 and the appellant which is a private university supported by a decision taken in its Academic Council informed the Directorate of Distance Education, ICFAI University on 19.02.2016 the decision to start D.El.Ed. (ODL). The appellant was therefore, not able to submit N.O.C. of affiliating body alongwith its applicaton as required under Clause 5(3) of the NCTE, Regulations, 2014. Appeal Committee, therefore, decided to confirm the refusal order dated 13/04/2016 issued by E.R.C., Bhubaneswar.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Registrar, ICFAI University Tripura 3231, 6458, Kamalghat, Agartala, West Tripura, Tripura – 799210.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Tripura, Agartala.

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F.No.89-300/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Dr. C.C. Mahato Teachers Training College, Bokaro, Jharkhand dated 17/05/2016 is against the Order No. ERC/7-205.8.35/D.El.Ed./ERCAPP3120/2016/43757 dated 24.02.2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.d. course on the grounds that "1. Show cause notice was issued on 09/02/2016 on the following ground: (1) The NOC for D.El.Ed. Programme issued on 23/09/2015 by Under Secretary, Directorate of Primary Education, Govt. of Jharkhand i.e. after the stipulated date of 15th July 2015, which is not acceptable; and (2) reply dt. 10/02/2016 submitted on the basis of proceedings uploaded in the ERC website is not satisfactory. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3120 of the institution regarding recognition for D.El.Ed. Course is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS the submission of the appeal has been delayed by 24 days beyond the prescribed time of 60 days. The appellant submitted that till date he had not received the refusal order of E.R.C., even though he made several visits to the E.R.C. and sent e-mails. The Committee decided to condone the delay and consider the appeal.

AND WHEREAS Sh. Kundan Kishore, Secretary and Sh. Arbind Kumar, Member, Dr. C.C. Mahato Teachers Training College, Bokaro, Jharkhand presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation and in a written submission dt. 23.06.2016 it was submitted that (i) NCTE introduced the Regulation 2014 in the month of the December, 2014 and it was the first time that the NCTE introduced the provisions of the NOC; (ii) the appellant vide its letter No. CCMTTC/05/2015 dated 19/05/2015 applied to the Jharkhand Academic Council (JAC) i.e. the affiliating body for issuance of the NOC

as per the format provided by the NCTE; (iii) JAC directed the appellant to apply to the Director, Primary Education, MHRD, Government of Jharkhand; (iv) while submitting the hard copy of the application on 09.06.2015, it was stated that the issuance of the N.O.C. was under process; (v) the matter relating to the issue of N.O.C. was under process by the State Government authorities from May, 2015 onwards which included inspection of the appellant's premises and the N.O.C. was finally issued on 23.09.2015; and (vi) the appellant vide its letter dated 10/02/2016 clarified the delay with the documentary proof to the ERC, but the ERC failed to consider the facts and the details mentioned in the reply. The appellant has also made reference to certain orders of the Hon'ble Supreme Court regarding consideration of N.O.C. The appellant has drawn attention to some order in appeals against the orders of the Southern Regional Committee rejecting the applications of institutions on the ground that the N.O.C's obtained by them were post 15.07.2015, the last date fixed by the Council, treating them as infructuous as the S.R.C. subsequently informed that Letters of Intent (L.O.I.) were issued to them. The appellant has claimed that those institutions are also similarly placed like theirs.

AND WHEREAS the Committee noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with N.O.C., irrespective of the date of online submission. The appellant submitted the N.O.C. after the last date prescribed i.e. 15.07.2015. From the orders of the Hon'ble Supreme Court of India cited by the appellant it is seen that they were prior to the notification of NCTE Regulations, 2014 which introduced the requirement of No Objection Certificate from the affiliating body alongwith the application itself. Further the order cited relates to a specific case of particular institution, who approached the Hon'ble Apex Court against the Judgement of Hon'ble High Court of Kerala. In the instances of the S.R.C. cited by the appellant, it is noted that decisions were taken by that Regional Committee and not the Council. In these circumstances, the Committee concluded that the E.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the E.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during

the hearing, the Committee concluded that the 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 President, Dr. C.C. Mahato Teachers Training College, 1198, Ownership Basis, 1198, Sardaha Bokaro, Jharkhand – 827013.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

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F.No.89-301/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Dr. C.C. Mahato Teachers Training College, Bokaro, Jharkhand dated 17/05/2016 is against the Order No. ERC/7-205.8.34/B.Ed./ERCAPP3083/2016/43754 dated 24.02.2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "1. Show cause notice was issued on 10/02/2016 on the following ground: a) As the NOC for D.El.Ed. Programme issued on 23/09/2015 by Under Secretary, Directorate of Primary Education, Govt. of Jharkhand i.e. after the stipulated date of 15th July 2015 which is not acceptable, hence the B.Ed. programme comes under the category of standalone institution. As per NCTE Regulation 2014, the standalone institution is not permissible to run any teacher education programme. 2) The institution has not submitted the compliance of Show Cause Notice and reply 10/02/2016 submitted on the basis on proceedings uploaded in the ERC website is not satisfactory. In view of the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3083 of the institution regarding recognition for B.Ed. course is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS the submission of the appeal has been delayed by 24 days beyond the prescribed time of 60 days. The appellant submitted that till date he had not received the refusal order of E.R.C., even though he made several visits to the E.R.C. and sent e-mails. The Committee decided to condone the delay and consider the appeal.

AND WHEREAS Sh. Kundan Kishore, Secretary and Sh. Arbind Kumar, Member, Dr. C.C. Mahato Teachers Training College, Bokaro, Jharkhand presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation and in a written submission dt. 23.06.2016 it was submitted that (i) NCTE introduced the Regulation 2014 in the month of the December, 2014 and it

was the first time that the NCTE introduced the provisions of the NOC; (ii) the appellant vide its letter No. CCMTTC/05/2015 dated 19/05/2015 applied to the Jharkhand Academic Council (JAC) i.e. the affiliating body for issuance of the NOC as per the format provided by the NCTE; (iii) JAC directed the appellant to apply to the Director, Primary Education, MHRD, Government of Jharkhand. It is submitted that the appellant vide its letter dated 10/02/2016 clarified the delay of the NOC submission for the D.El.Ed. Course with the documentary proofs to the ERC, but the ERC failed to consider the facts and the details mentioned in the reply. (iv) while submitting the hard copy of the application on 09.06.2015, it was stated that the issuance of the N.O.C. was under process; (v) the matter relating to the issue of N.O.C. was under process by the State Government authorities from May, 2015 onwards which included inspection of the appellant's premises and the N.O.C. was finally issued on 23.09.2015; and (vi) the appellant vide its letter dated 10/02/2016 clarified the delay with the documentary proof to the ERC, but the ERC failed to consider the facts and the details mentioned in the reply. The appellant has also made reference to certain orders of the Hon'ble Supreme Court regarding consideration of N.O.C. The appellant has drawn attention to some orders in appeals against the orders of the Southern Regional Committee rejecting the applications of institutions on the ground that the N.O.C's obtained by them were post 15.07.2015, the last date fixed by the Council, treating them as infructuous as the S.R.C. subsequently informed that Letters of Intent (L.O.I.) were issued to them. The appellant was claimed that those institutions are also similarly placed like theirs.

AND WHEREAS the Committee noted that the E.R.C. refused recognition for conducting the B.Ed. course on the ground that it falls under the category of stand alone institution, with their application for another teacher education course, namely, D.El.Ed. falling through on account of non-submission of No Objection Certificate from the affiliating body. The submissions made by the appellant are the same which he made in his appeal against the order of the E.R.C. refusing recognition for conducting D.El.Ed. course. The Committee noted that according the provisions of Clause 8(i) of the NCTE Regulations, 2014, new teacher education institutions shall be located in composite institutions. In the circumstances, the Committee concluded that the E.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the E.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the 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 President, Dr. C.C. Mahato Teachers Training College, 1198, Ownership Basis, 1198, Sardaha Bokaro, Jharkhand – 827013.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

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F.No.89-302/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Department of Education, Swami Vivekanand Subharti University, Meerut, Uttar Pradesh dated 18/05/2016 is against the decision of the Northern Regional Committee contained in the minutes of their 251st meeting held from 9 April, 2016 (Part 311 - 13.04.2016) to refuse recognition for conducting B.Ed. M.Ed. course on the grounds that "Reply of SCN reveals that the institution has not been running B.Ed. and M.Ed. courses for the last five years as required under NCTE Regulations, 2014. NRC issued their refusal Order No. NRC/NCTE/NRCAPP9871/251st Meeting (Part – 3)/2016/150438-39 on 10.06.2016.

AND WHEREAS Dr. B.C. Dubey, Dean and Dr. Sandeep Kumar, H.O.D., Department of Education, Swami Vivekanand Subharti University, Meerut, Uttar Pradesh presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation it was submitted that (i) Department of Education of Swami Vivekanand Subharti University has submitted an application for recognition of B.Ed. M.Ed. (3 years integrated) course; (ii) as per the decision taken in NRC Meeting, NCTE nominated Dr. Anil Bhartiya and Dr. Sunita Joshi as visiting team members to conduct inspection under section 14/15 of the NCTE Act, 1993 under NCTE Regulation, 2014; (iii) the visiting team carried out inspection on 08/02/2016; (iv) after that it was decided in 250th Meeting of NRC held on 24/02/2016 that a show cause notice be issued under section 14/15 3(b) of the NCTE Act 1993 for not completing 5 years after the date of recognition of M.Ed. course from 3rd May 2012; (v) the show cause notice has not been received by them till date, however, the reply of show cause notice based on the decision taken in 250th Meeting as NRC has been sent vide their letter No. Dean/FE/SVSU/2016/147 dated 03/03/2016; and (vi) no information has been communicated to them till date. The appellant also

submitted that (a) they have completed all required physical and academic resources as well as construction of building as per NCTE norms; (b) they have been running B.Ed. course since 2005-06 session and M.Ed. course since 2012-13 session and therefore, they would be eligible to run B.Ed., M.Ed. (3 years Integrated course) from the session 2017-18 on completion of five years of recognition of M.Ed. course. The appellant requested that they may be granted recognition with effect from 2017-18 batch onwards. The appellant; in his letter dt. 23.06.2016, further submitted that the provision in the norms that NCTE recognised teacher education institutions offering B.Ed. and M.Ed. programmes, which have been in existence for at least five years are eligible to apply for B.Ed., M.Ed. (Integrated course) itself clarifies that the applicant institute should be in existence for at least five years having B.Ed. and M.Ed. courses. Since their institution has been recognised for B.Ed. course since 2005 and completed more than 10 years they are eligible to apply to this course.

AND WHEREAS the Committee noted that according to Clause 2(i) of the Norms and Standards for three year integrated B.Ed., M.Ed. degree programme, NCTE recognised institutions offering B.Ed. and M.Ed. programmes, which have been in existence for at least five years and having NAAC accreditation with minimum B grade are eligible to apply for this course. The institution applying for this course should therefore, have been offering both B.Ed. and M.Ed. courses for at least five years and this condition should be fulfilled at the time of application. On the date of online application i.e. 29.04.2015, the appellant would have completed only three academic session of M.Ed. course. In these circumstances, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Dean/Appellant, Department of Education, Swami Vivekanand Subharti University, Subhartipuram, NH-58, Delhi-Haridwar by Pass Road, Meerut, Uttar Pradesh – 250005.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-303/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of V.S.N. College of Education (C.V. Raman Educational Society), Purusothapuram, Palasa, Srikakulam, Andhra Pradesh dated 16/05/2016 is against the Order No. SRO/NCTE/SRCAPP-3442/B.Ed/AP/2016-17/83765 dated 11/04/2016 of the Southern Regional Committee, rejecting their application for grant of recognition for conducting B.Ed. course on the grounds that "a Non-existent course cannot provide the composite status. Their request is not acceptable."

AND WHEREAS Sh. M. Siva Rao, A.O. and V. Ganga Bhavani, Representative, V.S.N. College of Education (C.V. Raman Educational Society), Purusothapuram, Palasa, Srikakulam, Andhra Pradesh presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation it was submitted that "C.V. Raman Educational society has submitted an application with I.D. SRCAPP3442 in the name of V.S.N. College of Education, Palasa for B.Ed., Course. They have already submitted application for D.El.Ed. course with SRCAPP1379 under this same management which was rejected by both SRC and NCTE head quarters and the matter is pending in Hon'ble High Court of Andhra Pradesh vide W.P. No. 5420/2015, which has given an order dated 04/03/2015. They had pleaded before Hon'ble High Court of Andhra Pradesh to direct SRC to consider the same application as a fresh application in their review petition filed on 01/07/2015. This is done because there is no time to file application on online after receiving the hard copy of the Court order. By then the last date of submission of application on online was over. The same was informed to SRC, NCTE to combine both the applications nos. SRCAPP3442 and SRCAPP1379 to make composite

nature. The review petition is still pending in the Hon'ble High Court. The detailed copy of chronology of both the cases is enclosed separately with this hard copy."

AND WHEREAS the Committee noted that the application of the appellant dt. 30.09.2011 for grant of recognition for conducting D.El.Ed. course was refused by the S.R.C. in their order dated 14.06.2012 and an appeal against that order was not admitted by the Council in their order dated 16.09.2014. The appellant filed a Writ Petition no. 5420 of 2015 against the impugned orders before the Hon'ble High Court of Judicature at Hyderabad for the State of Telengana & the State of Andhra Pradesh. The Hon'ble High Court in their order dated 04.03.2015 held that no interference with the impugned proceedings was called for. The Hon'ble Court in their order gave liberty to the petitioner to apply afresh as and when the respondents issued fresh notification. The appellant, in their appeal submitted that they have filed a review petition before the Hon'ble High Court for modification of their order dated 04.03.2015, which is reported to be pending.

AND WHEREAS the Committee noted that on the date of application for B.Ed. course i.e. 11.06.2015, there was no application of the appellant for any other teacher education course pending. According to the provisions of Clause 8(i) of the NCTE Regulations, 2014, new teacher education institutions shall be located in composite institutions, which include an institution offering multiple teacher education programme. As pointed out by the S.R.C., the appellant does not enjoy the status of a composite institution. In these circumstances, the Committee concluded that the S.R.C. was justified in rejecting the application and therefore, the appeal deserved to be rejected and the order of the S.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the 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, VSN College of Education, 69, C.V. Raman Educational Society, 27/4P, Purusothapuram Palasa, Srikakulam, Andhra Pradesh – 532221.

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

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

4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

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F.No.89-305/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Manbhum Institute of Education and Social Science, Dulmi - Nadiha, Purulia, West Bengal dated 17/05/2016 is against the Order No. ER/7-209.7.4/ERCAPP2916/(D.El.Ed.)/2016/46333 dated 02/05/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show cause notice was issued on 11/03/2016 on the following grounds. (i) As per VT report, total built up area is 2150 sq. mts. only which is less than the requirement for stipulated for B.Ed. (existing two units) + D.El.Ed. (Proposed one unit). b. The institution submitted its reply dated 11/03/2016 (on the basis of proceedings uploaded in ERC website) which is not satisfactory as the built up area during inspection is 2150 sq. mts. only which is less than the requirement as per NCTE Regulation 2014. In view of the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP2916 of the institution regarding permission for D.El.Ed. is refused under section 15(3)(b) of NCTE Act, 1993."

AND WHEREAS Sh. D.P. Sarkar, Secretary and Sh. S.K. Nair, Representative, Manbhum Institute of Education and Social Science, Dulmi - Nadiha, Purulia, West Bengal presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation it was submitted that "the institute has two separate buildings in the same campus measuring total built-up area of 4424.5 sq. mts. (2274.5 sq. mts. for B.Ed. building and 2150 sq. mts. for D.El.Ed. building). In the year 2013 NCTE, ERC has given shifting permission to the institution in this new campus for conducting B.Ed. course after VT inspection. During D.El.Ed. Inspection on 20/02/2016 the VT Members only have taken the measurement of newly constructed D.El.Ed. Building which has 2150 sq. mts. built-up area. The appellant has enclosed copies of building plans and building completion certificates in support of their claim that for their existing B.Ed. course the built up area available is 2274.5 sq. mts. which comprises of 1749.5 sq. mts. existing and 525 sq. mts. extended and

for the proposed D.El.Ed. course of two units the built up area is 2150 sq. mts., making a total of 4424.5 sq. mts. The argument of the appellant is that the Visiting Team took note of the built up area for D.El.Ed. course only and ignored the built up area for B.Ed. course, which is in the same campus and mistakenly considered 2150 sq. mts. of built up area for both B.Ed. and D.El.Ed. courses. The appellant submitted that they applied for D.El.E.d course of two units and not one unit as stated in E.R.C's show cause notice to convert their institution into a composite one in accordance with the provisions of the NCTE Regulations, 2014.

AND WHEREAS the Committee, noting the submission of the appellant, concluded that the matter deserved to be remanded to the E.R.C. with a direction to have the availability of the two buildings claimed by the appellant verified through an inspection and take further action as per the NCTE Regulations.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to E.R.C. with a direction to have the availability of the two buildings claimed by the appellant verified through an inspection and take further action as per the NCTE Regulations.

NOW THEREFORE, the Council hereby remands back the case of Manbhum Institute of Education and Social Science, Dulmi - Nadiha, Purulia, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Manbhum Institute of Education and Social Science, K No.-246, J.L. No.-04, 251, 252, 254, 255, 256, 261, Dulmi-Nadiha, Purulia, West Bengal – 723102.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-307/2016 Appeal/9th Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 04/08/2016

ORDER

WHEREAS the appeal of Apex Teachers Training College, Berachampa, North 24 Parganas, West Bengal dated 18/05/2016 is against the Order No. ER-EM-212.7.4/ERCAPP2560/(D.El.Ed.)/2016/45994 dated 02/05/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show cause notice was decided in 210th ERC Meeting held on 7-9 April, 2016 on the following ground: that the name of the institution is "Apex Teacher Training College" whereas the land is in the name of "Apex Teachers Training College (B.Ed.)" i.e. in different name. b. In response to show cause notice, the institution submitted its reply dated 12/04/2016 on the basis of proceedings uploaded in the ERC website, which is not acceptable. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code no. ERCAPP2560 of the Institution regarding recognition for D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Jahidul Sarkar, Office Staff and Sh. Alif Noor, Representative, Apex Teachers Training College, Berachampa, North 24 Parganas, West Bengal presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation it was submitted that " (i) primarily they thought that they will apply only B.Ed. course so they registered their deed with B.Ed.; (ii) secondly, they decided that in future if they apply for any other course on that land, then this identification of B.Ed. may cause problem due to their mistake; (iii) they made a resolution and affidavit for setting up the name and style of the college as Apex Teachers Training College instead of Apex Teacher Training College (B.Ed.); (iv) they applied to the B.L. & L.R.O. Deganga, S.D.L. & L.R.O., Barasat, for mutation, LUC, Non-Encumbrance and CLU in the name of Apex Teachers Training College with an affidavit along with the land-deed and they got the papers; (v) at the

time of online form-fill-up they put the name Apex Teachers Training College; (vi) ERC, NCTE issued show cause notice and they made further an affidavit from Executive Magistrate, Barasat, declaring that Apex Teachers Training College (B.Ed.) & Apex Teachers Training College is same; and (vii) lastly, they have made a "Rectification and declaration deed" which is a part and parcel of the mother-deed that shows the name and style of the College is Apex Teachers Training College. The appellant, with their appeal forwarded a copy of original land gift deed dt. 24.12.2013 together with copies of certificate of mutation dt. 12.01.2015 issued by B.L. & LRO, Government of West Bengal, conversion certificate dt. 17.03.2015 issued by SDL & LRO, Government of West Bengal, Non-encumbrance certificate dt. 20.01.2015 issued by B.L. & LRO, Government of West Bengal and Land Utilisation Certificate dt. 12.01.2015 issued by B.L. & LRO, Government of West Bengal – all relating to the plots of land with a total area of 1.08 acres as mentioned in the original land gift deed and showing the name of the institution as 'Apex Teachers Training College'. The appellant also enclosed a copy of the Deed of Rectification and Declaration executed and registered in the office of Additional District Sub. Registrar, Deganga, North 24 parganas on 06.05.16 declaring by the Donor and the Donee that the name of the College is 'Apex Teachers Training College' instead of 'Apex Teachers Training College (B.Ed.).

AND WHEREAS the Committee, noting that the appellant has submitted all the relevant documents in support of their claim that the land is in the name of Apex Teachers Training College, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to process the application further as per NCTE Regulations, 2014.

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

NOW THEREFORE, the Council hereby remands back the case of Apex Teachers Training College, Berachampa, North 24 Parganas, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The General Secretary, Apex Teachers Training College, 406-409, Bastu (College), Kaukepara (Berachampa), Berachampa North 24 Parganas, West Bengal – 743424.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-306/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Apex Teachers Training College, Berachampa, North 24 Parganas, West Bengal dated 18/05/16 is against the Order No. ER-EM-212.7.5/ERCAPP2559/(B.Ed.)/2016/45993 dated 02/05/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the ground that "a. Show cause notice was decided in 210th ERC Meeting held on 7-9 April, 2016 on the following ground: that the name of the institution is "Apex Teacher Training College whereas the land is in the name of "Apex Teachers Training College (B.Ed.) i.e. in different name. b. In response to show cause notice, the institution submitted its reply dated 12/04/2016 on the basis of proceedings uploaded in the ERC website which is not acceptable. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code no. ERCAPP2559 of the Institution regarding recognition for B.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Jahidul Sarkar, Office Staff and Sh. Alif Noor, Representative, Apex Teachers Training College, Berachampa, North 24 Parganas, West Bengal presented the case of the appellant institution on 23/06/2016. In the appeal and during personal presentation it was submitted that (i) primarily they thought that they will apply only B.Ed. course so we registered their deed with B.Ed.; (ii) secondly, they decided that in future if they apply for any other course on that land, then this identification of B.Ed. may cause problem due to their mistake; (iii) they made a resolution and affidavit for setting up the name and style of the college as Apex Teachers Training College instead of Apex Teacher Training College (B.Ed.); (iv) they applied to the B.L. & L.R.O. Deganga, S.D.L. & L.R.O., Barasat, for mutation, LUC, Non-Encumbrance and CLU in the name of Apex Teachers Training College with an affidavit along with the land-deed and they got the papers; (v) at the time of

online form-fill-up they put the name Apex Teachers Training College; (vi) ERC, NCTE issued show cause notice and they made further an affidavit from Executive Magistrate, Barasat, declaring that Apex Teachers Training College (B.Ed.) & Apex Teachers Training College is same; and (vii) they lastly, they have made a "Rectification and declaration deed" which is a part and parcel of the mother-deed that shows the name and style of the College is Apex Teachers Training College. The appellant, with their appeal forwarded a copy of original land gift deed dt. 24.12.2013 together with copies of certificate of mutation dt. 12.01.2015 issued by BL & LRO, Government of West Bengal, conversion certificate dt. 17.03.2015 issued by SDL & LRO, Government of West Bengal, Non-encumbrance certificate dt. 20.01.2015 issued by BL & LRO, Government of West Bengal and land utilisation certificate dt. 12.01.2015 issued by BL & LRO, Government of West Bengal – all relating to the plots of land with a total area of 1.08 acres as mentioned in the original land gift deed and showing the name of the institution as 'Apex Teachers Training College.' The appellant also enclosed a copy of the Deed of Rectification and Declaration executed and registered in the office of the Additional District Sub-Registrar, Deganga, North 24 Parganas on 06.05.2016 declaring by the Donor and the Donee of the land that the name of the College is 'Apex Teachers Training College' instead of 'Apex Teachers Training College (B.Ed.)'

AND WHEREAS the Committee, noting that the appellant has submitted all the relevant documents in support of their claim that the land is in the name of Apex Teachers Training College, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to process the application further as per the NCTE Regulations, 2014.

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

NOW THEREFORE, the Council hereby remands back the case of Apex Teachers Training College, Berachampa, North 24 Parganas, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The General Secretary, Apex Teachers Training College, 406-409, Bastu (College), Kaukepara (Berachampa), Berachampa North 24 Parganas, West Bengal – 743424.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-308/2016 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Basic Training Centre, Golakganj, Dhubri, Assam dated 25/01/2016 is against the Order No. ERC/7-197.9.31/ERCAPP2356/(D.El.Ed. Course)/2015/37887 dated 17/11/2015 of the Eastern Regional Committee, summarily rejecting their application for grant of recognition for conducting D.El.Ed. course on the grounds that "(i) The date of application through online is 23/05/2015 and date of dispatch of printout of online application is 19/06/2015 i.e. after 15 days of submission of online application. In view of the above the Committee decided as under: The application of the institution is summarily rejected as per clause 7(2)(b) of NCTE Regulation 2014."

AND WHEREAS Basic Training Centre, Golakganj, Dhubri, Assam was asked to present the case of the appellant institution on 23/06/2016 but nobody appeared. In the appeal it was submitted that the No Objection Certificate was received late.

AND WHEREAS the Committee noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be last date for submission of hard copies of the applications with N.O.C., irrespective of the date of online submission. The Committee also noted that the appellant filed their application online on 23.05.2015 and forwarded hard copy of the application, alongwith N.O.C., with their letter dt. 18.06.2015, which was received in the E.R.C. on 22.06.2015. Since the appellant submitted the hard copy of the application within the extended date i.e. 15.07.2015, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to process the application further as per NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to

E.R.C. with a direction to process the application further as per NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Basic Training Centre, Golakganj, Dhubri, Assam to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Basic Training Centre Golakganj, 01, South Tokrerchara Pt. IV., 80 (Old) / 916 (New), South Tokrerchara Pt. IV, NA, Dhubri, Assam – 783334.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.

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F.No.89-180/2015 Appeal/9th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/08/2016

ORDER

WHEREAS the appeal of Seth Prem Chandra Om Shree Gupta Education, Sikandrarao, Mahamaya Nagar, Uttar Pradesh dated 12/10/2015 against the Order No. NRC/NCTE/NRCAPP-7985/242nd Meeting/2015/123319 dated 11/09/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the ground that "the institution has not submitted reply of Show Cause Notice dated 30/07/2015 was rejected and the order of the N.R.C. confirmed by the Council in their order F. No. 89-180/2015 Appeal/13th Meeting-2015 dated 15th January, 2016."

AND WHEREAS aggrieved by the order of the Council, the appellant filed a S.B. Civil Writ Petition No. 2663 of 2016 before the Hon'ble High Court of Judicature for Rajasthan at Jaipur Bench, Jaipur. The Hon'ble High Court in their order dt. 20.04.2016, holding that the appellate order dt. 15.01.2016 passed by the NCTE clearly indicated that it is a cryptic, non-speaking order and the grounds in appeal, including the contention of the petitioner of non-consideration of its reply to show cause notice dt. 30.07.2015 by N.R.C., have not at all been addressed nor the grounds independently addressed, quashed and set aside the impugned order dt. 15.01.2016. The Hon'ble High Court also remanded the matter to NCTE to decide afresh the petitioner's appeal against the order dt. 11.09.2015 by a reasoned and speaking order, in accordance with law. The appellant, with his letter dt. 09.05.2016 forwarded a copy of the order of the Hon'ble High court with a request to reconsider his submission and take necessary action according to the Hon'ble High Court's order. This letter has been received in the Council on 10.05.2016.

AND WHEREAS Sh. Satyendra Dixit, Accountant, Seth Prem Chandra Om Shree Gupta Education, Sikandrarao, Mahamaya Nagar, Uttar Pradesh presented the case of the appellant institution on 23.06.2016. The appellant re-iterated the submissions made by him during the previous hearing held on 17.12.2015, namely that "they submitted replies to the deficiency letter and show cause notice issued by the N.R.C."

AND WHEREAS the Committee noted that the appellant's reply to the N.R.C's show cause notice dt. 10.07.2013 stated to have been given by hand on 22.08.2013 is not in the N.R.C's file. However, the appellant submitted a copy of that reply dt. 16.08.2013 and bearing diary no. 64370 dated 22.08.2013 with the stamp of the N.R.C. The N.R.C. file also contains a letter of the appellant which bears the date of 06.09.2013 but with a N.R.C's receipt stamp dt. 14.09.2015 and Dy. No. 16707 and which is almost identical to their earlier letter dt. 16.08.2013. A reply to the deficiency letter dt. 10.07.2013 is thus available in N.R.C's 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 to the deficiency letter available in their file and take further action as per the NCTE Regulations. The appellant is also directed to send a copy of his reply dt. 16.08.2013 to the deficiency letter stated to have been given by hand to the N.R.C. within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to consider the reply of the appellant to the deficiency letter available in their file and take further action as per the NCTE Regulations. The appellant is also directed to send a copy of his reply dt. 16.08.2013 to the deficiency letter stated to have been given by hand to the N.R.C. within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Seth Prem Chandra Om Shree Gupta Education, Sikandrarao, Mahamaya Nagar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Seth Prem Chandra Om Shree Gupta Education, Plot No. 877/2, 879 Village & Post Agsauli, Tehsil – Sikandrarao, Mahamaya Nagar, Uttar Pradesh – 204211.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.