



F.No.89-271/E-72437/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Rajendra Pratap Singh Sikshan Sansthan, Dhamoiya, Phoolpur, Allahabad, Uttar Pradesh dated 03/04/2018 is against the Order No. NRC/NCTE/NRCAPP-13879/280th Meeting/2018/188754 dated 09/02/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "reply of Show Cause Notice has not been submitted till date. Hence, the Committee decided that the application is rejected and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

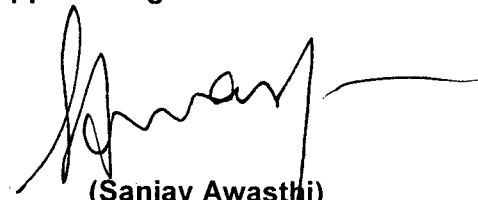
AND WHEREAS Sh. Rajendra Pratap Singh, Manager, Rajendra Pratap Singh Sikshan Sansthan, Dhamoiya, Phoolpur, Allahabad, Uttar Pradesh presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "applicant has requested several times to affiliating body but could not get approval of teachers. Kindly give us another chance."

AND WHEREAS Appeal Committee noted that a Letter of Intent (L.O.I.) dated 12/07/2017 was issued to appellant institution seeking compliance within a period of two months. Appeal Committee further noted that non submission of compliance to the L.O.I. resulted in issue of a Show Cause Notice (S.C.N.) dated 26/09/2017 seeking written representation within 30 days. S.C.N. issued by N.R.C. was returned by postal authorities undelivered. Thereafter the S.C.N. was loaded on the website of N.R.C., NCTE so as to enable the appellant to note the development and respond accordingly. Appeal Committee observed from the regulatory file that some complaints against the appellant institution were also received alleging some land dispute and utilisation of land of the proposed institution for conducting courses other

than teacher education. Copies of these complaints were forwarded to appellant institution for seeking comments but there has been no response. Appeal Committee noted that impugned refusal order dated 09/02/2018 was issued after giving the appellant institution enough time and opportunity to respond. The appellant during the course of appeal proceedings was not in a position to submit any progress in so far as selection and appointment of faculty with the approval of affiliating body is concerned. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 09/02/2018 issued by N.R.C.

AND WHEREAS after perusal of the memoranda of appeal affidavit, documents on record and oral arguments advanced during the appeal, Appeal Committee concluded to confirm the impugned refusal order dated 09/02/2018 issued by n.r.c.

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, Rajendra Pratap Singh Sikshan Sansthan, Dhamoiya, Phoolpur – 221507, Allahabad, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-272/E-72438/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Rajendra Pratap Singh Sikshan Sansthan, Dhamoiya, Phoolpur, Allahabad, Uttar Pradesh dated 03/04/2018 is against the Order No. NRC/NCTE/NRCAPP-13881/280th Meeting/2018/188945 dated 09/02/2018 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "reply of Show Cause Notice has not been submitted till date. Hence, the Committee decided that the application is rejected, and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

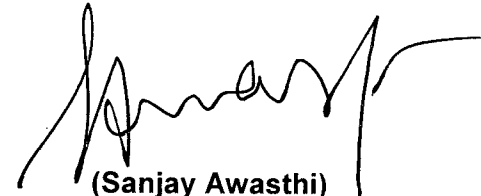
AND WHEREAS Sh. Rajendra Pratap Singh, Manager, Rajendra Pratap Singh Sikshan Sansthan, Dhamoiya, Phoolpur, Allahabad, Uttar Pradesh presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "Applicant has requested several times to affiliating body but could not get approval of teachers. Kindly give us another chance,"

AND WHEREAS Appeal Committee noted that a Letter of Intent (L.O.I) dated 12/07/2017 was issued to appellant institution seeking compliance to L.O.I. within a period of two months. Appeal Committee further noted that non-submission of compliance to LOI resulted in issue of a Show Cause Notice (S.C.N.) dated 26/09/2017 seeking written representation and reasons for non compliance within 30 days. The above S.C.N. was returned by postal authorities undelivered and thereafter N.R.C. uploaded the S.C.N. on the website so as to enable the appellant to note the development and respond accordingly.

AND WHEREAS Appeal Committee noted that appellant neither opted to submit compliance report in response to the L.O.I. dated 12/07/2017 nor responded to the S.C.N. dated 26/09/2017. During the course of appeal proceedings on 27/07/2018 also appellant could not submit any information with regard to the selection and appointment of required faculty with the approval of affiliating body. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 09/02/2018 issued by N.R.C.

AND WHEREAS after perusal of the Appeal Memoranda, affidavit, documents on record and oral arguments during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 09/02/2018 issued by N.R.C.

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, Rajendra Pratap Singh Sikshan Sansthan, Dhamoiya, Phoolpur – 221507, Allahabad, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-273/E-72298/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Krishna Kanta Handiqui State Open University, Patgaon, Rani – Gorchuk Link Road, Upardanee, Kamrup, Assam dated 03/04/2018 is against the Order No. ERC/249.8.1/ID-9967/D.El.Ed.-ODL Mode/2018/55969 dated 12/02/2018 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (ODL) Course on the grounds that “a. Show Cause Notice was issued on 18.03.2017 on the following grounds: (i) The date of application though online is 28.06.2016 and hard copy of application received on 20.07.2016 i.e. after 15th July, 2016 stipulated by NCTE Hqrs. b. Reply from the institution has not been received within the stipulated period. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP201646214 of the institution regarding recognition of applied D.El.Ed. (ODL) Programme is refused under section 14(3)(b) of NCTE Act 1993.”

AND WHEREAS Pranab Saikia, Associate Professor, Krishna Kanta Handiqui State Open University, Patgaon, Rani – Gorchuk Link Road, Upardanee, Kamrup, Assam presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that “the University had not received any Show Cause Notice on 18.03.2017 from the ERC NCTE in the contact Email ID mentioned in its submitted application. Therefore, reply from the University to the Show Cause Notice as mentioned in the ERC NCTE Rejection Order within the stipulated time period did not arise.”

AND WHEREAS Appeal Committee noted that impugned refusal order is on the ground that applicant institution submitted hard copy of application after the last date for submission of application was over. Appeal Committee further noted that a Show

Cause Notice (S.C.N.) dated 18/03/2017 was issued to appellant institution seeking written representation from the institution within 21 days.

AND WHEREAS appellant stated that it had not received any S.C.N. Committee noted that at the same time appellant did not contest the point of late submission and rather apologised for the delay. Committee noted that last date for submission of printout of online application was 15/07/2016 irrespective of the date of the online application. From the regulatory file it is observed that printout of online application was received in the office of E.R.C. on 20/07/2016 having been despatched by Speed Post on 16/07/2016. There is no provision for relaxation of time limit for receipt of application in individual cases. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 12/02/2018 by E.R.C.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during hearing, Appeal Committee concluded to confirm the impugned refusal order dated 12/02/2018 by E.R.C.

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

(Sanjay Awasthi)
Member Secretary

1. The Registrar, Krishna Kanta Handiqui State Open University, Patgaon, Rani – Gorchuk Link Road, Upardanee, Kamrup – 781017, Assam.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.

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F.No.89-274/E-72376/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of B.Ed. College (Shri Sardar Patel Kanya Kelavani Mandal), Kalawad Road, Jamkandorna, Gujarat dated 04/04/2018 is against the Order No. WRC/APW01355/323208/Guj./288th/2018/195560 dated 22/02/2018 of the Western Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "Consequent to the issue of revised Recognition order, Show Cause Notice was issued on 05.07.2017. Institution in its reply has submitted an unapproved staff profile of 1+5 faculty members. Building Completion Certificate from the Government Engineer and FDRs not submitted. Hence, Recognition is withdrawn from the academic session 2018-19."

AND WHEREAS Sh. Bhupat Bhai B. Padarai, Trusty Member and Sh. Satodia Mansukh Bhai, Assistant, B.Ed. College (Shri Sardar Patel KanyaKelavani Mandal), Kalawad Road, Jamkandorna, Gujarat presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that 1. "Staff profile is approved by the registrar of Saurashtra University, Rajkot. Building Completion Certificate here by approved from the Government Engineer. FDR here by 1. Rs. 760137.00 receipt no. 6442701. date 08/03/2018. 2. Rs. 500000.00 receipt no. 6442769. date 31/03/2018 both are Dena Bank Jamkandorna Branch. According to NCTE western regional committee Letter No. WRC/APW01355/323208/GUJ./288th/2018/195560. date 22/02/2018. We submitted our clarification and all documents. So, we request you to consider our appeal to continue our approved for education year 2018/2019. So, we can admit students."


AND WHEREAS Appeal Committee noted that appellant during the course of appeal presentation on 27/07/2018 submitted lists of faculty containing the name of

Principal and 8 faculty members duly approved by Registrar, Saurashtra University, Rajkot. Appellant also submitted copies of F.D.Rs and B.C.C. approved by Dy. Ex. Engineer.

AND WHEREAS Appellant is required to submit authenticated copies of (i) List containing the name of Principal and faculty members (ii) F.D.Rs and (iii) B.C.C. to Western Regional Committee within 15 days of the issue of appeal order. Committee decided to remand back the case to W.R.C. The Regional Committee should consider the above documents and issue revised speaking order within 15 days of the submissions to be made by 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 remand back the case to W.R.C. The Regional Committee should consider the above documents and issue revised speaking order within 15 days of the submissions to be made by the appellant institution.

NOW THEREFORE, the Council hereby remands back the case of B.Ed. College (Shri Sardar Patel Kanya Kelavani Mandal), Kalawad Road, Jamkandorna, Gujarat to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The President, B.Ed. College (Shri Sardar Patel Kanya Kelavani Mandal), Kalawad Road, Jamkandorna – 360405, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-277/E-74218/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Swatantrata Sangram Senani Mahendra Mahavidyalaya, Maira Sofipura, Sadar, Mau, Uttar Pradesh dated 05/04/2018 is against the Order No. Nil dated 02/05/2016 of the Northern Regional Committee, granting recognition for conducting D.El.Ed.Course for one unit (50 seats)."

AND WHEREAS Sh. Dwijendra P. Mishra, Administration and Sh. Gyanendra K. Mishra, Representative, Swatantrata Sangram Senani Mahendra Mahavidyalaya, Maira Sofipura, Sadar, Mau, Uttar Pradesh presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "Applicant applied for two (2) units with all the requisite VT Report and infrastructure. But got recognition for single unit."

AND WHEREAS Appeal Committee noted that impugned order dated 02/05/2016 granting recognition to the appellant institution for conducting D.El.Ed. programme with an intake of 1 unit (50 seats) was a combined recognition order for 868 institutions issued by N.R.C. Last para (9) of this 149 page order specifies that if any institution is not satisfied with the order, it may prefer appeal under Section 18 of the NCTE Act within 60 days from the date of this order as per guidelines available on NCTE website.

AND WHEREAS Appeal Committee noted that appellant institution did not prefer timely appeal and instead filed a Writ Petition no. 7329 of 2018 in the Hon'ble High

Court of Allahabad. Hon'ble High Court in its order dated 23/02/2018 has remitted the matter for appellant to file an appeal under Section 18 of the NCTE Act. As petitioner's claim has only been allowed partially it is deemed that the claim for second unit has been rejected.

AND WHEREAS Appeal filed by appellant on 06/04/2018 is primarily delayed by one year and nine months but keeping in view the order dated 23/02/2018 of Hon'ble High Court, Appeal Committee decided to take up the averments made by appellant on merits.

AND WHEREAS during the course of appeal presentation on 27/07/2018, appellant, on being asked, could not submit any evidence in support of its claim that application 29/05/2015 was submitted seeking recognition for 2 units (100 seats). The affidavit enclosed with the application where intake is filled up by applicant was left blank. The forwarding letter of the application also did not mention any intake. The presumption of the applicant that it applied for two units is therefore, unfounded and not true. The Visiting Team which conducted inspection of the institution on 29/04/2016 of its own mentioned the proposed intake as 2 units but did not recommend specifically grant of recognition for two units.

Appeal Committee, most importantly, noted that after inspection was conducted on 29/04/2016 the case of appellant institution was processed in haste ignoring required scrutiny of essential documents. For retrospection, the following chronology of events is to be looked into:

1.	Date of Inspection of Institution located at Mau, Uttar Pradesh	29/04/2016
2.	Date of Receipt of Inspection Report at N.R.C. Jaipur (Dy. No. 140197)	30/04/2016

3.	Decision taken in 252 nd meeting (19/04/2016 to 02/05/2016) to issue L.O.I.	01/05/2016
Note: No formal Letter of Intent was issued.		
4	Approval of faculty by Pariksha Niyamak Adhikari Allahabad	02/05/2016
5.	Submission of documents in reply to the decision to issue L.O.I. (Dy. No. 140776)	02/05/2016
6.	Issue of Formal Recognition order to 868 Institutions	02/05/2016

AND WHEREAS After glancing through the above sequence of events, Appeal Committee observes that whole processing of the case after inspection was in haste. Appellants without having made application for 2 units and without a formal Letter of Intent for 2 units presumed that it is entitled to two units on the basis of 15 faculty approved by affiliating body. The Regional Committee at the same time does not appear to have scrutinised the documents submitted by appellant with its letter dated 02/05/2016 before issuing recognition order on the same day i.e. 02/05/2016. The issue of recognition order on 02/05/2016 without proper scrutiny of documents submitted by appellant was only to facilitate grant of recognition for 2016-17 before the cut of date imposed by the Hon'ble Supreme Court of India. Appeal Committee does not find any merit in the appellant's belated claim and decided to confirm the impugned recognition order dated 02/05/2016(Serial No. 214).

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned recognition order dated 02/05/2016(Serial No. 214).

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



(Sanjay Awasthi)
Member Secretary

- 1. The Manager, Swatantrata Sangram Senani Mahendra Mahavidyalaya, Mairi Sofipura, Sadar, Mau – 221706, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-278/E-74972/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of L.N.T. College of Education, Machhrauli, G.T. Road, Panipat, Haryana dated 07/05/2018 is against the Order No. NRC/NCTE/NRCAPP-12079/252nd (Part-8) Meeting, 2016/152730 dated 06/07/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "the institution has not submitted any reply of the show cause notice issued on 10.03.2016 by the NRC, NCTE. Govt. of Haryana vide its letter dt. 12.04.2016 has requested the NRC, NCTE not to entertain the applications of Societies / Trusts seeking recognition for 4-year integrated course B.A. B.Ed. / B.Sc. B.Ed. and opening of new B.Ed. colleges in the State henceforth and during the years 2016-17 and 2017-18". Hence, the Committee decided that the application is rejected, and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Dr. R.D. Bharati, Principal, L.N.T. College of Education, Machhrauli, G.T. Road, Panipat, Haryana presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "Northern Regional Committee has erred in passing the impugned order without properly appreciating the facts and circumstances of the case. It is respectfully submitted that the perusal of the documents on record would show that none of the reasons so set out the Northern Regional Committee is factually correct and legally tenable in the given facts and circumstances. The committee has given the reason that the undersigned institution had not replied within given time. However, it is clear from the receipt of the documents with covering letter on 13.04.2016 diary no. 138802 by LNT College of Education by hand to HQ to Regional Director, NCTE, Jaipur - 302005. Through that letter, the undersigned

institution had handed over the following documents which we are again submitting for further perusal:- List of faculty duly approved by affiliating body. Copy of Bank form "A" with joint FDR. Download copy of website. A copy of the correspondence along with attached documents is attached herewith. We request the respected Appellate Authority to take on record our above submissions and the same may be treated as part and parcel to the appeal filed online by us."

AND WHEREAS Appeal Committee noted that impugned refusal order dated 06/07/2016 was issued and appellant institution was allowed 60 days time to prefer appeal against the impugned order if it so intended. The present appeal filed by appellant is delayed by one year and eight months. Committee further noted that appellant filed a Writ Petition in the Hon'ble High Court of Delhi and the Hon'ble Court by its order dated 18/04/2018 has allowed the petitioner liberty to file a statutory appeal against the impugned order dated 02/05/2016. Hon'ble Court in its order has further directed that appeal shall be decided on merit instead of rejecting it on ground of delay.

AND WHEREAS Appeal Committee noted that before issue of impugned order dated 06/07/2016, a Show Cause Notice (SCN) dated 10/03/2016 was issued on following three grounds:

- (i) List of faculty duly approved by affiliating body not submitted.
- (ii) Non submission of Bank Form 'A' and F.D.Rs.
- (iii) Non submission of downloaded copies of website.

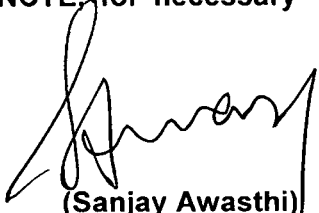
AND WHEREAS Appeal Committee noted that impugned refusal order dated 06/07/2016 was on grounds of non-submission of reply to S.C.N. and letter dated 12/04/2016 issued by Government of Haryana not to entertain applications for academic year 2016-17 and 2017-18.

AND WHEREAS Appeal Committee noted the submission made by appellant stating that reply to S.C.N. was submitted by its letter dated 12/04/2016 received in the

office of N.R.C. on 13/04/2016 vide Diary Number 138802. Copy of this letter alongwith enclosures was submitted by the appellant with its appeal memoranda. Above referred reply to S.C.N. is not available on the regulatory file. Appeal Committee is of the view that N.R.C. was duty bound to have taken on record and considered the reply to S.C.N. submitted by appellant on 13/04/2016 before issuing any final order. Appellant is directed to submit a copy of its letter dated 12/04/2016 alongwith its enclosures and evidence of submission to N.R.C. within 15 days of the issue of appeal orders. Appeal Committee decided to remand back the case to N.R.C. for consideration of the letter dated 12/04/2016 after appellant has submitted a copy thereof.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for consideration of the letter dated 12/04/2016 within 15 days of issue of appeal orders after appellant has submitted a copy thereof.

NOW THEREFORE, the Council hereby remands back the case of L.N.T. College of Education, Machhrauli, G.T. Road, Panipat, Haryana to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, L.N.T. College of Education, Machhrauli, 79-Mile Stone, G.T. Road, NH-1, Panipat – 132103, Haryana.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

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F.No.89-279/E-74970/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of L.N.T. College of Education, Machhrauli, G.T. Road, Panipat, Haryana dated 07/05/2018 is against the Order No. NRC/NCTE/NRCAPP-12087/250th (Part-13)/Meeting -2016 dated 27/06/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "NRC and noted that the institution could not provide any proof/evidence that it was already running B.A./B.Sc. courses. Moreover, the institution has not submitted non-encumbrance certificate signed by the competent Govt. authority. The building plan submitted by the institution does not mention the plot no. / khasra no. of the land on which the building of the institution has been constructed. Khasra number has also not been mentioned in the building completion certificate. Hence, the Committee decided that recognition/permission to the institution is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDR,s if any, be returned to the institution."

AND WHEREAS Dr. R.D. Bharati, Principal, L.N.T. College of Education, Machhrauli, G.T. Road, Panipat, Haryana presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "Perusal of the documents on record would show that none of the reasons so set out the Northern Regional Committee is factually correct and legally tenable. However, it is clear from the receipt of the documents with covering letter on 03.03.2016 & again 13.04.2016 by hand and diary nos. are 133930 and 138801 by LNT College of Education by hand to HQ to Regional Director, NCTE, Jaipur - 302005. Through that letter, the undersigned institution had handed over the following

documents:- 'Proof of multiple teacher education programme. Certified copy of registered land documents issued by competent authority. Copy of Blue print of building plan indicating the name and address of the institution with indicating total land area and build up area. Copy of Non-encumbrance certificate. Copy of Building Completion Certificate signed by the Govt. competent authority. In para 3 of refusal order, the NRC pointed out the need for 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 the grant of recognition for 4-year integrated course. However, as per clause 1.2 of the Appendix 13 (Norms and Standards for B.A. B.Ed. / B.Sc. B.Ed. degree), the programme shall be offered in "composite institute" defined in clause 2(b) of NCTE Regulations, 2014. As per clause 2(b) of NCTE Regulations, 2014, any institution offering multiple teaching programmes is also considered to be a composite institution. According to this definition, there is no requirement for graduate or under graduate programmes being offered at the applicant institution. The copies of recognition letter of M.Ed., B.Ed., B.P.Ed., D.P.Ed. and D.El.Ed. courses have already been attached. It is pertinent here to mention that Bhagwan Parshuram College of Education, Panipat and Ch. Kapoori Ram College of Education, Panipat offering B.Ed. and D.El.Ed. courses have been recently granted recognition for intake of 100 seats of B.A. B.Ed. / B.Sc. B.Ed. course. The undersigned humbly states that the NRC order of refusing the recognition of said course and rejection of the application to the grant of intake of 100 seats of B.A. B.Ed./ B.Sc. B.Ed. course is wrong and totally contrary to the object and intent of the NCTE Act, 1993 and the Regulation of 2014. We request Appellate Authority to take on record our above submissions and the same may be treated as part and parcel to the appeal filed online by us."

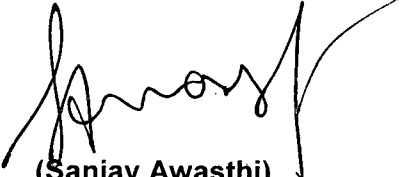
AND WHEREAS Appeal Committee noted that impugned refusal order dated 27/06/2016 was issued and appellant institution was allowed 60 days time to prefer appeal against the impugned order if it so intended. The present appeal filed by appellant is delayed by one year and eight months. Committee further noted that appellant filed a Writ Petition in the Hon'ble High Court of Delhi and the Hon'ble Court by its order dated 18/04/2018 has allowed the petitioner liberty to file a statutory

appeal against the impugned order dated 02/05/2016. Hon'ble Court in its order has further directed that appeal shall be decided on merit instead of rejecting it on ground of delay.

AND WHEREAS Appeal Committee noted the submission made by appellant to conclude that appellant institution is covered under the definition of 'Composite Institution' as mentioned in Clause 2 (b) of NCTE Regulations, 2014. Appeal Committee is of the view that appellant's appeal is mainly based on the precedent where recognition for 4 year integrated programme of B.A. B.Ed./B.Sc. B.Ed. was granted by different Regional Committee including N.R.C. to such institutions who are running B.Ed., D.El.Ed. courses. Appeal Committee is of the opinion that though conducting B.Ed. and D.El.Ed. programme brings such institution into the category of 'Composite Institution' yet the requirement of para 1.1 of Appendix 13 of the Norms and Standards for 4 year Integrated Programme leading to B.A. B.Ed./B.Sc. B.Ed. will remain unfulfilled as integration of general studies and professional studies cannot be achieved unless the applicant institution have facilities to teach both the components. To this extent para 2(b) of NCTE Regulations, 2014 is not supportive to para 1.1 of the Appendix 13. Notwithstanding the precedents quoted by appellant, Appeal Committee finds that the case of appellant lacks merit. Appeal Committee decided to remand back the case to N.R.C. for reconsidering the case using all their academic and legal prudence and spirit of the Regulations contained in para 1.1 of Appendix 13 of the Norms & Standards.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. to reconsider the case using all their academic and legal prudence.

NOW THEREFORE, the Council hereby remands back the case of L.N.T. College of Education, Machhrauli, G.T. Road, Panipat, Haryana to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, L.N.T. College of Education, Machhrauli, 79-Mile Stone, G.T. Road, NH-1, Panipat – 132103, Haryana.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.**

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F.No.89-694/E-43898/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Dr. Ambedkar B.A. B.Ed. College, Vijar Pura, Tonk, Rajasthan dated 27/10/2017 is against the Order No. NRC/NCTE/Recognition/NRCAPP-11635/2017/174511-17 dated 02/05/2017 of the Northern Regional Committee, granting recognition for conducting B.A. B.Ed./B.Sc. B.Ed. for 50 seats (one unit).

AND WHEREAS Sh. Sunil Bansal, Director and Sh. R. K. Sharma, Principal, Dr. Ambedkar B.A. B.Ed. College, Vijar Pura, Tonk, Rajasthan presented the case of the appellant institution on 21/12/2017. In the appeal and during personal presentation it was submitted that "the order dated 02. 05.2017 is unjust, unfair and arbitrary for the reason that appellant had since beginning sought recognition for at least 100 students and it had also made necessary arrangements with regard to land and building, infrastructure, staff for imparting education to at least 100 students. Impugned order is not sustainable and a revised order for intake of at least 100 students must be issued for which appellant is legally entitled. Respondent has acted in a highly discriminatory manner as other institution who were similarly situated had been granted recognition for 100 students whereas appellant has been denied similar treatment. Thus, action of respondent is discriminatory and irrational and same is clearly violative of Article 14 of the Constitution of India. Appellant has made full compliance of the NCTE Regulations, 2014 and it has invested huge amount for development of infrastructure and facilities at its institution which would suffer adversely and same would remain unutilized. Further, the students will also be deprived of quality education."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 29.05.2015 seeking recognition for 2 units of B.A. B.Ed./B.Sc. B.Ed. programme. As per information submitted in the application, appellant institution is already recognised for conducting B.Ed. programme since 2008 and had also applied for M.Ed. programme. Copy of N.O.C. issued by affiliating university was however, issued on 04.02.2016 i.e. date subsequent to the last date for receipt of applications.

AND WHEREAS Appeal Committee further noted that the appellant institution in its online application has mentioned the details of land on which the proposed course i.e. B.A. B.Ed./B.Sc. B.Ed. was to be conducted. The address is as follows:

Khasra No.	-	520/3
Plot No.	-	1, Main Road
Village	-	Vajir Pura,
P.O. / Tehsil	-	Tonk, Rajasthan

From the recognition order dated 30.09.2008 for B.Ed. course, it is observed that Dr. Ambedkar B.Ed. College is located at Plot No. 1, Khasra No. 520/3, Vajir Pura, DIET Road. The appellant during the course of appeal presentation on 21.12.2017 submitted in writing that Ambedkar College is located at Panch Kuian Darwaja, Khasra No. 5688, 5689. Appeal Committee, therefore, is of the opinion that appellant institution being a standalone institution does not fulfil the conditions laid down in para 1.1 of Appendix 13 of the Norms & Standards for 4 year Integrated course of B.A. B.Ed./B.Sc. B.Ed. The Visiting Team Report dated 29/04/2016 also did not mention the existence of any teacher education or other courses being conducted from the premises. It is further surprising to note that inspection report at page 20 thereof has mentioned the address of institution as Plot No. 1, Khasra No. 520/3, Vajir Pura, DIET Road the address mentioned in the online application.

AND WHEREAS Appeal Committee considered the appeal made by appellant for grant of two units of B.A. B.Ed./B.Sc. B.Ed. programme as against the recognition

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order granting one unit and decided to seek clarification from N.R.C. on following points:-

- (i) At what level decision was taken to accept the belated NOC dated 04/02/2016 submitted by appellant institution on 06.02.2016.
- (ii) The letter dated 25.04.2016 addressed to V.T. members i.e. Dr. Rubina Shahnaz and Dr. Arun Kumar Mishra placed on the relevant regulatory file do not mention the name of appellant institution in the list of institutions to be inspected. Then how was it possible for the V.T. to have inspected an institution at a address which was not filled up in the application Performa.
- (iii) The affidavit dated 28.05.2015 submitted at the time of application speaks of land measuring 15000 sq. meters at Plot No. 1, Khasra No. 520/3, Vajir Pura, DIET Road whereas affidavit submitted to V.T. says that total land area is 5500 sq. meter at Khasra No. Plot No. 1, Khasra No. 520/3, Vajir Pura, DIET Road, Panch Kuian Darwaja, Purani Tonk.
- (iv) It should be clarified that when inspection of the institution was conducted at Plot No. 1, Khasra No. 520/3, Vajir Pura, DIET Road, Purani Tonk, how the impugned recognition order dated 02/05/2017 mentions the institution address as s Plot No. 1, Khasra No. 520/3, Vajir Pura, DIET Road.

AND WHEREAS the clarification received from RD, NRC vide letter dated 11.4.2018 was considered by the Appeal Committee in its meeting held on 23.04.2018. After going through the said clarification, it was decided to call the appellant institution again for hearing in the next meeting to seek some more clarification from them in the matter.

AND WHEREAS Sh. Sunil Bansal, Director and Sh. R. K. Sharma, Principal appeared before Appeal Committee on 27/07/2018. On being asked the appellant admitted that inspection of the institution was conducted at Punch Kuian Darwaja whereas the recognition order dated 02/05/2017 mentions the address of institution as

Vajirpura, Plot No. 1. Appeal Committee noted that following serious irregularities have taken place in granting recognition to the appellant institution which are required to be investigated.

- a) On page 3 of the online application dated 29/05/2015 the address of institution is mentioned as Plot no. 1, Khasra No. 520/3, Vajir Pura, Tonk, Rajasthan.
- (b) The Visiting Team conducted inspected of the institution on 29/04/2016 at Khasra No. 5688, 5689, Panch Kuiyan Darwaja, Purani Tonk.
- (c) The Letter dated 25/04/2016 issued by N.R.C. to V.T. members placed on the regulatory file mentions the address of institution in the endorsement as Plot no. 1, Village – Vajir Pura.
- (d) The letter dated 25/04/2016 of N.R.C. addressed to Visiting Team consisting of Dr. Rubina Shahnaz and Dr. Arun Kumar Mishra does not include the name of Dr. Ambedkar B.A. B.Ed. College, Vajir Pura to be inspected.
- (e) The Visiting Team of its own or may be, on the request of appellant had conducted inspection of an institution at Panch Kuiyan Darwaja and submitted the V.T. report to N.R.C. which was accepted without any scrutiny and verification before issue of impugned recognition order.
- (f) Issue of recognition order dated 02/05/2017 with the institution address as Plot no. 1, VajirPura was not in accordance with the regulations as no inspection at this address was ever conducted.
- (g) Appellant during the course of appeal proceedings admitted that Panchkuiyan Darwaja Campus where inspection was conducted and Plot No. 1 Vajirpura campus where the programme was proposed to be conducted as per online application are located 3 kilometers away from each other.

Appeal Committee prima-facie does not find any merit in the appellant's claim for a second unit of B.A. B.Ed./B.Sc. B.Ed. programme. N.R.C. should revisit the whole matter holistically to find out whether grant of even one unit of B.A. B.Ed./B.Sc. B.Ed. was justified as no inspection was conducted on site mentioned in the online

application and where recognition was granted by issue of impugned order dated 02/05/2017.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that prime facie there is no merit in the appellant's claim for a second unit of B.A. B.Ed./B.Sc. B.Ed. programme. N.R.C. should revisit the whole matter holistically to find out whether grant of even one unit of B.A. B.Ed./B.Sc. B.Ed is justified.

NOW THEREFORE, the Council hereby remands back the case of Dr. Ambedkar B.A. B.Ed. College, Vijar Pura, Tonk, Rajasthan to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Dr. Ambedkar B.A.B.Ed. College, Vijar Pura, Main Road, Tonk – 304001, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-297/E-76971/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Smt. Draupadi Devi Shikshak Prashikshan Mahavidyalaya, Nagar, Rajasthan dated 23/05/2018 is against the Order No. Old App/NRCAPP-5249/293/2017/170541 dated 05/04/2017 of the Northern Regional Committee, returning the application seeking recognition for conducting D.El.Ed. Course on the grounds that "in cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Sh. Naresh Kumar, Secretary, Smt. Draupadi Devi Shikshak Prashikshan Mahavidyalaya, Nagar, Rajasthan presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that the NRC erred in deciding the matter and did not make any effort to even look on the application of our institution which surely is an online application bearing application ID-NRCAPP5249 submitted online on 28.12.2012. The appellant institution approached the Hon'ble Court and the Court has directed "The prayer of the petitioner- Institute is innocuous as it only seeks consideration of its application for grant of recognition of D.El.Ed. Course in accordance with the Regulations of 2014. The writ petition is accordingly disposed off with directions that in the event the petitioner-Institute were to file an application for grant of recognition of its D.El.Ed. Course, it be considered in accordance with the Regulation of 2014" But the respondent did not take action as per court order. The appellant institution submitted his application along with court order on 16.03.2017 but the respondent committee decided the same before submission of application. NRC not considered the matter

as per court order. The ground of rejection of our application is solely baseless. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E8922/2017 Appeal/15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application on-line within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal."

AND WHEREAS Appeal Committee noted that appellant institution had filed a S.B. Civil Writ No. 9404/2018 in the High Court of Judicature for Rajasthan, Bench at Jaipur and Hon'ble High Court passed an order dated 03/05/2018 directing the Appellate Authority to decide the appeal preferably with a period of two months.

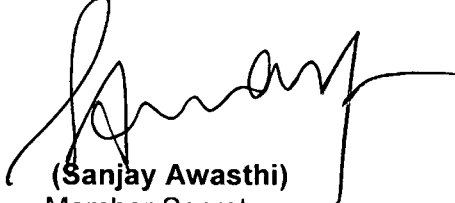
AND WHEREAS Appeal Committee noted that applicant society had submitted online application dated 28/12/2012 seeking recognition for D.El.Ed. programme. Committee further noted that appellant institution resubmitted copy of its earlier application dated 29/12/2012 to N.R.C. in pursuance of a decision Hon'ble High Court of Rajasthan in S.B. Civil Writ Petition no. 18065/2016. Committee noted that the application made by appellant institution on 28/12/2012 and resubmitted on 16/03/2017 was returned by N.R.C. by issue of the impugned letter dated 05/04/2017 without providing any opportunity to the applicant institution to make written representation. Committee further observed that the application dated 28/12/2012 was submitted online and as such returning the application stating that it was made offline is not justified.

AND WHEREAS Appeal Committee considering the facts of the case decided to remand back the case to N.R.C. for taking further action as per NCTE Regulations, 2014. Appellant institution is required to submit to N.R.C. all original documents which were returned to them with the letter dated 05/04/2017 within 15 days of issue of appeal orders.

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AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for taking further action as per NCTE Regulations, 2014. Appellant institution is required to submit to N.R.C. all original documents which were returned to them with the letter dated 05/04/2017 within 15 days of issue of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Smt. Draupadi Devi Shikshak Prashikshan Mahavidyalaya, Nagar, Rajasthan to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Smt. Draupadi Devi Shikshak Prashikshan Mahavidyalaya, Nagar – 321205, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-299/E-77201/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Vivekanand Vidya Ashram Teacher Training School, Katar Chhoti, Bidasar, Rajasthan dated 01/06/2018 is against the Letter No. Old App/APN-08276/244/2017/169471 dated 23/03/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "application was made offline."

AND WHEREAS Sh. Ramchandra, Secretary, Vivekanand Vidya Ashram Teacher Training School, Katar Chhoti, Bidasar, Rajasthan presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "The letter dated 23.03.2017 and decision for returning of file are liable to be quashed and set aside. Because Hon'ble Supreme Court in SLP No. 4247-4248/2009 Rashtasant TMS and SBVMCA.VID and others had passed an interim order dated 10.09.2013 wherein the Hon'ble Supreme Court, while granting time to NCTE for notifying the new Regulations to 30.11.2013, had held "*Those who are desirous of establishing teacher education colleges/institutions shall be free to make applications in accordance with the new regulations. Their applications shall be decided by the competent authority keeping in view the relevant statutory provisions. All the pending applications shall also be decided in accordance with the new regulations.*" A copy of the order dated 10.09.2013 passed by the Hon'ble Supreme Court shall be kept ready for perusal of the Hon'ble Court at the time of arguments. Thus, when Hon'ble Supreme Court had directed to treat applications "pending", NRC cannot treat such application nullity and reject them by saying that same were not in on-line mode. The letter dated 14.03.2017 returning file of the institution is bad and unsustainable and it is clearly contrary to Supreme Court order mentioned above as once the Supreme Court treated offline application to be valid and proper and

directed its processing under Regulations, 2014, NRC cannot insist for filing online application contrary to judgment of Supreme Court. The Hon'ble Rajasthan High Court, Jaipur has also directed the NRC in the case of Murli Singh Yadav and other similar writ petitions that similar treatment may be given to the Institutions which are on similar footings and they may be considered as per the case of B.L. Indoria in a non-discriminatory manner. NRC is a statutory body and cannot discriminate and raise such objection of composite institution only in the case of the applicant as so many institutions have been granted recognition even they are not composite institutions and submitted the applications after the application of the applicant institution. The decision of the Hon'ble High Court is binding on NRC and it is not desirable to approach the Hon'ble High Court when the court has already passed order in a similar case. That the application of the applicant has already been processed, the visiting team was constituted, and the team has submitted its report to the NRC. The Appellate Authority in the case of Shri Shakti Saraswati Prashikshan Sansthan, Sardarshahar, Rajasthan vide order No. 89-598/E-16204/2017 Appeal/ 1st Mtg. 2018/1st & 2nd Feb., 2018 dated 27.02.2018 concluded that non-submission of online application cannot be held against the appellant at this stage as NCTE portal for submitting application online was closed. Because petitioner has invested huge amount of capital and manpower for development of infrastructure and facilities at its institution and it has been continuously litigating for securing its rights and for running teacher education course but respondent is illegally blocking it from running the course which clearly unwarranted and unlawful. Because appellant has available with it all the infrastructure and facilities for running D.El.Ed. course as per applicable norms but it has been unlawfully deprived from running the course. This is a fit case for relaxation and giving benefit to appellant who substantially satisfies norms and standards under Regulations, 2014. Although institution had submitted his application in online mode enclosed copy of online application form. Because respondents have failed to carry out the compliance of Adarsh Shikshan Prashikshan Case decided by Hon'ble High Court on 26.09.2013 and the law laid down therein. Because the decision has been taken by NRC-NCTE without application of mind and without appreciating the reply submitted by institution. Because action on part of respondent

NRC-NCTE is illegal and irrational and same violates Article 14, 19 & 21 of the Constitution of India. Because other grounds will be urged at the time of arguments. Further, appellant reserves its right to place on record relevant pronouncement and documents at the time of arguments. Therefore, it is humbly prayed and requested that that instant appeal be considered and decided on merits, delay (if any) be condoned and the letter dated 27.09.2017 issued by the NRC be quashed and set-aside and it may be directed to NRC to immediately process the application of the institution for running D.El.Ed. course. Any other order or direction be fit and proper in the facts and circumstance of the case be passed in favour of appellant”.

AND WHEREAS Appeal Committee noted that appellant institution had filed a S.B. Civil Writ No. 11726/2018 in the High Court of Judicature for Rajasthan, Bench at Jaipur and the Hon'ble Court passed an order dated 30.05.2018 directing the Appellate Authority to decide the appeal within a period of two months.

AND WHEREAS Appeal Committee noted from the contents of impugned letter dated 23/03/2017 that the application submitted online by the appellant institution on 24/12/2012 was returned on the assumption that it was made on offline mode. Committee, therefore, observed that N.R.C's decision to return the application treating it as 'offline' was not correct. Moreover, no Show Cause Notice was issued to appellant institution seeking written representation from the appellant on grounds of returning the application which tantamounts to refusal/rejection.

AND WHEREAS Considering the facts of the case, Appeal Committee decided to remand back the case to N.R.C. for further processing of the application as per NCTE Regulations, 2014. Appellant institution is required to submit to N.R.C. all original documents which were returned to them by N.R.C. with the impugned letter dated 23/03/2017 within 15 days of issue of appeal order.

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

concluded to remand back the case to N.R.C. for further processing of the application as per NCTE Regulations, 2014. Appellant institution is required to submit to N.R.C. all original documents which were returned to them by N.R.C. with the impugned letter dated 23/03/2017 within 15 days of issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of Vivekanand Vidya Ashram Teacher Training School, Katar Chhoti, Bidasar, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Vivekanand Vidya Ashram Teacher Training School, Katar Chhoti S.H.20, Bidasar – 331517, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-300/E-77202/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

12/9/18

ORDER

WHEREAS the appeal of Shri Hari Shikshak Prashikshan School, Hanumangarh Road, Sardar Shahr, Rajasthan dated 01/06/2018 is against the Letter No. Old App/NRCAPP-3881/303/2017 dated 27/09/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "Application was made offline"

AND WHEREAS Sh. Pawan Kumar Sharma, Secretary, Shri Hari Shikshak Prashikshan School, Hanumangarh Road, Sardar Shahr, Rajasthan presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "Hon'ble Supreme Court in SLP No. 4247-4248/2009 Rashtasant TMS and SBVMCA.VID and others had passed an interim order dated 10.09.2013 wherein the Hon'ble Supreme Court, while granting time to NCTE for notifying the new Regulations to 30.11.2013, had held *"Those who are desirous of establishing teacher education colleges/institutions shall be free to make applications in accordance with the new regulations. Their applications shall be decided by the competent authority keeping in view the relevant statutory provisions. All the pending applications shall also be decided in accordance with the new regulations."* A copy of the order dated 10.09.2013 passed by the Hon'ble Supreme Court shall be kept ready for perusal of the Hon'ble Court at the time of arguments. Thus, when Hon'ble Supreme Court had directed to treat applications "pending", NRC cannot treat such application nullity and reject them by saying that same were not in on-line mode. The letter dated 14.03.2017 returning file of the institution is bad and unsustainable and it is clearly contrary to Supreme Court order mentioned above as once the Supreme Court treated offline application to be valid and proper and directed its processing under Regulations, 2014, NRC cannot insist for filing online

application contrary to judgment of Supreme Court. The Hon'ble Rajasthan High Court, Jaipur has also directed the NRC in the case of Murli Singh Yadav and other similar writ petitions that similar treatment may be given to the Institutions which are on similar footings and they may be considered as per the case of B.L. Indoria in a non-discriminatory manner. NRC is a statutory body and cannot discriminate and raise such objection of composite institution only in the case of the applicant as so many institutions have been granted recognition even they are not composite institutions and submitted the applications after the application of the applicant institution. The decision of the Hon'ble High Court is binding on NRC and it is not desirable to approach the Hon'ble High Court when the court has already passed order in a similar case. That the application of the applicant has already been processed, the visiting team was constituted, and the team has submitted its report to the NRC. The Appellate Authority in the case of Shri Shakti Saraswati Prashikshan Sansthan, Sardarshahar, Rajasthan vide order No. 89-598/E-16204/2017 Appeal/ 1st Mtg. 2018/1st & 2nd Feb., 2018 dated 27.02.2018 concluded that non-submission of online application cannot be held against the appellant at this stage as NCTE portal for submitting application online was closed. Because petitioner has invested huge amount of capital and manpower for development of infrastructure and facilities at its institution and it has been continuously litigating for securing its rights and for running teacher education course but respondent is illegally blocking it from running the course which clearly unwarranted and unlawful. Because appellant has available with it all the infrastructure and facilities for running D.El.Ed. course as per applicable norms but it has been unlawfully deprived from running the course. Although institution had submitted his application in online mode enclosed copy of online application form. Because respondents have failed to carry out the compliance of Adarsh Shikshan Prashikshan Case decided by Hon'ble High Court on 26.09.2013 and the law laid down therein. Because the decision has been taken by NRC-NCTE without application of mind and without appreciating the reply submitted by institution. Because action on part of respondent NRC-NCTE is illegal and irrational and same violates Article 14, 19 & 21 of the Constitution of India. Because other grounds will be urged at the time of arguments. Further, appellant reserves its right to place on

record relevant pronouncement and documents at the time of arguments. Therefore, it is humbly prayed and requested that that instant appeal be considered and decided on merits, delay (if any) be condoned and the letter dated 27.09.2017 issued by the NRC be quashed and set-aside and it may be directed to NRC to immediately process the application of the institution for running D.El.Ed. course. Any other order or direction be fit and proper in the facts and circumstance of the case be passed in favour of appellant".

AND WHEREAS Appeal Committee noted that appellant institution has filed a S.B. Civil Writ No. 11725/2018 in the High Court of Judicature for Rajasthan, Bench at Jaipur and the Hon'ble Court passed an order dated 30/05/2018 directing the Appellate Authority to decided the appeal within a period of two months.

AND WHEREAS Appeal Committee noted from the contents of impugned letter dated 27/09/2017 that the application submitted online by the applicant on 25/12/2012 was returned on the assumption that it was made offline. Committee therefore, observed that N.R.C.'s decision to return the application dated 25/12/2012 treating it as 'offline' was not correct. Moreover, no Show Cause Notice (S.C.N) was issued to appellant institution seeking written representation from the appellant.

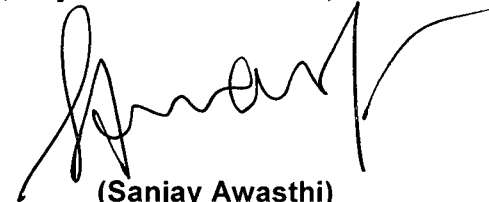
AND WHEREAS Considering the facts of the case, Appeal Committee decided to remand back the case to N.R.C. for further processing of the application as per NCTE Regulation, 2014. Appellant institution is required to submit to N.R.C. all original documents which were returned to them by N.R.C. with the impugned letter dated 27/09/2017.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for further processing of the application as per NCTE Regulation, 2014. Appellant institution is required to submit to N.R.C.

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all original documents which were returned to them by N.R.C. with the impugned letter dated 27/09/2017 within 15 days of issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of Shri Hari Shikshak Prashikshan School, Hanumangarh Road, Sardar Shahr, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Shri Hari Shikshak Prashikshan School, Hanumangarh Road, Sardar Shahr – 331403, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-301/E-77323/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Shri Bhagwan College of Education, Bhora Kalan, Pataudi, Haryana dated 02/06/2018 is against the Order No. NRC/NCTE/NRCAPP-7738/246th /2015 dated 30/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "Institution has not submitted (i) proof/evidence to the effect that it is a composite institution as per provisions of the NCTE Regulations, 2014. (ii) NOC from concerned affiliating body required under Clause 5(3) of the NCTE Regulations, 2014. (iii) Negative recommendation of State of Haryana. (iv) Land is on lease deed."

AND WHEREAS Sh. K.K. Bhardwaj, Secretary, Shri Bhagwan College of Education, Bhora Kalan, Pataudi, Haryana presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "(i) NCTE denied permission because the land was private land. Now the sale deed has been executed. (ii) As NCTE invited application, so the question of state denial does not arise."

AND WHEREAS Appeal Committee noted that impugned refusal order dated 30/12/2015 was on following four grounds:-

- (i) Applicant has not submitted evidence to the effect that it is a Composite Institution.
- (ii) N.O.C. from concerned affiliating body required under Clause 5 (3) not submitted.
- (iii) Negative recommendation of State Government.
- (iv) Land is on lease deed.

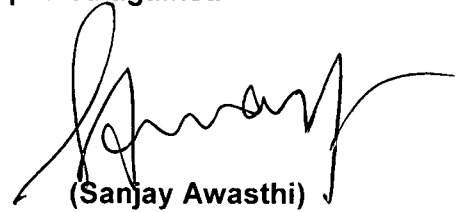
AND WHEREAS Appeal Committee noted that appellant had submitted application seeking recognition for conducting D.El.Ed. programme in 2012 and the then regulation did not contain condition of being composite institution or seeking N.O.C. from affiliating body. As such refusal on these grounds is not sustainable.

AND WHEREAS Appeal Committee observed that prior to issue of impugned refusal order dated 30/12/2015, the application made by the appellant was returned to the applicant in original by a letter dated 26/09/2013. Applicant was able to resubmit application in pursuance of an order dated 19/05/2015 issued by Hon'ble High Court of Delhi in W.P. (Civil) No. 3790/2015. Appeal Committee noted that N.R.C. processed the resubmitted application and issued a Show Cause Notice (SCN) dated 04/09/2015 pointing out seven deficiencies one of which pertained to the land documents being on lease. The appellant did not contest and could not satisfactorily justify the deficiency as Clause 8 (4) (i) of the Regulation clearly mention that "No institution shall be granted recognition, unless the institution or society sponsoring the institution is in possession of required land, on the date of application, on ownership basis." NCTE Regulations, 2009 also had a similar provision.

AND WHEREAS Appeal Committee noted that appellant also did not prefer a timely appeal and the present appeal which is being entertained is delayed by more than 2 years and four months. Appellant has now submitted a copy of sale deed of land documents registered in April, 2018. Application having been made in 2012 and sale deed documents having been registered in 2018 are not acceptable under the extant NCTE Regulations. Appeal Committee decided to confirm the impugned refusal order dated 30/12/2015.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 30/12/2015.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Bhagwan College of Education, Bhora Kalan, Pataudi – 122413, Haryana.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

(15)



F.No.89-302/E-77566/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of R.N. T.T.T. College, Gandhi Nagar, Chittorgarh, Rajasthan dated 16/05/2018 is against the Order No. NCTE/NRCAPP201616172/B.A.B.Ed./B.Sc. B.Ed. – 4 Year Integrated/RJ/2017-18 dated 27/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed. / B.Sc. B.Ed. Course on the grounds that "The institution has not submitted the reply of the S.C.N. within stipulated time. Hence the Committee decided that application is rejected and recognition is refused U/s 14/15 (3) (b) of NCTE Act."

AND WHEREAS Dr. Vaseem Khan, President, R.N. T.T.T. College, Gandhi Nagar, Chittorgarh, Rajasthan presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "the institution has applied for 5 files altogether and send to NCTE. Later, we received rejection of 4 files on the ground of after date received for the show cause notice we have not received and checked our mail. whatever points you have considered in the notice we have already sent in the file to your department along we are enclosing the details of raised objections with this letter and also attaching the details of required documents on portal".

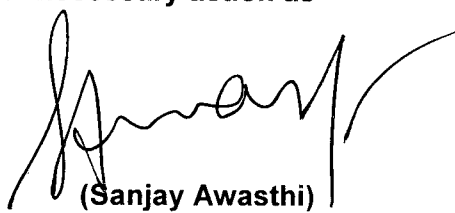
AND WHEREAS regulatory file has not been made available to Appeal Committee. Appeal Committee is apprised of the matter as per submission made by appellant. Committee noted that a Show Cause Notice (SCN) dated 23/03/2017 was issued online seeking reply within 21 days. Appellant alongwith its appeal memoranda has submitted copy of its letter dated 30/06/2016 alongwith the Speed

Post receipt. With the above letter appellant had submitted to N.R.C. copies of documents which were subsequently asked for in the S.C.N.

AND WHEREAS appellant made a submission that institution is conducting undergraduate course in Arts and Science subjects and is also recognised by NCTE for conducting B.Ed. programme. During the appeal proceedings it was also stated by the appellant that they could not timely notice the S.C.N. which was sent by N.R.C. on mail. In the absence of regulatory file, Appeal Committee could not assess the factual position and decided to remand back the case to N.R.C. for revisiting the matter. The appellant is required to submit copy of its submission made in this regard to NRC within 15 days of the issue of appeal order.

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

NOW THEREFORE, the Council hereby remands back the case of R.N. T.T.T. College, Gandhi Nagar, Chittorgarh, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, R.N. T.T.T. College, Gandhi Nagar, Sector-5, Chittorgarh – 312001, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-303/E-77564/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of R.N.T. College of Teacher Education, Near Mataji Temple, Highway Road, Kapasan, Rajasthan dated 15/05/2018 is against the Order No. NCTE/NRCAPP201616628/Master of Education [M.Ed.]/SCN/RJ/2017-18 dated 24/02/2017 of the Northern Regional Committee, refusing recognition for conducting M.Ed. Course on the grounds that "the institution submitted application on-line on 30.06.2016 and hard copy of the application received in NRC on 27.07.2016. As per clause 7(2)(b) of NCTE Regulations, 2014, the hard copy of the application is to be submitted within 15 days of the submission of the on-line application. As per NCTE Hqrs. direction, the hard copy was acceptable up-to 15th July which was the last date for submission of hard copy irrespective of on-line submission. The hard copy of the application has been received in NRC on 27.07.2016 i.e. beyond 15th July 2017. Hence, the Committee decided that the application is Summarily rejected."

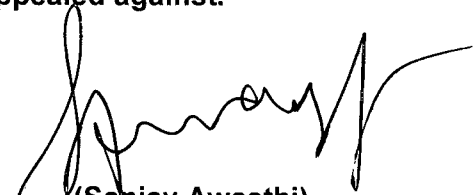
AND WHEREAS Dr. Vaseem Khan, President, R.N.T. College of Teacher Education, Near Mataji Temple, Highway Road, Kapasan, Rajasthan presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "we had already sent hard copy of application file on 05/07/2016 by speed post. but NCTE did not consider and reject our application file."

AND WHEREAS Appeal Committee noted that appellant during the course of appeal proceedings on 27/07/2018 submitted copy of a speed post receipt no. ER 602894798 IN dated 05/07/2016 in support of the submission made. To the contrary, Appeal Committee observed that envelope carrying hard copy (printout) of application was a different one and contained speed post receipt no. ER 603952673

IN which was posted on 25/07/2016 (14:29). Appeal Committee finding that appellant has failed to submit printout of online applications within prescribed time limit and has also tried to mislead the Committee by putting up a different receipt, decided to confirm the impugned refusal order 24/02/2017.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order 24/02/2017.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, R.N.T. College of Teacher Education, Near Mataji Temple, Highway Road, Kapasan – 312202, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-304/E-77561/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Vivekanand T.T. College, Dhuni Mata Road, Dabok, Mavli, Rajasthan dated 16/05/2018 is against the Order No. NCTE/NRCAPP201616424/B.A. B.Ed. / B.Sc. B.Ed. – 4 Year Integrated/SCN/RJ/2017-18 dated 24/02/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “the institution submitted application online on 28.06.2016 and hard copy of the application received in NRC on 27.07.2016. As per clause 7(2)(b) of NCTE Regulations, 2014, the hard copy of the application is to be submitted within 15 days of the submission of the online application. As per NCTE Hqrs. direction, the hard copy was acceptable up-to 15th July which was the last date for submission of hard copy irrespective of online submission. The hard copy of the application has been received in NRC on 27.07.2016 i.e. beyond 15th July 2017. Hence, the Committee decided that the application is Summarily rejected.”

AND WHEREAS Dr. Leena Sharma, Principal, Vivekanand T.T. College, Dhuni Mata Road, Dabok, Mavli, Rajasthan presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that “we had already sent hard copy of application file on 05/07/2016 by speed post. but NCTE did not consider and reject our application file.”


AND WHEREAS Appeal Committee noted that appellant institution has submitted online application dated 28/06/2016 seeking recognition for B.A. B.Ed./B.Sc. B.Ed. programme but failed to submit printout of application before the last date prescribed for submission of hardcopy (printout). Appellant during the course of appeal proceedings on 27/07/2018 stated that hardcopy (printout) of the

application was sent by speed post to the office of N.R.C. on 05/07/2016. As evidence, the appellant submitted copy of a speed post receipt bearing No. ER 602895095 IN dated 05/07/2016.

AND WHEREAS on verification, Appeal Committee observed that forwarding letter (covering letter) by which appellant society submitted printout of application is dated 11/07/2016 received in the office of N.R.C. on 27/07/2016. The envelope containing the copies of printout of application bears no. 603952656 IN dated 25/07/2016. It is obvious that a covering letter dated 11/07/2016 could not have been posted on 25/07/2016. Appellant has tried to mislead the Appeal Committee by putting up wrong evidence. If date of despatch by speed post is taken as the date of submission, there is no doubt that printout of application was submitted after the due date. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 24/02/2017.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 24/02/2017.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vivekanand T.T. College, Dhuni Mata Road, Dabok, Mavli – 313001, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-305/E-72562/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Smt. S.I. Patel Ipcowala College of Education, Petlad, Sainath Road, College Campus, Petlad, Gujarat dated 07/04/2018 is against the Order No. WRC/313014/Guj./288th/2018/195423 dated 21/02/2018 of the Western Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "Consequent to the issue of revised recognition order, Show Cause Notice was issued followed by a compliance letter dated 21.11.2017. The institution has submitted a staff list of only 1+4 faculty members, which is not as per NCTE Regulations, 2014. Hence, Recognition is withdrawn from the academic session 2018-19."

AND WHEREAS Dr. Mahesh Chandra Yagnik, Chairman and Dr. A.Q. Kachhia, Principal, Smt. S.I. Patel Ipcowala College of Education, Petlad, Sainath Road, College Campus, Petlad, Gujarat presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "Smt. S.I. Patel Ipcowala College of Education is Grant in aid College aided by Department of Education Government of Gujarat and providing education since 1970. The recruitment of college teachers in Grant in aid College is initiated by Education Department Government of Gujarat. In the wide academic interest of the students Community, college management arrange the visiting faculties for the teaching and other practical related works. We have urged to the state Government authorities to recruit the required staff at the earliest possible vide letter dated 15th July, 2017 and 26th February 2018. As a result, Director of Higher Education, Government of Gujarat

has issued No Objection Certificate to initiate the recruitment of three staff members vide its letter no. B 42C 10831 Dt. 22nd February 2018. The college management has completed the walk-in interview on 5th April 2018 to appoint three Adhoc Teachers and send the selected candidate profile for the approval of Sardar Patel University. We request WRC NCTE reinstate the recognition of the Smt. S I Patel Ipcowala College of education."

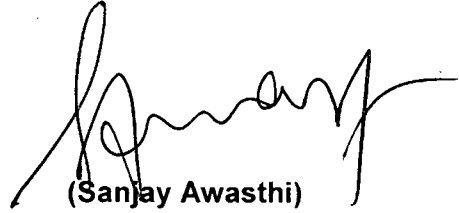
AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 21/02/2018 is on the ground that appellant institution had only 1+4 faculty members which is not as per NCTE Regulation, 2014. Committee noted that appellant institution having an intake of 50 seats (one unit) is required to possess a Principal and seven faculty members approved by the affiliating body. Appellant institution, submitted list containing the names of Principal and seven faculty members approved by affiliating university to WRC on 23/04/2018.

AND WHEREAS considering that appellant institution was recognised for conducting B.Ed. programme since the year 2000 and the deficiency in faculty has since been rectified, Appeal Committee decided to remand back the case to W.R.C. for revisiting the matter for considering the list of faculty submitted by appellant institution by its letter dated 18/04/2018 and received in W.R.C. on 23/04/2018 vide Diary no. 169455.

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 W.R.C. for revisiting the matter for considering the list of faculty submitted by appellant institution by its letter dated 18/04/2018 and received in W.R.C. on 23/04/2018 vide Diary no. 169455.

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NOW THEREFORE, the Council hereby remands back the case of Smt. S.I. Patel Ipcowala College of Education, Petlad, Sainath Road, College Campus, Petlad, Gujarat to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Smt. S.I. Patel Ipcowala College of Education, Petlad, Sainath Road, College Campus, Petlad – 388450, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-307/E-72674/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Khawaja Shahid Hussain PTTC, Nista (Chandhar), P.O. Baghwa, Barsoi, Bihar dated 11/04/2018 is against the Order No. ER-213.6(i).345/ERCAPP2329/B.Ed. (Addl. Course)/2016/46309 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting B.Ed. Course for one unit (50 seats) on the grounds that "Applicant is entitled to get recognition for 2 units.

AND WHEREAS Sh. Namuddin Shahidi, Secretary and Sh. Md. Ahrar Alam, Member, Khawaja Shahid Hussain PTTC, Nista (Chandhar), P.O. Baghwa, Barsoi, Bihar presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "the institution have already appointed required number of teaching staff and the institution have sufficient built-up area for additional intake building plan and building completion certificate enclosed therefore requested to kindly grant additional intake."

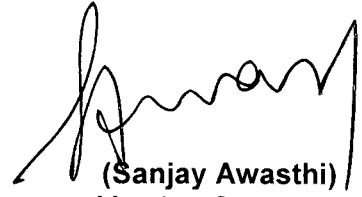
AND WHEREAS Appeal Committee that appellant institution submitted online application dated 22/05/2015 seeking recognition for conducting B.Ed. programme. In the covering letter dated 22/05/2015 the intake applied for was mentioned as 200 (4 units). The affidavit enclosed with the application also mentioned the intake applied for as 200. Visiting Team while conducting inspection of the appellant institution mentioned the proposed intake as 2 units in its report dated 22/02/2016. In the Letter of Intent (L.O.I.) dated 03/03/2016, appellant institution was asked to intimate the willingness in the affidavit about the number of units either one or two.

AND WHEREAS Appeal Committee noted that appellant institution in its affidavit dated 29/04/2016, submitted with the compliance report, stated that it is willing for

grant of recognition for two units. Appellant institution submitted list of faculty containing the names of a Principal and 15 faculty members approved by affiliating university on 27/04/2016. Appeal Committee observed that recognition order dated 02/05/2016 granting recognition for only one unit was without giving any reason for denying the second unit and hence was not justified. Appeal Committee, therefore, decided to remand back the case to E.R.C. for revisiting the matter and issuing orders as per NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for revisiting the matter and issuing orders as per NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Khawaja Shahid Hussain PTTC, Nista (Chandhar), P.O. Baghwa, Barsoi, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Khawaja Shahid Hussain PTTC, Nista (Chandhar), P.O. Baghwa, Via: Barsoi – 854317, Bihar.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.



F.No.89-309/E-72762/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Aryavart Institute of Higher Education, Shaheed Path, Sadar, Lucknow, Uttar Pradesh dated 10/04/2018 is against the Order No. NRC/NCTE/NRCAPP-11106/280th Meeting/2018/188932 dated 09/02/2018 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "reply of Show Cause Notice has not been submitted till date. Hence, the Committee decided that the application is rejected and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. A.K. Tiwari, Manager, Aryavart Institute of Higher Education, Shaheed Path, Sadar, Lucknow, Uttar Pradesh presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that "the Institute has intimated NRC NCTE vide our letter No. AIHE/4/NCTE/2017/84 B.A./B.Sc. B.Ed. dated 6 October 2017, sent by Registered Post regarding cause of delay and requesting for further extension of submission of documents date by two months. However, the Institute vide its letter No. AIHE/LU/2017 83 dated 8 September 2017 approached Lucknow University to constitute Selection committee for appointment of the Faculty for the said course. The Institute again sent a letter No. AIHE/5/NCTE/2017/II B.A./B.Sc. B.Ed. dated 10 November 2017 and 15 January 2018. The reply to the LOI was as per our letters shown as above. Reply of Show Cause Notice was also vide our letter No. AIHE/IV/NCTE/2017/B.A./B.Sc. B.Ed. dated 26 Dec 2017. Institute also approached to university of Lucknow vide letter No. AIHE/LU/B.A.B.Ed. B.Sc.Bed./Committee

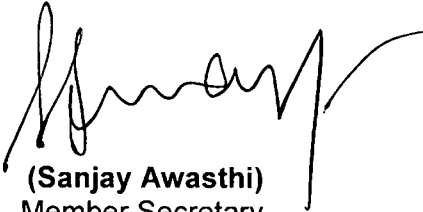
dated 27 December 2017 and Even number dated 10 January 2018 to expedite the constitution of the Selection Committee. The NRC, NCTE was apprised the Approval letter of the selected Faculty members for the said course is enclosed. The following documents are uploaded Particulars of the selected faculty approved by the University. Joint FDRs Endowment Fund Reserve Fund. Form A duly signed by the Bank Manager as proof. Down loaded copy of web site".

AND WHEREAS Appeal Committee noted that after issue of Letter of Intent (L.O.I.) dated 02/08/2017, appellant has constantly persuaded the affiliating body for facilitating the selection of faculty and kept N.R.C. apprised. Extension of time for submitting compliance to L.O.I. was also requested for. Appeal Committee further noted that appellant submitted copy of letter dated 07/04/2018 issued by affiliating body approving provisionally nine faculty members for B.A. B.Ed./B.Sc. B.Ed. Programme.

AND WHEREAS Appeal Committee, decided to remand back the case to N.R.C. for considering the list of faculty and compliance on other matters for which appellant was required to submit report especially keeping in view observance of para 1.1 of Appendix 13 of the Norms and Standards for B.A. B.Ed./B.Sc. B.Ed. programme. Appellant is required to submit complete and comprehensive compliance report to N.R.C. within 15 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 N.R.C. for considering the list of faculty and compliance on other matters for which appellant was required to submit report especially keeping in view observance of para 1.1 of Appendix 13 of the Norms and Standards for B.A. B.Ed./B.Sc. B.Ed. programme. Appellant is required to submit complete and comprehensive compliance report to N.R.C. within 15 days of the issue of Appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Aryavart Institute of Higher Education, Shaheed Path, Sadar, Lucknow, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Aryavart Institute of Higher Education, Aurangabad Khalsa, Opp. B.R.A. Ambedkar University, Shaheed Path, Sadar, Lucknow – 226025, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-311/E-72946/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Bhagwan Shri Chakdradhar Swami Physical College of Education, TalodhiBalapur, Nagbhair, Maharashtra dated 13/04/2018 is against the Order No. WRC/APW0256/114086/MH/280th/2017/189331 dated 07/09/2017 of the Western Regional Committee, refusing recognition for conducting B.P.Ed. Course on the grounds that "Show Cause Notice was issued to the institution on 10.08.2016. The institute has not replied till date. Hence, Recognition is withdrawn from the session 2018-19. FDRs, if any, are returned."

AND WHEREAS Sh. Rajesh S. Wankhede, Principal, Bhagwan Shri Chakdradhar Swami Physical College of Education, TalodhiBalapur, Nagbhair, Maharashtra presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that appellant institution did not receive any Show Cause Notice and the intake required is 50 seats."

AND WHEREAS Appeal Committee noted that regulatory file has not been received from Western Regional Committee. In the absence of relevant documents the facts leading to withdrawal of recognition and the submissions made by appellant could not be verified. Appeal Committee observes that the impugned withdrawal order dated 07/09/2017 is solely on ground of non-submission of reply to S.C.N. dated 10/08/2016 and the appellant during the appeal proceedings has denied having received any S.C.N. dated 10/08/2016.

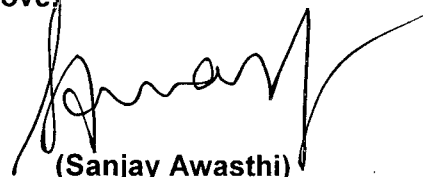
AND WHEREAS as is understood from the contents of impugned withdrawal order, the S.C.N. was issued to appellant institution for reporting observance of terms and conditions of NCTE Regulations, 2014 as mentioned in the revised recognition order no. WRC/APW0256/114086 dated 31/05/2015. It was incumbent on part of the appellant institution to have complied with the terms and condition of revised recognition

order and reported the compliance to W.R.C. Issue of Show Cause Notice was a procedural formality. Appeal Committee further observes that unit size for B.P.Ed. course is 100 and as such appellant has no choice to opt for intake of 50 of its own and proportionately reduce the faculty.

AND WHEREAS Appeal Committee decided to remand back the case to WRC for making available to the appellant institution a copy of S.C.N. dated 10/08/2016 within 15 days. Appellant is required to submit to W.R.C. a complete and comprehensive compliance of the terms and conditions of the revised recognition order within 15 days of the issue of Appeal order. W.R.C. is required to revisit the matter after getting compliance report from the appellant institution in a time bound manner.

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 WRC for making available to the appellant institution a copy of S.C.N. dated 10/08/2016 within 15 days. Appellant is required to submit to W.R.C. a complete and comprehensive compliance of the terms and conditions of the revised recognition order within 15 days of the issue of Appeal order. W.R.C. is required to revisit the matter after getting compliance report from the appellant institution in a time bound manner.

NOW THEREFORE, the Council hereby remands back the case of Bhagwan Shri Chakdradhar Swami Physical College of Education, TalodhiBalapur, Nagbhir, Maharashtra to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Bhagwan Shri Chakdradhar Swami Physical College of Education, Talodhi Balapur, Talodhi, Nagbhir – 441221, Maharashtra.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.



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F.No.89-312/E-72963/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date:

12/9/18

ORDER

WHEREAS the appeal of R.K. Pandey Mahavidyalaya, ChhitaunaMariyani, Unchahar, Uttar Pradesh dated 11/04/2018 is against the Order No. NRC/NCTE/NRCAPP-14011/259th Meeting/2016/161363-66 dated 26/10/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the building plan submitted by the applicant institution reveals that the building constructed by the institution has two floors-Ground Floor and First Floor. Two photographs submitted by the institution show that the building has one floor. It thus becomes clear that the applicant institution does not possess requisite built-up area for the proposed D.El.Ed. course."

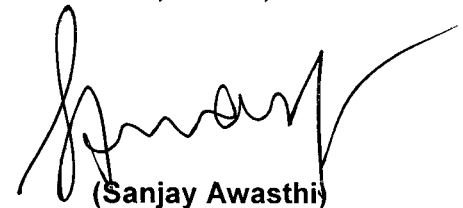
AND WHEREAS Sh. Amitabh, Representative and Sh. Umashankar Chowdhary, Representative, R.K. Pandey Mahavidyalaya, Chhitauna Mariyani, Unchahar, Uttar Pradesh presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that rejection ground is totally wrong. The building has been constructed not in one, but 2 floors and its proof is attached. No Show Cause Notice of this notice was issued before the rejection of the letter."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 20/08/2016 was issued to appellant institution and appellant had also responded to that S.C.N. by its communication received in the office of N.R.C. on 05/10/2016 (Diary No. 152585). Hence submission made by appellant that 'no S.C.N. was issued' is not correct.

AND WHEREAS Appeal Committee noted that Building Completion Certificate (BCC) submitted by appellant from time to time have different signatures of same engineer who is a private engineer. Visiting Team in its report has mentioned built up area as 2510 for D.El.Ed. and total built up area as 5010 sq. meters. Committee observed that N.R.C. should have relied more on the videography shot at the time of inspection rather than the still photographs to find out whether the structure is two storeyed or not. Appeal Committee decided to remand back the case to N.R.C. for revisiting the matter after watching the videography recorded at the time of inspection conducted on 15/05/2016.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for revisiting the matter after watching the videography recorded at the time of inspection conducted on 15/05/2016.

NOW THEREFORE, the Council hereby remands back the case of R.K. Pandey Mahavidyalaya, ChhitaunaMariyani, Unchahar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, R.K. Pandey Mahavidyalaya, Chhitauna Mariyani, Unchahar – 229001, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-313/E-73067/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

12/9/18

ORDER

WHEREAS the appeal of Sheth Shree I.M. Patel College of Education B.Ed., At : Ranchhodpura Post – Devpura, Ta.: Vijapur, Vijapur, Gujarat dated 08/03/2018 is against the Order No. WRC/APW00346/323019/Guj./285th/2017/10153 dated 02/01/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “Show Cause Notice was issued to the institution on 12.09.2017. The institution replied on 16.11.2017. The institution has submitted a photocopy of staff profile of 1+12 faculty members. Additional FDR of Rs. 4.00 lakhs (in joint name) not submitted in original (total requirement is 12.00 lakhs). Building Completion Certificate in the prescribed format and counter signed by a Govt. Engineer not submitted. Therefore, Recognition is withdrawn from the academic session 2018-19.”

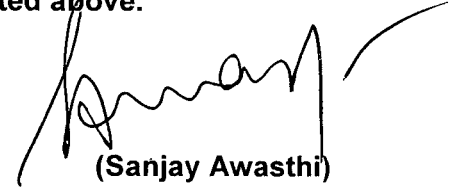
AND WHEREAS Dr. Vishul N. Patel, Trust Member and Dr. Niyant B. Patel, Trust Member, Sheth Shree I.M. Patel College of Education B.Ed., At : Ranchhodpura Post – Devpura, Ta.: Vijapur, Vijapur, Gujarat presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that after promulgation of NCTE Regulations, our institution was in regular touch with the University for approval of staff list as per NCTE Regulations 2014 and finally the staff list was approved by the university for 1 plus 12 teachers. We could not get qualified teachers as per NCTE Regulations at that time. At present, our institution is having 1 plus 16 qualified staff duly approved by the University copy of approval of University attached. Our institution is having the total FDRs for Rs 24 lakhs in joint account with RD WRC which were also submitted to WRC, Copies enclosed. The BCC issued by Registered Engineer and countersigned by sarpanch was submitted to

WRC, however, the fresh BCC duly issued by Deputy Executive Engineer, Panchayat R and B Sub-Division, Vijapur is attached with the appeal.”

AND WHEREAS Appeal Committee noted the submission made by appellant with regard to the availability of Principal and 18 faculty approved by affiliating University. Appellant also submitted copy of F.D.Rs and Building Completion Certificate issued by Dy. Ex. Engineer, R&B Sub Dir., Vijapur. Appellant is required to submit the required documents to W.R.C. within 15 days of the issue of appeal orders. Appeal Committee decided to remand back the case to W.R.C. for considering the (i) list of faculty, (ii) FDRs, (iii) B.C.C. and issue revised speaking orders expeditiously.

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 W.R.C. for considering the (i) list of faculty, (ii) FDRs, (iii) B.C.C. and issue revised speaking orders expeditiously.

NOW THEREFORE, the Council hereby remands back the case of Sheth Shree I.M. Patel College of Education B.Ed., At : Ranchhodpura Post – Devpura, Ta.: Vijapur, Vijapur, Gujarat to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The President/Secretary, Sheth Shree I.M. Patel College of Education B.Ed., At : Ranchhodpura Post – Devpura, Ta.: Vijapur, Himmatnagar Highway, Vijapur – 382870, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-314/E-73083/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

12/9/18

ORDER

WHEREAS the appeal of Shri Madhaorao Wankhade Sharirik Shikshan Mahavidyalaya, New Kamptee, Distt. – Nagpur, Kamptee, Maharashtra dated 10/04/2018 is against the Order No. WRC/APW0784/114041/MH/290th/2018/196619 dated 03/04/2018 of the Western Regional Committee, withdrawing recognition for conducting B.P.Ed. Course on the grounds that “Consequent to the issue of Revised Recognition order dated 31.05.2015 followed by a Show Cause Notice dated 24.07.2017. The institution has not replied so far. Hence, Recognition is withdrawn from the end of the next academic session...”

AND WHEREAS Dr. S.K. Charde, Principal and Sh. R.W. Shinde, Registrar, Shri Madhaorao Wankhade Sharirik Shikshan Mahavidyalaya, New Kamptee, Distt. – Nagpur, Kamptee, Maharashtra presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that “We had received revised order No. WRC/OAPW0784/114041/2015/148021 Dt. 31.05.2015, for which we have replied Online via our college web site i.e. www.mwssm.org we have also submitted documents via online dt. 27.11.2016 and the hard copies of the said documents were dispatched by post bearing No. SMWSSMVK/2016/1250 Dt. 28.11.2016. After that we have received show cause Notice Dt. 24.07.2017. We have also replied your show cause notice via post bearing dispatch No. SMWSSMVK/2017/1261 on 04.08.2017 as we have already submitted documents online on 01.08.2017 as mentioned above. After seeing your Action Taken Report of the 290th Meeting we have send all the documents again by post bearing dispatch No. SMWSSMVK/2018/1376 Dt. 26.03.2018 and then after we have personally visited at your NCTE office Bhopal. We have again submitted a hard copy of the same by hand at your esteemed office on 28.03.2018 which was acknowledged

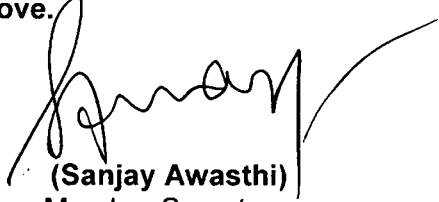
by your office with a No. 169080 Dt. 28.3.2018. Sir, our college as per the requirement we at the end of every year send a Self-Appraisal Report of our college as required by you. We have sent from time to time all the documents required by you. We do not want to increase our annual intake capacity. We have also submitted the affidavit at which contains all necessary information. Our Society Details, College Details, Staff Details and Institution Details as per norms. Hence, it is humbly requested to you to kindly reconsider our case of withdrawing recognition of our college and Granting Recognition from the next Academic Session and oblige."

AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 03/04/2018 is on the ground that appellant institution has not submitted any reply to Show Cause Notice (SCN) dated 24/07/2017. Committee noted that above S.C.N. was issued on the grounds of non submission of (a) Staff Profile for 2015-16, (b) originally notarised C.L.U., (c) N.E.C. (d) Building Plan and Building Completion Certificate (BCC). Appeal Committee noted that appellant institution had addressed a letter dated 26/03/2018 to W.R.C. mentioning it 'Regarding Show Cause Notice'. The contents and enclosures of this letter are however, not found to be satisfactory in so far as the deficiencies pointed out in S.C.N. are concerned.

AND WHEREAS appellant during the course of appeal proceedings on 28/07/2018 submitted a list containing the names of one Principal and 7 faculty members approved by affiliating university. Prima Facie the list of faculty appears to be inadequate as unit size for B.P.Ed. course is 100 as per NCTE Regulations, 2014. Committee further noted that appellant has also submitted required documents such as F.D.Rs, Building Plan, B.C.C. Appeal Committee decided that appellant institution being an old institution should get an opportunity to submit a pointwise reply to Show Cause Notice duly supported by necessary evidence. Appellant institution is required to submit to W.R.C (a) List of faculty approved by affiliating university (b) Building Plan, Building Completion Certificate. (c) C.L.U. & Non Encumbrance Certificate within 15 days of the issue of Appeal orders. W.R.C. based on the merits of the case is required to revisit the matter and issue orders accordingly and expeditiously.

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 WRC. Appellant institution is required to submit to W.R.C (a) List of faculty approved by affiliating university (b) Building Plan, Building Completion Certificate (c) C.L.U. & Non Encumbrance Certificate within 15 days of the issue of Appeal orders and W.R.C. based on the merits of the case is required to revisit the matter and issue orders accordingly and expeditiously.

NOW THEREFORE, the Council hereby remands back the case of Shri Madhaorao Wankhade Sharirik Shikshan Mahavidyalaya, New Kamptee, Distt. – Nagpur, Kamptee, Maharashtra to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Shri Madhaorao Wankhade Sharirik Shikshan Mahavidyalaya, Behind Rly. Station, New Kamptee, Distt. – Nagpur, Kamptee – 441002, Maharashtra.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Gandhinagar.



F.No.89-315/E-73199/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Omni Institute of Education, Village – Hashimpur, PO – Shahpur (Madrak), Sasni, Uttar Pradesh dated 11/04/2018 is against the Order No. NRC/NCTE/NRCAPP-12452/280th Meeting/2018/188987 dated 12/02/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that “reply of Show Cause Notice has not been submitted till date. Hence, the Committee decided that the application is rejected, and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

AND WHEREAS Sh. Satendra Kumar Sharma, Trustee and Sh. Nitendra Singh, Trustee, Omni Institute of Education, Village – Hashimpur, PO – Shahpur (Madrak), Sasni, Uttar Pradesh presented the case of the appellant institution on 28/07/2018.

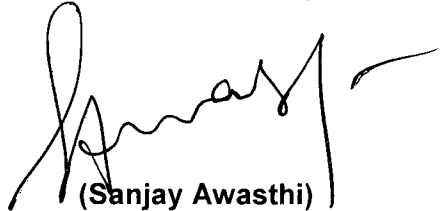
AND WHEREAS Appeal Committee noted that impugned refusal order dated 12/02/2018 is on the ground that appellant institution did not submit any reply to Show Cause Notice (SCN). Committee noted that a S.C.N. dated 03/11/2017 was issued to appellant institution stating that ‘Institution is running only D.El.Ed. and applied for additional intake. Vertical expansion is not permissible as per NCTE Regulations, 2014’.

AND WHEREAS appellant did not submit any explanation for not submitting reply to S.C.N. Appellant alongwith its appeal memoranda had submitted a copy of affiliation letter dated 12/10/2016 issued by the Dr. Bhim Rao Ambedkar University to conduct under graduate courses for a period of 3 years from the Session 2016-17.

AND WHEREAS Appeal Committee therefore, decided to remand back the case to N.R.C. for verifying the position after getting relevant documentary evidence from the appellant institution as Letter of Intent (LoI) dated 24/05/2017 was issued to the appellant institution without verification of required pre-requisites.

AND WHEREAS after perusal of the memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for verifying the position after getting relevant documentary evidence from the appellant institution as Letter of Intent dated 24/05/2017 was issued to the appellant institution without verification of required pre-requisites.

NOW THEREFORE, the Council hereby remands back the case of Omni Institute of Education, Village – Hashimpur, PO – Shahpur (Madrak), Sasni, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Omni Institute of Education, Plot No. 24 & 25, Village – Hashimpur, PO – Shahpur (Madrak), Sasni – 204216, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-316/E-73079/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Shri G.H. Sanghavi Shikshan Mahavidhyalaya, Opp. B.P.T.I. College, Vidyanagar Society, Bhavnagar, Gujarat dated 12/04/2018 is against the Order No. WRC/313016/Guj./288th/2018/195415 dated 21/02/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Consequent to the issue of Revised Recognition order, Show Cause Notice was issued followed by a compliance letter dated 21.11.2017. The institution has submitted a staff list of only 1+3 faculty members, which is not as per NCTE Regulations, 2014. Hence, Recognition is withdrawn from the academic session 2018-19."

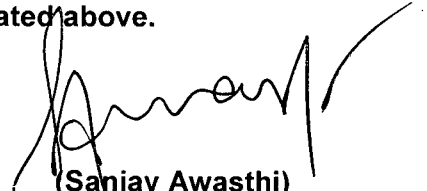
AND WHEREAS Sh. Naresh Z. Herma, Associate Professor, Shri G.H. Sanghavi Shikshan Mahavidhyalaya, Opp. B.P.T.I. College, Vidyanagar Society, Bhavnagar, Gujarat presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "Government of Gujarat sanctioned 5 teaching posts for our college. NOC letter for sanctioned posts uploaded along with online appeal. If any delay occurs in recruitment process, we assure to recruit teaching staff on ad hoc basis before next academic session."

AND WHEREAS Appeal Committee noted that revised recognition order dated 31/05/2015 issued for appellant institution permitted the institution to have two 2 basic units of B.Ed. whereas the appellant institution informed W.R.C. by its letter dated 13/06/2015 that at present it requires only one unit. Accordingly the appellant institution during the course of Appeal proceedings has been able to submit a list containing the name of one Principal and seven faculty duly approved by M.K. Bhav Nagar University. Appeal Committee further noted that appellant institution is a

Government aided institution conducting B.Ed. course since 2002. Western Regional Committee, therefore, instead of stressing on the submission of Building Plan, C.L.U. and N.E.C. should have focussed on the requirement of adequate built up area as per NCTE, Regulations, 2014. Appellant has however, submitted copies of Building Plan, Building Completion Certificate. Appellant is required to submit copies of all documents which were required in the S.C.N. dated 29/07/2016 alongwith English translation thereof to W.R.C. within 15 days of the issue of appeal orders. Appeal Committee decided to remand back the case to W.R.C. for revisiting the matter and issue of appropriate order expeditiously after appellant has submitted the required documents.

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 W.R.C. for revisiting the matter and issue of appropriate order expeditiously. after appellant has submitted the required documents. Appellant is required to submit copies of all documents which were required in the S.C.N. dated 29/07/2016 alongwith English translation thereof to W.R.C. within 15 days of the issue of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Shri G.H. Sanghavi Shikshan Mahavidhyalaya, Opp. B.P.T.I. College, Vidyanagar Society, Bhavnagar, Gujarat to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Principal, Shri G.H. Sanghavi Shikshan Mahavidhyalaya, Opp. B.P.T.I. College, Vidyanagar Society, Bhavnagar – 364002, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-317/E-73243/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

12/9/18

ORDER

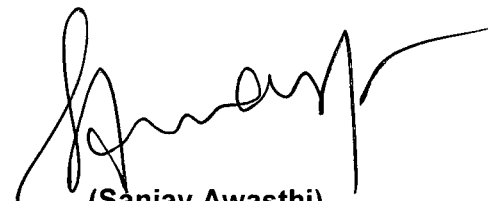
WHEREAS the appeal of Baba Sahab Dr. Bhim Rao Ambedkar Mahavidyalaya, Siddiquepur, Sadar, Uttar Pradesh dated 26/03/2018 is against the Order No. NRC/NCTE/NRCAPP-3722/238th Meeting(Part-VI)/2015/110662 dated 04/06/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "the institution has not submitted reply of SCN. 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. Swatantra Kumar, Secretary, Baba Sahab Dr. Bhim Rao Ambedkar Mahavidyalaya, Siddiquepur, Sadar, Uttar Pradesh presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "NRC, NCTE has issued LOI on 19th Jan. 2015. We applied for subject experts of B.Ed. course to the University (V.B.S. Purvanchal University, Jaunpur) on 16.02.2015 and the University has issued the letter of subject experts on 03.06.2015. The institute has submitted the file of approved faculty in the University on 15.06.2015. The University had issued letter of approved lecturers on 20.06.2015 and that of H.O.D. on 21.07.2015 respectively. In the meantime, the NRC, NCTE issued SCN on 30.04.2015. The Speed Post through which SCN was issued is booked on 29.05.2015 at BPC Jaipur GPO almost 30 days later after the NRC, NCTE decision. The speed post was received in the institute on 04.06.2015. The institute has given the reply of SCN, but it was too late and the NRC, NCTE, Jaipur has issued the refusal order on 04.06.2015."

AND WHEREAS Appeal Committee noted that appellant had filed a Writ (C) No. 36796/2017 in the Hon'ble High Court of Allahabad and the Hon'ble Court by its

order dated 18/08/2017 directed the appellant to file appeal under Section 18. Hon'ble High Court did not prescribe any time limit for the appellant to file appeal.

AND WHEREAS Appeal Committee noted that impugned refusal order dated 04/06/2015 allowed appellant 60 days time to prefer appeal in case it was not satisfied with the order. Appellant in its appeal memoranda has not stated anything about the reasons for delay in preferring appeal. The time limit of 60 days given to an appellant for filing appeal is as per extant appeal rules. Even if the delay occurred between issue of impugned order dated 04/06/2015 and the orders of Hon'ble High Court dated 18/08/2017 is condoned, the appellant has failed to prefer appeal within 60 days from the orders dated 18.8.2017 of Hon'ble High Court which is neither justifiable nor the appellant has given any reason for that. **Appeal Committee, therefore, decided not to condone the delay. Appeal is accordingly not admitted on delay grounds.**



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Baba Sahab Dr. Bhim Rao Ambedkar Mahavidyalaya, Siddiquepur, 42, Sadar – 222001, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-319/E-73620/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Purbayan Educational Institution, West Panchla, Dhunki, West Bengal dated 05/06/2018 is against the Order No. ERC/250.2.4(Part-2)/ERCAPP4038/B.Ed./2018/56218 dated 05/06/2018 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "in the submitted faculty list, the institution appointed only one Science teacher instead of two required as per NCTE Regulations 2014, for which one unit of B.Ed. was granted. Hence, the decision of ERC taken in 239th meeting granting recognition to B.Ed. course with intake of 50 (one basic unit) remains unchanged. In view of the above, the Committee decided as under: A reasoned order be issued to the institution stating the above position."

AND WHEREAS Sh. Samiran Ganguly, Secretary and Sh. Sandip Sarkar, Member, Purbayan Educational Institution, West Panchla, Dhunki, West Bengal presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that in the submitted faculty list, the institution appointed only one Science Teacher instead of two required as per NCTE, Regulations, 2014.

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 30/06/2015 seeking recognition for conducting B.Ed. programme and the affidavit enclosed with the application mentioned the applied for intake as 2 units (100 seats). Appeal Committee further noted that composite inspection of the appellant institution was conducted on 27/03/2016 with proposed intake of 2 units of B.Ed. programme. Appeal Committee further noted that Letter of Intent (L.O.I) dated 03/04/2017 issued to appellant institution did not specifically

mention any intake for which it was decided to consider the appellant competent. Appellant, thereafter submitted compliance to L.O.I. on 25/04/2017 seeking recognition for 100 seats by submitting 2 lists of faculty containing the name of Principal plus four faculty in first list and 13 faculty in the second list.

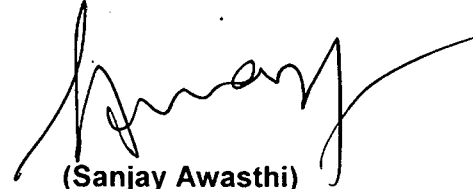
AND WHEREAS Appeal Committee observed that recognition order 02/05/2017 issued by E.R.C. was for an intake of 50 seats without assigning any reason for not granting two units. Appellant aggrieved by the recognition order granting recognition for only one unit filed a W.P. No. 10939/2017 in the Hon'ble High Court of Delhi and E.R.C. on intervention of the High Court issued order dated 27/02/2018 clarifying that "In the submitted faculty list, the institution appointed only one science teacher instead of two required for which one unit of B.Ed. was granted."

AND WHEREAS Appeal Committee noted that Norms and Standards for B.Ed. programme as contained in Appendix 4 of the NCTE Regulations, 2014 require 8 faculty in the pedagogy subject (Maths, Science, Social Science, Language). The Norms & Standards do nowhere mention that eight faculty required for pedagogy subjects should be proportionately divided among the four subjects. The demand for subject teachers differs from region to region and care should be taken that no pedagogy subject for which students are admitted is left unattended. Further the appellant has been able to get additional faculty approved by university which needs to be considered by the Regional Committee for grant of recognition for 2nd Unit of B.Ed. The appellant is required to submit to E.R.C. within 15 days of the issue of appeal order the additional list of faculty. Appeal Committee decided to remand back the case to E.R.C. for revisiting the matter in accordance with the NCTE Regulations, 2014 and issuing appropriate recognition order.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for revisiting the matter in accordance with the NCTE Regulations, 2014 and issuing appropriate recognition order. The

appellant is required to submit to E.R.C. within 15 days of the issue of appeal order the additional list of faculty.

NOW THEREFORE, the Council hereby remands back the case of Purbayan Educational Institution, West Panchla, Dhunki, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Purbayan Educational Institution, West Panchla, Dhunki – 711322, West Bengal.

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

3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.

4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-320/E-73694/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Swarup College of Education, Nimoria Road, Chaksu, Rajasthan dated 19/04/2018 is against the Order No. NCTE/NRC/NRCAPP201615471/B.A. B.Ed./B.Sc. B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 23/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "The institution has not submitted any proof / evidence to prove that it is a composite institution as per clause 2(b) of NCTE Regulations, 2014. ? The institution has not submitted the Non-Encumbrance certificate issued by the Competent Authority Indicating that the land is free from all encumbrances. Hence, the Committee decided that the application is rejected, and recognition / permission is refused u/s 14/15 (3)(b) of NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Dr. Saket Mathur, Secretary and Dr. Sameer Mathur, Co-ordinator, Swarup College of Education, Nimoria Road, Chaksu, Rajasthan presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "B.Ed. course is being run under the same name and style and applied for grant of recognition of B.A. B.Ed./B.Sc. B.Ed. course. Further, the letter dt. 10.02.2017 issued by the NCTE Hqrs., New Delhi clearly clarifies that 'this issue needs to be resolved as per clarification given earlier vide letter dated 7th April, 2016. In this letter, we clarified that in view of another provisions in clause 8(1) of the Regulations that al/ standalone teacher education institutions need to gradually move towards becoming composite institution, the 4-year integrated course can also be given to a Teaching Education institution offering a single teacher education programme, provided the affiliating University agrees to regulate the BA / B.Sc. component the integrated programmes, as per university

norms.' It is established that our application was liable to be processed as we had already submitted the NOC of the affiliating University as well as on the other hand it is already running B.Ed. course meaning therein that both conditions are satisfied in our case. The Non-Encumbrance Certificate was submitted in original alongwith the reply of Show Cause Notice. Now unfortunately we do not have another copy of the same and freshly issued NEC from the competent authority is submitted with this appeal."

AND WHEREAS Appeal Committee noted that impugned order was issued on the grounds:-

- (a) Institution has not submitted any proof/evidence to prove that it is composite.
- (b) Non Encumbrance Certificate (N.E.C.) not submitted.

AND WHEREAS Appeal Committee noted that appellant fulfils the condition laid down in Clause 2 (b) of the NCTE Regulations, 2014 as it is already recognised for conducting B.Ed. programme. Appellant's submission that original N.E.C. was submitted alongwith reply to S.C.N. however, is not proved as enclosures to the reply of S.C.N. quoted by appellant do not contain the required document. Appellant has however, submitted a copy of N.E.C. dated 03/04/2018 alongwith its appeal submissions which is accepted with the condition that appellant is required to submit a notarised copy of it to N.R.C. within 15 days of the issue of appeal orders.

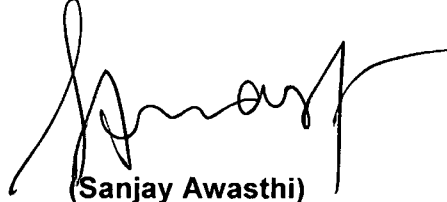
AND WHEREAS Appeal Committee observes that appellant institution meets the requirement of para 2(b) of the NCTE Regulations and N.R.C. is directed to revisit the matter keeping in view the requirement of para 1.1 of Appendix 13 of Norms & Standards for the 4 year Integrated course i.e. BA, B.Ed/B.Sc. B.Ed. with the above observations, Committee decided to remand back the case to N.R.C.

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

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concluded to remand back the case to N.R.C for revisiting the matter keeping in view the requirement of para 1.1 of Appendix 13 of Norms and Standards for the 4 year integrated course i.e. B.A B.Ed./B.Sc. B.Ed.

NOW THEREFORE, the Council hereby remands back the case of Swarup College of Education, Nimoria Road, Chaksu, Rajasthan to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Swarup College of Education, Nimoria, Nimoria Road, Chaksu – 303901, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-321/E-73695/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Pratap STC, Dudwa, Laxmangarh, Rajasthan dated 14/04/2018 is against the Order No. Old App/NRCAPPP-9368/303/2017/182711 dated 27/09/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "in case where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Sh. Ram Niwasmeel, Secretary and Dinesh Kumar, Member, Pratap STC, Dudwa, Laxmangarh, Rajasthan presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "our institution submitted online application bearing application ID NRCAPP9368 on 31.12.2012 at 7:45:32 p.m. The appellant institution approached the Hon'ble Court and the Court has directed "petitioner is required to approach the respondents, who shall consider the grievance of the petitioner keeping in view of the Judgment of this Court in Adarsh Shikshak Prashikshan Mahavidyalaya" but the respondent did not take action as per court order. The appellant institution submitted his application along with court order on 22.08.2017 but the respondent committee decided the same before submission of application. NRC not considered the matter as per court order. On the grounds discussed and narrated above, the ground of rejection of our application is solely baseless. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E8922/2017 Appeal/15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T. T. College" directed the NRC to process further the application on the ground that "...the

Committee noted that the appellant could not have submitted the application on-line within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal."

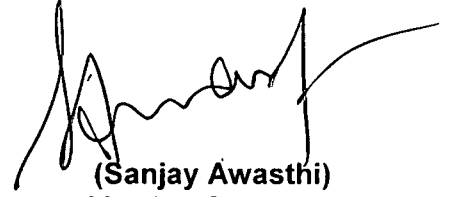
AND WHEREAS Appeal Committee noted that appellant had filed a Civil Writ Petition no. 2921/2018 against the impugned letter dated 27/09/2017 returning the application. Hon'ble High Court of Jaipur in its order dated 14/02/2018 has remitted the petitioner to avail remedy of statutory appeal.

AND WHEREAS the Committee noted that the ground mentioned in the N.R.C's Letter dt. 27/09/2017 returning the application of the appellant, that is Clause 5, was introduced for the first time, in the NCTE Regulations, 2014, whose requirements are to be fulfilled when the applications are invited pursuant to these Regulations and which can be filed only during the period when the NCTE Portal is open and not any other time. The appellant submitted the application online in the year 2012 and the then existing Regulations did not contain other requirements mentioned in the order returning the application.

AND WHEREAS the Committee noted that view of the position stated in para 4 above, the submission made by the appellant, inter-alia, citing certain Appellate orders issued in respect of consideration of the applications submitted in the years preceding the advent of NCTE Regulation, 2014, deserved to be accepted. In these circumstances, the Committee concluded that the ground mentioned in the Letter dt. 27/09/2017 cannot be held against the appellant and the matter deserved to be remanded to the N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to be remanded to the N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Pratap STC, Dudwa, Laxmangarh, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Pratap STC, Dudwa, Laxmangarh – 332316, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-322/E-73817/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Vasantrao Naik Shikshanshastra Mahavidyalaya, Gargoti Road, Karveer, Maharashtra dated 20/04/2018 is against the Order WRC/APW00035/123022/MH/290th/2018/196604 dated 03/04/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Consequent to the Revised Recognition order dated 26.05.2015, Show Cause Notice dated 17.03.2017 was issued to the institution followed by a compliance letter dated 06.02.2018. The institution replied on 07.03.2018 thereby submitting a staff profile of 1+5 approved by the Registrar in original. The institution has not appointed two more staff members in Physical Education / performing Arts / Fine Arts. The institution has not submitted additional FDR for Rs. 4.00 lakhs. In spite of many opportunities, institution has not submitted an adequate staff profile. Hence, Recognition is withdrawn from the end of the next academic session."

AND WHEREAS Sh. Tanaji Swami, President and Sh. Dhananjay Chatodihar, Secretary, Vasantrao Naik Shikshanshastra Mahavidyalaya, Gargoti Road, Karveer, Maharashtra presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "Our intake capacity is only one unit of 50 students. We have appointed 1 plus 5 teaching staff and one Librarian. All these appointments were approved by the Shivaji University, Kolhapur on regular basis. The explanation about appointment of two more staff members in Physical Education/Fine Arts/Performing Arts is as under. We filed proposal on 28th August 2017 with Shivaji University to grant approval for newly created posts. In this regard the Shivaji University has granted approval for new posts as per NCTE regulation 14, on 5th July, 2017. Thereafter we filed on 24th August 2017, a proposal for checking of this roster on these new posts to the special cell of Shivaji University.

But till date the University has not checked the submitted roster, therefore the further procedure of regular appointment of post of Physical Education/Fine Arts/Performing Arts could not be completed. We will fill three vacant posts as soon as the University grants approval for roster and advertisement proposal of which is pending with the University. But during the pendency of the proposal we have appointed the following teachers through the local Selection Committee. The name as follows. 1.Smt.Kumbhar Shubhangi Balaso Pedagogy subject mathematics 2. Shri. Atigre Vikas Shamrao Physical Education. 3.Shri Mestri Rajendra Janardan Fine Arts. Institution submitted proposal to Shivaji University Kolhapur, for the above posts to appointing on regular basis dated 26th March 2018. All these teachers are working in our B.Ed. college since 15th September 2017. Our college started in the year 2003 and from this day we have maintained Endowment Fund and Reserve Fund as per existing NCTE norms. As per WRC letter dated 28th June 2016 we have already sent the copy of original fixed deposit of Rs.5 lakh as Endowment Fund and Rs.3 lakh as Reserve Fund. Hence total fixed deposit of Rs. 8 lakh has already been deposited with you. Explanation regarding Endowment Fund and Reserve Fund as under. 'If an existing institution is already maintaining Endowment Fund and Reserve Fund in respect of the program and applied for additional intake in the program it shall not be required to maintain additional Endowment and Reserve Fund.' In the light of explanation we have deposited only Rs. 8 lakh. If additional deposit is necessary, please give additional time for depositing. During this period, we will deposit additional Rs.4 lakh and copy of FD will be sent to WRC office."

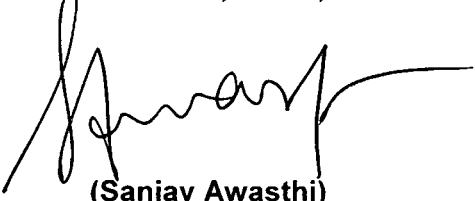
AND WHEREAS Appeal Committee noted that appellant institution had addressed a letter dated 23/06/2015 to W.R.C. seeking recognition for only one unit (50 seats) but there is no corresponding acknowledgement from W.R.C. Appeal Committee noted that appellant institution has, subsequent to the above letter, again requested W.R.C. by its letter dated 08/02/2016 to change the annual intake from 2 units to 1 unit. The required faculty for conducting B.Ed. programme with a single unit (50 seats) is one Principal and 7 faculty.

AND WHEREAS appellant during the course of appeal proceedings submitted before Appeal Committee copy of a list containing the names of one Principal, eight faculty and a librarian approved by Registrar, Shivaji University. Appellant also contested that existing institutions are not required to deposit additional F.D.R's till they seek recognition for additional course.

AND WHEREAS Appeal Committee observed that appellant institution is required to submit a complete and comprehensive list containing the names of Principal and faculty as approved by affiliating university to W.R.C. within 15 days of the issue of appeal orders. W.R.C. on receipt of required faculty list is required to revisit the matter and issue appropriate revised orders expeditiously.

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 W.R.C. for revisiting the matter after the appellant institution submits the list containing the name of Principal and faculty approved by affiliating body to WRC within 15 days of issue of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Vasantrao Naik Shikshanshastra Mahavidyalaya, Gargoti Road, Karveer, Maharashtra to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vasantrao Naik Shikshanshastra Mahavidyalaya, 853, Vidya Vasant Park, Gargoti Road, Karveer – 416007, Maharashtra.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.



F.No.89-323/E-73819/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

12/9/18

ORDER

WHEREAS the appeal of Sardar Patel B.Ed. College, Vadnagar, Arjun Bari, Near, Medical College, Vadnagar, Gujarat dated 23/04/2018 is against the Order WRC/APW01537/323233/Guj./290th/2018/196795 dated 04/04/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Consequent to the issue of Revised Recognition order, Show Cause Notice dated 29.08.2016 followed by a compliance letter dated 17.11.2017 was issued. The institution replied on 11.12.2017. A scrutiny of the reply shows that out of the 1+7 faculty members, the Registrar has not approved the appointments at S.No. 6,7, & 8. Secondly, the institution has not submitted a Building Completion Certificate in the prescribed format counter signed by a Govt. Engineer in original. Hence, Recognition is withdrawn from the end of the next academic session."

AND WHEREAS Sh. Prakash J. Patel, President and Sh. S.K. Bhatia, Director, Sardar Patel B.Ed. College, Vadnagar, Arjun Bari, Near, Medical College, Vadnagar, Gujarat presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "we are sending the duly approved full staff profile of 8 faculty members by registrar HNGU, Patan. We have prepared the building completion certificate in prescribed format counter signed by govt engineer in original and also a building map with duly seal and signed by Govt Engineer."

AND WHEREAS Appeal Committee noted that appellant institution by issue of revised recognition order dated 31/05/2015 was granted recognition for conducting B.Ed. programme with an annual intake of 50 seats(One Unit). The recognition was withdrawn by order dated 04/04/2018 on the grounds that:-

- (i) Out of the faculty list of 8 members, the Registrar has not approved appointments at Sl. No. 6,7 and 8.

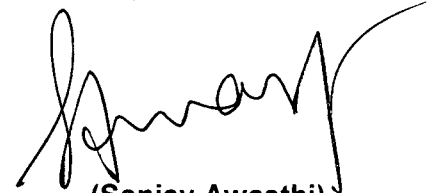
- (ii) The institution has not submitted Building Completion Certificate in prescribed signed by Government Engineer.

AND WHEREAS appellant during the course of appeal proceedings has submitted a complete list containing the names of Principal and 7 faculty, 2 of these faculty members are conditionally approved as per policy of the university. Appellant has also submitted copy of B.C.C. in prescribed performa signed by Government Engineer.

AND WHEREAS appellant is required to submit copies of the staff list and B.C.C. to Western Regional Committee within 15 days of the issue of Appeal orders. Appeal Committee decided that the case deserves to be remanded back to W.R.C. for issue of revised appropriate orders as per NCTE Regulations, 2014 expeditiously.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the case deserves to be remanded back to W.R.C. for issue of revised appropriate orders as per NCTE Regulations, 2014 expeditiously. Appellant is required to submit copies of the staff list and B.C.C. to Western Regional Committee within 15 days of the issue of Appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Sardar Patel B.Ed. College, Vadnagar, Arjun Bari, Near, Medical College, Vadnagar, Gujarat to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sardar Patel B.Ed. College, Vadnagar, Arjun Bari, Near, Medical College, Vadnagar – 384355, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-325/E-73811/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Jalpaiguri Dooars PTTI, Ghagra, Alipurduar, West Bengal dated 08/03/2018 is against the Order No. ER/7-250.6.40 (Part-2)/(B.Ed.)/2018/56175 Application No. ERCAPP201646264 (ID-10568) dated 26/02/2018 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "(i) LOI u/c 7(13) was issued on 02.05.2017. (ii) Show Cause Notice u/s 14(3)(b) was issued on 25.01.2018 giving 21 days' time for compliance of LOI. (iii) Reply dated 12.02.2018 submitted by the institution without supporting documents and requesting for extension of more time to fulfil the conditions of LOI. (iv) The Committee has not accepted the request of the institution. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP201646264 of the institution regarding permission of applied B.Ed. Programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Sandip Khan, President and Sh. Jayanta Chatterjee, Representative, Jalpaiguri Dooars PTTI, Ghagra, Alipurduar, West Bengal presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "As per provision of clause 5 of LOI we executed the Endowment Fund and Reserve Fund duly converted into Joint name with the Regional Director ERC.NCTE on 29.4.17 with U.B.I Jalpaiguri Branch. We found notification in the ERC website that the Institution which have already decided for LOI 7. 13 as per proceeding published in the ERC.NCTE website are required to submit the following documents along with their reply in response to LOI. As per sub clause d of para 2 it is required to submit the faculty list approved by the affiliating body after the appointment through duly constituted Selection Committee along with the letter

complying LOI and ensuring compliance of NCTE norms of Teaching Staff which is fully within the Jurisdiction of the affiliating University. We prayed to University on 1.6.17 and 30.1.18 twice after publishing paper advertisement twice in this regard. We received the same duly signed by the University Authority on 21.02.2018. As per sub clause f of para 2 letter of University nominating experts/representative for Selection Committee is required. But till date no such letter is received by us from the University though we prayed 2 times to the University Authority. As per sub clause g of para 2 minutes of the Selection Committee duly constituted as per the norms of the affiliating body to be submitted along with the complying letter. But no such minutes was delivered to us till date by the affiliating University though proper interview was conducted for the faculties on 20.02.2018. As per sub clause h of para 2 approval of the University for the selected faculties in the prescribed format to be submitted. On 21.02.2018 the said University delivered us the approval on format signed by the Registrar. Thus we are unable to submit the documents within the stipulated time. Due to non-conduction of Selection process of Faculties for the said B.Ed. course and due to non-receiving of particulars of staffs as per NCTE format along with the Resolution there on issued by The West Bengal University of Teachers Training Education Planning and Administration within the stipulated period. The same has been received on 21/02/2018. As the selection process will be conducted by the University Authority for which Jalpaiguri Dooars P.T.T.I. has prayed twice maintaining all the formalities as per University Act to the said Authority and we have no fault and involvement in this selection process but to wait for the activity of the University Authority. Finally, we received the same on 21/02/2018 signed by the Authority of the University."

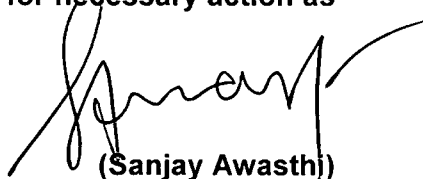
AND WHEREAS Appeal Committee noted that Letter of Intent (L.O.I.) dated 02/05/2017 was issued to appellant institution seeking compliance within a period of 60 days. Appellant institution initiated action for the recruitment process of faculty. Having not been able to complete the process within prescribed time limit, appellant institution after receipt of Show Cause Notice (S.C.N) dated 25/01/2018 requested

E.R.C. by its letter dated 12/02/2018 to grant some more time. The impugned refusal order dated 26/02/2018 was without accepting the request of the appellant institution.

AND WHEREAS appellant during the course of appeal proceedings submitted before Appeal Committee list of faculty duly approved by the West Bengal University of Teacher Training Education on 21/02/2018. Appeal Committee decided that the case deserves to be remanded to E.R.C. for consideration of the list of faculty and other compliance points. Appellant is required to submit to E.R.C. a complete compliance report in response to L.O.I. within 15 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 that the case deserves to be remanded to E.R.C. for consideration of the list of faculty and other compliance points. Appellant is required to submit to E.R.C. a complete compliance report in response to L.O.I. within 15 days of the issue of Appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Jalpaiguri Dooars PTI, Ghagra, Alipurduar, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The President, Jalpaiguri Dooars PTI, Plot No.338, Ghagra, Alipurduar – 736122, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-327/E-74053/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Hashmi Girls Degree College, Amroha, Jyotiba Phule Nagar, Uttar Pradesh dated 22/02/2018 is against the Order No. NCTE/NRC/NRCAPP201615073/Master of Education [M.Ed]/UP/2017-18/2; dated 28/03/2017 of the Northern Regional Committee, refusing recognition for conducting M.Ed. Course on the grounds that "the applicant institution has not submitted the reply of the SCN within the stipulated time. Hence, the Committee decided that the application is rejected, and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Dr. Sant Kumar Mishra, H.O.D. and Sh. Manoj Kumar, Representative, Hashmi Girls Degree College, Amroha, Jyotiba Phule Nagar, Uttar Pradesh presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "The institute is running B.Ed. programme since 2007 and fulfils all the norms. The person who was managing the M.Ed. application passed away. So, the institute could not get the password due to this technical problem institute could not get any message sent by NCTE in due course of time. Due to unavailability of SCN institute could not fulfil the deficiencies on time. That's why the institute contracted to NRC, NCTE about application status from August 2017 but NRC, NCTE not answered till December 2017. Through the letter no. NRC NCTE ID No. 7510 NRCAPP201615073 186156 dated 19.12.2017 sent by NRC, NCTE it is come to the institute knowledge that its application has been rejected. In February 2018 the institute representative personally meet to the RD-NRC NCTE and present the entire situation. RD has suggested to appeal before Hqrs. NCTE. So, it is requested you to reconsider our application again and give us time to rectify the

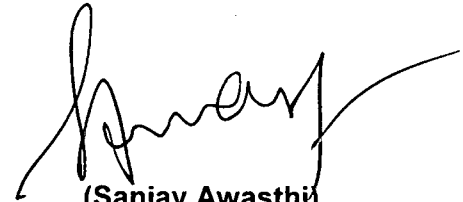
deficiencies mentioned in SCN of NRC, NCTE although most of the documents were submitted to NRC, NCTE along with hard application copy.”

AND WHEREAS Appeal Committee noted the submission made by appellant with regard to non-receipt of the Show Cause Notice (SCN) as well as impugned refusal order. Committee also observed that there is some mismatch in the date on which S.C.N. was issued. N.R.C. in its 262nd Meeting held between 16 to 24th January, 2017 decided to issue S.C.N. and the S.C.N available on file bears a date i.e. 20/01/2017. In the impugned refusal order dated 28/03/2017 date of S.C.N. is shown as 28/03/2017. The appellant by its letter dated 18/09/2017 received in the office of N.R.C. on 21/09/2017 has sought for the status of its application. Copy of the impugned refusal order was thereafter sent to the appellant on 19/12/2017”.

AND WHEREAS Appeal Committee is convinced that appellant having not received the S.C.N. was not able to submit reply to S.C.N. which had finally resulted in issue of refusal order. Appeal Committee decided to remand back the case to N.R.C. for providing another opportunity to the appellant institution to submit written representation on the points of deficiencies mentioned in the S.C.N. which should be reissued. Appellant institution is required to submit a comprehensive written representation on all the points raised in the S.C.N. within 15 days. N.R.C. is required to revisit the matter thereafter and issue appropriate order as per NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for providing another opportunity to the appellant institution to submit written representation on the points of deficiencies mentioned in the S.C.N. which should be reissued. Appellant institution is required to submit a comprehensive written representation on all the points raised in the S.C.N. within 15 days. N.R.C. is required to revisit the matter thereafter and issue appropriate order as per NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Hashmi Girls Degree College, Amroha, Jyotiba Phule Nagar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Hashmi Girls Degree College, Amroha, Jyotiba Phule Nagar, Uttar Pradesh 244221.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector - 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-334/E-76687/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

12/9/18

ORDER

WHEREAS the appeal of Rajasthan T.T. College, Ganpati Nagar, Mandawa Road, Jhunjhunu, Rajasthan dated 21/05/2018 is against the Order NCTE/NRC/NRCAPP201615212/B.A. B.Ed./B.Sc. B.Ed. – 4 Year Integrated/RJ/2017-18/{{LSG_SI_No}}: dated 27/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “reply of SCN dated 07.03.2017 has not been received within stipulated time. Hence, the Committee decided that the application is rejected, and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

AND WHEREAS Sh. Harish Kumar, Vice President and Sh. Dhanraj, Representative, Rajasthan T.T. College, Ganpati Nagar, Mandawa Road, Jhunjhunu, Rajasthan presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that “NRC, NCTE has issued a show cause notice indicating certain deficiencies on 07.03.2017 and directed to submit required document within 21 days. NRC, NCTE has again issued a show cause notice indicating certain deficiencies on 13.04.2017 and directed to submit required document within 21 days. This institution submitted reply of SCN along with all required documents to NRC, NCTE on 04.05.2017. NRC, NCTE rejected the application of this institution vide letter No. NCTE / NRC/ NRCAPP-201615212/ B.A. B.Ed. / B.Sc. B.Ed.-4Year Integrated / RJ/2017-18/{{LSG_SI_No}}; dated 27.04.2017 before 21 days’ time limit provided to this institution for making reply of show cause notice dated 13.04.2017 i.e. 04.05.2017 while this institution has already submitted reply of Show Cause Notice along with all required documents to NRC, NCTE on 04.05.2017. This institution is running B.Ed. course recognized by NRC, NCTE vide order No. NRC/NCTE/RJ-Common Orders/2015/115176 dated 09.06.2015. Copy of

recognition letter was attached along with reply letter submitted to NRC, NCTE on 04.05.2017. That Pandit Deendayal Upladhayay Shekhawati University, Sikar had issued N.O.C. for affiliation of B.A. B.Ed. / B.Sc. B.Ed. course to this institution vide letter dated 27.05.2016. That this institution has 8400 Sq. Mtr. Land on ownership basis in the name of society. Certified copy of land documents was submitted to NRC, NCTE on 04.05.2017 along with reply of Show Cause Notice. That copy of approved building map was submitted to NRC, NCTE on 04.05.2017 along with reply of Show Cause Notice. That 8400 Sq. Mtr. Land available on ownership basis in the name of society is converted for Educational Purpose from S.D.M., Jhunjhunu (Raj). The land conversion order document was submitted to NRC, NCTE on 04.05.2017 along with reply of Show Cause Notice. That copy of Non-Encumbrance Certificate was submitted to NRC, NCTE on 04.05.2017 along with reply of Show Cause Notice. That this institution has filed S.B. Civil Writ Petition No. 7903/2018 in Hon'ble High Court of Rajasthan, Jaipur against the rejection order issued by NRC, NCTE on 27.04.2017. Hon'ble High Court of Rajasthan, Jaipur has directed to petitioner to file an appeal u/s 18 of NCTE Act, 1993 and directed to Appeal Authority to dispose the appeal with 2 months. That this institution had submitted all required documents to NRC, NCTE along with reply of Show Cause Notice before expiry of time limit given by NRC, NCTE in Show Cause Notice dated 13.04.2017 to this institution for making reply of Show Cause Notice. It is prayed that the rejection order issued by NRC, NCTE be set aside and directions be issued to NRC, NCTE for further process of application of this institute for grant of recognition of B.A. B.Ed./B.Sc. B.Ed. course."

AND WHEREAS Appeal Committee noted that appellant institution filed a S.B. Civil Writ No. 7903/2018 in the High Court of Judicature for Rajasthan, Bench at Jaipur and the Hon'ble Court by an order dated 12/04/2018 has remitted the petitioner to the remedy of statutory appeal under Section 18 of the NCTE Act. Appeal is required to be disposed of within 2 months.

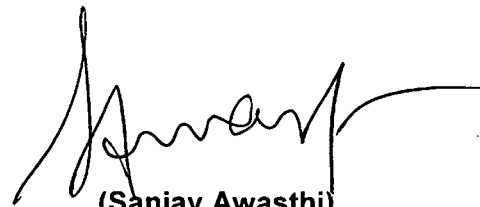
AND WHEREAS Appeal Committee noted that impugned refusal order dated 27/04/2017 was issued on the ground that reply to S.C.N. dated 07/03/2017 was not received within stipulated time. Appeal Committee on perusing the regulatory file does

not find any printout of the S.C.N. dated 07/03/2017 available on record to verify the points of deficiency. Appellant in its appeal submission has, however, submitted a printout of S.C.N. dated 07/03/2017 which seems to have been transmitted online on 13/04/2017. Appellant submitted reply to the S.C.N. by its letter dated 03/05/2017 which was received in the office of N.R.C. on 04/05/2017 (Dy. No. 168699).

AND WHEREAS Appeal Committee further noted that impugned refusal order dated 27/4/2017 in para 2 thereof refers to some other reply to S.C.N. dated 02/08/2016 which is not at all relevant. Appeal Committee urges upon the Regional Committee to maintain the regulatory files properly and keep print out of all communications issued online on file.

AND WHEREAS Appeal Committee also decided that issue of impugned refusal order without waiting adequately for the response of the S.C.N. was not justified and hence the impugned refusal order dated 27/04/2017 is set aside. N.R.C. is required to consider the reply dated 03/05/2017 submitted by the appellant for taking decision afresh.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned refusal order dated 27/04/2017. N.R.C. is required to consider the reply dated 03/05/2017 submitted by the appellant for taking decision afresh.


(Sanjay Awasthi)
Member Secretary

1. The President, Rajasthan T.T. College, Ganpati Nagar, Mandawa Road, Jhunjhunu – 333001, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-334(A)/E-74244/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Aryavart Shiksha Mahavidyalaya, Ruabandha, Utai, Shanichari Bazar, Durg, Chhattisgarh dated 20/04/2018 is against the Order No. WRC/APW08065/723180/C.G./290th/2018/196894 dated 05/04/2018 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Consequent to the issue of Revised Recognition order, Show Cause Notice was issued on 22.08.2016. The institution replied on 09.09.2016. The institution has submitted a list of 1+15 faculty members which is not approved by the Registrar. The Building Completion Certificate submitted by built-up area is not sufficient as per requirement of NCTE Regulations, 2014. The additional FDR for Rs. 4.00 lakhs not submitted (in joint name) in original. Hence, Recognition is withdrawn from the end of the next academic session."

AND WHEREAS Dr. Ram Krishna Mishra, Co-ordinator and Sh. J.P.N. Pandey, Director, Aryavart Shiksha Mahavidyalaya, Ruabandha, Utai, Shanichari Bazar, Durg, Chhattisgarh presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "Aryavart Shiksha Mahavidyalaya was initially affiliated to Pt. Ravi Shankar Shukla University, Raipur. After Durg University came into existence, the affiliation of the Institution is now with Durg University. A copy of the list of teachers approved by Durg University is enclosed. Copy of Building Completion Certificate is also enclosed."

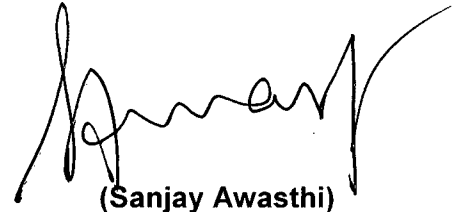
AND WHEREAS Appeal Committee noted that appellant during the course of appeal proceedings on 28/07/2018 submitted copy of the list containing the name of Principal and 16 faculty approved by the affiliating body i.e. Durg Vishwavidyalaya. Appellant has also submitted copy of a Building Completion Certificate (B.C.C.) issued

by Sub Engineer, Janpad Panchayat, Durg for a built up area of 21860 sq. feet. Appellant quoting the clarifications issued by NCTE in response to the frequently asked Question has stated that existing teacher education institutions who have already maintained F.D.Rs need not maintain it at revised rate.

AND WHEREAS Appeal Committee having considered the submissions made by appellant decided that the case deserves to be remanded back to W.R.C. for consideration of the submissions made by the appellant. Appellant is required to submit to W.R.C. authenticated copies of the faculty list and B.C.C. within 15 days of the receipt 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 W.R.C. for consideration of the submissions made by the appellant. Appellant is required to submit to W.R.C. authenticated copies of the faculty list and B.C.C. within 15 days of the receipt of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Aryavart Shiksha Mahavidyalaya, Ruabandha, Utai, Shanichari Bazar, Durg, Chhattisgarh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Aryavart Shiksha Mahavidyalaya, Ruabandha, Utai, Shanichari Bazar, Durg – 490006, Chhattisgarh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.



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F.No.89-335/E-77203/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date:

12/9/18

ORDER

WHEREAS the appeal of Adarsh Teachers Training College, Deoli, Rajasthan dated 25/05/2018 is against the NRC/NCTE/NRCAPP-14392/257th (Part-3) Meeting/2016/159947 dated 13/10/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the institution was given show cause notice vide letter dt. 07.12.2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice within stipulated time."

AND WHEREAS Mahaveer Saraf, Director and Sh. Mohit Agrwal, Member, Adarsh Teachers Training College, Deoli, Rajasthan presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "NCTE, New Delhi had issued a public notice on 27th Feb, 2015 through which NCTE invited application for recognition of teachers training programmes for the academic session 2016-17, except the state and UTs, with listed programmes. NCTE issued a Public Notice on 30th May, 2015 through NCTE extending the last date for submission of online application by the stakeholders up to 30th June, 2015. This institution submitted online application for grant of recognition for DELED course along with required fees and documents on 28/06/2015. This college is running B.Ed. Course recognized by NRC, NCTE. To fulfill the requirement of clause 8(1) of NCTE regulations 2014, this institution had applied for grant of recognition for D.El.Ed. course. That NRC, NCTE had issued a show cause Notice vide letter no. NRC/NCTE/NRCAPP.14392/2015/130916 dated 07/12/2015. This institution had submitted a detailed reply of show cause notice to NRC, NCTE on 28/12/2015. NRC, NCTE rejected the application of recognition for D.El.Ed. of this institution vide order No. NRC/NCTE/NRCAPP.14392/257th (part 3) Meeting /2016/159947 Dated

13/10/2016 stating that this institution has not submitted any reply of show cause notice within stipulated time. Copy of rejection order is annexed and marked as Annexure 10. That being aggrieved from the order of NRC, NCTE, this institution had filed a S.B. Civil Writ Petition No. 10104/2018 to Hon'ble High Court of Rajasthan, Jaipur. Hon'ble High Court of Rajasthan, Jaipur has ordered to petitioner to file an appeal 4/5 18 of NCTE Act, 1993 and also directed to NCTE that if the petitioner files and apply to authority, it is expected of the appellate authority to decide the same preferably within a period of two months. That appellate authority, NCTE had already passed an order on 27/11/2017 in which it is clearly stated that "Once applications are invited, the regional committee has no right to reject it on the ground of ban imposed subsequently by the State Government" Copy of Appeal order dated 27/11/2017 is annexed and marked as Annexure 11. That NRC, NCTE had rejected the application of recognition for D.El.Ed. course due to non-submission of reply of show cause notice within stipulated time. The issue of date show cause notice was 07/12/2015 in which 30 days was provided for making reply. This institution had submitted reply of show cause notice to NRC, NCTE on 28/12/2017 which is well prior to the stipulated time. It is prayed that the rejection order issued by NRC, NCTE for D.El.Ed. course be set aside."

AND WHEREAS Appeal Committee noted that after issue of impugned refusal order dated 13/10/2016, the appellant filed a S.B. Civil Writ No. 10104/2018 in the Hon'ble High Court of Judicature for Rajasthan at Jaipur and Hon'ble Court vide order dated 10.05.2018 granted liberty to appellant to avail remedy of statutory appeal.

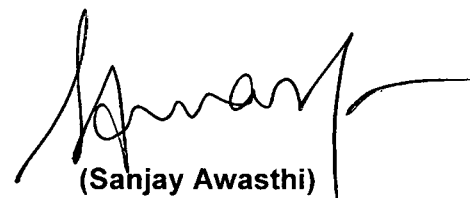
AND WHEREAS Considering the orders of the Hon'ble High Court. Appeal Committee decided to admit the appeal which is otherwise delayed by more than a year and six months.

AND WHEREAS Appeal Committee noted from the content of the refusal order that the institution did not submit any reply of show cause notice within stipulated time resulted in the impugned refusal order was issued. The appellant institution in the

appeal and during proceedings of appeal hearing has stated that they had submitted the reply to SCN vide its letter no. 2015/51 dated 26.12.2015 by Speed Post on 28.12.2015 for which a copy of receipt no. A RR426482425IN is submitted. The Committee, therefore, observed that NRC's decision to refuse the recognition of the institution is not justified. In these circumstances, the Committee decided to remand back the case to NRC for considering the reply of the institution and take further action as per Regulations, 2014. The appellant institution is required to submit the reply/documents to NRC within 15 days of the issue of appeal orders.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the NRC for considering the reply of the institution and take further action as per Regulations, 2014. The appellant institution is required to submit the reply/documents to NRC within 15 days of the issue of appeal orders.

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Adarsh Teachers Training College, Near NH-12, Deoli – 304804, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-337/E-78197/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Samrat Public Shikshan Sansthan Girls BSTC College, Ganahera Lohagal Pushkar Road, Ajmer, Rajasthan dated 23/03/2017 is against the Order No. Old App/NRCAPP-8050/223/2017/169458 dated 23/03/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "in cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Appeal Committee noted that appellant institution had filed a S.B. Civil Writ No. 11646/2018 in the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble High Court vide order dated 30/05/2018 has remitted the petitioner to avail the statutory remedy of appeal under Section 18 of the NCTE Act.

AND WHEREAS Pr. Rajendra Prasad Sharma, Principal, Samrat Public Shikshan Sansthan Girls BSTC College, Ganahera Lohagal Pushkar Road, Ajmer, Rajasthan presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "the NRC erred in deciding the matter and did not make any effort to even look on the application of our institution which surely is an online application bearing application ID NRCAPP8050 which was submitted online on 31.12.2012 at 1:30:04 P.M. The appellant institution approached the Hon'ble Court and the Court has directed "petitioner is required to approach the respondents, who shall consider the grievance of the petitioner keeping

in view of the Judgment of this Court in Adarsh Shikshak Prashikshan Mahavidyalaya” but the respondent did not take action as per Court order. The appellant institution submitted his application along with Court order on 21.11.2016 but the respondent Committee did not consider the matter as per Court order. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E-8922/2017 Appeal/15th Meeting-2017 dt. 16.10.2017 titled “St. Meera T.T. College” directed the NRC to process further the application on the ground that “...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon’ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal.” A copy of order dt. 16.10.2017 is annexed herewith and marked as Annexure-4.

AND WHEREAS Appeal Committee noted that regulatory file is not made available to Appeal Committee. From the copy of documents submitted by the appellant alongwith its appeal memoranda, Appeal Committee observed that application dated 31.12.2012 seeking recognition for conducting D.El.Ed. programme was an online application. The decision of N.R.C. to return the application on the basis of it being made on offline mode is therefore, non substantiated. Committee further noted that the ground mentioned in the N.R.C’s letter dated 23/03/2017 returning the application of the appellant, that is Clause 5, was introduced for the first time, in NCTE Regulations, 2014. The requirement of NCTE Regulations, 2014 are to be fulfilled when the applications are invited pursuance to the Regulations and which can be filled only during the period when the NCTE portal is open. The appellant submitted the application in 2012 and the then existing regulations did not contain the requirement as mentioned in Clause 5 of NCTE Regulations, 2014.

AND WHEREAS the Committee noted that view of the position stated in para 4 above, the submission made by the appellant, inter-alia, citing certain Appellate orders issued in respect of consideration of the applications submitted in the years preceding the advent of NCTE Regulation, 2014, deserved to be accepted. In these

circumstances, the Committee concluded that the ground mentioned in the Letter dt. 23/03/2017 cannot be held against the appellant and the matter deserved to be remanded to the N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Samrat Public Shikshan Sansthan Girls BSTC College, Ganahera Lohagal Pushkar Road, Ajmer, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Samrat Public Shikshan Sansthan Girls BSTC College, Ganahera Lohagal Pushkar Road, Ajmer – 305006, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-338/E-78195/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Samrat Public Shikshan Sansthan Girls BSTC College, Kotra Pasand Nag, Ajmer, Rajasthan dated 07/06/2018 is against the Order No. Old App/NRCAPP-5665/220/2017/169549 dated 23/03/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "in cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Appeal Committee noted that appellant institution had filed a S.B. Civil Writ No. 11644/2018 in the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble High Court vide order dated 30/05/2018 has remitted the petitioner to avail the statutory remedy of appeal under Section 18 of the NCTE Act.

AND WHEREAS Sh. N. Singh Shekhawat, Secretary, Samrat Public Shikshan Sansthan Girls BSTC College, Kotra Pasand Nag, Ajmer, Rajasthan presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that the NRC erred in deciding the matter and did not make any effort to even look on the application of our institution which surely is an online application bearing application ID NRCAPP5665 which was submitted online on 29.12.2012 at 11:06:14 A.M. The appellant institution approached the Hon'ble Court and the Court has directed "petitioner is required to approach the respondents, who shall consider the grievance of the petitioner keeping in view of the Judgment of

this Court in Adarsh Shikshak Prashikshan Mahavidyalaya” but the respondent did not take action as per Court order. The appellant institution submitted his application along with Court order on 21.11.2016 but the respondent Committee did not consider the matter as per Court order. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E-8922/2017 Appeal/15th Meeting-2017 dt. 16.10.2017 titled “St. Meera T.T. College” directed the NRC to process further the application on the ground that “...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon’ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal.” A copy of order dt. 16.10.2017 is annexed herewith and marked as Annexure-4.

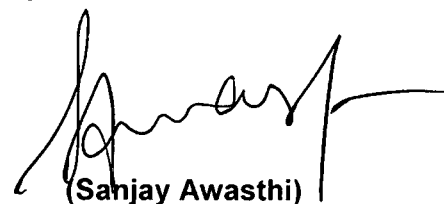
AND WHEREAS Appeal Committee noted regulatory file is not made available to Appeal Committee. From the copy of documents submitted by the appellant alongwith its appeal memoranda, Appeal Committee observed that application dated 31.12.2012 seeking recognition for conducting D.El.Ed. programme was a online application. The decision of N.R.C. to return the application on the basis of it being made on offline mode is therefore, non substantiated. Committee further noted that the ground mentioned in the N.R.C’s letter dated 23/03/2017 returning the application of the appellant, that is Clause 5, was introduced for the first time, in NCTE Regulations, 2014. The requirement of NCTE Regulations, 2014 are to be fulfilled when the application are invited pursuance to the Regulations and which can be filled only during the period when the NCTE portal is open. The appellant submitted the application in 2012 and the then existing regulations did not contain the requirement as mentioned in Clause 5 of NCTE Regulations, 2014.

AND WHEREAS the Committee noted that view of the position stated in para 4 above, the submission made by the appellant, inter-alia, citing certain Appellate orders issued in respect of consideration of the applications submitted in the years preceding the advent of NCTE Regulation, 2014, deserved to be accepted. In these circumstances, the Committee concluded that the ground mentioned in the Letter dt.

23/03/2017 cannot be held against the appellant and the matter deserved to be remanded to the N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Samrat Public Shikshan Sansthan Girls BSTC College, Kotra Pasand Nag, Ajmer, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Samrat Public Shikshan Sansthan Girls BSTC College, Kotra Pasand Nag, Ajmer – 305004, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-339/E-78505/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

12/9/18

ORDER

WHEREAS the appeal of Sant Shri Prannath Pranami T.T. School, Near Airtel Mobile Tower, Padampur, Rajasthan dated 10/06/2018 is against the Order No. Old App/RJ-----/168/2017/169457 dated 23/03/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "in cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Appeal Committee noted that appellant institution had filed a S.B. Civil Writ No. 9407/2018 in the High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble Court vide its order dated 03/05/2018 has granted liberty to the petitioner to avail the remedy of statutory appeal under Section 18 of the NCTE Act of 1993. The Regulatory file has not been made available to Appeal Committee.

AND WHEREAS Dr. Manish, Member, Sant Shri Prannath Pranami T.T. School, Near Airtel Mobile Tower, Padampur, Rajasthan presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "the appellant institution approached the Hon'ble Court and the Court has directed "petitioner is required to approach the respondents, who shall consider the grievance of the petitioner keeping in view of the Judgment of this Court in Adarsh Shikshak Prashikshan Mahavidya/aya" but the respondent did not take action as per court order. The appellant institution submitted his application along with court order on 01.08.2016 but the respondent committee did not consider the matter as per court order. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act,

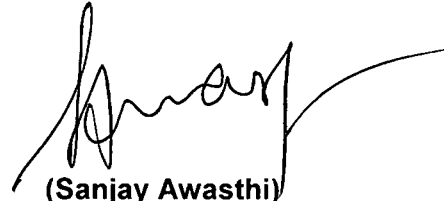
1993, the appellate authority of NCTE vide order No. 89-534/E8922/2017 Appeal/15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application on-line within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal."

AND WHEREAS the Committee noted that the ground mentioned in the N.R.C's Letter dt. 23/03/2017 returning the application of the appellant, that is Clause 5, was introduced for the first time, in the NCTE Regulations, 2014, whose requirements are to be fulfilled when the applications are invited pursuant to these Regulations and which can be filed only during the period when the NCTE Portal is open and not any other time. The appellant submitted the application in the year 2008 and the then existing Regulations did not contain the requirements mentioned in the order returning the application. Moreover, the application dated 31-12-2017 made by the appellant institution was an online application.

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

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Sant Shri Prannath Pranami T.T. School, Near Airtel Mobile Tower, Padampur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Sant Shri Prannath Pranami T.T. School, 2161 to 2168, Near Airtel Mobile Tower, Padampur – 335041, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot-No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-340/E-78499/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Murli Singh Yadav Memorial Prashikshan Sansthan, Udairamsar B.Ed. College, Bikaner, Rajasthan dated 09/06/2018 is against the Order No. Old App/NRCAPP-3064/210/2017/170748 dated 11/04/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "in cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Appeal Committee noted that appellant institution has filed a S.B. Civil Writ No. 11782/2018 in the High Court of Judicature for Rajasthan, Bench at Jaipur and the Hon'ble Court passed an order dated 30/05/2018 directing the appellate authority to decide the appeal within a period of two months.

AND WHEREAS Sh. Kuldeep Yadav, President, Murli Singh Yadav Memorial Prashikshan Sansthan, Udairamsar B.Ed. College, Bikaner, Rajasthan presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "the refusal order dated 11.04.2017 is bad, arbitrary, perverse and illegal because the controversy has already been resolved vide order dated 25.10.2016 in WP No. 14752/2016 whereby the Hon'ble Court directed the Respondent to process the application of institution. Hence, not initiating action in the light of supra judgment is illegal and unjust. The action of the respondents by not considering the file of petitioner for recognition, on merit for BSTC/D.El.Ed. course for forth coming academic session is highly illegal and unjust, arbitrary and malafide. Because rejection of file on the ground that the institution has not submitted the

application as per clause 5, of the NCTE Regulations 2014 is unjust and illegal unless decided on merit. The applicant is eligible for recognition of BSTC (D.El.Ed.) course, as per NCTE Act and Regulations, 2014 made there under. The petitioner had submitted a valid online application no. NRC APP 3064 in 2012 for BSTC course in the prescribed form, and alongwith processing fee and other requisite documents, as required in accordance with Regulations, 2009 as at the time of making of application they were in force. Because appellant is not required to make duplicate application / second application online when its initial application made in accordance with Regulation, 2009 was still valid. Further, at the time when court directed institution to make representation, there was no time schedule existed for making online application. For making online application the portal of NCTE opens for a very limited period. Because the application of the appellant was initially returned because of State Ban and the recommendations of the State government cannot be the only compelling ground to reject the file. A copy of recognition order dated 26/08/2016 in similar situated files is annexed. Council have already dealt with similar matter whereby the NRC, NCTE took the decision to return the application and waived up the condition of submission of On-line application as per clause 5 of NCTE Regulations, 2014. Some cases to mention are Choudhary teacher training institution, Ganesh college, etc. which has been remanded back to NRC. The application of these institution was made in 2008 and not even online yet, remanded back and application of our institution was made online in 2012 and needs to get similar treatment. A copy of appeal orders annexed herewith an marked as Enclosure-6. Because the appellant had applied online in accordance with applicable Regulations in 2012, its application is/was valid. Thus, there is no requirement to again apply online after coming into force of Regulations, 2014 through online mode, as Valid application was already made and was pending for being processed. All the action taken by NRC in previous Regulations (including acceptance of application in 2012) is valid and protected and thus the requirement of filing application online does not apply to appellant. Because the objection ground of rejection that appellant is not composite institution is not sustainable as same is contrary to the provisions of NCTE Act, 1993. There was no need for an institution to be composite in accordance with Regulations 2009, under

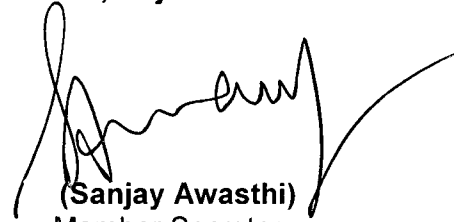
which application was made. The institution the condition of being composite as appellant institution is already running B.Ed. course. Enclosure-7. Because, in accordance with Regulations, 2009, NOC from affiliating body was also not required, therefore there was no point of submission of NOC. Moreover, the institution of appellant is situated in District Bikaner s\here the State of Rajasthan has removed ban. Enclosure-8. Because there is basic difference between making of an application and processing an application. The applicant institution had already made a valid online application in 2012 as required under Regulations, 2009, in force at that time, whereas as on today Regulations 2014 are in force, the application should be processed in accordance with Regulation 2014. Clause 5(3) is regarding making new application which applicant was not required to do as appellant already made valid application. Because the respondent NRC-NCTE while issuing refusal order dated 01.04.2017 acted in most arbitrary by not providing an opportunity of hearing to the institution and unlawful manner by insisting applicant-petitioner for online application, it has applied the NCTE Regulations, 2014 retrospectively, which is illegal and untenable. Requirement of Regulation 5(3) are mere Technical discrepancies and should not jeopardize the future of an institution. Even under Regulation, 2014 Regulation 8 states about "Conditions of Recognition" which do not specify mode of making application. The appellant institution is compliant with norms and standards contained under Regulations, 2014 and their application require consideration & final decision on merits".

AND WHEREAS Appeal Committee noted from the contents of impugned order/letter dated 11/04/2017 that the application submitted online by the appellant institution on 12/12/2012 was returned on the assumption that it was made on offline mode. Committee therefore, observed that N.R.C's decision to return the application treating it as 'offline' was not correct and not substantiated. Moreover, no Show Cause Notice (SCN) was issued to appellant institution seeking written representation from the appellant.

AND WHEREAS the Committee noted that in view of the position stated in para 4 above, the submission made by the appellant, inter-alia, citing certain Appellate orders issued in respect of consideration of the applications submitted in the years 2012 preceding the advent of NCTE Regulation, 2014, deserved to be accepted. In these circumstances, the Committee concluded that the ground mentioned in the order dt. 11/04/2017 cannot be held against the appellant and the matter deserved to be remanded to the N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Murli Singh Yadav Memorial Prashikshan Sansthan, Udairamsar B.Ed. College, Bikaner, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Murli Singh Yadav Memorial Prashikshan Sansthan, Udairamsar B.Ed. College, Bikaner – 334402, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-341/E-78760/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Shri Adarsh B.Ed. College, Village – Bigga, Tehsil-Shri Dungargarh, Rajasthan dated 17/06/2018 is against the Order No. Old App/APN-13318/290/2017/169585 dated 23/03/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that “in cases where the institutions have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014.”

AND WHEREAS Appeal Committee noted that appellant institution had filed a S.B. Civil Writ No. 2659/2018 in the High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble Court vide order dated 11/05/2018 has granted liberty to the petitioner to avail the remedy of statutory appeal under Section 18 of the NCTE Act of 1993.

AND WHEREAS Sh. Manoj Kumar, Vice Principal, Shri Adarsh B.Ed. College, Village – Bigga, Tehsil-Shri Dungargarh, Rajasthan presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that “this institution has applied for grant of recognition of D.El.Ed. course to NCTE from 2009-10 on 31.10.2008 with required processing fees of Rs. 40000/- and other relevant documents. That NRC, NCTE returned the application of this institution on 27.03.2009 due to ban imposed by the State Government. That being aggrieved from the action of NRC, NCTE, this institution filed a S.B. Civil Writ No. 15006/2016 in the Hon'ble High Court of Rajasthan, Jaipur. Hon'ble Court had passed an order on 27.10.2016 in which Hon'ble court had directed the petitioner to

file an application before NRC, NCTE for grant of recognition of D.El.Ed. course and also directed to NRC, NCTE to consider and decide the same. This institution submitted the required documents to NRC, NCTE in compliance to the order of Hon'ble Court on 14.03.2017. That instead of processing of the application for grant of recognition for D.El.Ed. course, NRC returned the application of this institution for grant of recognition of D.El.Ed. course on 23.03.2017. That being aggrieved from the action of NRC, NCTE, this institution has filed a S.B. Civil Writ Petition No. 2659/2018 in the Hon'ble High Court of Rajasthan, Jaipur. Hon'ble High Court of Rajasthan, Jaipur has directed to petitioner to file an appeal to the Appellate Authority and Appellate Authority was directed to decide the Appeal within a period of 2 months. That Appellate Authority, NCTE had already decided by its order dated 16.10.2017 that "The ground of non-submission of application online cannot be held against the appellant at this stage and therefore, the matter deserves to be remanded to the NRC for taking further action as per the NCTE Regulations 2014" That Appellate Authority, NCTE had already decided by its order dated 27.11.2017 that "Once applications are invited, the regional committee had no right to reject it on the grounds of ban imposed subsequently by the State Govt." That Appellate Authority, NCTE had already decided by its order dated 16.03.2018 that "The Show Cause Notice (S.C.N.) dated 18.03.2017 on the ground that Appellant had not submitted online application was not justified as there was no way the appellant, whose application was pending since Sept. 2008, could have complied with the requirement of submitting application online more so when the NCTE Portal for registering fresh applications was not open. Appeal Committee, therefore, decided to remand back the case to NRC for restarting the processing of application from the stage where it was decided to issue L.O.I."

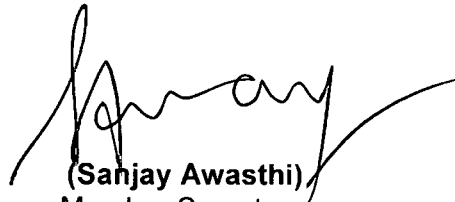
AND WHEREAS the regulatory file has not been made available to Appeal Committee. The Committee noted that the ground mentioned in the N.R.C's order dt. 23/03/2017 returning the application of the appellant, that is Clause 5, was introduced for the first time, in the NCTE Regulations, 2014, whose requirements are to be fulfilled when the applications are invited pursuant to these Regulations and which can be filed only during the period when the NCTE Portal is open and not any other time. The

appellant submitted their application in the year 2008 and the then existing Regulations did not contain the requirements mentioned in the order returning the application.

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

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the N.R.C. for taking further action in accordance with the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Shri Adarsh B.Ed. College, Village – Bigga, Tehsil-Shri Dungargarh, Rajasthan to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Manager, Shri Adarsh B.Ed. College, Village – Bigga, NH-11, Tehsil-Shri Dungargarh – 331803, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-328/E-74005/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

12/9/18

ORDER

WHEREAS the appeal of Department of Education and Sciences, Abhilashi University, Chail Chowk (Naugrawn), Chachyot, Himachal Pradesh dated 26/04/2018 is against the Order No. NRC/NCTE/NRCAPP-11588/262nd (Part-8) Meeting/2017/171286 dated 03/04/2018 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "reply of the show cause notice issued to the institution vide no. NRCAPP-11588/Emergency Meeting, 2016/151160 dated 20.06.2016 has not been submitted till date."

AND WHEREAS Dr. R.K. Abhilashi, Chancellor and Dr. S.K. Shukla, Registrar, Department of Education and Sciences, Abhilashi University, Chail Chowk (Naugrawn), Chachyot, Himachal Pradesh presented the case of the appellant institution on 28/07/2018. In the appeal and during personal presentation it was submitted that "no Show Cause notice was received by us. It is brought to your kind notice that the State Govt. imposed its ban to start the courses under question on 09/11/2015 while we had applied for the approval of the course before 31st May, 2015 and hard copy was submitted on 05/06/2015 vide our letter no. AES/NRC/2014 15/3400 as per NCTE Regulation, hence the order passed by the State Govt. was not applicable in our case. Therefore, in view of the above stated facts it is requested that the refusal order File no. NRC/NCTE/NRCAPP 115882622ND part 8 meeting/2017/171286, dated 13/03/2017 in R/O Department of Education and Sciences Abhilashi University may please be set aside on the basis of fact that we had applied for the course on well before the State Govt. had imposed its ban on 09/11/2015. Also, it is submitted to you that the Hon'ble High Court of Haryana has passed its order in similar case that the ban as imposed by the State Govt. for starting the said courses is not justified and stands nowhere and at present the State Govt.

has granted its NOC to us to start the B.A. B.Ed. and B.Sc. B.Ed. 2 unit 100 seats and Himachal Pradesh Private Educational Institutions Regulatory Commission has conditionally approved these courses and the state has approved its fee structure also. Therefore, our online application 29/05/2015 and hard copy, as submitted to the Council on dated 05/06/2015, for the approval of the course B.A. B.Ed./B.Sc. B.Ed. may please be considered and accepted and the approval of the course B.A. B.Ed. and B.Sc. B.Ed. with 02 units 100 seats be accorded as sufficient infrastructure has been created for these courses. It is also inform you that we are applying online appeal for two units 100 seats of B.A. B.Ed. and B.Sc. B.Ed. course while it is being displayed only one unit of 50 seats in the online filled proforma automatically. Kindly read it 2 unit 100 seats and in addition to this the Appellant Name /Authorized Signatory is being displayed as Abhilashi Educational Society while Dr. S.K. Shukla, Designation of Registrar, Abhilashi University, Chailchowk, Tehsil Chachyot, Distt Mandi H.P. has been authorized by Abhilashi Educational Society."

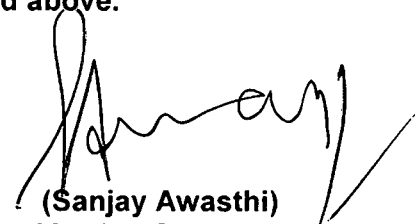
AND WHEREAS Appeal Committee noted that appellant is a Department of Education under the administrative Control of Abhilashi University Chachyot, Himachal Pradesh. The appellant submitted online application dated 29/05/2015 seeking recognition for conducting 4 year Integrated course of B.A. B.Ed./B.Sc. B.Ed.. Appeal Committee further noted that Government of Himachal Pradesh by its letter dated November, 2015 informed N.R.C. that State Government has decided not to allow 4 year integrated B.Sc. B.Ed./B.A. B.Ed. programme in any University/Institution of Himachal Pradesh in present scenario. Committee noted that general negative recommendation of the State Government conveyed after the applications have been invited and processed by NCTE are not justified. The appellant institution in its appeal memoranda has stated that S.C.N. dt. 20/06/2016 issued by N.R.C. was not received and hence could not be replied to. Moreover, the appellant institution has placed on record a letter dated 11/09/2017 issued by Department of Higher Education, Government of Himachal Pradesh addressed to Abhilashi University conveying approval of the Government for grant of N.O.C. for opening Department of Education and Science for introduction of 4 year Integrated B.Sc. B.Ed. course with an intake of

50 seats and 4 year Integrated B.A. B.Ed. course with intake of 50 seats from academic session 2018-19 onwards.

AND WHEREAS Appeal Committee noting that appellant institution had not received the S.C.N. dated 20/06/2016 and also the fact that ground on which S.C.N. was issued exist no more, decided to remand back the case to N.R.C. Appellant institution is required to submit reply to S.C.N. with specific recommendation dated 11/09/2017 of the State Government in respect of the appellant institution.

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 to remand back the case to N.R.C. Appellant institution is required to submit reply to S.C.N. with specific recommendation dated 11/09/2017 of the State Government in respect of the appellant institution.

NOW THEREFORE, the Council hereby remands back the case of Department of Education and Sciences, Abhilashi University, Chail Chowk (Naugrawn), Chachyot, Himachal Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Registrar, Department of Education and Sciences, Abhilashi University, Chail Chowk (Naugrawn), P.O. Chail Chow, Chachyot - 175028, Himachal Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector - 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Himachal Pradesh, Shimla.



F.No.89-273/E-72298/2018 Appeal/13th Mtg.-2018/27th & 28th July, 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 12/9/18

ORDER

WHEREAS the appeal of Krishna Kanta Handiqui State Open University, Patgaon, Rani – Gorchuk Link Road, Upardanee, Kamrup, Assam dated 03/04/2018 is against the Order No. ERC/249.8.1/ID-9967/D.El.Ed.-ODL Mode/2018/55969 dated 12/02/2018 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (ODL) Course on the grounds that “a. Show Cause Notice was issued on 18.03.2017 on the following grounds: (i) The date of application though online is 28.06.2016 and hard copy of application received on 20.07.2016 i.e. after 15th July, 2016 stipulated by NCTE Hqrs. b. Reply from the institution has not been received within the stipulated period. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP201646214 of the institution regarding recognition of applied D.El.Ed. (ODL) Programme is refused under section 14(3)(b) of NCTE Act 1993.”

AND WHEREAS Pranab Saikia, Associate Professor, Krishna Kanta Handiqui State Open University, Patgaon, Rani – Gorchuk Link Road, Upardanee, Kamrup, Assam presented the case of the appellant institution on 27/07/2018. In the appeal and during personal presentation it was submitted that “the University had not received any Show Cause Notice on 18.03.2017 from the ERC NCTE in the contact Email ID mentioned in its submitted application. Therefore, reply from the University to the Show Cause Notice as mentioned in the ERC NCTE Rejection Order within the stipulated time period did not arise.”

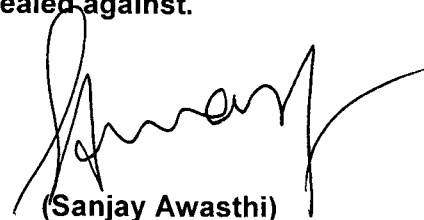
AND WHEREAS Appeal Committee noted that impugned refusal order is on the ground that applicant institution submitted hard copy of application after the last date for submission of application was over. Appeal Committee further noted that a Show

Cause Notice (S.C.N.) dated 18/03/2017 was issued to appellant institution seeking written representation from the institution within 21 days.

AND WHEREAS appellant stated that it had not received any S.C.N. Committee noted that at the same time appellant did not contest the point of late submission and rather apologised for the delay. Committee noted that last date for submission of printout of online application was 15/07/2016 irrespective of the date of the online application. From the regulatory file it is observed that printout of online application was received in the office of E.R.C. on 20/07/2016 having been despatched by Speed Post on 16/07/2016. There is no provision for relaxation of time limit for receipt of application in individual cases. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 12/02/2018 by E.R.C.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during hearing, Appeal Committee concluded to confirm the impugned refusal order dated 12/02/2018 by E.R.C.

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



(Sanjay Awasthi)
Member Secretary

1. The Registrar, Krishna Kanta Handiqui State Open University, Patgaon, Rani – Gorchuk Link Road, Upardanee, Kamrup – 781017, Assam.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.