



F.No.89-365/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

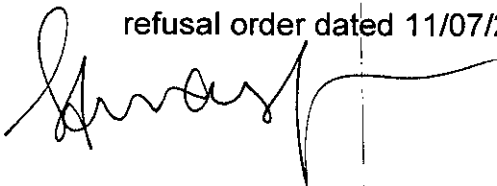
WHEREAS the appeal of Sant Nischal Singh College of Education for Women, Yamuna Nagar, Haryana dated 30.06.2016 is against the Order No. NRC/NCTE/NRCAPP-12409/252(Part-2)Meeting/2016/153158 dated 11.07.2016 of the Northern Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "The Sant Nischal Singh College of Education for Women, Yamunanagar, HR had submitted an application to NRC NCTE for grant of recognition for M.Ed. Course in the office of NRC on 30/05/2015 (on-line). NRC considered the application other documents including land documents submitted by the Guru Nanak Education Trust. The land documents supplied by applicant society are certified copy of registered private lease deed. In accordance with NCTE Regulations, 2014, Regulation 8 clause 4(i) of the condition for grant of recognition is that institution shall be granted recognition under these Regulations only if institute or society sponsoring the institute is in the possession of required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Government or Government institutions for a period of not less than 30 years. On perusal of the application and others documents the application of the above said institute is found to be deficient as land is on private lease basis. The institution has also produced a judgment passed by the National Commission for Minority Educational Institutes dated 03/11/2009. But as on today Regulations 2009 stands repealed and new Regulations 2014 are in force which prohibit private lease. 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.S. Oberoi, Director and Dr. Varinder Gandhi, Principal, Sant Nischal Singh College of Education for Women, Yamuna Nagar, Haryana presented the case of the appellant institution on 26/08/2016. In the appeal and

during personal presentation it was submitted that "the land on which M.Ed. course to be run is the same from where the appellant is already running B.Ed. & D.Ed. Courses. Furthermore, earlier on the similar ground the case of the increase of seats in D.Ed. Course was rejected by the respondent raising the question of ownership of land. The said order was challenged by the appellant before this Hon'ble Appellant Authority in Appeal No. F/42/125/202/Appeal/27101 whereby order was set-aside and the case was remanded back."

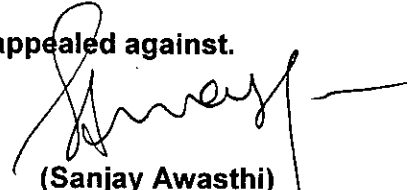
AND WHEREAS Appeal Committee noted that application for M.Ed. programme was submitted on 30.05.2015 by the appellant trust namely 'Gurunanak Education Trust (registered) Yamuna Nagar and the name of institution as mentioned in the application performa is 'Sant Nischal Singh College of Education for Women.' Appeal Committee further noted that applicant submitted alongwith its application copy of a Lease Agreement dated 3.03.2003. The Lease agreement is between Sant Nischal Singh Trust, Santpura and Guru Nanak Education Trust, Yamuna Nagar. It is therefore, concluded that the applicant trust i.e. Guru Nanak Education Trust (Registered) is in possession of the said land on lease basis for the use of Nischal Singh College of Education for Women. Clause 8(4) (i) of NCTE Regulations, 2014 prescribe that 'No institution shall be granted recognition under these regulations, unless the institution or society sponsoring the institution is in possession of required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Government."

AND WHEREAS during the course of appeal presentation, the appellant stated that the institution is already conducting courses like B.Ed. & D.El.Ed. recognised by NCTE on the same piece of land which is a leased one. Appeal Committee observed that recognition for the above teacher education courses was given prior to the coming into force the NCTE Regulations, 2009. Land related norms were not so stringent prior to 2009 Regulations and recognitions were earlier allowed in leased and rented accommodation. Under the extant regulations fresh recognition in leased/rented premises cannot be given. Appeal Committee taking note of the provisions of NCTE Regulations, 2014 decided to confirm the refusal order dated 11/07/2016 issued by NRC.



AND WHEREAS after perusal of the Memoranda of Appeal, affidavit documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 11/07/2016 issued by N.R.C.

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


(Sanjay Awasthi)
Member Secretary

1. The Director, Sant Nischal Singh College of Education for Women, 390/1/4, 4/1, 21/23, 23/1, 24-64, Yamuna Nagar, Haryana – 135001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

3



F.No.89-367/2016 Appeal/12th Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 26/9/16

ORDER

WHEREAS the appeal of Dr. Harivansh Rai Bachchan Mahavidyalaya, Unnao, Uttar Pradesh dated 27/06/2016 is against the Order No. NRC/NCTE/NRCAPP-4201/252ST (Part-9) Meeting-2016 dated 11/06/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "LOI was issued on 25/06/2015. The applicant institution did not submit the reply of LOI within the stipulated time of 60 days. NRC in its 248th meeting held on 11th to 31st Jan, 2016 (Part-12, 30.01.2016) at S.No. 24 decided to issue a SCN notice. The institution did not submit the reply of this SCN within the stipulated time of 30 days."

AND WHEREAS Sh. Anurag Pandey, Chief Coordinator, Dr. Harivansh Rai Bachchan Mahavidyalaya, Unnao, Uttar Pradesh presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "Copy of letter of intent (LOI) issued prior to grant of recognition for B.Ed. course under clause 7(13) of the NCTE Regulation, 2014 No. F.NRC/NCTE/NRCAPP-4201/238th meeting (Part-1)/2015/104166 dated 25/05/2015. Institution approached to its affiliating body C.S.J.M. University, Kanpur for compliance of LOI i.e. for staff approval on its due course on dated 12/05/2015 & 25/05/2015. But unfortunately by postal delay it could not reach on time to the University hence staff approval process could not complete in time. Institution again submitted particulars of staff duly approved by the C.S.J.M. University, Kanpur."

AND WHEREAS Appeal Committee noted that Letter of Intent (LOI) dated 25.05.2015 was issued to appellant institution seeking compliance by 31.05.2015 for consideration of case for academic session 2015-16.

AND WHEREAS from the copy of minutes of 248th Meeting of N.R.C. held between 11th to 31st January, 2016 (Part -12) available on record, Appeal Committee noticed the it was decided to issue a Show Cause Notice (SCN) to appellant institution for non-submission of reply to L.O.I. However, S.C.N. issued to appellant institution is not found available on record. There is also no communication on record which may evidently prove that appellant institution has ever made any effort to seek information from concerned Regional Committee office about the status of its application with regard to timely compliance of the terms & conditions mentioned in the L.O.I. dated 25.05.2015.

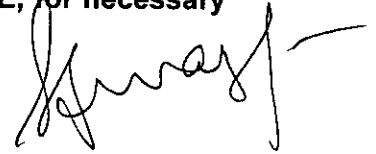
AND WHEREAS Appeal Committee noted from the minutes of 252nd Meeting of N.R.C. held between 19.04.2016 to 02.05.2016 (Part -9) that Regional Committee on the presumption that SCN was issued to appellant in compliance with the decision taken in 248th Meeting, decided to reject the application on the ground that the institution did not submit reply to SCN. Appeal Committee is concerned about some material mistakes committee during processing of the application which are as under:

- (i) The appellant was not given 60 days time for reporting compliance to LOI dated 25.05.2015. The time mentioned for reporting compliance was upto 31.05.2016 which was neither practicable nor as per regulations (7.13).
- (ii) Compliance letter of the appellant was received in the office of N.R.C. on 26.04.2016 (Diary No. 139450). The Regional Committee in its meeting (Part 9 – dated 30.04.2016) should have taken cognigence of the submission made by appellant institution.

AND WHEREAS Appeal Committee after considering are the circumstances of the case decided to remand back the case for revisiting the matter. The refusal order issued on 11.06.2016 is set aside.

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. the case for revisiting the matter. The refusal order issued on 11.06.2016 is set aside.

NOW THEREFORE, the Council hereby remands back the case of Dr. Harivansh Rai Bachchan Mahavidyalaya, Unnao, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Manager, Dr. Harivansh Rai Bachchan Mahavidyalaya, 2966A, 2969, 2974C, Educational Land, Lalau Khera, Unnao, Uttar Pradesh – 209801.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

5



F.No.89-369/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of B.B.M. Mahavidyalaya, Okari, Jahanabad, Bihar dated 30.06.2016 is against the Order No. ERC/216.7.1/APP3869/D.El.Ed./2016/47602 dated 29.06.2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "1. Show cause notice was decided in 211th ERC meeting held on 14th-16th April, 2016 on the following grounds: i. The institution submitted three sale deeds, out of which two sale deeds having land area 44 decimal is in the name of BBM Mahavidyalaya whereas third sale deed is in the name of Okari Mahavidyalaya which is not in the name of BBM Mahavidyalaya. The third sale deed is not considerable. ii. The building plan and building completion certificate is not approved by any Govt. Engineer. 2. In response to show cause notice, the institution submitted its reply dated 28/04/2016 which is not satisfactory. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3869 of the institution regarding recognition for D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. R. K. Sharma, Principal and Sh. Parshuram Roy, Adm. Officer, B.B.M. Mahavidyalaya, Okari, Jahanabad, Bihar presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "Three sale deeds were submitted out of which two sale deeds are in the name of BBM Mahavidyalaya (the applicant) and the third sale deed in the name of Okari Mahavidyalaya which is at present BBM Mahavidyalaya as per Management Committee resolution dated 08/11/1985. Further the title of the land is also duly changed and accordingly the LPC and land revenue receipts and building completion certificate duly signed by Govt. Engineer is enclosed."

-2-

AND WHEREAS Appeal Committee noted that online application dated 29.06.2015 for D.El.Ed. course was made by the Governing Body of the university and name of institution as mentioned in the application is 'BBM Mahavidyalaya Okari', Jehanabad. As per land details mentioned in the application the course is to be conducted on plot number 1178 & 1179, Khasra no. 183/185, village Okari. The supporting documents such as Change of Land Use Certificat, revenue receipts, building plan are found enclosed with the application. It is further noted that a Show Cause Notice (S.C.N.) dated 09/02/2016 was issued to appellant institution on following ground:

"The appellant institution has not submitted the building plan indicating the total land area and built up area etc. duly approved by the Competent civil authority."

AND WHEREAS the appellant submitted reply dated 1/02/2016 on the basis of minutes/ proceedings of 202nd meeting of ERC held on 18-23rd January, 2015. Thereafter inspection of the appellant institution was conducted on 19.03.2016. It was after the receipt of Visiting Team Report that E.R.C. decided to issue another Show Cause Notice (S.C.N.) on the following grounds:

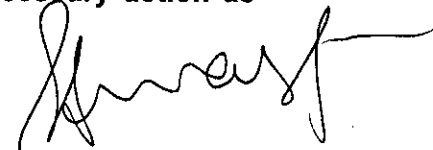
"1. The institution submitted three sale deeds, out of which two sale deeds having land area 44 decimal in the name of BBM Mahavidyalaya whereas third sale deed is in the name of Okari Mahavidyalaya which is not in the name of BBM Mahavidyalaya. The third sale deed is not considerable. 2. Building Plan and Building Completion Certificate is not approved by any Government Engineer."

AND WHEREAS appellant submitted reply to the queries raised by E.R.C. in its 211th meeting held on 14-16 April, 2016. The appellant stated that the name of Okari Mahavidyalaya was changed to be known as BBM Mahavidyalaya in 1985 and the change is supported by the copy of resolution dated 08.11.85 of the governing body. The subsequent revenue records also show that land and building of the appellant institution are in the name of BBM Mahavidyalaya, Okari. The appellant also furnished copies of building plan and building completion certificate, countersigned by Sub Divisional Office, Jehanabad. E.R.C. While deciding to refuse recognition vide order dated 29.06.2016 E.R.C has not given any specific reason as to why reply

dated 28.04.2016 is not considered satisfactory. Appeal Committee is also of the view that objections relating to a part of land being in the name of Okari Mahavidyalaya should have been pointed out and had it been a point not to the satisfaction of E.R.C., the application should not have been processed at all. E.R.C. should also have examined that whether 44 decimal of land area stated to be in the name of BBM Mahavidyalaya is adequate for conducting the teacher education courses applied for. Appeal Committee having considered the facts of the case decided to remand back the case for revisiting the matter. The impugned order dated 29.06.2016 is set aside.

AND WHEREAS after perusal of the Memorandum of Appeal, affidavit, documents on record and oral arguments advanced during the hearing. Appeal Committee concluded to set aside the impugned order and matter is remanded back for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of B.B.M. Mahavidyalaya, Okari, Jahanabad, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, B.B.M. Mahavidyalaya, Okari Jehanabad, 183/185, Sale Deed, 1178/1179, Okari, Jehanabad, Bihar – 884432.
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.89-368/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Netaji Teachers Training Institute B.Ed., Bankura, West Bengal dated 30.06.2016 is against the Order No. ER/7-EM-212.7.22/ERCAPP3216/B.Ed./2016/46617 dated 02/05/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(1) Show cause notice was decided in 209th ERC Meeting held on 28-29 March, 2016 on the following grounds: (i) Building plan is not approved by any Govt. Engineer. Total land area & total built up area is not mentioned. (ii) As per VT report, land area is 0.92 Acre whereas as per Non-encumbrance certificate land area is 70 decimal only. (iii) As per online application name of institution is Netaji Teachers Training Institute B.Ed. whereas land document (gift deed) is in the name of Netaji Teachers Training Institute. (2) In response to show cause notice, the institution submitted its reply dated 12/04/2016 on the basis of proceedings uploaded in ERC website which is not considerable. In view of above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3216 of the institution regarding permission for B.Ed.(Addl. Course) is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Satyendra Nath Samanta, Secretary and Apurba Kumar Patra, Treasurer, Netaji Teachers Training Institute B.Ed., Bankura, West Bengal presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "The building plan submitted at the time of online application is approved by the municipality engineer, who is also Govt. Engineer. After show cause, we submitted another building plan which is approved by Govt. Engineer and where total land area and total build-up area is also mentioned. At the time of hard copy submission, we submitted non-encumbrance certificate for 70 decimal. We already run D.El.Ed. course where total land area is 70 decimal. For the purpose of composite institute, we purchased

another 24.5 decimal land in same plot. The time of hard copy submission we wrongly submit the previous non-encumbrance certificate. After show cause we produced a fresh non-encumbrance certificate. When we applied for B.Ed. course through online the name of our institution have been wrongly written as Netaji Teachers Training Institute B.Ed. The word B.Ed. has been inadvertently inserted in the end of the name of our institution. We submitted all documents and original FDR of 12 lakhs to VT Members in the name of Netaji Teachers Training Institute. So, it is a typological mistake and for these reason after show course we submitted affidavit of first class Magistrate."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application for B.Ed. course on 30.05.2015. The name of the institution as mentioned in the online application is 'Netaji Teacher Training Institute B.Ed.' The applicant in its online application also submitted the details of teacher education courses already being conducted which included D.El.Ed. course and the institution name as 'Netaji Teacher Training Institute'. Appeal Committee is of the opinion that the word 'B.Ed.' might have been added after the name of institution to make it distinct from D.El.Ed. course already being conducted and it does not make any material difference as long as both the courses are conducted on the same land and managed by same management/society.

AND WHEREAS Appeal Committee further noted that appellant institution was got inspected on 27.02.2016 and the Visiting Team in its report pointed out certain deficiencies and suggested improvements to be carried out by appellant institution. The Show Cause Notice (SCN) dated 14.04.2016 did not include the points raised in the V.T. report. The appellant's reply dated 12.04.2016 which was on the basis of minutes is quite convincing and refusal order dated 02/05/2016 issued by E.R.C. is not a speaking order so far it stated that 'Reply dated 12.04.2016 is not considerable.'

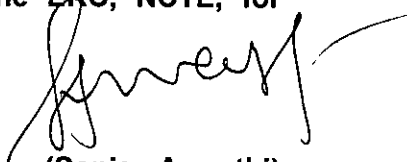
AND WHEREAS incidentally Appeal Committee noted from the relevant records that the application dated 30.05.2015 for B.Ed. course was processed by E.R.C. without the N.O.C. of affiliating body having been submitted by the applicant. The applicant submitted N.O.C. dated 20.08.2015 issued by University of

Burdwan forwarded by applicant to E.R.C. on 24.08.2015 (received in E.R.C. on 08/09/2015). The applicant alongwith its application had submitted a copy of its letter dated 21.05.2015 addressed to University of Burdwan for issue of N.O.C. The above document is not at all an acceptable document.

AND WHEREAS Appeal Committee decided to remand back the case to E.R.C. for revisiting the matter and for issue of a proper speaking order after issue of a fresh S.C.N. giving applicant an opportunity to submit written representation.

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 for issue of a proper speaking order after issue of a fresh S.C.N. giving applicant an opportunity to submit written representation.

NOW THEREFORE, the Council hereby remands back the case of Netaji Teachers Training Institute B.Ed., Bankura, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The General Secretary, Netaji Teachers Training Institute B.Ed. 354, Bastu, 127128, 129, Kamla, Bankura, West Bengal – 722164.
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.

6



F.No.89-370/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Natural College of Education, Mayureswar, Birbhum, West Bengal dated 30.06.2016 is against recognition Order No. ER-213.6(i).153/ERCAPP2418/4 yr. B.A.B.Sc.B.Ed. Integrated/2016/46367 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting one unit of B.A. B.Ed./B.Sc. B.Ed. course as against two units applied for."

AND WHEREAS Sh. Raihan UL Haque, Secretary and Sh. SC Banerjee, Member, Natural College of Education, Mayureswar, Birbhum, West Bengal presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "We have applied for two units We have sufficient infrastructural and instructional facilities to run two units. We have submitted our willingness for two unit as per recommendation of VT Report. We have appointed 16 Nos. Teaching Staff. Furthermore, the institute is a composite one and the teaching staffs can easily be shared as per NCTE Regulation 2014. We have 6 Nos. Mathematics faculties and Mathematics faculties can easily be shared."

AND WHEREAS Appeal Committee noted that Inspection of the appellant institution was conducted on 27.03.2016 for assessing preparedness of the institute to conduct 4 year B.A., B.Ed./ B.Sc., B.Ed. course. The inspection was conducted with a proposed 100 seats (2 units) intake in view. Keeping in view the findings and recommendations of the Visiting Team it was decided in 210th Meeting of ERC to issue a Letter of Intent (L.O.I.). The intake of the proposed course was not mentioned in the minutes of E.R.C. meetings held between 7th to 9th April, 2016. The appellant institution with its compliance report dated 27.04.2016 submitted an affidavit requesting for an intake of 100 seats and a list of 1+15 faculty approved by the Registrar, University of Burdwan. This list included one Principal, 4 faculty in

education, one each in English, Bengali, Sociology, Life Science, Physical Science, History, Geography, Maths, Physical Education, Fine Arts & Music. It is pertinent to mention here that appellant institution is already recognised to conduct one unit each of B.Ed. and D.El.Ed. programmes details of which programmes having already been mentioned in the application form.

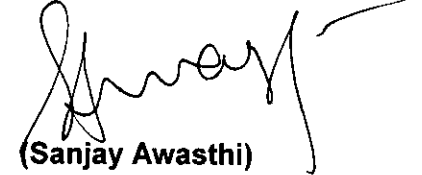
AND WHEREAS Appeal Committee observed that impugned order dated 02/05/2016 which is an order granting recognition for an intake of 50 seats is appealed against as the appellant institute was inspected for a proposed intake of 100 seats and appellant in the affidavit submitted to ERC in response to L.O.I. stated that it needs intake of 100 seats. The impugned order does not mention the reasons for a reduced intake. E.R.C. in its summary note sheet has stated that 'only one Math Teacher Appointed' and in view of the above, the Committee decided for an intake of 50 seats.

AND WHEREAS the norms and standards as mentioned in Appendix 13 of NCTE Regulations, 2014 mention that for an intake of two basic units of 50 students each, there shall be 16 full time faculty members. Out of these 16 members 8 faculty members should be from Pedagogy subjects i.e. Maths, Science, Social Science, Language. Appeal Committee is of the opinion that it shall not be necessary that faculty numbers should be equality numbered for the above mentioned subjects. The faculty is to be utilised in a flexible manner and considering that the applicant institution is already recognised for conducting D.El.Ed. & B.Ed. courses, there should not have been any objection to grant recognition for two units provided other conditions are satisfied. Moreover, granting recognition for intake which is a part of intake applied for tentamounts to part refusal/rejection for which a Show Cause Notice should have been given to appellant institution seeking written representation. Appeal Committee, therefore, remands back the case to E.R.C. for either granting recognition for 2 units or giving an opportunity to the appellant institution to make a written representation.

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 either granting

recognition for 2 units or giving the appellant an opportunity to make a written representation against the ground on which E.R.C. decided to reduce the intake applied for.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Natural College of Education, 627, 72, Krishnanagar, Mayureswar, Birbhum, West Bengal – 731218.
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.

7



F.No.89-371/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Kharagpur Vision Academy, Kharagpur, Midnapore, West Bengal dated 30.06.2016 is against the Order No. ER-213.6(i).154/ERCAPP3695/D.El.Ed./2016/46358 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting D.El.Ed. course for one unit. Appeal is on the grounds that "Institution applied for 2 (two) units but 1 (one) unit is granted."

AND WHEREAS Sh. S.K. Mohd. Ajiz, Secretary, Kharagpur Vision Academy, Kharagpur, Midnapore, West Bengal presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "As per appendix 2 of NCTE norms institution submitted 16 (sixteen) faculty for 100 (one hundred) students. Approved teaching staff list of 16 (sixteen) teachers and individual affidavit was submitted to ERC, NCTE for two units. In the minutes of ERC meeting no. 210, two units was granted in favour of our institution. On the basis of 7(13) of ERC, NCTE affiliating body approved 16 (sixteen) teachers including principal for conducting the course D.El.Ed. with two units."

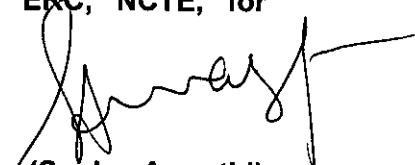
AND WHEREAS Appeal Committee noted that physical inspection of the appellant institution was conducted on 03.03.2016 for assessing preparedness of the institute to conduct B.Ed. & D.Ed. programmes with a proposed intake of 100 seats in each course. Appeal Committee noted that Inspection Report dated 03.03.2016 in respect of D.El.Ed. course has not been prepared as an independent and self-contained document and V.T. has just remarked that "I see the V.T. report of B.Ed." The V.T. report for B.Ed. course is not available on D.El.Ed. file.

AND WHEREAS Appeal Committee further noted that in the 210th Meeting of E.R.C. held between 7th to 9th April, 2016 it was decided to issue L.O.I. under

Clause 7(13) of NCTE Regulations, 2014 but no formal L.O.I. was issued as required under the regulations. After considering the reply/compliance which was submitted by the appellant institution in response to the minutes of 210th meeting of E.R.C., it was decided to issue formal recognition for D.El.Ed. programme with an intake of 50 seats. Appellant institution was not informed of any reason as to why recognition for one unit is being granted whereas inspection was conducted for assessing preparedness of two units and appellant had furnished affidavit and faculty list to meet the requirement of two units. Appeal Committee, therefore, decided to remand back the case to E.R.C., for either granting recognition for two units of D.El.Ed. course or giving an opportunity to the appellant institution to make a written representation against the ground on the basis of which E.R.C. decided to reduce the intake applied for.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments on record, Appeal Committee concluded to remand back the case to E.R.C. for either granting recognition for two units of D.El.Ed. course or giving the appellant an opportunity to make written representation against the ground on the basis of which E.R.C. decided to reduce the intake applied for.

NOW THEREFORE, the Council hereby remands back the case of Kharagpur Vision Academy, Kharagpur, Midnapore, West Bengal to the ERC, NCTE, for necessary action as indicated above.


 (Sanjay Awasthi)
 Member Secretary

1. The Secretary, Kharagpur Vision Academy 12, L.R. Hal 257, 208, Sadatpur, Kharagpur, Midnapore, West Bengal – 721301.
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.

8



F.No.89-372/2016 Appeal/12th Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Spandan College of Education, Bishnupur, Bankura, West Bengal dated 27.06.2016 is against the Order No. ER-213.6(i).220/ERCAPP3581/D.El.Ed./2016/45985 dated 02/05/2016 of the Eastern Regional Committee, granting 'recognition for conducting D.El.Ed. course for an intake of 50 seats. Appeal is on the ground that "institute applied for two units but only one unit is granted."

AND WHEREAS Sh. Pirulal Kundu, Secretary, Spandan College of Education, Bishnupur, Bankura, West Bengal presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "Institution submitted approved teaching staff list for two unit (one hundred student). Two math teacher were approved and appointed but ERC did not consider and made only one math teacher deficiency which is invalid. Sixteen teacher as per NCTE norms has already joint and working at the institution but ERC did not consider two unit. Institution submitted an affidavit for two unit which is ignored by ERC."

AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted on 28.02.2016. Some overwriting and cuttings in column 10 and 11 of the V.T. report are noticed which have not been authenticated by the V.T. members. These columns relates to information about other courses including school etc. running in the campus and the number of units (intake proposed) applied for etc. Appeal Committee further noted that Letter of Intent (LOI) dated 13/04/2016 was issued wherein appellant institute was asked to intimate its willingness about the number of units either one or two.

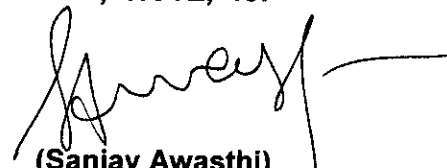
- 7 -

AND WHEREAS Appeal Committee further noted that appellant institution submitted a compliance report to E.R.C. vide its letter dated 27.04.2016 which was received in the office of E.R.C. on 30.04.2016. Appellant institution beside submitting compliance on various points also submitted affidavit declaring that it proposed to start the course with two units (100 students). From the minutes of 213rd meeting of E.R.C. held on 1st & 2nd May, 2016 it is observed that Committee decided to grant recognition for one unit because 'only one math teacher is appointed.'

AND WHEREAS Appeal Committee noted that as per NCTE Regulations two faculty in Mathematics are required to be appointed for two basic units of D.El.Ed. course. Appellant institution in its compliance report dated 27.04.2016 had submitted to E.R.C. a list of faculty approved by West Bengal Board of Primary Education. This approved list contains the names of two teachers in mathematics at serial no. 9 and 10. The contention of E.R.C. that 'only one math teacher appointed' is therefore, not substantiated and Appeal Committee decided to remand back the case to E.R.C. for revisiting the matter by modifying the recognition order suitably.

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 modifying the recognition order dated 02/05/2016.

NOW THEREFORE, the Council hereby remands back the case of Spandan College of Education, Bishnupur, Bankura, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Spandan College of Education, 389, College, 389, Bishnupur, Bankura, West Bengal – 722122.
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.

9



F.No.89-373/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Spandan College of Education, Bishnupur, Bankura, West Bengal dated 28.06.2016 is against the Order No. ER-213.6(i).219/ERCAPP3582/B.Ed./2016/46512 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting one units of one units of B.Ed. course on the grounds that "Institute applied for two units but recognition granted for one unit."

AND WHEREAS Sh. Pirulal Kundu, Secretary, Spandan College of Education, Bishnupur, Bankura, West Bengal presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that Institution applied for two units. Institution has it's own 100 decimal land area and built-up area 4041 sq. mtr. Approved faculty list of sixteen lecturers was submitted. Institution is a new composite for B.Ed. and D.El.Ed. Three Mathematics Teachers were appointed for conducting B.Ed. and D.El.Ed. Course. Math is a Pedagogy subject and only twenty students will be admitted for first method subject of B.Ed. course. Other two science faculties are working for B.Ed. course."

AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted on 29.02.2016 for assessing suitability of the institute for conducting B.Ed. course with an annual intake of 100 seats (2 units). Letter of Intent (L.O.I.) dated 14.04.2016 was issued and the appellant submitted compliance report dated 27.04.2016 which was received in the office of E.R.C. on 30.04.2016. Besides submitting reply to other points as required in the L.O.I., the appellant submitted affidavit stating that it proposed to start B.Ed. course with 2 units (100 seats) and also submitted a list containing the particulars of one principal and 15 faculty members and one Lab Assistant appointed by Registrar, University of Burdwan. The Norms & Standards for B.Ed. course as per NCTE Regulations,

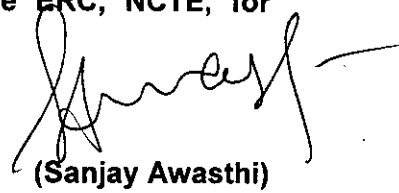
2014 prescribes appointment of 8 faculty members from Pedagogy subjects like Math, Science, Social Science, Language. The list of faculty submitted by appellant contains only one maths teacher and E.R.C. considering the necessity of two math teachers restricted the intake to one unit.

AND WHEREAS Appeal Committee noted that reason for restricting the annual intake to one unit was not intimated to appellant for seeking written representation. Appellant did not, therefore, get an opportunity to make representation against the grant of recognition item with a reduced intake. During the course of appeal, appellant stated that institution is a composite one conducting D.El.Ed. course also. The faculty for D.El.Ed. comprises of two faculty in math and that can be utilised for teaching in flexible manner so as to optimize academic expertise available.

AND WHEREAS Appeal Committee considered the submissions of the appellant and decided to remand back the case to E.R.C. for revisiting the matter and modifying the recognition order suitably for grant of 2 units of B.Ed. course.

AND WHEREAS after perusal of the memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for revisiting the matter and modifying the recognition order suitably for grant of 2 units of B.Ed. course.

NOW THEREFORE, the Council hereby remands back the case of Spandan College of Education, Bishnupur, Bankura, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Spandan College of Education, 389, College, 389, Katul, Bishnupur, Bankura, West Bengal – 722122.
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.

10



F.No.89-374/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Natural College of Education, Mayureswar, Birbhum, West Bengal dated 29.06.2016 is against the Order No. ER-213.6(i).152/ERCAPP2416/B.Ed./2016/46391 dated 02/05/2016 of the Eastern Regional Committee, granting recognition of one unit for conducting B.Ed. course on the grounds that "ERC NCTE has granted one unit for B.Ed. course instead of two units."

AND WHEREAS Sh. Raihan UL Haque, Secretary and Sh. SC Banerjee, Member, Natural College of Education, Mayureswar, Birbhum, West Bengal presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "We have applied for two units of B.Ed. Course at the time of application to ERC, NCTE. We have sufficient infrastructural and instructional facilities to run two units of B.Ed. Course. We have submitted our willingness for two unit of B.Ed. Course as per recommendation of VT Report. We have appointed 16 Teaching Staff including two No.s Mathematics staff and submitted the faculty list duly approved by Burdwan University, to ERC, NCTE. Furthermore, the institute is a composite."

AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted on 12.02.2016 which was for assessing suitability of the institute for conducting B.Ed. course with an annual intake of 100 seats (2 units). Letter of Intent (L.O.I.) dated 23.02.2016 was issued to appellant institution wherein beside other conditions appellant was asked to submit affidavit intimating willingness for one unit or two units. Appellant submitted reply dated 15/04/2016 to the L.O.I. and expressed willingness for running two basic units of B.Ed. course.

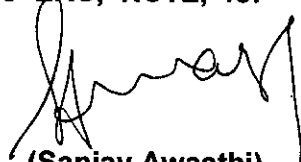
AND WHEREAS Appeal Committee further noted that E.R.C. in its 212nd Meeting held on 19-20 April, 2016 decided to issue Show Cause Notice to appellant institution on the ground that:- "

1. One math and one physical science lecturer are to be appointed.
2. Ph.d. Certificate of appointed Principal Mr. Suvendu Mandal Sarkar not submitted.

AND WHEREAS appellant institution in reply to the decision to issue S.C.N. taken in 212th Meeting of E.R.C., submitted list of two faculty members one each in Math and Physical Science approved by the Registrar, University of Burdwan. Appellant further submitted copy of Ph.d. certificate of Mr. Suvendu Mandal Sarkar. After considering the reply to S.C.N. submitted by the appellant institution, the decision taken by E.R.C. to grant only one unit instead of two units is not supported by any reason/ground. Appeal Committee, therefore, decided to remand back the case to E.R.C. for suitability modifying the recognition order dated 02/05/2016 granting recognition for two units of B.Ed. course instead of one.

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 suitably modifying the recognition order dated 02/05/2016 granting recognition for two units of B.Ed.

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Natural College of Education, 627, 72, Krishnanagar, Mayureswar, Birbhum, West Bengal – 731218.
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.89-375/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Swami Vivekananda Universal College of Education, Mayureswar, Birbhum, West Bengal dated 20.06.2016 is against the Order No. ER-213.6(i).86/ERCAPP2421/B.Ed./2016/46528 dated 02/05/2016 of the Eastern Regional Committee, granting recognition of one unit for conducting B.Ed. course on the grounds that "ERC NCTE has granted one unit because only one math teacher appointed."

AND WHEREAS Sh. Raihan UL Haque, Secretary and Sh. SC Banerjee, Member, Swami Vivekananda Universal College of Education, Mayureswar, Birbhum, West Bengal presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "We have applied for two units. We have sufficient infrastructural and instructional facilities to run two units. We have submitted our willingness for two unit as per recommendation of VT Report. We have appointed 16 No.s Teaching Staff. Furthermore, the institute is a composite one and the teaching staffs can easily be shared as per NCTE Regulation 2014. We have 5 No.s Mathematics faculties and Mathematics faculties can easily be shared."

AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted on 02.03.2016 for assessing suitability of the institute for conducting B.Ed. programme (Additional course) with an annual intake of 100 seats (2 units). E.R.C. in its 210th Meeting held from 7th – 9th April decided to issue Letter of Intent (L.O.I.). The institution which was already recognised for B.Ed. & D.El.Ed. courses was required to furnish the previous faculty list alongwith compliance of the L.O.I.

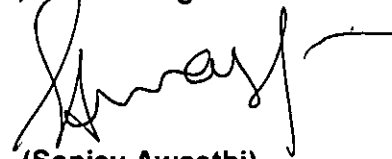
AND WHEREAS Appeal Committee noted that no formal Letter of Intent as required under Section 7 (13) of the NCTE Regulations, 2014 was issued. Appellant institution submitted compliance report by taking note of the proceedings of 210th Meeting of E.R.C. held on 7th to 9th April, 2016. It is further observed that appellant in its compliance report did not furnish previous faculty list as was required in the minutes of E.R.C. meeting. It is presumed that details of previous faculty was required as appellant institution is already recognised for conducting B.Ed. course (2 units) and details of previous faculty was required to cross check that no faculty is common in both the lists. But neither the appellant provided the required details of previous faculty nor did E.R.C. reiterate on this requirement.

AND WHEREAS during the course of appeal presentation on 26.08.2016, appellant submitted two lists of faculty approved by affiliating bodies – one each for B.Ed. course (code no. 2421) and D.El.Ed. course (Code 2420). The faculty list approved by West Bengal Board of Primary Education for D.El.Ed. course contains the names of two maths teachers. Norms and Standards for as per NCTE Regulations, 2014 for B.Ed. & D.El.Ed. course in so far as qualification of faculty is concerned differ with regard to percentage of marks. Whereas faculty for D.El.Ed. course is required to possess minimum of 50 % of marks in Master's Degree or M.Ed., faculty of B.Ed. is required to possess a minimum of 55 % of marks. In both the courses faculty can be utilised for teaching in flexible manner so as to optimise academic expertise available. Moreover, appellant institution was not given any opportunity to submit written representation (SCN) for reduction in the intake from 2 units applied for and one unit for which recognition was granted.

AND WHEREAS as appellant institution is a composite institution already recognised for conducting D.El.Ed., Appeal Committee decided to remand back the case to E.R.C. for modifying the recognition order dt. 02/05/2016 for granting recognition for two units of B.Ed.

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 modifying the recognition order dated 02/05/2016 so as to grant recognition for two units of B.Ed.

NOW THEREFORE, the Council hereby remands back the case of Swami Vivekananda Universal College of Education, Mayureswar, Birbhum, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Swami Vivekananda Universal College of Education, 628, 74, Krishnanagar, Mayureswar, Birbhum, West Bengal – 731218.**
- 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.**

12



F.No.89-376/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of B.B.M. Mahavidyalaya, Okari, Jahanabad, Bihar dated 30.06.2016 is against the Order No. ERC/216.7.2/APP3864/B.Ed./2016/47610 dated 02/05/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "1. Show cause notice was decided in 211th ERC meeting held on 14th-16th April, 2016 on the following grounds: i. The institution submitted three sale deeds, out of which two sale deeds having land area 44 decimal is in the name of BBM Mahavidyalaya whereas third sale deed is in the name of Okari Mahavidyalaya which is not in the name of BBM Mahavidyalaya. The third sale deed is not considerable. ii. The building plan and building completion certificate is not approved by any Govt. Engineer. 2. In response to show cause notice, the institution submitted its reply dated 28/04/2016 which is not satisfactory. In view of the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3864 of the institution regarding recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Parshuram Roy, Adm. Officer, B.B.M. Mahavidyalaya, Okari, Jahanabad, Bihar presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "In response to the show cause we have three sale deeds were submitted and out of which two sale deeds are in the name of BBM Mahavidyalaya (the applicant) and the third sale deed in the name of Okari Mahavidyalaya which is at present BBM Mahavidyalaya as per Management Committee resolution dated 08/11/1985 further the title of the land is also duly changed and accordingly the LPC and land revenue receipts are issued by the competent authorities is obtained which is enclosed herewith. The building completion certificate."

AND WHEREAS Appeal Committee noted that online application dated 29.06.2015 for B.Ed. course was made by the Governing Body of the university of name of institution as mentioned in the application is BBM Mahavidyalaya Okari, Jehanabad. As per land details mentioned in the application the course is to be conducted on plot number 1178 & 1179, Khasra no. 183/185, village Okari. The supporting documents such as Change of Land Use Certificate, revenue receipts, building plan are found enclosed into the application. It is further noted that a Show Cause Notice (S.C.N.) dated 09/02/2016 was issued to appellant institution on following ground:

"The appellant institution has not submitted the building plan indicating the total land area and built up area etc. duly approved by the Competent civil authority."

AND WHEREAS the appellant submitted reply dated 1/02/2016 on the basis of minutes proceedings of 202nd meeting of ERC held on 18-23rd January, 2015. Thereafter inspection of the appellant institution was conducted on 19.03.2016. It was after the receipt of Visiting Team Report that E.R.C. decided to issue another Show Cause Notice (S.C.N.) on the following grounds:

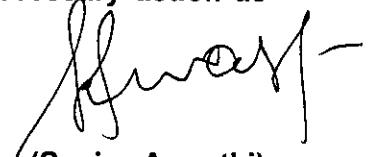
"1. The institution submitted three sale deeds, out of which two sale deeds having land area 44 decimal in the name of BBM Mahavidyalaya whereas third sale deed is in the name of Okari Mahavidyalaya which is not in the name of BBM Mahavidyalaya. The third sale deed is not considerable. 2. Building Plan and Building Completion Certificate is not approved by any Government Engineer."

AND WHEREAS appellant submitted reply to the queries raised by E.R.C. in its 211th meeting held on 14-16 April, 2016. The appellant stated that the name of Okari Mahavidyalaya was changed to be known as BBM Mahavidyalaya in 1985 and the change is supported by the copy of resolution dated 08.11.85 of the governing body. The subsequent revenue records also show that land and building of the appellant institution are in the name of BBM Mahavidyalaya, Okari. The appellant also furnished copies of building plan and building completion certificate, countersigned by Sub Divisional Office, Jehanabad. E.R.C. while deciding to refuse recognition

vide order dated 29.06.2016 has not given any specific reason as to why reply dated 28.04.2016 is not considered satisfactory. Appeal Committee is of the view that objections relating to a part of land being in the name of Okari Mahavidyalaya should have been pointed out and had it been a point not to the satisfaction of E.R.C., the application should not have been processed at all. E.R.C. should also have examined that whether 44 decimal of land area stated to be in the name of BBM Mahavidyalaya is adequate for conducting the teacher education courses applied for. Appeal Committee having considered the facts of the case decided to remand back the case for revisiting the matter. The impugned order dated 29.06.2016 is set aside.

AND WHEREAS after perusal of the Memorandum of Appeal, affidavit, documents on record and oral arguments advanced during the hearing. Appeal Committee concluded to set aside the impugned order and matter is remanded back for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of B.B.M. Mahavidyalaya, Okari, Jahanabad, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, B.B.M. Mahavidyalaya 183/185, Sale Deed, 1178/1179, Okari, Jehanabad, Bihar - 804432.
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.

13



F.No.89-377/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Swami Vivekananda Universal College of Education, Mayureswar, Birbhum, West Bengal dated 30.06.2016 is against the Order No. ER-213.6(i).87/ERCAPP2422/(4 yr. B.A. B.Sc. B.Ed. Integrated)/2016/46526 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting one unit of B.A. B.Sc. B.Ed. (Integrated) course on the grounds that "ERC NCTE has granted one unit because only one Math Teacher appointed."

AND WHEREAS Sh. Raihan UL Haque, Secretary and Sh. SC Banerjee, Member, Swami Vivekananda Universal College of Education, Mayureswar, Birbhum, West Bengal presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "We applied for two units. We have sufficient infrastructural and instructional facilities to run two units. We have submitted our willingness for two unit as per recommendation of VT Report. We have appointed 16 No.s Teaching Staff. Furthermore, the institution is a composite one and the teaching staff can easily be shared as per NCTE Regulation 2014. We have five Mathematics faculties and Mathematics faculties can easily be shared."

AND WHEREAS Appeal Committee noted that Inspection of the appellant institution was conducted on 27.03.2016 for assessing preparedness of the institute to conduct 4 year B.A., B.Ed./B.Sc., B.Ed. course. The inspection was conducted with a proposed 100 seats (2 units) intake in view. Keeping in view the findings and recommendations of the Visiting Team it was decided in 210th Meeting of ERC to issue a Letter of Intent (L.O.I.). The intake of the proposed course was not mentioned in the minutes of E.R.C. meetings held between 7th to 9th April, 2016. The appellant institution with its compliance report dated 27.04.2016 submitted an affidavit requesting for an intake of 100 seats and a list of 1+15 faculty approved by

the Registrar, University of Burdwan. This list included one Principal, 4 faculty in education, one each in English, Bengali, Sociology, Life Science, Physical Science, History, Geography, Maths, Physical Education, Fine Arts & Music. It is pertinent to mention here that appellant institution is already recognised to conduct one unit each of B.Ed. and D.El.Ed. programmes details of which programmes were mentioned in the application form.

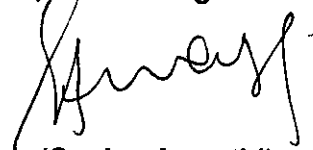
AND WHEREAS Appeal Committee observed that impugned order dated 02/05/2016 which is an order granting recognition for an intake of 50 seats is appealed against as the appellant institute was inspected for a proposed intake of 100 seats and appellant in the affidavit submitted to ERC in response to L.O.I. stated that it needs intake of 100 seats. The impugned order does not mention the reasons for a reduced intake but E.R.C. in its summary note sheet has stated that 'only one Math Teacher Appointed' and in view of the above, the Committee decided for an intake of 50 seats.

AND WHEREAS the norms and standards as mentioned in Appendix 13 of NCTE Regulations, 2014 mention that for an intake of two basic units of 50 students each, there shall be 16 full time faculty members. Out of these 16 members 8 faculty members should be from Pedagogy subjects i.e. Maths, Science, Social Science, Language. *Appeal Committee is of the opinion that it shall not be necessary that faculty numbers should be equality numbered for the above mentioned subjects. The faculty is to be utilised in a flexible manner and considering that the applicant institution is already recognised for conducting D.El.Ed. & B.Ed. courses, there should not have been any objection to grant recognition for two units provided other conditions are satisfied.* Moreover, granting recognition for intake which is a part of intake applied for tentamounts to part refusal/rejection for which a Show Cause Notice should have been given to appellant institution seeking written representation. Appeal Committee, therefore, decided to remand back the case to E.R.C. for either granting recognition for 2 units or giving an opportunity to the appellant institution to make a written representation.

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 either granting recognition for 2 units or giving the appellant an opportunity to make a written representation against the ground on which E.R.C. decided to reduce the intake applied for.

NOW THEREFORE, the Council hereby remands back the case of Swami Vivekananda Universal College of Education, Mayureswar, Birbhum, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Swami Vivekananda Universal College of Education, 628, 74, Krishnanagar, Mayureswar, Birbhum, West Bengal – 731218.
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.



14

F.No.89-378/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Triveni College of Education, Kunti Nagar, Ghanghauri, Nawada, Bihar dated 30.06.2016 is against the Order No. ER-213.6(I).171/APP4178/B.Ed._Addl.Intake/2016/46540 dated 02/05/2016 of the Eastern Regional Committee, granting recognition of one unit for conducting B.Ed. (Additional) course on the grounds that "The college had applied for two basic units (Addl. Intake) for B.Ed. course but one basic unit (Addl. Intake) granted by ERC."

AND WHEREAS Sh. Ashok Kumar, Member and Sh. Anuj Singh, Chairman for Triveni College of Education, Kunti Nagar, Ghanghauri, Nawada, Bihar presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "Our institution had submitted an application to ERC for two additional units for B.Ed. course. When the visiting team visited our institution, they were shown the infrastructural and instructional facilities for four (two existing + two additional) units B.Ed. course and they were very much satisfied with the infrastructural and instructional facilities provided in our institution. While deciding grant of 7(13) to our institution, the ERC had sought option from our institution for one/two units of B.Ed. course and our institution in reply to 7(13) had submitted the option for two units of B.Ed. course and appointed additional staffs so as that complete staff for four units of B.Ed. course is available in our institution as per NCTE, Regulations 2014. In response to 7(13) decided by ERC, our institution had appointed additional staffs for two units of B.Ed. course (100) and had submitted the affidavit for two basic units and approval of the University for the same. As on date, our institution is having staff strength for four units of B.Ed. course (200), the details of which have already been submitted along with the reply to 7(13) to ERC under NCTE Regulations 2014. In spite of the fact that our institution had appointed total staff for two additional units (total four units) of B.Ed. course, duly approved by the University, the ERC decided to grant recognition to

2

our institution for additional intake of one unit only. On the decision of ERC to grant one additional unit, our institution made a representation to ERC vide letters No. TCE/B.Ed./136/16 dated 20/05/2016 (copy attached) with a request to kindly review their decision and grant recognition to our institution for two additional units of B.Ed. course, but ERC did not entertain our requests. As on date of our institution is having total built up area and land area for four basic units as per the NCTE norms 2014. Our institution had also appointed staff for two additional units of B.Ed. course, thereby making staff's for four units of B.Ed. course."

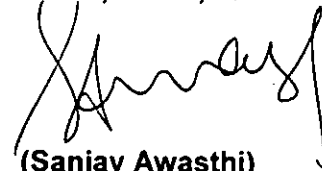
AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted on 06.03.2016 for assessing suitability of the institution for conducting B.Ed. (Additional) intake of 2 units. Letter of Intent (L.O.I.) dated 12.04.2016 was issued seeking inter-alia willingness of the institution to conduct one or two units. Appellant reported compliance to the terms and conditions of L.O.I. and submitted an affidavit opting for two units of B.Ed.

AND WHEREAS Appeal Committee further noted that E.R.C. in its 213rd meeting held on 29-30 April, 2016 decided to grant recognition for one unit as additional intake in the B.Ed. course. E.R.C. while deciding to grant permission for one unit did not assign any reason for not permitting two units. Also no show cause notice (S.C.N.) was given to the appellant institution before granting recognition for a lesser number of seats as compared to the request of appellant.

AND WHEREAS Appeal Committee decided to remand back the case to E.R.C. for modifying the recognition order dated 02.05.2016 suitably or alternatively give an opportunity to the appellant to submit a written representation against the grounds on which recognition for reduced intake was permitted.

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 modifying the recognition order dated 02.05.2016 suitably or alternatively give an opportunity to the appellant to submit a written representation against the grounds on which recognition for reduced intake was permitted.

NOW THEREFORE, the Council hereby remands back the case of Triveni College of Education, Kunti Nagar, Ghanghauri, Nawada, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Triveni College of Education, 104/2625, Registered Deed, 2625, Kunti Nagar, Ghanghauri, Nawada, Bihar – 805110.
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.

15



F.No.89-379/2016 Appeal/12th Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Ganauri Ram Kali Teachers Training College, Nawada, Bihar dated 30.06.2016 is against the Order No. ER-213.6(i).185/ERCAPP4250/B.Ed.(Addl. Intake)/2016/46468 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting one unit of B.Ed. (Additional) course on the grounds that "The college had applied for two basic units (Addl. Intake) for B.Ed. course but one basic unit (Addl. Intake) granted by ERC."

AND WHEREAS Sh. Raju Giri, Member and Sh. Shailesh Kumar, Secretary, Ganauri Ram Kali Teachers Training College, Nawada, Bihar presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "Our institution submitted application for two additional units for B.Ed. course. Visiting Team were shown the infrastructural and instructional facilities for four (two existing + two additional) Units for B.Ed. course and they were very much satisfied with the infrastructural and instructional facilities provided in our institution. While deciding grant of 7(13) to our institution, the ERC had sought option from our institution for one / two units of B.Ed. course and our institution in reply to 7(13) had submitted the option for two units of B.Ed. course and appointed additional staffs so as that complete staff for four units of B.Ed. course is available in our institution as per NCTE, Regulations 2014. Our institution is having staffs strength for four units of B.Ed. course (200), the details of which have already been submitted along with the reply to 7 (13) to ERC under NCTE, Regulations 2014. In spite of the fact that our institution had appointed total staff for two additional units (total four units) of B.Ed. course, duly approved by the University, the ERC decided to grant recognition to our institution for additional intake of one unit only. On the decision of ERC to grant one additional unit, our

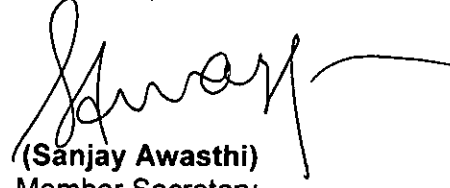
institution made a representation to ERC vide letters No. GRTTC/B.Ed./129/16 dated 21/05/2016 (copy attached) with a request to kindly review their decision and grant recognition to our institution for two additional units of B.Ed. course, but ERC did not entertain our requests."

AND WHEREAS Appeal Committee noted that appellant institution submitted application for seeking recognition of B.Ed. (increase in intake) and the affidavit enclosed with the application made a mention that additional intake of 100 is applied for, Inspection of the institution was conducted on 28.02.2016 for additional intake of 2 units i.e. 100 seats. The Visiting Team in its report dated 28.02.2016 clearly marked its recommendation for two units. In the Letter of Intent (L.O.I.) dated 14.04.2016 issued to the appellant institution, its willingness about the number of units either one or two was sought.

AND WHEREAS Appeal Committee further noted that appellant institution submitted reply dated 27.04.2016 to L.O.I. inter-alia stating in the affidavit that it has applied for two units, infrastructure & faculty for two units as applied for and may be granted two units. Appeal Committee noted that appellant submitted a list containing the name of one Principal and 31 faculty duly approved by Magadh University. E.R.C. in its 213th Meeting held on 1st & 2nd May, 2016 decided to grant recognition for one unit (Additional intake) without assigning any reason as to why two units are not being granted. Appeal Committee therefore, decided to remand back the case to E.R.C. for modifying the recognition order dated 02/05/2016 suitably or alternatively issue a Show Cause Notice (S.C.N.) to the appellant stating specific reasons for grant of recognition of only one unit (Additional) and giving appellant an opportunity to submit written representation.

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 modifying the recognition order dated 2/05/2016 suitably or alternatively issue a Show Cause Notice to the appellant institution stating specific reasons for grant of recognition of only one unit (Additional) and giving appellant an opportunity to submit written representation.

NOW THEREFORE, the Council hereby remands back the case of Ganauri Ram Kali Teachers Training College, Nawada, Bihar to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Ganauri Ramkali Teachers Training College, 30,32,31,06,34, Govt. Lease, C-19, 17(P) 18(P) 19(P) 22(P), Industrial Area, Police Line, Nawada, Bihar – 805110.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.**



F.No.89-380/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Modern Institute of Higher Education, Nawada, Bihar dated 30.06.2016 is against the Order No. ER-213.6(i).172/ERCAPP4231/D.El.Ed.(Addl. Intake)/2016/46418 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting one unit of D.El.Ed. (Additional) course on the grounds that "The college had applied for two basic units (Addl. Intake) for D.El.Ed. Course but one basic unit (Addl. Intake) granted by ERC."

AND WHEREAS Sh. Raju Giri, Member and Sh. Shailesh Kumar, Representative, Modern Institute of Higher Education, Nawada, Bihar presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "institution submitted application to ERC for two additional units for D.El.Ed. Course. Visiting Team was shown the infrastructural and instructional facilities for four (two existing + two additional) Units D.El.Ed. Course and they were very much satisfied with the infrastructural and instructional facilities provided in the institution. While deciding grant of 7(13) to our institution, the ERC had sought option from our institution for one / two units of D.El.Ed. Course and our institution in reply to 7(13) submitted the option for two units of D.El.Ed. Course and appointed additional staffs so as that complete staff for four units of D.El.Ed. Course ERC decided to grant recognition to our institution for additional intake of one unit only. On the decision of ERC to grant one additional unit, our institution made a representation to ERC vide letters No. MIHE/D.El.Ed./110/16 dated 20/05/2016 (copy attached) with a request to kindly review their decision and grant recognition to our institution for two additional units of D.El.Ed. Course, but ERC did not entertain our requests. The appellate authority

is requested to kindly consider our request and direct ERC to grant recognition to our institution for two additional units of D.El.Ed. Course.”

AND WHEREAS Appeal Committee noted that appellant institutions submitted application for seeking recognition of D.El.Ed. (increase in intake) and affidavit enclosed with the application made a mention that additional intake of 100 seats is applied for. Inspection of the institution was conducted on 09.03.2016 for additional intake of 2 units of 50 seats each. The V.T. in its suggestions recommended additional intake of (50+50) two units. Appeal Committee further noted that E.R.C. in its 211th Meeting held on 14-16th April, 2016 decided to issue Letter of Intent (LOI) under Clause 7 (13) and the institution was required to furnish the previous faculty list alongwith compliance of the Letter of Intent.

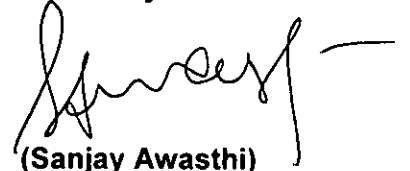
AND WHEREAS Appeal Committee further noted that formal L.O.I. under Clause 7 (13) of the NCTE Regulations, 2014 was not issued and the appellant institution by noting decision taken by E.R.C. in its 211th meeting from the Website of NCTE submitted compliance report dated 27.04.2016 which was received in the office of E.R.C. on 28.04.2016. Appeal Committee noted that appellant institution alongwith its compliance report had submitted a list containing the name of one principal and 23 faculty members duly approved by Bihar School Examination Board Patna. E.R.C. in its 213th meeting held on 1-2 May, 2016 decided to grant recognition for one unit of D.El.Ed. course.

AND WHEREAS Appeal Committee noted that appellant institution was not given any opportunity to submit written representation against the lesser intake being approved, whereas institute had applied for 2 units, inspected for 2 units and its willingness was for 2 units. Appeal Committee, therefore, decided to remand back the case to E.R.C. for modifying the recognition order dated 02/05/2016 or alternatively issuing a Show Cause Notice (S.C.N.) to the appellant institution stating specific reasons for grant of recognition of only unit (Addl.)

AND WHEREAS after perusal of the Memorandum 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 modifying the recognition order dated 02/05/2016 or alternatively issuing a Show Cause Notice (S.C.N.) to the appellant institution stating specific reasons for grant of recognition of only unit (Addl.)

NOW THEREFORE, the Council hereby remands back the case of Modern Institute of Higher Education, Nawada, Bihar to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Managing Director, Modern Institute of Higher Education, 33,27,7, Govt. Lease Deed, A-1, A-2 (P), A-4, A-5(P), A-7, Industrial Area, Police Line, Nawada, Bihar – 805110.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.



F.No.89-381/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Bhagabati Devi Primary Teachers Training Institute, Kharagpur, Midnapore, West Bengal dated 01/07/2016 is against the Order No. ER-7-EM-212.7.20/ERCAPP3480/B.Ed./2016/46627 dated 02/05/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a) Show Cause Notice was decided in 210th ERC Meeting held on 7-9 April, 2016 on the following grounds:- (i) The institution submitted four land documents, out of which, one Gift Deed bearing No. 2695/2010 is in the name of Smt. Usha Mishra i.e. in the name of individual which is not acceptable. b) in response to show cause notice, the institution submitted its reply dated 15/04/2016 on the basis of proceedings uploaded in ERC website along with the same gift deed registered between Shri Bijoy Krishna Das and Smt. Usha Mishra i.e. in the name of individual which is not acceptable as per NCTE, Regulation 2014. In view the above, committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3480 of the institution regarding permission for B.Ed. (Addl. Course) is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Kartick Chandra, President and Sh. Siddhartha Sankar Mishra, Principal, Bhagabati Devi Primary Teachers Training Institute, Kharagpur, Midnapore, West Bengal presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that "The deed of gift vide No. I-2695/2010 dated May 07, 2010 was executed for establishment of the institute and Bijoy Krishna Das received the said deed of gift as President on behalf of the institution. The institution also purchased a plot of land on behalf of the college in this capacity as the Principal/President of the institute; vide deed No. I-5348/2015 dated June 15, 2015, and I-8541/2015 dated October 8th, 2015 Siddhartha Sankar Mishra & Kartick Chandra Acharya herein received the total land in his capacity as the Principal/President of the institution

and on behalf of the institution. In this connection please note the following – (a) total land area 125 Dec. (5068.75 sq. mts.), (b) total build up area 3585.3 sq. mtr. And (c) land area on which the building stand 19.9 Dec. (806 sq. mtr.). The institution has been recognised by the NCTE for running D.El.Ed. Course on the same land under the Regulations of 2009. In fact the State Government, the affiliating University (Vidyasagar University) has granted their approval, no objection to the institution respectively. Those records were annexed to the application by which recognition was sought for. The institution was granted recognition by the National Council for Teacher Education (NCTE) from the year 2009-2011 to conduct D.El.Ed. courses of two year duration with an annual intake of 50 students. The grant of recognition was subject to various conditions laid down in the National Council for Teacher Education Act, 1993 as well as National Council for Teacher Education (Recognition Norms and Procedure) Regulations, 2009. Amongst them in terms of Regulation 8(4)(i) of the said Regulations of 2009, the applicant institution was required to be in possession of the required land on the date of application. The aforesaid order of recognition makes it clear that after being satisfied with the records and considering physical verifications report of the college the NCTE granted recognition to the institution. Therefore, NCTE was satisfied with the land in possession of the institution. The Regulation of 2009 was replaced with National Council for Teacher Education (Recognition Norms and Procedure) Regulations, 2014. So far retaining possession of land Regulation 8(4)(i) of 2014 Regulation also provides for similar provision as it was provided under 2009 Regulations. On June 17, 2015 the institution made online application seeking recognition for running composite B.Ed. Course from the existing premises of the college. In other words the institution was seeking status of composite institution under the Regulations of 2014. The application of the institution was accepted and assigned application number being ERCAPP3480 along with said application all relevant documents including recognition of the institute for D.El.Ed. Course since 2009 were enclosed. The visiting team visited and verified the infrastructural and instructional facilities of our institution on 02/03/2016. The institution decided to make representation against the show cause, based on the resolution obtained from the website, in as much as no formal order of show cause was received by the institution. By a letter dated April 15, 2016, I on behalf of the institution requested to the Director of the Eastern Regional Committee that there might have been some confusion regarding

the record of rights wherein the name of Bijoy Krishna Das as President was appearing before the institution due to inadvertence. On the same representation dated April 15, 2016 I, being the Principal of the institution enclosing copies of mutation of land, land possessing certificate, kajhna receipts, tax receipts by the Panchayat, conversion certificate, etc. were forwarded to the ERC for further clarification. It is Evident from records that the land in question is in possession of the institution and not in the possession of an individual."

AND WHEREAS Appeal Committee noted that Baramhanpur Bhagabati Devi Nari Kalyan Samity submitted application dated 17/06/2015 for grant of recognition of B.Ed. course. The name of the institution as mentioned in the application is 'Bhagabati Devi Primary Teacher Training Institute.' The applicant informed that institution is already recognised for conducting D.El.Ed. course with an annual intake of 50 seats since 2009.

AND WHEREAS Appeal Committee noted that E.R.C. in its 210th meeting held on 7th – 9th April, 2016 decided to issue Show Cause Notice (SCN) on the following ground:

"The institution submitted four land documents out of which, one gift deed bearing number 2695/2010 is in the name of Smt. Usha Mishra i.e. in the name of individual which is not acceptable."

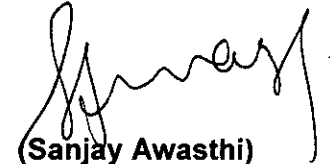
AND WHEREAS Appeal Committee further noted that no formal SCN was issued. Appellant noting the decision of E.R.C. taken in its 210th meeting submitted a reply dated 15.04.2016. The appellant informed that Smt. Usha Mishra's name has been mentioned in the gift deed as 'Being the Secretary, Baramohanpur, Bhagabati Devi Nari Kalyan Samiti. Appeal Committee further noted that above Gift Deed on page 5 thereof makes a clear mention that this deed of Gift is in favour of the Donee (Bhagabati Devi Primary Teacher's Training Institute. The last para of Gift Deed reads as under:

"The donor do hereby declare that there is no statutory restriction on part of the DONOR under any other land for the time being in force to execute this deed of Gift in favour of the DONEE (Bhagabati Devi Primary Teacher's Training Institute)."

Appeal Committee is, therefore, convinced that the name of Ms. Usha Mishra mentioned in the Gift deed is in the capacity of an office bearer of the Bhagabati Devi Primary Teacher Training Institute. Appeal Committee therefore, decided to remand back the case to E.R.C. for further processing of the application.

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

NOW THEREFORE, the Council hereby remands back the case of Bhagabati Devi Primary Teachers Training Institute, Kharagpur, Midnapore, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Principal, Bhagabati Devi Primary Teachers Training Institute, Mouja-Baramohapur-JL No.-717, 720, Ownership, 200/437, 208, 210, 839, 840, Baramohanpur, Kharagpur, Midnapore, West Bengal – 721445.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-382/2016 Appeal/12th Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Teshlal Singh Memorial B.Ed. College, Piro, Bhojpur, Bihar dated 30.06.2016 is against the Order No. ERC/202.9(i).702/ERCAPP3921/B.Ed./2016/46647 dated 02/05/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "1. Show Cause Notice was issued to the institution on 28th October 2015. No reply has been received from the institution on the above show cause notice till date. In view of the above, the committee decided as under: The committee is of the opinion that application of the institution regarding recognition for B.Ed. course is refused under section 14(3)(b) of NCTE Act 1993."

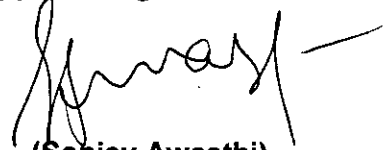
AND WHEREAS Sh. Dinesh Kumar Singh, Secretary and Sh. Sahendra Kumar Singh, Member, Teshlal Singh Memorial B.Ed. College, Piro, Bhojpur, Bihar presented the case of the appellant institution on 26/08/2016. In the appeal and during personal presentation it was submitted that NOC was not available at the time of application.

AND WHEREAS Appeal Committee noted that appellant institution had failed to submit reply to the Show Cause Notice dated 28.10.2015 which was on the ground of 'non submission of NOC of affiliating body.' Appeal Committee, therefore, decided to confirm the refusal order dated 02.05.2016 issued by E.R.C.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 2/05/2016 issued by E.R.C.

on the ground of non-submission of reply to S.C.N. and N.O.C. issued by affiliating body.

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Teshlal Singh Memorial B.Ed. College, 3445, 3446, Jungle Mahal, Piro, Bhojpur, Bihar – 802207.
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.89-384/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Bhagabati Devi Primary Teachers Training Institute, Kharagpur, Midnapore, West Bengal dated 01/07/2016 is against the Order No. ER-7-EM-212.7.21/ERCAPP3481/D.El.Ed.-(Addl. Intake)/2016/46628 dated 02/5/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (Additional intake) on the grounds that "a) Show Cause Notice was decided in 210th ERC Meeting held on 7-9 April, 2016 on the following grounds:- (i) The institution submitted four land documents, out of which, one Gift Deed bearing No. 2695/2010 is in the name of Smt. Usha Mishra i.e. in the name of individual which is not acceptable. b) In response to show cause notice, the institution submitted its reply dated 15/04/2016 on the basis of proceedings uploaded in ERC website along with the same gift deed registered between Shri Bijoy Krishna Das and Smt. Usha Mishra i.e. in the name of individual which is not acceptable as per NCTE, Regulation 2014. In view the above, committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3481 of the institution regarding permission for D.El.Ed. (Addl. Intake) is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Kartick Chandra Acharya, President and Sh. Siddhartha Sankar Mishra, Principal, Bhagabati Devi Primary Teachers Training Institute, Kharagpur, Midnapore, West Bengal presented the case of the appellant institution on 27/08/2016. In the appeal it was submitted that "The deed of gift vide No. I-2695/2010 dated May 07, 2010 was executed for establishment of the institute and Bijoy Krishna Das received the said deed of gift as President on behalf of the institution. The institution also purchased a plot of land on behalf of the college in this capacity as the Principal/President of the institute; vide deed No. I-5348/2015 dated June 15, 2015, and I-8541/2015 dated October 8th, 2015 and Siddhartha Sankar Mishra & Kartick Chandra Acharya herein received the total land in his

capacity as the Principal/President of the institution and on behalf of the institution. The total land area is 125 Dec. (5068.75 sq. mts.), total build up area is 3585.3 sq. mtr. and the land area on which the building stand 19.9 Dec. (806 sq. mtr.). The institution has been recognised by the NCTE for running D.El.Ed. Course from 2009-2011 with an intake of 50 students on the same land under the Regulations of 2009. The affiliating University (Vidyasagar University) has granted their approval and no objection to the institution respectively and those records were annexed to the application by which recognition was sought for. Regulation 8(4)(i) of 2014 Regulation provides for similar provision as it was provided under 2009 Regulations; On June 18, 2015 the institution made online application seeking recognition for running additional intake D.El.Ed. Course from the existing premises of the college. i.e. the institution was seeking status of composite institution under the Regulations of 2014; The application of the institution was accepted and assigned application number being ERCAPP3481 along with said application all relevant documents including recognition of the institute for D.El.Ed. Course since 2009 were enclosed; a visiting team visited and verified the infrastructural and instructional facilities of their institution on 01/03/2016; Fixed deposit related to endowment fund (Rs. 7,00,000.00) and reserve fund (Rs. 5,00,000.00) have already been prepared in favour of their institution; Library of the institution contains 8873 number of books of which 5700 numbers are related to education and also has 18 numbers of educational journals, well-equipped laboratories related language Science, Social Science, Psychology, Art, PHE etc. are available in their institution; according to the view of Visiting Team members the institution has already completed the recruitment process of faculty with the presence of the University nominee (Vidyasagar University). All infrastructural and instructional facilities are available to commence composite B.Ed. course in coming session. 9. I was shocked after understanding from the website that the ERC, NCTE had in its 210 no meeting (7th to 9th April, 2016) resolved to Show Cause the institution as to why the application for Recognition should not be refused solely on the ground that allegedly the land of the institution was in name of Bijoy Krishna Das, as an individual property. In as much as the Deed of Gift No. - I – 2695/2010, dated 07/05/2010, No. – I – 5348/2015 dated 15/06/2015, Sale deed No. – I – 8541/2015 dated 08/10/2015, were executed for establishment of the institution, and the property is being used by the institution. By a letter dated April 15, 2016, I on

behalf of the institution requested to the Director of the Eastern Regional Committee that there might have been some confusion regarding the record of rights wherein the name of Bijoy Krishna Das as President was appearing before the institution due to inadvertence."

AND WHEREAS Appeal Committee noted that Baramhanpur Bhagabati Devi Nain Kalyan Samity submitted application dated 18/06/2015 for grant of recognition of D.El.Ed. (Additional intake). The name of institution as mentioned in the application is 'Bhagabati Devi Primary Teacher Training Institute.' The applicant informed that institution is already recognised for conducting D.El.Ed. course with an annual intake of 50 seats since 2009.

AND WHEREAS Appeal Committee noted that E.R.C. in its 210th meeting held on 7th – 9th April, 2016 decided to issue Show Cause Notice (SCN) on following grounds:

"The institution submitted four land documents, out of which, one gift deed bearing no. 2695/2010 is in the name of Smt. Usha Mishra; i.e. in the name of individual which is not acceptable."

AND WHEREAS Appeal Committee noted that formal Show Cause Notice was not issued by the office of E.R.C. and the appellant by noting the decision of E.R.C. submitted reply dated 15.04.2016. The appellant informed that Smt. Usha Mishra's name has been mentioned in the gift deed as 'Being the Secretary, Baramhonpur, Bhagabati Devi Nari Kalyan Samity.' Appeal Committee further noted that the above gift deed on page 5 thereof makes a clear mentions that this deed of Gift is in favour of DONEE (Bhagabati Devi Primary Teacher Training Institute). The last para of gift deed reads as under:

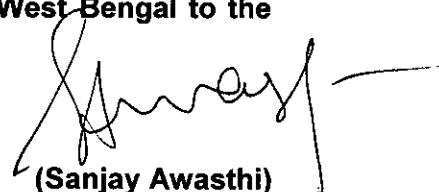
"The donor do hereby declare that there is no statutory restriction on part of the DONOR under any other land for the time being in force to execute this deed of Gift in favour of the DONEE (Bhagabati Devi Primary Teacher Training Institute)."

AND WHEREAS Appeal Committee is therefore, convinced that the name of Smt. Usha Mishra being mentioned in the Gift Deed is in the capacity of a office

bearer of the Bhagabati Devi Primary Teacher Training Institute. Appeal Committee, therefore, decided to remand back the case to E.R.C. for further processing of the application.

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

NOW THEREFORE, the Council hereby remands back the case of Bhagabati Devi Primary Teachers Training Institute, Kharagpur, Midnapore, West Bengal to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Principal, Bhagabati Devi Primary Teachers Training Institute, Mouja-Baramohapur-JL No.-717, 720, Ownership, 200/437, 208, 210, 839, 840, Baramohanpur, Kharagpur, Midnapore, West Bengal – 721445.
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.89-385/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

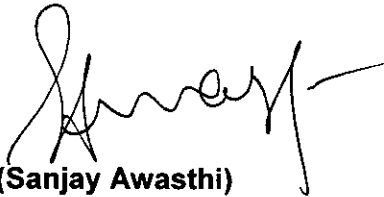
WHEREAS the appeal of D.I.E.T. (District Institute of Education and Training), Aizawl, Mizoram dated 26/02/2016 is against the Order No. ERC/7-198.9(i).6/ERCAPP2856/B.Ed(Addl. Course)/2015/39465 dated 01/12/2015 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that the date of application through online is 29/05/2015 and date of dispatch of printout of online application is 16/06/2015 i.e. after 15 days of submission of online application. In view of the above the Committee decided as under: The application of the institution is summarily rejected as per clause 7(2)(b) of NCTE Regulation 2014.

AND WHEREAS D.I.E.T. (District Institute of Education and Training), Aizawl, Mizoram was asked to present the case of the appellant institution on 27/08/2016 but nobody from that institution appeared. In the appeal it was submitted that one of the essential documents i.e. NOC from the affiliating body (MZU) had been issued only on 12th June 2015. In addition to this, 13th June to 15th June fell on State holidays. During this period post offices remained closed. The said document could be sent only on 16th June, 2015.

AND WHEREAS the Committee noted that the Council issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with NOC, irrespective of the date of submission of on-line applications. Since the appellant had submitted the hard copy of their application, with NOC before the extended date of 15/07/2015, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to process the application further as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit and documents available on records, the Committee concluded that the appeal deserved to be remanded to ERC with a direction to process the application further as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of D.I.E.T. (District Institute of Education and Training), Aizawl, Mizoram to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, D.I.E.T. (District Institute of Education and Training) Aizawl, DLL 66 of 1990, M-II/8, Chaitlang, Aizawl, Mizoram – 796012.
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 Mizoram, Aizawl.



F.No.89-386/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

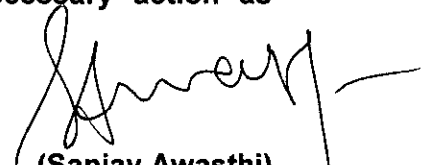
WHEREAS the appeal of Baba Farid Vidayak Society, Bathinda, Punjab dated 01/07/2016 is against the Order No. NRC/NCTE/NRCAPP-11299/252nd (part-5) Meeting/2016/152200-03 dated 29/06/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed. (Integrated) course on the ground that "the institution has not submitted any reply of the show cause notice issued on 01/03/2016 by the NRC, NCTE."

AND WHEREAS Sh. Gursimran Singh, Representative and Kulwinder Singh, Vice Principal, Baba Farid Vidayak Society, Bathinda, Punjab presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation it was submitted that (i) the aforesaid show cause notice of NRC, NCTE issued on 01/03/2016 was received by them on 28/03/2016 seeking reply within 30 days from the date of issue of this notice; (ii) the notice in question was actually dispatched on 12/03/2016 as per postal records related to postage consignment number ER294118925IN; (iii) they have submitted necessary reply to above notice vide their letter Ref. No. BFVS/CHMN/BFCE/551 dated 08/04/2016 through registered post of 09/04/2016 and the said reply was also submitted along with all the attachments duly scanned through email nrc@ncte-india.org on 09/04/2016; (iv) the reply was submitted within 8 working days from the date of receipt i.e. 28.03.2016 and very much before the NRC Meeting held from 19/04/2016 to 02/05/2016; (v) the reply was received in NRC office on 13/04/2016 and a copy of reply along with necessary acknowledgement is attached herewith; and (vi) they have already made all the arrangements of infrastructure required in respect of B.A. B.Ed. and B.Sc. B.Ed. integrated course. The appellant, therefore, requested that on the basis of the facts disclosed above and in view of interest of students in their region their application be reconsidered after revocation of its rejection.

AND WHEREAS the Committee noted that the reply of the appellant dt. 08/04/2016 to the show cause notice is not available in the file of the NRC. The appellant has enclosed a copy of their reply dt. 08/04/2016, copy of the Registered postal receipt dt. 09/04/2016 and also a track report indicating that the postal article was delivered on 13/04/2016. In the circumstances, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the appellant's reply to the show cause notice and take further action as per the NCTE Regulations. The appellant is directed to send a copy of his reply dt. 08/04/2016 with all its enclosures to the NRC within 15 days of receipt of the order on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be remanded to NRC with a direction to consider the appellant's reply to the show cause notice and take further action as per the NCTE Regulations. The appellant is directed to send a copy of his reply dt. 08/04/2016 with all its enclosures to the NRC within 15 days of receipt of the order on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Baba Farid Vidayak Society, Bathinda, Punjab to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. **The Principal, Baba Farid Vidayak Society, Street No. 13, Ajit Road, Bathinda, Punjab – 151001.**
2. **The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
3. **Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
4. **The Secretary, Education (looking after Teacher Education) Government of Punjab, Chandigarh.**



F.No.89-387/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Siddhivinayak B.Ed. College, Ghatal, Midnapore, West Bengal dated 27/06/2016 is against the Order No. ER-210.4.17/ERCAPP2419/B.Ed./2016/45729 dated 27/04/2016 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course of two years duration with an intake 50 (one basic unit) from the academic session 2016-17.

AND WHEREAS Sh. Maharanjan Manna and Sh. Niranjana Manna, Representatives, Siddhivinayak B.Ed. College, Ghatal, Midnapore, West Bengal presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation it was submitted that they have a huge super-infrastructure to provide each and every amenity as wanted by the authority and students/trainees covering every sphere maintaining quality, standard and space needed for education and training for more than double the figure they have been permitted. They required for two basic units (i.e. 100) intake in the B.Ed. section for the Academic Session 2016-17.

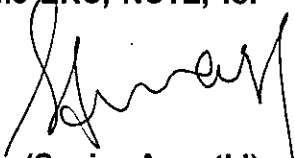
AND WHEREAS the Committee noted that the appellant in the affidavit enclosed to the hard copy of their on-line application dt. 25/05/2015, sought recognition for B.Ed. course with an intake of 100 students. The Visiting Team that conducted an inspection on 15/02/2016 was convinced of the complete preparedness of the institution to offer B.Ed. course with an intake of 100 (two units). The ERC issued a Letter of Intent (LOI) on 23/02/2016 in which the appellant institution, inter-alia, was asked to intimate their willingness, in an affidavit, about the number of units either one or two. The appellant, with their reply dt. 'Nil' which was received in the ERC office on 18.03.2016, enclosed a copy of the earlier affidavit submitted along with the application, which mentioned the applied for intake as 100. Along with that reply, the appellant also enclosed a staff list consisting of a principal

and 15 lecturers duly countersigned by the Registrar, Vidyasagar University, Midnapore on 26/02/2016, i.e. the staff required for two units of 50 students each. The Committee, however noted that the ERC, during their examination of the matter, while taking into account the complement of the teaching staff approved, wrongly recorded that in the affidavit the institution conveyed its willingness for one basic unit of the proposed B.Ed. programme, whereas the willingness conveyed was for an intake of 100 students.

AND WHEREAS in view of the above position the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the request of the appellant for grant of recognition for B.Ed. course with an intake of 100 students (two units) and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be remanded to ERC with a direction to consider the request of the appellant for grant of recognition for B.Ed. course with an intake of 100 students (two units) and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Siddhivinayak B.Ed. College, Ghatal, Midnapore, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Siddhivinayak B.Ed. College, 1315, 1297, 405, Ownership, 1315, 1297, 405, Sonamui, Ghatal Midnapore, West Bengal – 721146.
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.

24



F.No.89-389/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

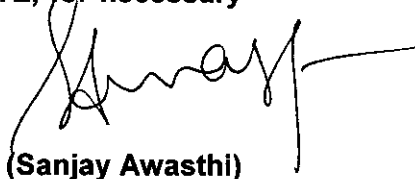
WHEREAS the appeal of Vidyasagar Basic College, Madhakhali, Midnapore, West Bengal dated 01/07/2016 is against the Order No. ER-7-211.7.4/ERCAPP2741/B.Ed./2016/46623 dated 02/5/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(1) Show Cause Notice was issued on 14/03/2016 on the following grounds: (i) As seen in the CD, the class rooms, library and multipurpose hall as well as other instructional and infrastructural facilities are not adequate for running B.Ed. (Addl. Course) and D.El.Ed. (Addl. Intake) and (ii) The institution needs more attention for development of these facilities. (2) In response to show cause notice, the institution submitted its reply dated 18/03/2016 on the basis of proceedings uploaded in the website of the ERC. The reply submitted by the institution cannot be considered. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP2741 of the institution regarding permission for B.Ed. is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Bikash Chandra Bar, Secretary and Sh. Sadhan Dash, Representative, Vidyasagar Basic College, Madhakhali, Midnapore, West Bengal presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation and in a letter dt. 23/08/2016 it was submitted that (i) the sitting accommodation in the class rooms has been increased with required number of sitting arrangements; (ii) more books have been added to the library and the sitting arrangement in the reading room has been made for the students as per the NCTE norms; (iii) the multi-purpose hall has been well-equipped with sound system and sitting arrangement for 200 students; and (iv) all required instructional and infrastructural conditions as per NCTE norms have been fulfilled.

AND WHEREAS the Committee noted that the Visiting Team in their report dt. 23/02/2016 recommended grant of recognition for B.Ed. course with an intake of 50 students i.e. one unit. The objections raised by the ERC in their Show Cause Notice are on the basis of CD only. The Committee noted that the reply to the show cause notice furnished by the appellant has been repeated in their letter dated 23/08/2016 submitted during personal presentation. The file of the ERC does not indicate any assessment of the reply furnished in response to the show cause notice. In these circumstances, the Committee concluded that, to get a correct picture of the infrastructural facilities available in the appellant institution, the matter deserved to be remanded to the ERC with a direction to get a re-inspection, on payment of the fees, done and take further action as per the NCTE Regulations.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be remanded to ERC with a direction to get a re-inspection, on payment of the fees, done and take further action as per the NCTE Regulations.

NOW THEREFORE, the Council hereby remands back the case of Vidyasagar Basic College, Madhakhali, Midnapore, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vidyasagar Basic College, 756/2068, Bastu, 756, Kantapukuria, Madhakhali, Midnapore, West Bengal – 721425.
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.89-392/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Barobisha H.R. Academy, Alipurduar, Jalpaiguri, West Bengal dated 29/06/2016 is against the decision of the Eastern Regional Committee, contained in the minutes of their 215th meeting held on 26-27 May, 2016, to refuse recognition for conducting D.El.Ed. course on the grounds that "a. Show Cause Notice was decided in 22/10/2015 on the following grounds: (i) Show Cause Notice be issued to the institution for non-submission of NOC. b. In response to show cause notice, the institution submitted its reply dated 20/11/2015 which is not satisfactory. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3525 of the institution regarding recognition for D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993." Eastern Regional Committee issued the refusal Order No. ERC/215.8.23/ERCAPP3525/D.El.Ed/2016/47988 on 13/07/2016.

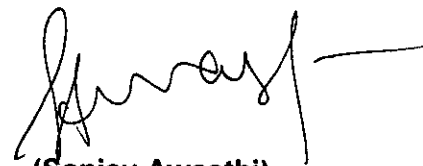
AND WHEREAS Sh. Hanendra Mohan Saha, Secretary and Sh. Tapas Kumar Mondal, Member, Barobisha H.R. Academy, Alipurduar, Jalpaiguri, West Bengal presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation it was submitted that they received the NOC for D.El.Ed. Course issued by West Bengal Board of Primary Education on time but the NOC for B.Ed. course (University of North Bengal) has not come till now. Their college applied for composite course and were planning to submit both the NOCs simultaneously and hence they did not submit the NOC for D.El.Ed. Course issued by West Bengal of Primary Education initially. In the course of presentation the appellant submitted a copy of the NOC dt. 26/06/2015 issued by the West Bengal Board of Primary, Education.

AND WHEREAS the Committee noted that according to the provisions of clause 5(3) of the NCTE Regulations, 2014, the No Objection Certificate issued by

the concerned affiliating body, has to be submitted along with the application. Since the appellant admitted that they did not send the NOC (alongwith the application), the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Barobisha H.R. Academy, 233 (RS & LR), ownership, 233 Dakshin Rampur Battala, Alipurduar, Jalpaiguri, West Bengal – 736207.
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.89-394/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Rajbina D.El.Ed. College, Bolpur, Birbhum, West Bengal dated 03/07/2016 is against the Order No. ERC/214.7.6/ERCAPP2344/(D.El.Ed.)/2016/47362 dated 20/06/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show cause notice was decided in 211th ERC Meeting held on 14-16 April, 2016 on the following grounds: (i) The institution applied two applications simultaneously one for D.El.Ed. in the name of "Rajbina D.El.Ed. College" and another for B.Ed. in the name of "Rajbina B.Ed. College." (ii) Land is in the name of "Rajbina B.Ed. College" whereas D.El.Ed. programme applied in the name of "Rajbina D.El.Ed. College" i.e. in the different name. the land is not in the name of "Rajbina D.El.Ed. College". (iii) The institution comes under category of standalone institution which is not considered as per NCTE Regulations 2014. b. In response to show cause notice, the institution submitted its reply dated 21/04/2016 on the basis of proceedings uploaded in the ERC website which cannot be considered. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP2344 of the institution regarding recognition for D.El.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

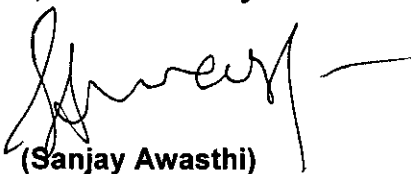
AND WHEREAS Sh. Bimalananda Goswami, President and Sh. Gour Chandra Dhar, Secretary, Rajbina D.El.Ed. College, Bolpur, Birbhum, West Bengal presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation and in a letter dt. 06/07/2016 it was submitted that (i) the Trust sponsoring the college had applied for both B.Ed. and D.El.Ed. courses under the composite scheme but, wrongly the names of the colleges for these two courses were mentioned as Rajbina B.Ed. College and Rajbina D.El.Ed. College; (ii) land is registered in the name of Rajbina B.Ed. College; (iii) both the courses,

namely, B.Ed. and D.El.Ed. will be taught in the same institute and in the same building of Rajbina B.Ed. College which is situated in the same area and which in reality is the parent institution; ((iv) the Trust, namely, 'The Green India Social Welfare Trust' is the same for both; and (v) the Rajbina D.El.Ed. College may be considered as Rajbina B.Ed. College under the composite programme.

AND WHEREAS the Committee noted that the appellant, in reply to the show cause notice, had amply clarified the position and explained further in the appeal to establish that their institution, which in all respects is one institution seeking recognition for conducting two teacher education programmes is not a stand-alone institution. The Committee, therefore, concluded that the submissions made by the appellant deserved to be accepted and the matter remanded to the ERC with a direction to take further action as per the NCTE Regulations, 2014.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Rajbina D.El.Ed. College, 6152, 6157, 6160, 6162, sale deed, Daskal Gram, Bolpur, Birbhum, West Bengal – 731302.
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.89-395/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Rajbina B.Ed. College, Bolpur, Birbhum, West Bengal dated 03/07/2016 is against the Order No. ERC/214.7.5/ERCAPP2339/(B.Ed.)/2016/47373 dated 20/06/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a. Show cause notice was decided in 211th ERC Meeting held on 14-16 April, 2016 on the following grounds: (i) the institution applied two applications simultaneously one for D.El.Ed. in the name of "Rajbina D.El.Ed. College" and another for B.Ed. in the name of "Rajbina B.Ed. College." (ii) As the show cause has been decided to D.El.Ed. programme (ERCAPP2344) hence, B.Ed. programme (ERCAPP2339) comes under the category of standalone institution which is not considered as per NCTE Regulation 2014. b. In response to show cause notice, the institution submitted its reply dated 21/04/2016 on the basis of proceedings uploaded in the ERC website which cannot be considered. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP2339 of the institution regarding recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

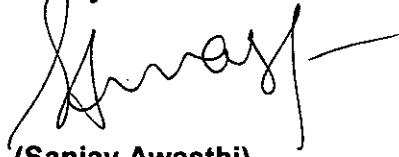
AND WHEREAS Sh. Bimalananda Goswami, President and Sh. Gour Chandra Dhar, Secretary, Rajbina B.Ed. College, Bolpur, Birbhum, West Bengal presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation and in a letter dt. 06/06/2016 it was submitted that (i) the Trust sponsoring the college had applied for both B.Ed. and D.El.Ed. courses under the composite scheme but, wrongly the names of the colleges for these two courses were mentioned as Rajbina B.Ed. College and Rajbina D.El.Ed. College; (ii) land is registered in the name of Rajbina B.Ed. College; (iii) both the courses, namely, B.Ed. and D.El.Ed. will be taught in the same institute and in the same building of Rajbina B.Ed. College which is situated in the same area and which in reality is the parent

institution; ((iv) the Trust, namely, 'The Green India Social Welfare Trust' is the same for both; and (v) the Rajbina D.El.Ed. College may be considered as Rajbina B.Ed. College under the composite programme.

AND WHEREAS the Committee noted that the appellant, in reply to the show cause notice, had amply clarified the position and explained further in the appeal to establish that their institution, which in all respects is one institution seeking recognition for conducting two teacher education programmes is not a stand-alone institution. The Committee, therefore, concluded that the submissions made by the appellant deserved to be accepted and the matter remanded to the ERC with a direction to take further action as per the NCTE Regulations, 2014.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Rajbina B.Ed. College, 6152, 6157, 6160, 6162, sale deed, Daskal Gram, Bolpur, Birbhum, West Bengal – 731302.
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.89-396/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Jatindranath Institute of Education, Bankiput, Contai, Midnapore, West Begnal dated 29/06/2016 is against the decision of the Eastern Regional Committee contained in the minutes of their 214th meeting held on 13-15 May, 2016 to refuse recognition for conducting D.El.Ed. course on the grounds that "a. Show cause notice was issued on 30/10/2015 on the following grounds: (i) The institution submitted two applications simultaneously i.e. one for B.Ed. (ERCAPP3859) & another for D.El.Ed. (ERCAPP3862). The NOC from the affiliating body not submitted for D.El.Ed. programme. (ii) Show Cause Notice be issued to the institution for non-submission of NOC. b. No reply received from the institution till date and time limit is over. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3862 of the institution regarding recognition for D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993. The Eastern Regional Committee issued their refusal order No. ERC/214.9.8/ERCAPP3862/D.El.Ed/2016/47904 on 09/07/2016.

AND WHEREAS Sh. Prakash C. Dwivedi, Manager, Jatindranath Institute of Education, Bankiput, Contai, Midnapore, West Begnal presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation it was submitted that the NOC was received on time completely. The building was not ready hence they did not submit the NOC. Now as the building is ready for use, they are submitting the NOC for D.El.Ed. Course issued by West Bengal Board of Primary Education and for B.Ed. Course issued by Bidyasagar University."

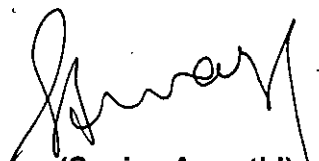
AND WHEREAS the Committee noted that the ERC issued a show cause notice to the appellant on 30/10/2015 pointing out that the No Objection Certificate (NOC) from the affiliating body, which is required to be sent along with the

application as per the provisions of clause 5(3) of the NCTE Regulations, 2014, has not been submitted. As the appellant did not respond to the show cause notice, ERC refused recognition. The appellant enclosed to the appeal a copy of their letter at 04/04/2015 addressed to the Deptt. of Higher Education, Government of West Bengal, with a copy to the West Bengal Board of Primary Education requesting issue of a NOC. A copy of this letter was enclosed to the hard copy of the application also. The appellant has not submitted a NOC as stated in the appeal.

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

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

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


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Jatindranath Institute of Education, 626, 627, 628, 629, ownership, Bankiput, contain, Midnapore, West Begnal – 721442.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



32

F.No.89-397/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Raja Bhoj Shiksha Mahavidhyalaya, Jamthi, Betul, Madhya Pradesh dated 21/06/2016 is against the Order No. WRCAPP2767/B.Sc.B.Ed./MP/249th/2016/167570 dated 10/05/2016 of the Western Regional Committee, refusing recognition for conducting B.Sc. B.Ed. Integrated course on the grounds that "AND WHEREAS, the reply dt. 04/04/2016. submitted by the institution was placed before WRC in its 249th meeting held on April 21-23, 2016 and the Committee observed that "...VT was constituted and the VT visited the institution. The VT report was perused and the CD viewed Show Cause Notice was issued to the institution on 21/03/2016 regarding inadequacy of built up area. The institution has not submitted notarized copy of Building Completion Certificate to show that it has built up area of 3500 sq. mtrs. to run the existing and the proposed courses. Again the CLU shows that the diverted land is only 3190 sq. mtrs. which is also not sufficient to run 2 units of the existing B.Ed. course, one unit of the D.El.Ed. course and one unit of the proposed B.Sc. B.Ed. course. Hence, Recognition is refused."

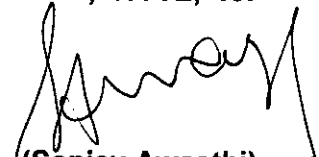
AND WHEREAS Dr. Raju Pawar, Treasurer and Sh. N.K. Galphat, Secretary, Raja Bhoj Shiksha Mahavidhyalaya, Jamthi, Betul, Madhya Pradesh presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation and in a letter dt. 22/06/2016 it was submitted that (i) according to rules and regulations, the built-up area should be 3500 sq. mts. and the institution already has 3537 sq. mts., as per the notarised copy of the building completion certificate (copy enclosed), which shows that the built up area is 38062 sq. ft; and (ii) the institution has 4040 sq. mts. land equal to 43560 sq. ft. which is diverted in two parts; Khasra No. 181/8 which measures 0.085 hecets i.e. 850 sq. mts. is one part and it was diverted on 22/06/2009 and Khasra No. 181/43, which measures 0.319 hecets i.e. 3190 sq. mts. is the other part and it was diverted on 05/07/2012. The appellant enclosed Notarised copies of the these orders as well as

a notarised copy of a revised building plan showing 43500 sq. ft. as land area and 38063 sq. ft. as built up area.

AND WHEREAS the Committee noted that the WRC after considering the Visiting Team's report and noting that the shape of the building in the CD was in 'L' whereas the shape in the building plan was 'U', issued a show cause notice to the appellant institution on 21/03/2016 seeking clarification on the discrepancy in the shape of the building. The appellant replied to the show cause notice on 01/04/2016. The Committee further noted that the WRC, however, refused recognition on grounds of inadequacy of built up area and diversion of insufficient land, which are different and which were not communicated to the appellant so as to enable him to make a representation. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to issue a show cause notice to the appellant indicating the new grounds relating to built up area and converted land and take further action as per the NCTE Regulations.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be remanded to WRC with a direction to issue a show cause notice to the appellant indicating the new grounds relating to built up area and converted land and take further action as per the NCTE Regulations.

NOW THEREFORE, the Council hereby remands back the case of Raja Bhoj Shiksha Mahavidhyalaya, Jamthi, Betul, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Raja Bhoj Shiksha Mahavidyalaya, Plot No. 26, Khasra No. 181/8, Jamthi, Betul, Madhya Pradesh – 460001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-398/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Raja Bhoj Shiksha Mahavidhyalaya, Jamthi, Betul, Madhya Pradesh dated 21/06/2016 is against the Order No. WRC/APP3473/222/249th/{M.P.}/2016/166163 dated 30/04/2016 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "AND WHEREAS, reply received from the institution was placed in the 249th WRC meeting held on April 21-23, 2016 and the Committee observed that "...VT was constituted and the VT visited the institution. The VT report was perused and the CD viewed. Show Cause Notice was issued to the institution on 21/03/2016 regarding inadequacy of built up area. The institution has not submitted notarized copy of Building Completion Certificate to show that it has built up area of 3500 sq. mtrs. to run the existing and the proposed courses. Again the CLU shows that the diverted land is only 3190 sq. mtrs. which is also not sufficient to run 2 units of the existing B.Ed. course, one unit of the D.El.Ed. Course and one unit of the proposed B.Sc. B.Ed. course. Hence, Recognition is refused."

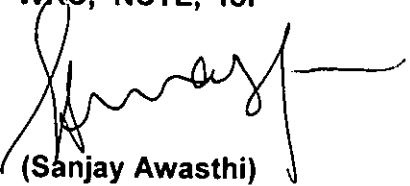
AND WHEREAS Dr. Raju Pawar, Treasurer and Sh. N.K. Galphat, Secretary, Raja Bhoj Shiksha Mahavidhyalaya, Jamthi, Betul, Madhya Pradesh presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation and in a letter dt. 22/06/2016 it was submitted that (i) according to rules and regulations, the built up area should be 3500 sq. mts. and the institution already has 3537 sq. mts., as per the notarised copy of the building certificate (copy enclosed), which shows that the built up area is 38062 sq. ft.; and (ii) the institution has 4040 sq. mts. land equal to 43560 sq. ft., which is diverted in two parts; Khasra No. 181/8, which measures 0.085 hecets i.e. 850 sq. mts. is one part and it was diverted on 22/06/2009 and Khasra No. 181/43, which measures 0.319 hecets i.e. 3190 sq. mts. is the other part and it was diverted on 05/07/2012. The appellant enclosed notarised copies of these orders as well as a notarised copy of a revised building plan showing 43560 sq. ft. as land area and 38063 sq. ft. as built up area.

AND WHEREAS the Committee noted that the WRC issued a show cause notice to the appellant institution on 21/03/2016 pointing out that the institution has only 32363 sq. ft. of built up area which is insufficient to run two units of existing B.Ed. course and proposed one unit of B.Sc. B.Ed. course and D.El.Ed. course and for all these courses the built up area required is 3500 sq. mts. as per the NCTE norms. It was also pointed out in the show cause notice that NOC from the affiliating body has not been submitted. The appellant replied to the show cause notice on 01/04/2016 enclosing an affidavit and a copy of building plan. In the affidavit, the appellant while giving details of built up area, stated that the NOC from Madhyamik Shiksha Mandal, Bhopal will be obtained soon and submitted.

AND WHEREAS the Committee further noted that the WRC, while noting that the NOC has not been submitted, refused recognition on grounds of non-submission of notarised copy of building completion certificate to show that they have a built up area of 3500 sq. mts. and submission of a CLU for an area which is insufficient to run all the three courses. The WRC overlooked the issue of non-submission of the NOC from the concerned affiliating body along with the application as required under the provisions of Clause 5(3) of the NCTE Regulations, 2014. Even though the appellant, with his appeal submitted documents explaining the position relating to diverted land area and built up area, he has not submitted an essential document, namely, NOC from the affiliating body along with their application. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to issue a suitable revised refusal order on the ground of non-submission of NOC from the affiliating body.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be remanded to WRC with a direction to issue a suitable revised refusal order on the ground of non-submission of NOC from the affiliating body.

NOW THEREFORE, the Council hereby remands back the case of Raja Bhoj Shiksha Mahavidhyalaya, Jamthi, Betul, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

- 1. The Manager, Raja Bhoj Shiksha Mahavidyalaya, Khasra No. 181/8, 181/43, Jamthi, Betul, Madhya Pradesh – 460001.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.**



F.No.89-399/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Olive Academy, Jongipur, Murshidabad, West Bengal dated 29/06/2016 is against the Order No. ER-213.6(i)318/ERCAPP3340/B.Ed./2016/46102 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 50 (one unit). The appellant wants recognition for an intake of 100 (two units).

AND WHEREAS Sh. Minhajuddin, President, Olive Academy, Jongipur, Murshidabad, West Bengal presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation it was submitted that "as per Appendix-4 of norms and standards for B.Ed. approved staff list was submitted along with individual affidavit of 16 faculty members for two units. An affidavit for two unit was submitted to ERC as per decision of their meeting No. 205 dated 20-21 Feb. 2016. In the proceedings of the meeting No. 205 decision for two units has been taken. No deficiency in the staff list and other required documents were found by ERC in their meeting No. 213 item No. 213.6.9.

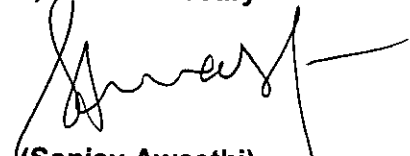
AND WHEREAS the Committee noted that in the affidavit enclosed to the application, the appellant mentioned only one unit (50 intake). the Visiting Team in their report also recommended one unit. The ERC after considering the VT Report in their 205th meeting held on 20-21 February, 2016 decided to issue Letter of Intent for two basic units. The ERC in their Letter of intent dt. 23/02/2016 asked the appellant to indicate their choice for one or two units in an affidavit. The appellant with his reply dt. 01/03/2016 inter-alia enclosed an affidavit mentioning two units (100 intake) and also a list of one principal and 15 lecturers countersigned by the Registrar, West Bengal, University of Teachers Training, Education, Planning and Administration on 27/02/2016. The ERC after considering the reply, in their 210th meeting held on 7-9 April, 2016 decided to issue show cause notice on the grounds that (a) two lecturers did not possess 55% marks in Master Degree (b) out of 16

faculties 12 lecturers are same in B.Ed. and D.El.Ed. programmes; and (c) the institution is required to appoint separate faculty for both the programme as per NCTE Regulations, 2014. In response to this decision, the appellant with his letter dt. 14/04/2016, forwarded a new list of one Principal and 15 lecturers countersigned by the Registrar of the above mentioned University on 14/04/2016. The appellant with his subsequent letter dt. 23/04/2016 forwarded the Ph.D. certificate of the Principal. Thereafter the ERC in their 213rd meeting held on 29-30 April, 2016 decided to grant recognition for B.Ed. programme with an intake of 50 (one basic unit).

AND WHEREAS the Committee noting that the ERC did not either find any deficiency or indicate any reason for granting recognition for one basic unit only concluded that the matter deserved to be remanded to the ERC with a direction to take appropriate action on the request of the appellant for two basic units as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be remanded to ERC with a direction to take appropriate action on the request of the appellant for two basic units as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Olive Academy, Jangipur, Murshidabad, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The President, Olive Academy, 15, Deed of Sale, 271, 272, Kanchanpur (Bagpara), Jangipur, Murshidabad, West Bengal – 742227.
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.89-400/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Olive Academy, Jongipur, Murshidabad, West Bengal dated 29/06/2016 is against the Order No. ER-213.6.9/ERCAPP3086/D.El.Ed./2016/46498 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting D.El.Ed. course with an intake of 50 (one unit). The appellant wants recognition for an intake of 100 (two units).

AND WHEREAS Sh. Minhajuddin, President, Olive Academy, Jongipur, Murshidabad, West Bengal presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation it was submitted that as per Appendix-2 of norms and standards for D.El.Ed. approved staff list was submitted along with individual affidavit of 16 (Sixteen) faculty members for two units. An affidavit for two unit was submitted to ERC as per decision of their meeting No. 205 dated 20-21 Feb. 2016. In the proceedings of the meeting No. 205 decision for two units has been taken in the meeting. No deficiency in the staff list and other required documents were found by ERC in their meeting No. 213 item No. 213.6.9.

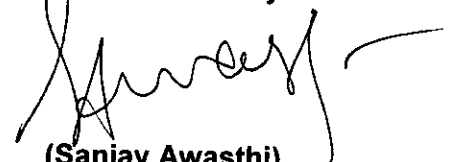
AND WHEREAS the Committee noted that in the affidavit enclosed to the application, the appellant mentioned two units (100 intake). The Visiting Team in their report dt. 15/02/2016 also recommended two units (100). The ERC, in their 205th meeting held on 20-21 February, 2016, however decided to issue a Letter of Intent for one unit. The ERC in their Letter of Intent dt. 23/02/2016 asked the appellant to indicate their choice for one or two units in an affidavit. The appellant, with his reply dt. 01/03/2016. Inter-alia enclosed an affidavit mentioning an intake of 100 i.e. two units and also a list of one principal and 17 lecturers, which did not have the approval of the affiliating body. The appellant sent one more letter dt. 22/03/2016 enclosing another affidavit mentioning intake of 100 (two units) and list of one

principal and 15 lecturers countersigned by the Secretary, West Bengal Board of Primary Education. The ERC in their 210th meeting held on 7-9 April, 2016 decided to issue a show cause notice on the grounds that (a) two lecturers did not possess 55% of marks in Master Degree; (b) out of 16 faculties, 12 lecturers are same in B.Ed. and D.El.Ed. programmes; and (c) the institution is required to appoint separate faculty for both the programmes as per NCTE Regulations, 2014. In response to this decision the appellant with his letter dt. 14/04/2014 forwarded the same list of staff sent with their earlier letter dt. 22/03/2016. Thereafter the ERC in their 213th meeting held on 29-30 April and 1-2 May, 2016 decided to grant recognition for D.El.Ed. programme with an intake of 50 (one basic unit).

AND WHEREAS the Committee, noting that the ERC did not either find any deficiency or indicate any reason for granting recognition for one basic unit only, concluded that the matter deserved to be remanded to the ERC with a direction to take appropriate action on the request of the appellant for two basic units as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be remanded to ERC with a direction to take appropriate action on the request of the appellant for two basic units as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Olive Academy, Jongipur, Murshidabad, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The President, Olive Academy, 15, Deed of Sale, 271, 272, Kanchanpur (Bagpara), Jangipur, Murshidabad, West Bengal – 742227.
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.

36



F.No.89-401/2016 Appeal/12th Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Shyamapada Das College of Education, Suri, Birbhum, West Bengal dated 02/07/2016 is against the Order No. ER-213.6(i).106/ERCAPP3498/B.Ed./2016/46351 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 50 (one basic unit). The appellant wants recognition for an intake of 100 (two units).

AND WHEREAS Sh. Kamruz Zaman, Secretary, Shyamapada Das College of Education, Suri, Birbhum, West Bengal presented the case of the appellant institution on 27/08/2016. In the appeal and during personal presentation it was submitted that they have applied for two units of B.Ed. Course; they have sufficient land, infrastructural and instructional facilities to run two units of B.Ed. course; they have submitted their willingness for two units of B.Ed. course as per recommendation of V.T. Report; and they have appointed 3 Nos. Math teaching staff for B.Ed. & D.El.Ed. Course, approved by affiliating body & submitted to ERC, NCTE. The institute is a composite in character.

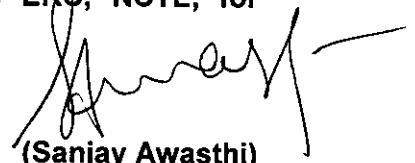
AND WHEREAS the Committee noted that the appellant, in the affidavit enclosed to their application, mentioned the intake as 100 i.e. two units. The Visiting Team in their report dated 25/02/2016 recommended that permission may be accorded to run the additional B.Ed. course with the applied for number of units. The ERC in the Letter of Intent issued on 29/03/2016 asked the appellant to indicate their choice of one or two units in an affidavit. The appellant with their reply dt. 27/04/2016 inter-alia enclosed an affidavit mentioning two units (100 students) and a list of one Principal and 16 lecturers, countersigned by the Registrar, University of Burdwan on 20/04/2016. The ERC in their 2213th meeting held on 29-30 April and 1-2 May, 2016, noting that only one Math teacher has been appointed, decided to grant recognition with an intake of 50 (one basic unit). The appellant, in

the course of presentation, claiming that theirs is a composite institution, enclosed a list of teachers for D.El.Ed. course countersigned by the Secretary, West Bengal Board of Primary Education and which contained two lecturers for Mathematics. The plea of the appellant during his presentation is that there are three lecturers for Mathematics for both D.El.Ed. and B.Ed. courses and they may therefore, be granted recognition for two units of B.Ed.

AND WHEREAS the Committee noted that the ERC only recorded in the minutes of their 213th meeting held on 29-30 April and 1-2 May, 2016 that only one Math teacher appointed. Before finally granting recognition for one unit of B.Ed. the ERC has not formally informed the appellant about any deficiency in the teaching staff vis a vis the norms and standards for B.Ed. course, through a show cause notice, so as to enable the appellant to make a representation. In these circumstances, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to issue a show cause notice informing the grounds on which recognition was granted for one unit only and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be remanded to ERC with a direction to issue a show cause notice informing the grounds on which recognition was granted for one unit only and take further action as per the NCTE Regulations, 2014.

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shyamapada Das College of Education, 190, 177, Tentuldihi, Suri, Birbhum, West Bengal – 731218.
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.89-404/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Kanya Gurukul College of Education, Shadipur, Julana, Jind, Haryana dated 09/07/2016 is against the Order No. NRC/NCTE/NRCAPP-11005/253st (Part-I) Meeting/2016/151048-51 dated 16/06/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The Committee considered the letter of the institution dt. 26/05/2016 and the following observations were made: (a) The applicant institution has not submitted any proof/evidence that it is offering under graduate or post graduate programme of studies in the field of Liberal Arts or Humanities or Social Science or Science or Mathematics for getting grant of recognition for 4 year integrated programme leading to B.Sc. B.Ed./B.A. B.Ed. degree as has been mentioned in Clause 2(b) of NCTE Regulations, 2014 and clause 1.1 of the Appendix 13 (Norms & Standards for B.A. B.Ed./B.Sc. B.Ed. degree). (b) In case of the mentioned applications from Haryana, LOIs were issued before the receipt of information with regard to ban imposed by Govt. of Haryana. (c) The decision with regard to the institution were taken in accordance with the provisions of NCTE Regulations, 2014 and relevant inputs from the State Govt. the formal order of grant of recognition shall be issued strictly in accordance with the provisions of NCTE Regulations, 2014 and the latest relevant inputs received from the State Govt. of Haryana."

AND WHEREAS Dr. B.S. Hargus, Principal and Sh. M.S. Lather, Representative, Kanya Gurukul College of Education, Shadipur, Julana, Jind, Haryana presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "Appellant institution is recognised for conducting B.Ed. & D.El.Ed. since 2007 & 2008. State Government of Haryana did not put any restriction except D.El.Ed. course for the academic session 2016-17 and applications were invited by NCTE except for D.El.Ed. course. Applicant submitted application for B.A., B.Ed./B.Sc. B.Ed. course

on 28/05/2015 which was processed by NRC and inspection was conducted on 19/01/2016. Show Cause Notice (SCN) dated 10/03/2016 was issued to which a reply was submitted on 29/03/2016 NRC in its 252nd meeting decided to issue another SCN. Reply to second SCN was submitted by applicant on 13/05/2016 NRC ultimately refused recognition on grounds of negative recommendations of the State Government which ought to have been considered before issuing Public Notice inviting applications."

AND WHEREAS Appeal Committee noted that appellant institution submitted application dated 28/05/2015 for B.A., B.Ed./B.Sc. B.Ed. course. The NOC dated 27/05/2015 enclosed with the application was issued by Kurukshetra University and it stated that 'the certificate is subject to final approval of the State Government and inspection by the University'. It was thus a conditional NOC.

AND WHEREAS Appeal Committee further noted that NRC wrote a letter dated 12/12/2015 to the Department of Higher Education, Govt. of Haryana seeking comments of the State Government as required under clause 7(4) to 7(6) of the NCTE Regulations, 2014. N.R.C., without waiting for the recommendations of the State Govt., decided to cause inspection of institution and inspection of the appellant institution was conducted on 17-18 January, 2016.

AND WHEREAS Appeal Committee further noted that a Show Cause Notice (SCN) dated 10/03/2016 was issued to the appellant institution on the ground that it has not submitted evidence of offering under graduate or post graduate programmes of study as required under NCTE Regulations, 2014.' Appellant institution submitted reply dated 21/03/2016 to the point raised in SCN and clarified that institution is already recognised for conducting B.Ed. and D.El.Ed. programmes and thus fulfils the criteria of composite institution as defined in para 2 (b) of the NCTE Regulations, 2014.

AND WHEREAS N.R.C. in its 252nd Meeting held between 19/04/2016 to 2nd May, 2016 (Part 2) decided to issue a 2nd Show Cause Notice to the appellant institution on the basis of negative recommendations conveyed vide letter dated 12/03/2016 of Higher Education Department, Govt. of Haryana. The specific letter of the State Govt. is not available on relevant file. But it appears from the minutes of the meeting that negative recommendations were not specific to appellant

institution and NRC was advised not to entertain applications for 4 years integrated course in the State during the years 2016-17 and 2017-18.

AND WHEREAS Appeal Committee noted that appellant institution submitted reply dated 26/05/2016 and pointed out that a common Letter of Intent dated 26/04/2016 was issued to several institutions located in the State of Haryana for teacher education courses like B.Ed., M.Ed., B.A. B.Ed./B.Sc. B.Ed. Appeal Committee noted that grounds of refusal mentioned in the impugned order are not justified and convincing for the following reasons:

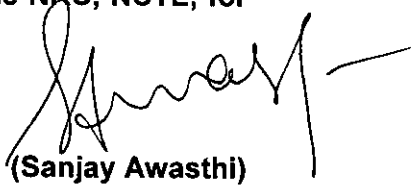
Grounds	Reasons
a) The applicant institution has not submitted any proof/evidence that it is offering under graduate or post graduate programme of studies in the field of Liberal Arts or Humanities or Social Science or Science or Mathematics for getting grant of recognition for 4 year integrated programme leading to B.Sc. B.Ed./B.A. B.Ed. degree as has been mentioned in Clause 2(b) of NCTE Regulations, 2014 and clause 1.1 of the Appendix 13 (Norms & Standards for B.A. B.Ed./B.Sc. B.Ed. degree).	Appellant institution has submitted evidence of its conducting teacher education courses like B.Ed. and D.El.Ed. and being a composite institution as defined under Clause 2 (B) of NCTE Regulations, 2014.
(b) In case of the mentioned applications from Haryana, LOIs were issued before the receipt of information with regard to ban imposed by Govt. of Haryana.	The date of issue of common L.O.I. is 26/04/2016 whereas recommendation of State Govt. are dated 12/03/2016.
(c) The decision with regard to the institution were taken in accordance with the provisions of NCTE Regulations, 2014 and	Application for B.A. B.Ed./B.Sc. B.Ed. was made on 28/05/2015 and NRC wrote letter to State Govt. seeking recommendation on 12/12/2015. There

relevant inputs from the State Govt. the formal order of grant of recognition shall be issued strictly in accordance with the provisions of NCTE Regulations, 2014 and the latest relevant inputs received from the State Govt. of Haryana."	has been a delay of about 6 months in writing letter of State Government. The recommendations of the State Government were selectively implemented.
--	---

AND WHEREAS taking note of the circumstances of the case, Appeal Committee decided to remand back the case to NRC by setting aside the refusal order dated 16/06/2016. NRC should revisit the case keeping in view the detailed reasons or grounds and necessary statistics provided by State Government in support of the negative recommendations.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC by setting aside the refusal order dated 16/06/2016. NRC should revisit the case keeping in view the detailed reasons or grounds and necessary statistics provided by State govt. in support of the negative recommendations.

NOW THEREFORE, the Council hereby remands back the case of Kanya Gurukul College of Education, Shadipur, Julana, Jind, Haryana to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Appellant, Kanya Gurukul College of Education, Shadipur-Julana Near B.D.O. Office, Julana, Jind, Haryana – 126101.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

40



F.No.89-405/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Jatindranath Institute of Education, Bankiput, Contai, Midnapore, West Begnal dated 29/06/2016 is against the decision of the Eastern Regional Committee contained in the minutes of their 214th meeting held on 13-15 May, 2016 to refuse recognition for conducting B.Ed. course on the grounds that "a. Show cause notice was issued on 23/10/2015 on the following grounds: (i) The institution submitted two applications simultaneously i.e. one for B.Ed. (ERCAPP3859) & another for D.El.Ed. (ERCAPP3862). The NOC from the affiliating body not submitted for B.Ed. Programme. (ii) Show Cause Notice be issued to the institution for non-submission of NOC. b. No reply received from the institution till date and time limit is over. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3859 of the institution regarding recognition for B.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993. The Eastern Regional Committee issued their refusal order No. ER/7-214.9.7/ERCAPP3859/(B.Ed.)/2016/48324 on 21/07/2016.

AND WHEREAS No one from, Jatindranath Institute of Education, Bankiput, Contai, Midnapore, West Begnal presented the case of the appellant institution on 27/08/2016. In the appeal it was submitted that the NOC was received on time completely. The building was not ready hence they did not submit the NOC. Now as the building is ready for use, they are submitting the NOC for D.El.Ed. Course issued by West Bengal Board of Primary Education and for B.Ed. Course issued by Bidyasagar University."

AND WHEREAS the Committee noted that the ERC issued a show cause notice to the appellant on 23/10/2015 pointing out that the No Objection Certificate

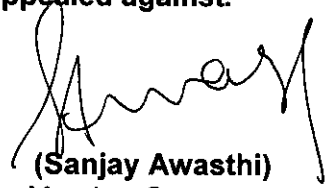
2-

(NOC) from the affiliating body has not been submitted. As the appellant did not respond to the show cause notice, ERC refused recognition. The appellant enclosed to the appeal a copy of the No Objection Certificate dt. 22/06/2015 issued by Vidya Sagar University, Midnapore.

AND WHEREAS the Committee noted that according to the provisions of clause 5(3) of the NCTE Regulation, 2014, a No Objection Certificate from the concerned affiliating body, has to be sent along with the application. The appellant neither fulfilled this requirement nor responded to the show cause notice. In these circumstances, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC confirmed.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Jatindranath Institute of Education, 626, 627, 628, 629, Ownership, Bankiput, Contai, Midnapore, West Bengal – 721442.
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.

41



F.No.89-406/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Vishwanath Pratap Singh College of Education, Lahar, Bhind, Madhya Pradesh dated 01/07/2016 is against the Order No. WRC/APP3286/223/250th/2016/167478 dated 06/05/2016 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The Society is having only 0.261 hectares of land as against 3000 sq. mts. of land required for running one unit of existing D.El.Ed. Course and one unit of proposed B.Ed. Course. in reply of the Show Cause Notice; the Society has submitted the land document that has been submitted by the Society at the time of application showing 0.261 hectares of land in the name of Society. The Society has submitted a certificate from the Tehsildar which is not acceptable. The Society is not having the required land area. Hence, Recognition is refused."

AND WHEREAS Sh. Er. Shailendra Singh Kushwah, Secretary, Vishwanath Pratap Singh College of Education, Lahar, Bhind, Madhya Pradesh presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "The show cause notice was sent to institute on 21/03/2016 and one month's time was given for submitting reply of Show Cause Notice. The management of the institute tried a lot for getting the e-registry done of required land, but for the problem of server (for transaction) and the problem of not working the website properly, the work of the e-registry could not be completed within given time. Apart from that there was change of the financial year April 2016."

AND WHEREAS Appeal Committee noted that appellant institution in its application dated. 30.06.2015 for seeking recognition of B.Ed. Course did not furnish details of existing D.El.Ed. course. The applicant also submitted affidavit declaring that the society was in possession of land Measuring 3004.18 Sq. Meter.

From the land document enclosed with the application it was noticed that land owned by society measures 0.26 Hec.

AND WHEREAS Appeal Committee further noted that inspection of the appellant institution was conducted on 24.02.2016 and NRC in its 246th Meeting observed. V.T. Report and noticed that institution is already conducting D.El.Ed. course from the year 2012 and the land for which land documents are submitted fall short of minimum requirement of land for two courses. Show Cause Notice dated. 21.03.2016 was therefore, issued. Appellant institution submitted reply dated 18/04/2016 to the SCN and submitted a certificate dated 18/04/2016 issued by Tehsildar, Lahar, Dist. Bhind certifying that additional land measuring 387.59 sq Meters at Survey No. 808 is in possession of the applicant society. The sale deed of above said land, however, could not be got registered.

AND WHEREAS Appeal Committee noted following facts:

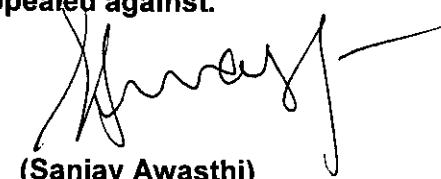
- a) Application did not voluntarily disclose in its application dated 30.06.2015 that institution is conducting D.El.Ed. course on the same land.
- b) In the application and in the affidavit declaration was made that institution owns land measuring 3004. 18 Sq. Meters whereas land document submitted was for land measuring 0.26 Hec.

AND WHEREAS Appeal Committee further noted that an application is liable to be summarily rejected in case of failure to submit land document alongwith application and for this purpose documents means registered land document for whole piece of land as per minimum requirement laid down in the norms and standards.

AND WHEREAS Appeal Committee noted that appellant institution has failed to submit land documents for the required area and had furnished affidavit not consistent with registered land documents at the time of submitting application, Appeal Committee, therefore, decided to confirm the refusal order dated 06/05/2016 issued by WRC.

AND WHEREAS after perusal of the Memoranda of Appeal affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 06/05/2016 issued by W.R.C.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Vishwanath Pratap Singh College of Education, 808, Smt. Krishna Singh Memorial, 808, Lahar, Bhind, Madhya Pradesh – 477445.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-407/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Gitanjali B.Ed. College, Berhampore, Murshidabad, West Bengal dated 1/07/2016 is against the Order No. ER/7-204.9(i).185/ERCAPP3075/(B.Ed.-Addl. Intake)/2016/44477 dated 03/03/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Additional course on the grounds that "a. Show Cause Notice was issued on 15/01/2016 on the following grounds: (i) NOC from the examining/affiliating body issued on or before 15th July 2015 not submitted. b. No compliance of the show cause notice submitted by the institution. The reply dated 02/02/2016 submitted by the institution is not satisfactory. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3075 of the institution regarding permission for B.Ed. (Addl. Intake) course is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Prosenjit Mondal, President, Gitanjali B.Ed. College, Berhampore, Murshidabad, West Bengal presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "Gitanjali B.Ed. College is recognised by NCTE, ERC, Bhubaneswar and affiliated to University of Kalyani and present affiliated body WBUTTEPA. We have NOC as an existing college from the Higher Education Department, Govt. of West Bengal. Higher Education Department, Govt. of West Bengal has not mentioned seat in NOC letter and they do not issue NOC letter second time. We have re-applied for NOC to the Higher Education Department, Govt. of West Bengal. We have also applied to new affiliating body."

AND WHEREAS Appeal Committee noted that appellant institution did not submit No Objection Certificate issued by affiliating body/ University alongwith its application dated 30.05.2015 seeking recognition for additional intake in B.Ed. course. Clause 5(3) of the NCTE Regulations, 2014 prescribes that No Objection

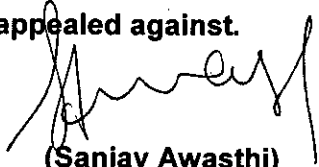
Certificate issued by concerned affiliating body shall be submitted alongwith processing fee and scanned copy of the online application. Appellant's plea intimated vide its letter dated 2.02.2016 addressed to ERC stating that the applicant institution is already conducting B.Ed. course since 2013 and is not required to seek fresh No Objection Certificate is not tenable as recognition was earlier granted under NCTE Regulations of 2009 and the condition of seeking and submitting No Objection Certificate from affiliating body was not required as a pre-requisite. Appeal Committee further noted that after getting a Show Cause Notice (SCN) dated 15.01.2016, the appellant institution had applied on 8.06.2016 to the West Bengal University of Teacher Training Education Planning and Administration requesting for issue of No Objection Certificate.

AND WHEREAS Appeal Committee taking note that No Objection Certificate of affiliating body was not submitted before the cut-off date, decided to confirm the refusal order dated 3.03.2016.

AND WHEREAS after perusal of the Memorandum of Appeal, affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 3.03.2016 issued by ERC.

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

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


(Sanjay Awasthi)
Member Secretary

1. The President, Gitanjali B.Ed. College, 531, 535, 288, Narasinghapur, Berhampore, Murshidabad, West Bengal – 742306.
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.89-408/2016 Appeal/12th Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of D.I.E.T. (District Institute of Education and Training), Lunglei, Mizoram dated 26.02.2016 is against the Order No. ERC/7-198.9(i)7/ERC APP 2859/B.Ed. (Addl. Course)/2015/39467 dated 01/12/2015 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Failure to submit print out of application made online within fifteen days of the submission of the online application."

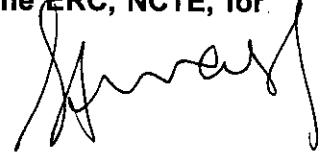
AND WHEREAS No one from D.I.E.T. (District Institute of Education and Training), Lunglei, Mizoram appeared on behalf of the appellant institution on 29/08/2016. In the appeal memoranda it was submitted that "One of the essential documents i.e. NOC from the affiliating body (MZU) had been issued only on 12th June 2015. In addition to this, 13th June to 15th June fall on State holidays. During this period post offices remained closed. The said document can be sent only on 16th June, 2015."

AND WHEREAS Appeal Committee noted that NCTE (Hqrs.) had issued instructions addressed to all Regional Committee offices that print out of online applications made for the academic session 2016-17 may be accepted upto 15.07.2015 irrespective of the date of on line application. Keeping in the view the institutions issued by NCTE (Hqrs.), Appeal Committee decided to set aside the order dated 01/12/2015 and remand back the case to ERC for further processing of the application submitted by DIET, Lunglei, Mizoram for B.Ed. course.

AND WHEREAS after perusal of the Memorandum of Appeal, affidavit, documents on record, Appeal Committee concluded to set aside the order dated

01/12/2015 issued by ERC and remand back the case for further processing of the application.

NOW THEREFORE, the Council hereby remands back the case of D.I.E.T. (District Institute of Education and Training), Lunglei, Mizoram to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Principal, D.I.E.T. (District Institute of Education and Training), Lunglei, DPL 51, of 1979, Lunglei, Mizoram – 796691.**
- 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 Mizoram, Aizawl.**

44



F.No.89-409/2016 Appeal/12th Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Panagarh Primary Teacher Training Institute, Danga, Panagarh, Bardhaman, West Bengal dated 13.07.2016 is against the Order No. ERC/214.25/ERCAPP4165/B.Ed. 2016/47457 dated 24.06.2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Show Cause Notice was issued on 12/02/2016 on the following grounds: (i) NOC for B.Ed. programme issued from the affiliating/examining body not submitted. (ii) The built up area is not indicated in the submitted building plan. The Institution is required to submit a blue print of building plan indicating plot No., total land area, total built up area etc. & duly approved by any Govt. Engineer. The institution submitted its reply dated 02/03/2016 along with a copy of NOC & building plan. The submitted building plan is not approved by any Govt. Engineer. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP4165 of the institution regarding permission for B.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Partha Pratim Haldar, Member, Panagarh Primary Teacher Training Institute, Danga, Panagarh, Bardhaman, West Bengal presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "Total land area, built up area and other facilities for conducting B.Ed. course are as per the NCTE Regulation 2014. Hope you will be satisfied to verify our documents. I therefore request you to please consider the matter in favour of our institute."

AND WHEREAS Appeal Committee noted that appellant institution did not submit NOC of the affiliating body and building plan containing necessary details

2

and approvals alongwith its applications dated 30.06.2015. E.R.C Bhubaneswar issued a Show Cause Notice (SCN) dated 11.02.2016 seeking reasons as the why recognition be not refused on the above points. Appeal Committee noted that by issue of SCN the appellant was not given an opportunity to submit NOC which otherwise is required to be submitted alongwith hardcopy / printout of the application as required under clause 5(3) of the NCTE Regulation, 2014

AND WHEREAS Appeal Committee further noted that appellant submitted copy of building plan approved by Gram Panchayat on 03.06.2015 and NOC dated 13/07/2015 issued by University of Burdwan on 18.02.2016. The refusal order dated 24.06.2016 lacks clarity so far it does not speak about the exact reason of refusal i.e. whether (i) it is on ground of a building plan not approved by Govt. Engineer or (ii) Non submission of NOC of affiliating body alongwith application or (iii) On account of both the reasons.

AND WHEREAS Appeal Committee observed that building plan submitted by appellant alongwith its Appeal Memorandum was approved by Govt. Engineer on 02.06.2016 but it was not available for consideration of the regional committee which met between 13th to 15th May, 2016 for its 214th Meeting. NOC of affiliating body was not submitted before the cut off date of receipt of hard copy of application. Appeal Committee, therefore, decided to confirm the refusal order dated 24.06.2016 issued by ERC.

AND WHEREAS after perusal of the Memorandum of Appeal, affidavit, documents on record and oral agreement advanced during the hearing. Appeal Committee concluded to confirm the refusal order dated 24.06.2016 issued by ERC Bhubaneswar.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Panagarh Primary Teacher Training Institute, 2230/4417, Danga, Panagarh, Bardhaman, West Bengal – 713148.
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.



45

F.No.89-411/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Kamala Devi Sohan Raj Singhvi Jain College of Education, Kolkata, West Bengal dated 11/07/2016 is against the Order No. ER/7-214.8.85/ERCAPP4090/(D.El.Ed.)/2016/47541 dated 27/06/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show cause notice was issued on 22/02/2016 on the following grounds: (i) The submitted building plan is not a proper building plan. The institution is required to submit a blue print of building plan indicating plot No., total land area, total built up area etc. & duly approved by any Govt. Engineer. b. The institution submitted its reply dated 02/05/2016 along with a blue print building plan without indicate the plot No. and name of the institution. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP4090 of the institution regarding permission for D.El.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Dr. Sairindhree Sen, Principal and Sh. Sri Somnath Sarkar, Accountant, Kamala Devi Sohan Raj Singhvi Jain College of Education, Kolkata, West Bengal presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "The applicant "Shree Shwetambar Sthanakvasi Jain Sabha" has already been granted recognition for B.Ed. programme (APE00737) for the academic session 2008-09 with an annual intake of 100 by ERC, NCTE. (Recognition order No. ERC/7-87.6(II).31/2008/12713, dated 25th August, 2008 in the name of "Kamala Devi Sohan Raj Singhvi Jain College of Education". The applicant society "Shree Shwetambar Sthanakvasi Jain Sabha" submitted its online application in the name of "Kamala Devi Sohan Raj Singhvi Jain College of Education" for grant of

recognition for the academic session 2016-17 with annual intake (100) for D.El.Ed. Programme (ERCAPP4090) on 30/06/2015. The applicant society has satisfied all the norms for D.El.Ed. application as laid down by NCTE Regulation 2014 and is running its 9th year of B.Ed. programme successfully since its inception from the academic session 2008-09 onward (2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16 & 2016-17) under the University of Calcutta. The applicant society, before submitting its online application was in possession of 3061 sq. mts. of land and 3156 sq. mts. of build-up area which satisfied all the norms for composite institution as per NCTE, Regulation, 2014. The application society dispatched the hard copy printout of the online application for D.El.Ed. Programme (ERCAPP4090) along with all relevant documents and an application fee of Rs. 1,50,000/- on 13/07/2015 by courier, which was received by the ERC, NCTE office on 16/07/2015. The applicant society, in its reply vide Ref. No. KSSJCE/NCTE/DLED/2016/5, dated 02/05/2016 against Show Cause Notice vide proceedings of the 204th meeting on 15-17th February, 2016 by ERC, NCTE, Bhubaneswar, submitted all the necessary documents alongwith a written submission about the existing code of B.Ed. programme (APE00737). The applicant society, also submit the facts that the existing B.Ed. programme (APE00737) and proposed D.El.Ed. Programme (ERCAPP4090) are running under the same managing body "Shree Shwetambar Sthanakvasi Jain Sabh" from the academic session 2008-09, in the name of "Kamala Devi Sohan Raj Singhvi Jain College of Education". The applicant society, in its reply Ref. No. KSSJCE/NCTE/DLED/2016/2, dated 24/02/2016 and Ref. No. KSSJCE/NCTE/DLED/2016/5, dated 02/05/2016 also prayed for consideration of D.El.Ed. application (ERCAPP4090) since the same land and infrastructure is being used for the present application under the same society alongwith the preceding B.Ed. programme. The applicant society, in good intention and willingness to become a composite institute filed the online application for D.El.Ed. Programme (ERCAPP4090) along with existing B.Ed. Programme (APE00737) in compliance with the NCTE Regulation 2014. The applicant society, affirms that the existing B.Ed. (APE00737) and proposed D.El.Ed. (ERCAPP4090) programmes are run by the same society with same address, at the same place and in the same building as a composite institute as per the NCTE Regulation 2014. The applicant society, at present has all the necessary documents including a blue print of of the building

plan indicating plot no., total land area, total built up area etc., and duly approved by the Govt. Engineer in accordance with the requirements set-up by the ERC-NCTE to establish its position.

AND WHEREAS Appeal Committee noted that refusal order dated 27.06.2106 issued by ERC is on the ground that appellant institution submitted reply dated 02.05.2106 to the SCN enclosing therewith blue print of building plan. The above plan did not indicate the Plot number and name of institution.

AND WHEREAS Appeal Committee noted that land documents enclosed with the application are in respect of land with premises no. 6, Ram Gopal Ghosh Road, Kolkata. The application (Page 3) does not mention any plot number and the address is mentioned as street no. 6, P.O. Cossipare, Kolkata (WB). Address of the institution as mentioned in the affidavit submitted alongwith application is 6, Ram Gopal Ghosh Road, Cossipose, Kolkata.

AND WHEREAS Appeal Committee noted that the Show Cause Notice dated 22.02.2016 in very clear terms required the appellant institution to submit building plan indicating plot number, total land area, total built up area duly approved by any Govt. Engineer. The response to the SCN was not only late but it was incomplete. The building plan submitted no where mentioned the plot number and name of society / institution. It was therefore, not possible to correlate the plan with the property details and also it was not sufficient for the applicant to say that they are already running a B.Ed. programme on the said site since 2008.

AND WHEREAS the refusal order dated. 27.06.2016 issued by ERC was made by ERC after giving due opportunities to submit a valid and acceptable building plan and hence Appeal Committee decided to confirm it.

AND WHEREAS after perusal of the Memorandum of Appeal, affidavit, documents on record and oral agreement advanced during the hearing. Appeal Committee concluded to confirm the refusal order dated 27.06.2016.

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


(Sanjay Awasthi)
Member Secretary

- 1. The Principal, Kamala Devi Sohan Raj Singhvi Jain College of Education, Plot No. 6, Street/Road – Ram Gopal Ghosh Road, PO – Cossipore, Kolkata, West Bengal – 700002.**
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.

46



F.No.89-412/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Dr. CSN College of Education, West Godavari, Andhra Pradesh dated 12/07/2016 is against the Order No. SRO/NCTE/SRCAPP3374/D.El.Ed.-AI/AP/2016-17/85476 dated 16/05/2016 of the Southern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Claimed additional construction is not supported by BCC and was not inspected. Reply is not satisfactory."

AND WHEREAS Sh. S. Satyanarayana, Representative and Sh. T.K.V. Bapuji, Representative, Dr. CSN College of Education, West Godavari, Andhra Pradesh presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "Additional Building construction was completed before the visit of the VT members. Building Completion Certificate is enclosed. The inspection Committee inspected all the buildings including the additional building. Since we have sufficient accommodation, infrastructure and fulfilled all the requirements, I request you to be kind enough to consider our appeal for sanctioning additional section."

AND WHEREAS Appeal Committed noted that appellant institution submitted application dated 03/06/2015 seeking recognition for D.El.Ed. course (Addition Intake) for 50 seats. The applicant disclosed in its application that it has land measuring 8092 sq. Meters and built up area of 2001 Sq. Meter. Inspection of the institution was conducted on 28.01.2016. On page 15 of the V.T. report it has been mentioned that built up area as per building plan is 1951 Sq. Meters and as per Building Completion Certificate (BCC) it is 21000 sq. feet.

AND WHEREAS Show Cause Notice (SCN) dated 17/03/2016 was issued to applicant institution on the ground that built up area is not adequate for two programmes. The appellant institution submitted reply dated 29.03.2016 enclosing therewith two building plans. Building Plan – I is indicating 4 Blocks and a built up

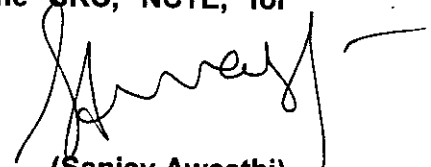
area of 1951 sq. Meters Building Plan – 2 is showing 2 blocks with a built up area of 975.5 sq Meters. The appellant's contention is that Inspection team inspected all the buildings including the additional building and if required another inspection may be carried out on payment of fee by the appellant.

AND WHEREAS Appeal Committee on observing the two building plans submitted by the appellant in response to SCN noticed that first plan is for proposed construction of four blocks and total proposed built up area is 1951 Sq. meters. The second building plan is for construction of two blocks with a proposed built up area of 975.5 Sq. Meters. Going by the version of applicant, there should be six blocks with a total built up area of $(1951 + 975.5) = 2926.5$ Sq. Meters. Appellant desired that another Inspection may be carried out to know the exact status of availability of adequate built-up area.

AND WHEREAS Appeal Committee decided that another inspection of the appellant institution may be got conducted on payment of fee to verify the availability of built up area for conducting the existing and proposed teacher education programmes.

AND WHEREAS after perusal of the Memorandum of Appeal, affidavit, documents or record and oral agreement advanced during the hearing, Appeal Committee concluded to remand back the case to SRC for conducting another inspection of the institution on payment of and taking further action as per regulation.

NOW THEREFORE, the Council hereby remands back the case of Dr. CSN College of Education, West Godavari, Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Dr. CSN College of Education, RS No. 147, Peoples Educational Society, 13-8-6, Bhimavaram, West Godavari, Andhra Pradesh – 534203.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

47



F.No.89-413/2016 Appeal/12th Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 26/9/16

ORDER

WHEREAS the appeal of Fatika Nazrul Sukanta Educational Training Centre B.Ed., Indus, Bankura, West Bengal dated 14.7.2016 is against the Order No. ERC/218.7.14/ERCAPP2390/B.Ed./2016/48466 dated 25.7.2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a. Show cause notice was issued on 08/06/2016 on the following grounds: (i) The name of recognized institution is "Fatika Nazrul Sukanta Educational Training Centre" and now applied B.Ed. programme in the name of "Fatika under the category of standalone institution. (ii) As per NCTE Regulation 2014, standalone institution is not considerable. b. In response to show cause notice, the institution submitted its reply dated 03/05/2016 on the basis of proceeding uploaded in ERC website, which does not fulfil the requirement of show cause notice and not considerable as per NCTE Regulation 2014. In view of the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP2390 of the institution regarding permission for B.Ed. (Addl. Course) programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. MD Alamgir, Member and Sh. Md. Khairul Alam, Member, Fatika Nazrul Sukanta Educational Training Centre B.Ed., Indus, Bankura, West Bengal presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "This is merely a typical error and the word "B.Ed." should be deleted after the name of the institution."

AND WHEREAS Appeal Committee noted that appellant submitted application dated 25.5.2015 seeking recognition for B.Ed. course in the name of "Fatika Nazrul Sukanta Education Training Centre B.Ed. at Khasra no 739, Village- Fatika Dist

Baukura, WB. The appellant society already stands recognised for D.El.Ed. course from 2013 and the name of institution is "Fatika Nazrul Sukanta Educational Training Centre. Inspection of the institution conducted on 3.3.2016 revealed that it has a well demarcated area and well-constructed building, where D.El.Ed. course is already being conducted and the institution has further applied for additional intake in D.El.Ed.

AND WHEREAS Appeal Committee further noted that Show Cause Notice (SCN) dated 8.6.2016 was issued to appellant institution on the grounds that words "B.Ed." has been added in the name of proposal institution and thus it is categorised as standalone institution. Though appellant in reply to SCN expressed its willingness to drop the words 'B.Ed.' from the name of proposed course, yet ERC decided to refuse recognition.

AND WHEREAS Appeal Committee having regards to the facts of the case is fully convinced that appellant institution is covered under the definition of composite institution even if the words indicating the nature and nomenclature of course proposed to be offered are allowed to be retained. Appeal Committee, therefore, decided to remand back the case to ERC for further processing of application. The impugned order dated 25.7.2016 is set aside.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to ERC for further processing of the application. The impugned order dated 25.7.2016 is set aside.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to ERC for further processing of the application. The impugned order dated 25.7.2016 is set aside.



NOW THEREFORE, the Council hereby remands back the case of Fatika Nazrul Sukanta Educational Training Centre B.Ed., Indus, Bankura, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Fatika Nazrul Sukanta Educational Training Centre B.Ed., 739, Batu (College), 1553-1559, 1542, 1544, 1545, 1547, Fatika, Indus, Bankura, West Bengal – 722205.**
- 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.89-414/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Fatika Nazrul Sukanta Educational Training Centre D.El.Ed., Betu, Bankura, West Bengal dated 14.7.2016 is against the Order No. ERC/218.7.13/ERCAPP2235/D.El.Ed./2016/48467 dated 25.7.2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (Additional) course on the grounds that "a. Show cause notice was issued on 08/06/2016 on the following grounds: (i) As per record available, the name of recognized institution is "Fatika Nazrul Sukanta Educational Training Centre" and now applied B.Ed. programme in the name of "Fatika Nazrul Sukanta Educational Training Centre B.Ed." i.e. in different name which comes under the category of standalone institution. (ii) As per NCTE Regulation 2014, standalone institution is not considerable. b. In response to show cause notice, the institution submitted its reply dated 03/05/2016 on the basis of proceeding uploaded in ERC website, which does not fulfil the requirement of show cause notice and not considerable as per NCTE Regulation 2014. In view of the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP2235 of the institution regarding permission for D.El.Ed. (Addl. Intake) programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. MD Alamgir, Member and Sh. Md. Khairul Alam, Member Fatika Nazrul Sukanta Educational Training Centre D.El.Ed., Betu, Bankura, West Bengal presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "This is merely a typical error and the name should be suffixed with the word "D.El.Ed." in any manner."

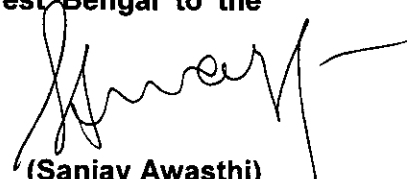
AND WHEREAS Appeal Committee noted that appellant institution had submitted a separate application dated 25.5.2015 seeking recognition of B.Ed.

course in the name of the 'Fatika Nazrul Sukanta Educational Training Centre B.Ed.'. The above application was refused by ERC by an order dated 25.7.2016 on the ground that the institution comes under the category of standalone institution as the word 'B.Ed.' is not mentioned in the earlier recognised course 'D.El.Ed.'. Appeal Committee has decided that for the purpose of composite institution, the institution shall conduct different programme at one place under the management of same society/trust. Mere mentioning of the name of course i.e. D.El.Ed./B.Ed./M.Ed. etc. does not take away the composite status of the institution. Impugned order dated 25.7.2016 is set aside. Appeal Committee decided to remand back the case to ERC for further processing of the application.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on send and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned order and remand back the case to ERC for further processing of the application.

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

NOW THEREFORE, the Council hereby remands back the case of Fatika Nazrul Sukanta Educational Training Centre D.El.Ed., Betu, Bankura, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Fatika Nazrul Sukanta Educational Training Centre B.Ed., 739, Batu (College), 1553-1559, 1542, 1544, 1545, 1547, Fatika, Indus, Bankura, West Bengal – 722205.
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.

49



F.No.89-415/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Guru Nanak Girls College, Santpura Road, Yamuna Nagar, Haryana dated 12.7.2016 is against the Order No. NRC/NCTE/NRCAPP12437/253(Part-i)/2016/153269 dated 11.07.2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "institution has not submitted specific orders of State Govt. of Haryana giving relaxation to the institution against its order regarding dt. 12/03/2016 imposing of ban an inviting application for B.A. B.Ed./B.Sc. B.Ed. course for the session 2016-17 & 2017-18."

AND WHEREAS Sh. A.S. Oberoi, Director and Dr. Varinder Gandhi, Principal, Guru Nanak Girls College, Santpura Road, Yamuna Nagar, Haryana presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "That undisputedly the petitioner institution is a Sikh Minority Institution under article 30(1) of the Constitution of India as clear from (Annexure-2 & Annexure-3) and the ban is not applicable upon the Minority Institutions. So the rejection of recognition on the ground of ban is on the face of IT illegal and liable to be set aside. That even as clear from the public notice dated 27/02/2015 (P-17) and further public notice dated 09/03/2016 (Annexure-16) the condition of ban."

AND WHEREAS Appeal Committee noted that the application submitted by applicant institution for B.A. B.Ed./B.Sc. B.Ed. was rejected by NRC on grounds of a general ban imposed by the state government of Hararyana and appellant institution filed a CWP no. 13008 of 2016 in the Hon'ble High Court of Punjab and Haryana at Chandigarh. The Hon'ble High Court, it is learnt, has issued order dated 8.7.2016 directing the applicant to file appeal under section 18 of the NCTE and appellant authority is required to decide the appeal within a period of 4 weeks. Orders dated 8.7.2016 of the High Court have not been made available to the Appeal Committee neither by NCTE nor by the appellant.

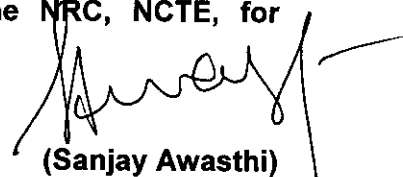
AND WHEREAS during the course of appeal presentation, appellant informed Appeal Committee that the Minority institutions are exempted from the general ban and their application should not have been rejected by NRC as said ban/restriction is not applicable to institutions established under Article 30 of the Constitution of India. Appeal Committee further noted that NRC has put the onus on applicant to submit evidence that Govt. of Haryana has given relaxation to the applicant institution against its order dated 12.03.2016.

AND WHEREAS Appeal Committee decided to remand back the case to NRC for revisiting the matter keeping in view the status of the appellant institution having been established under Article 30 of the Constitution of India.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during hearing, Appeal Committee concluded to remand back the case to NRC for revisiting the matter keeping in view that appellant institution was established as a Minority institution under Article 30 of the Constitution of India.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for revisiting the matter keeping in view that appellant institution was established as a Minority institution under Article 30 of the Constitution of India.

NOW THEREFORE, the Council hereby remands back the case of Guru Nanak Girls College, Santpura Road, Yamuna Nagar, Haryana to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The General Secretary, Guru Nanak Girls College, Santpura Road, Yamuna Nagar – 135001, Haryana.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.



F.No.89-416/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Tokipur Primary Teachers Training Institute, Sukjora, Raneshwar, Dumka, Jharkhand dated 16/07/2016 is against the Order No. ER/7-214.7.20/ERCAPP3400/(B.Ed.)/2016/46737 dated 18/05/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. (Additional) course on the grounds that "1) Show cause notice was decided in 212th ERC Meeting held on 19-20 April, 2016 on the following grounds: a) The institution applied B.Ed. programme in the name of "Tokipur B.Ed. College" whereas the land document is in the name of "Tokipur Primary Teachers Training Institute" i.e. land is not in the name of institution. b) The institution was recognised for D.El.Ed. programme in the name of "Tokipur Primary Teachers Training Institute" now the institution applied B.Ed. programme in the name of "Tokipur B.Ed. College" i.e. in different name. c) The institution comes under the category of standalone institution. d) As per sale Deed, CLU, Non-encumbrance certificate, total land is 66.66 Dec which is less than the requirement of 3000 sq. mts. stipulated for D.El.Ed. + B.Ed. programme. e) Second Deed of rectification submitted is in the name of "Dumka B.Ed. College" which not in the name of the Tokipur B.Ed. College. 2. In response to show cause notice, the institution submitted its reply dated 26/04/2016 on the basis of proceedings uploaded in the ERC website which is not considerable. In view of the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3400 of the institution regarding permission for B.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Noren Kumar Modi, Secretary and Sh. Jyotiskaranjan Sarkar, Member, Tokipur Primary Teachers Training Institute, Sukjora, Raneshwar, Dumka, Jharkhand presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "The applicant society set-up "Tokipur Primary Teachers Training Institute" under "Gramhit

Sanstha" with the objective to build up an academic environment of higher education especially for the underprivileged students in and around Dumla in Jharkhand. The office-bearer of the applicant society, after a long effort in arranging funds and other necessary infrastructural needs, of the society, resolved in its general meeting held on 11th May 2015 at Dumla office, of starting a B.Ed. programme (ERCAPP3400) for the academic session 2016-17 along with the existing D.El.Ed. programme (ERCAPP797) as a composite institute as per the NCTE Regulation 2014."

AND WHEREAS Appeal Committee noted that appellant sanstha i.e. Gramhit Sanstha is already recognised for conducting D.El.Ed. course since 2013 and the name of institution is 'Tokipur Primary Teacher Training Institute.' Applicant applied for B.Ed. course and the name of proposed institution is 'Tokipur B.Ed. College.' Appeal Committee further noted that ERC in its 212nd meeting held on 19-20 April, 2016 decided to issue S.C.N. on following grounds: -

- (a) Land is in name of Tokipur Primary Teacher Training Institute and not in name of 'Tokipur B.Ed. College.'
- (b) Institution was recognised for D.El.Ed. programme with a different name.
- (c) Institution comes under the category of standalone institution.
- (d) Total land is 66.66 Dec. which is less than 3000 sq. mts. for D.El.Ed. + B.Ed.
- (e) Second deed of rectification submitted is in the name of "Dumka B.Ed. College and the name of applicant institution is 'Tokipur B.Ed. College.'

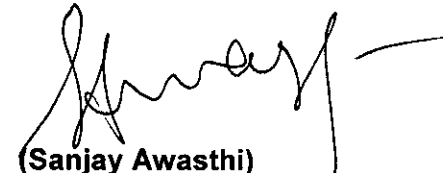
AND WHEREAS appellant institution submitted reply dated 26.04.2016. As regards points mentioned at (a) (b) & (c) in para 3, Appeal Committee is of the view that the applicant institution is covered under the definition of 'Composite Institution' as the society/management applying for the course is same as in the case of D.El.Ed. and both the courses are proposed to be conducted from one place. Mere mentioning of the name of course i.e. D.El.Ed./B.Ed./M.Ed. etc. does not take away the composite status of the institution.

AND WHEREAS as regards adequacy of land and rectification deed, E.R.C. has not specified as to why the documentary evidence submitted by applicant alongwith reply to S.C.N. are not considerable. The rectification deed was registered on 20.03.2015 and the two CLUs are also found issued which were verified by the Visiting Team at the time of inspection. Appeal Committee, therefore, decided to remand back the case to E.R.C. for further processing of the application.

AND WHEREAS Appeal Committee of the view that in case area of land was inadequate for two programmes or ownership of land was not fully supported by land documents, the application should not have been processed. In this case inspection of the appellant institution was conducted and the Inspection Report does not contain any negative point on land related issues.

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

NOW THEREFORE, the Council hereby remands back the case of Tokipur Primary Teachers Training Institute, Sukjora, Raneshwar, Dumka, Jharkhand to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Tokipur Primary Teachers Training Institute, Plot No. 353, Village – Tokipur, PO – Sukjora, Tehsil/Taluka – Raneshwar Dumka, Jharkhand – 814101.
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 Jharkhand, Ranchi.



54

F.No.89-420/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of J.N. Konar College of Education, Burdwan, Bardhaman, West Bengal dated 16/07/2016 is against the Order No. ER-213.6(i)352/ERCAPP3895/(4 yr. B.A. B.Sc. B.Ed. Integrated)/2016.46510 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting one unit of B.A. B.Sc. B.Ed. course. "No reason for granting only one unit has been mentioned whereas applicant applied for two units."

AND WHEREAS Sh. Jahid Akhther, Secretary and Dr. K.N. Jahangir, Advisor, J.N. Konar College of Education, Burdwan, Bardhaman, West Bengal presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "We have applied for 4 years integrated B.A. B.Sc. B.Ed. programme with application no ERCAPP3895 in the name of J.N. Konar College of Education two units. We submitted all required documents to the ERC-NCTE with the reply of 7(13). As per the instruction of ERC, NCTE, we also have submitted our consent letter opting two units for granting recognition of two units of the said course. the infrastructure and other facilities are enough to maintain two units of 4 years integrated B.A. B.Sc. B.Ed. programme. Unfortunately, in its 213th meeting dated 29th – 30th April 2016 & 1st – 2nd May, 2016 ERC-NCTE issued order for granting only one unit. We met Regional Director, NCTE, ERC, Bhubaneswar, and Members Secretary, NCTE, New Delhi to discuss the matter but they failed to give the appropriate reason. Now I again appeal to Member Secretary, NCTE, New Delhi for asking for two basic unit (100). The point is that if there are no proper refusal ground then why should we get one basic unit (50). We pray to consider the matter as urgent and do the needful so that the institution can

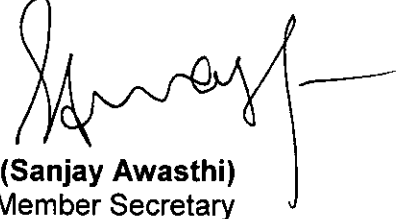
get the recognition for two units of the said course for the session 2016-17 for which the application as well as documents are submitted with the ERC, NCTE."

AND WHEREAS Appeal Committee noted that appellant institution submitted application dated 29.06.2015 for 2 units of B.A., B.Ed./B.Sc. B.Ed. course. Inspection of the institution was conducted on 19.04.2016 for a proposed intake of 100 seats (2 units). In an emergent meeting of E.R.C. held on 24-25 April, 2015 it was decided to issue a Letter of Intent (L.O.I.) to the appellant institution. However, no formal L.O.I. was issued and the applicant taking note of the minutes of emergent meeting submitted a compliance report dated 28.04.2016 (received in the office of ERC on 30.04.2016). ERC in its 213th Meeting held on 29-30 April and 1st, 2nd May, 2016 considered the reply of applicant institution and decided to grant recognition for one basic unit of B.A. B.Ed./B.Sc. B.Ed. ERC did not specify as to why recognition for only one unit is being granted whereas applicant had applied for two units; inspected for two units; and expressed its willingness for two basic units of the applied course.

AND WHEREAS Appeal Committee, therefore, decided that recognition order dated 02/05/2016 should therefore, be modified suitably or alternatively a Show Cause Notice should be issued to applicant institution stating the reasons for granting recognition for only one unit of B.A., B.Ed./B.Sc. B.Ed. programme.

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 either modifying the recognition order dated 02/05/2016 granting one unit of B.A. B.Ed./B.Sc. B.Ed. or issue a S.C.N. to the applicant institution for submitting a written representation against the grounds for issuing recognition for a lessor intake as compared to the applied one.

NOW THEREFORE, the Council hereby remands back the case of J.N. Konar College of Education, Burdwan, Bardhaman, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, J.N. Konar College of Education, 2194, 2195, 2196, 2183, 2192, Alinagar, Burdwan, Bardhaman, West Bengal – 713125.**
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.89-423/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Maharishi Dayanand Educational Institute, Meerut, Uttar Pradesh dated 21/07/2016 is against the Order No. NRC/NCTE/NRCAPP-13453(1st)/253rd (Part-1) Meeting/2016/150352 dated 19/06/2016 of the Northern Regional Committee, refusing recognition for conducting B.A./B.Sc. course on the grounds that "The applicant institution has not submitted any proof/evidence that it is offering under graduate or post graduate programme of studies in the field of Liberal Arts or Humanities or Social Science or Science or Mathematics for getting grant of recognition for 4 year integrated programme leading to B.Sc. B.Ed./B.A. B.Ed. degree as has been mentioned in Clause 2(b) of NCTE Regulations, 2014 and clause 1.1 of the Appendix 13 (Norms & Standards for B.A. B.Ed./B.Sc. B.Ed. degree)."

AND WHEREAS Dr. Ankit Garg, Chairman, Maharishi Dayanand Educational Institute, Meerut, Uttar Pradesh presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "We inform you that NRC, NCTE issued the Show Cause Notice on date 16/10/2015 for reply within 30 days before rejection the application. After that at the time of application institute attached the receiving of the NOC application which was applied in affiliating body. After that in Nov. 10, 2015 issued the NOC from the affiliating body and received/submitted to NRC-NCTE by hand on date 16th Nov. 2015. Receiving no. is 122169 date 16/11/2015. We inform you that our institution has already affiliation in B.A. course from 2015, affiliation letter no. 0261 date 30/06/2015 and run the course B.A. session 2015 from Chaudhary Charan Singh, University, Meerut, Uttar Pradesh."

AND WHEREAS Appeal Committee noted that N.R.C. in its 251st meeting held from 7th to 13th April, 2016 decided to issue a Show Cause Notice to the appellant institution on the following grounds:

- (a) Appellant has not submitted evidence of offering under Graduate/post graduate programme in liberal arts or humanities or social science or science for getting recognition for 4 years integrated course.
- (b) Institute has not submitted certificate that land is free from encumbrances required under Clause 8(4) (i) of NCTE Regulations, 2014.

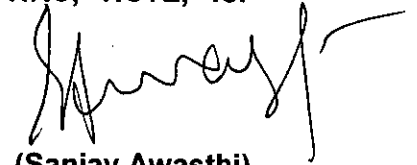
AND WHEREAS Appeal Committee further noted that appellant institution took note of the minutes of N.R.C. meeting and submitted a reply dated 17/04/2016. The appellant informed N.R.C. that its application for D.El.Ed. course is also pending with N.R.C. and also the Sikkim Manipal University has granted affiliation to the institution for running 3 years B.A. course for the academic year 2015-16, 2016-17 and 2017-18.

AND WHEREAS Appeal Committee also noted that earlier a S.C.N. dated 16.10.2015 was issued to appellant institution on grounds of non-submission of N.O.C. of affiliating body and the applicant vide its reply dated 06.11.2015 sought a month's time for submission of N.O.C. There is no provision in the NCTE Regulations, 2014 where time limit for submitting N.O.C. of affiliating body can be extended and N.O.C. is required to be submitted alongwith application i.e. cut off date for submitting printout of the application. Appeal Committee noted that applicant inspite of its assurance given in letter dated 06.11.2015 did not submit N.O.C. of affiliating body. N.O.C. of affiliating body was forwarded to N.R.C. by the applicant through its letter dated 17.04.2016.

AND WHEREAS Appeal Committee after perusing the refusal order dated 19.06.2010 observed that rejection order, rather than having been issued on grounds of 'non submission of N.O.C. with application, has been issued on the ground of non-composite nature of the institution. Appeal Committee, therefore, decided to remand back the case to N.R.C. for revisiting the case and issuing a speaking order on valid and sustainable ground.

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 revisiting the matter and issuing a speaking order on valid and sustainable ground.

NOW THEREFORE, the Council hereby remands back the case of Maharishi Dayanand Educational Institute, Meerut, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Maharishi Dayanand Educational Institute 126/2, 127/2, 127/1, 416/2, Vill-Shoulda, Garh Road, Meerut, Uttar Pradesh – 250106.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-425/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Jai Shri Ram College of Education, Vijaypur, Sheopur, Madhya Pradesh dated 27/07/2016 is against the Order No. WRC/APP3348/222/253rd /(MP)/2016/168826 dated 14/06/2016 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Show Cause Notice was issued on 15/02/2016 and reply was received on 15/03/2016. The institution has not replied to the Show Cause Notice point about the institution not being a composite one. This is a requirement under Clause 2(b) of the NCTE Regulations, 2014. No documents have been submitted in this regard. NOC from the affiliating body not submitted. Hence, Recognition is refused."

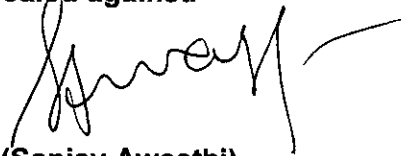
AND WHEREAS Sh. Dhurav Singh Yadav, Member and Sh. Rambal Singh, Accountant, Jai Shri Ram College of Education, Vijaypur, Sheopur, Madhya Pradesh presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "Appellant applied to the Regional Committee under section and Regulation 4 to 7 of 2014 for the recognition the course D.El.Ed. of the National Council for Teacher Education Act, 1993 (73 of 1993) for That, the petitioner institute is run by the society registered under the provisions of M.P. Societies Registration Act, 1973. Copy of its registration certificate is annexed hereto and marked as Annexure A/1. Under the provisions of M.P. Societies Registration Act, 1973."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 15.02.2016 was issued to appellant institution mentioning certain deficiency points which inter-alia included non-composite nature of the institution and non-submission of N.O.C. from the affiliating body. The applicant submitted reply dated 15/03/2016 to the S.C.N. wherein no statement was made about the NOC of

affiliating body and the composite status of the institution. Impugned/Refusal order dated 14.06.2016 on the above two grounds is, therefore, justified and confirmed under Clause 3(a) and 5(3) of 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 confirm the refusal order dated 14.06.2016 issued by W.R.C.

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


(Sanjay Awasthi)
Member Secretary

1. The Manager/Secretary, Jai Shri Ram College of Education, 412/1, 412/2, 412/3, 421, 458, 459, Educational Purpose, 256/3, Ganwadi, Vijaypur, Sheopur, Madhya Pradesh – 476335.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-426/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Solanki B.Ed. T.T. College, Moti Nagar, Bara Telpa, Chapra, Saran, Bihar dated 18.07.2016 is against the Order No. ERC/215.8.13/ERCAPP3190/D.El.Ed./2016/47558. dated 28/06/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show cause notice was decided in 13/04/2016 on the following grounds: (i) Land is on lease basis between Shree Jai Narayan Singh and Solanki B.Ed. College i.e. from private part which is not acceptable as per NCTE, Regulation 2014. b. No reply received from the institution till date and time limit is over. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3190 of the institution regarding permission for D.El.Ed. Programme is refused under section 15(3)(b) of NCTE Act 1993.

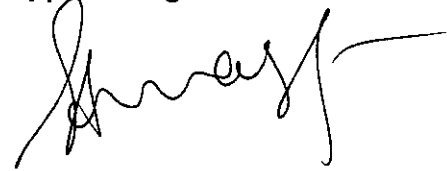
AND WHEREAS Sh. Rama Kant Singh, Secretary, Solanki B.Ed. T.T. College, Moti Nagar, Bara Telpa, Chapra, Saran, Bihar presented the case of the appellant institution on 30/08/2016. In the appeal and during personal presentation it was submitted that "The institution has submitted the reply two times and ERC office has also received the compliance both times."

AND WHEREAS the Committee noted that the appellant, on the basis of the decision taken by the ERC in their 209th meeting held on 28-29 March, 2016 to issue a show cause notice on the ground that the lease of the land is from a private party, sent a reply on 05.04.2015, which was received in the ERC on 6.4.2016. The formal show cause notice was issued on 13.04.2016. The appellant, in their reply stated that their college was granted recognition for conducting B.Ed. course under the NCTE Regulations, 2007. The appellant, with that reply also forwarded copies of non-encumbrance certificate and land utilisation certificate.

AND WHEREAS the Committee noted that the appellant applied for grant of recognition for conducting D.El.Ed. course on 30.05.2015, when the NCTE Regulations, 2014 are in force. According to the provisions of clause 8(4)(i) of these Regulations, no institution can be granted recognition unless the institution or society sponsoring the institution is in possession of required land, in the date of application, free from all encumbrances, either on ownership basis or on lease from Govt. or Govt. institutions for a period of not less than thirty years. Since, the appellant is in possession of land on lease from a private party, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved be rejected and the order of the ERC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Solanki B.Ed. TT College, Moti Nagar, Bara Telpa, Chapra, Saran, Bihar – 841301.
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.89-427/2016 Appeal/12th Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 28/9/16

ORDER

WHEREAS the appeal of M.D. College of Education, Pataudi, Gurgaon, Haryana dated 20.7.2016 is against the Order No. NRC/NCTE/NRCAPP-15431/251st (Part-2) Meeting/2016/152823-26 dated 06/06/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the ground that "The institution has not submitted NOC from the affiliating body till date."

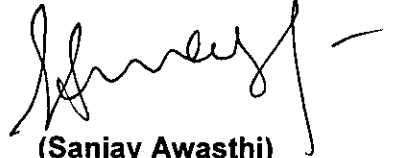
AND WHEREAS Sh. Shiri Bhagwan, Chairman and Sh. Vinod Kumar, Member, M.D. College of Education, Pataudi, Gurgaon, Haryana presented the case of the appellant institution on 30/08/2016. In the appeal and during personal presentation it was submitted that (i) they submitted an application dt. 3.7.2015 to the affiliating University, namely, Maharishi Dayanand University, Rohtak for obtaining NOC; (ii) the M.D. University in their letter dated 10.8.2015 refused to issue NOC to the appellant on the ground of ban stated to have been imposed by the State Govt. upon opening of new institutions; (iii) in reply to the show cause notice dt. 24.11.2015 issued by the NRC, the appellant in their reply dt. 25.12.2015 inter alia stated that NOC would be submitted as soon as the same is received from the M.D. University; (iv) Regulation 5(3) of the NCTE Regulation, 2014 stipulating submission of NOC issued by the affiliating body as a mandatory condition for submission of application is contrary to Sections 14 and 15 of the NCTE Act, as these Sections do not permit NCTE to impose such a condition like requirement of NOC from affiliating body, (v) according to the law declared by the Hon'ble Supreme Court of India in the State of Maharashtra Vs Sant Dnyanaeshwar Shikshan Shsatra Mahavidyalaya & Ors [(2006) 9 Sec 1]] and Maa Vaishno Devi Mahila Mahavidyalaya Vs State of UP & Ors [(2013) 2 sec 617]] the final authority

to grant recognition under the NCTE Act is the NCTE and absence or non-grant of NOC was immaterial and irrelevant so far as the power of the NCTE is concerned, (vi) non-issuance of NOC indirectly amounts to enforcing the ban policy of the State Govt., which is contrary to the law declared by the Hon'ble Supreme Court in the above mentioned decisions, (vii) the appellant submitted their application in response to public notice dt. 27.2.2015 issued by the NCTE, being aware of the fact that the said course was open in their State, (viii) the appellant invested huge amount of money in creating infrastructure for starting the course and if recognition is not granted for the academic session 2016-17, they will suffer irresponsible loss, and (ix) therefore, even in the absence of NOC NRC ought to have processed their application.

AND WHEREAS the Committee noted that the appellant has mixed up the provisions relating to recommendations/comments of the State Govt. or Union Territory Administration as contained in clause 7(5) and (6) of the NCTE Regulation, 2014 and the provisions relating to submission of No Objection Certificate from the concerned affiliating body alongwith the application as contained in clause 5(3) of the said Regulations. These Regulation inter-alia containing these provisions have been made in exercise of the powers conferred by sub-section (2) of Section 32 of the NCTE Act. Therefore, submission of a No Objection Certificate issued by the concerned affiliating body along with the application is a mandatory requirement to be fulfilled by the applicants. The appellant has not submitted this certificate. In these circumstances, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC confirmed.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Appellant, M.D. College of Education, Vill.-Gadipur, PO-Pahari, Tehsil-Pataudi, Dist. – Gurgaon, Haryana – 122503.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

60



F.No.89-428/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Ganpati College of Higher Education, Pallavpuram, Meerut, Uttar Pradesh dated 23.7.2016 is against the Order No. NRC/NCTE/NRCAPP-13342/252nd (part-9) meeting/2016/149797 dated 3.6.2016 of the Northern Regional Committee, refusing recognition for conducting B.A./B.Sc. course on the grounds that "a. The NRC decided to issue a SCN to the institution in its 252nd meeting held from 19th April, 2016 onwards Part-3 at S.No.93. b. Reply of the SCN was received by the NRC office on 25/04/2016. c. Consent of temporary affiliation dt. 25/06/2015 given by Sikkim Manipal University is not acceptable to the NRC."

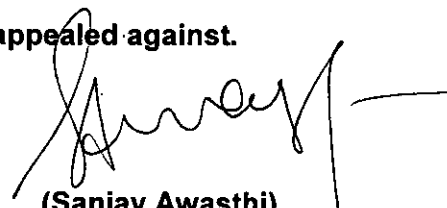
AND WHEREAS Sh. M. Chandbir Singh, Chairman, Ganpati College of Higher Education, Pallavpuram, Meerut, Uttar Pradesh presented the case of the appellant institution on 30/08/2016. In the appeal and during personal presentation it was submitted that "1. The NOC issued by affiliation body i.e. C.C.S. University Meerut on 10/11/2015 by letter no. Affil/2659 has been submitted to NRC, NCTE on 16/11/2015 by speed post CU372370202IN. A copy of the same was submitted in the reply of SCN No. NRC/NCTE/NRCAPP-13342/126545 dated 19th Oct. 2015 through speed post, which is attached 2. The institute had applied for affiliation of B.A. Programme and the affiliating body i.e. C.C.S. University, Meerut granted the affiliation vide its letter no. Affil/448 dated 28/05/2016, and a copy of the same is attached herewith 3. The SCN issued to the institution in its 252nd Meeting held from 19th April, 2016 onwards part-3 at Sl. No. 93 had objections which were fulfilled in the reply of SCN received by the NRC office on 25/04/2016. 4. The institute had applied for affiliation of B.A.B.Ed./B.Sc.B.Ed. from the affiliating body i.e. C.C.S. University, Meerut, prior to the application for affiliation from the Sikkim Manipal University for B.A. Course which was granted on 25/06/2015 but now they

have received the affiliation of B.A. course from C.C.S. University on 28/05/2016 and a copy of the letter No. Affil/448 is attached herewith."

AND WHEREAS the Committee noted that according to the provisions of clause 5(3) of the NCTE Regulations, 2014, a No Objection Certificate, issued by the concerned affiliating body, shall be submitted along with the application. The appellant has not submitted this certificate along with the hard copy of their application, which was received in the NRC on 12.6.2015. The NOC was issued by CCS University, Meerut only on 10.11.2015. In these circumstance, the Committee concluded that the appeal deserved to be rejected on the ground of non-submission of NOC from the affiliating body for the course applied for along with the application.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Ganpati College of Higher Education, T-26, Pallavpuram Phase-II, Meerut, Uttar Pradesh – 250110.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

61



F.No.89-429/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

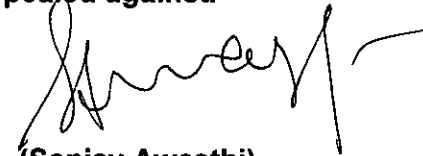
WHEREAS the appeal of School of Education Career Point University, Kota, Rajasthan dated 20.07.2016 is against the Order No. NRC/NCTE/NRCAPP-11407/254th Meeting/2016/154234-37 dated 21/07/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the ground that "The institution has not submitted the certified copy of the registered land documents duly certified by the Registrar/Sub-Registrar of the District."

AND WHEREAS Dr. Gurudatt Kakkar, Registrar and Sh. Amit Gupta, Admin Officer, School of Education Career Point University, Kota, Rajasthan presented the case of the appellant institution on 30/08/2016. In the appeal and during personal presentation it was submitted that initially certified copy of the Jamabandi instead of registry as a land document were submitted erroneously. The registry of the land duly certified by the Registrar / Sub-Registrar of the District was submitted afterwards i.e. on 01/07/2016. Hence it is requested to allow the appeal and grant the approval for the session 2016-17.

AND WHEREAS the Committee noted that the NRC in their 250th meeting (Part -13, 3.3.2016) decided to issue a Show Cause Notice on three grounds, one of them being non-submission of certified copy of the land documents. In response to this decision, the appellant forwarded certified copies of registered land documents with their letter dated 30.06.2016, which was received in the NRC on 1.7.2016. The NRC, in their 254th meeting held on 28-30 June, 2016, decided to refuse recognition on account of non-submission of these documents. In fact, according to the NCTE Regulations, 2014, these documents are required to be submitted along with the application. In these circumstances, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. **The Registrar, School of Education Career Point University, CP Tower-1, IPIA, Road No.1, Kota, Rajasthan – 324005.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

62



F.No.89-430/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Maa Vidya Maa Kushum Teachers Training College, Patna, Bihar dated 19.07.2016 is against the Order No. ERC/218.7.6/APP2730/B.Ed./2016/48598 dated 29.07.2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a. Show cause notice was issued on 03/06/2016 on the following grounds: The institution applied single application for B.Ed. programme. As per available record it is observed that the institution is offering B.A. (Hons.) Course. The institution is required to submit a documentary evidence from affiliating body for conducting B.A. (Hons.) programme. The institution is also required to submit a building plan duly approved by any Govt. Engineer indicating the total demarcated land and built up area for proposed B.Ed. programme. Building completion certificate issued from any Govt. Engineer not submitted. b. In response to Show Cause Notice, the institution submitted its reply dated 18/06/2016 which does not fulfil the requirement of Show Cause Notice and cannot be considered as per NCTE Regulations 2014. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP2730 of the institution regarding recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

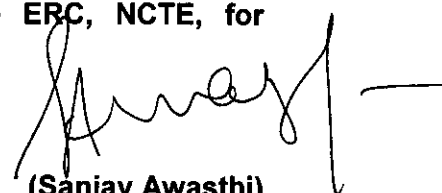
AND WHEREAS Sh. Punit Kumar, Member and Sh. Rahul Chandra, Member, Maa Vidya Maa Kushum Teachers Training College, Patna, Bihar presented the case of the appellant institution on 30/08/2016. In the appeal and during personal presentation and in a letter dated 29.08.2016 it was submitted that both the institutions namely, R.S. Evening College and Maa Vidya Maa Kushum Teachers Training College, are sponsored and managed by Gramin Vidya Vikash Samiti with the same address and both have the same campus. Evidence was attached with reply dated 18/06/2016. Building plan approved by Govt. Engineer was also

attached with reply dated 18/06/2016. A copy of the reply dated 18/06/2016 is attached. The appellant submitted that their institution fulfils all the requirements as per NCTE Regulations 2014.

AND WHEREAS the Committee noted that the appellant, in response to the Show Cause Notice dated 3.06.2016 submitted a reply dated 18.06.2016, furnishing information about affiliation for conducting B.A.(Hons) programme, building plan and building completion certificate. The appellant with their reply also submitted an affidavit explaining the composite status of the two institutions sponsored by them. In these circumstances, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider all the replies submitted by the appellant to the Show Cause Notice and take further action 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 that the matter deserved to be remanded to ERC with a direction to consider all the replies submitted by the appellant to the Show Cause Notice and take further action as per NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Maa Vidya Maa Kushum Teachers Training College, Patna, Bihar to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Maa Vidya Maa Kushum Teachers Training College, 7,8,10, Deed of Sale, 426, 431, 495, 430, Ijarta, Patna, Bihar – 801110.
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.

63



F.No.89-431/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Ch. Raghunath Singh Mahavidyalaya, Kirawali, Agra, Uttar Pradesh dated 21.07.2016 is against the Order No. NRC/NCTE/NRCAPP-14660/251st (Part-3) Meeting/2016/149263 dated 25/05/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Sc. course on the ground that "the institution has not submitted NOC for B.A. B.Ed./B.Sc. B.Ed. course within the stipulated time period."

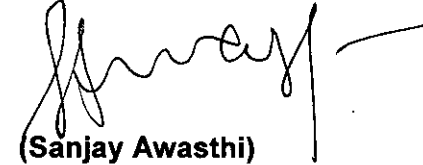
AND WHEREAS Dr. Rameshwar Singh, Representative and Sh. Dinesh Kumar, Member, Ch. Raghunath Singh Mahavidyalaya, Kirawali, Agra, Uttar Pradesh presented the case of the appellant institution on 30/08/2016. In the appeal and during personal presentation it was submitted that "they have submitted request for NOC for B.A. B.Ed. & B.Sc. B.Ed. course to Dr. B.R.A. University, Agra on 10/06/2015, but till date University has not issued NOC to them and neither sent any communication. However, they have submitted many reminders to the University to issue the NOC.

AND WHEREAS the Committee noted that according to the provisions of Clause 5(3) of the NCTE Regulations, 2014, No Objection Certificate (NOC) issued by the concerned affiliating body has to be submitted alongwith the application. Since the appellant has not fulfilled this requirement, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC confirmed.

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

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

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Ch. Raghunath Singh Mahavidyalaya, Kirawali, 2 MIG Jaipur House, Agra, Uttar Pradesh – 282010.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

64



F.No.89-432/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Veena Vadini Educational Evam Prashikshan Sansthan, Bhopal, Madhya Pradesh dated 19.7.2016 is against the Order No. WRC/APW01773/223323/254th/2016/169118 dated 16/06/2016 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course from the academic session 2016-17 on the grounds that the matter was placed in 254th Meeting held on June 07-09, 2016 of WRC and the Committee decided that clarificatory letter was issued on 17/05/2016 and reply was received on 31/05/2016. The institution has submitted a letter from the University regarding selection of 6 staff members. However, the institution has not given any definitive document regarding the appointment of Principal and the appointment of Physical Education. Art & Craft, and Music lecturers. Secondly, the institution has not submitted individual affidavits of candidates selected in May, 2016 and also there are no documents regarding Physical Education, Art & Craft, and Music lecturers. There is no affidavit from the Principal. The WRC had issued Show Cause Notice to the institution on 05/01/2016, letters seeking clarifications on 22/03/2016 and 17/05/2016 regarding the appointment of staff. In spite of so many opportunities, the institution has not been able to appoint faculty members as required by the Regulations. Hence, Recognition of the institution for B.Ed. course is withdrawn under Section 17 of the NCTE Act, 1993, from the academic session 2016-17.

AND WHEREAS Sh. Manish Jain, Representative and Sh. Anurag Shrivastava, Chairman, Veena Vadini Educational Evam Prashikshan Sansthan, Bhopal, Madhya Pradesh presented the case of the appellant institution on 30/08/2016. In the appeal and during personal presentation and in a letter dt. 30.8.2016, it was submitted that (i) the Selection Committee constituted by the University on 29.7.2015 did not perform its functions due to their personal reasons, (ii) at the request of the appellant, the University constituted another Selection Committee on 6.4.2015, (iii) the minutes of the Selection Committee for the faculty and principal were submitted to the University on 2.5.2016 and 30.5.2016 respectively, (iv) the

institute submitted the selected faculty list along with the interview minutes of Principal after receiving notification of selected Principal under College Code 28 to the WRC on 13.6.2016, (v) Minutes of interview for faculty members of Physical Education, fine arts and performing arts were submitted on 25.6.2016, (vi) the appellant received notifications of selected Principal and other faculty members from the University with their letters dt. 9.6.2016, 24.5.2016 and 1.7.2016. (vii) the appellant, after getting the complete list of selected faculty, submitted the same to the University on 2.7.2016, and (viii) thereafter all individual affidavits along with relevant documents of Principal and faculty members and approved complete staff profile was submitted to the WRC on 14.7.2016. The appellant submitted that they have made maximum efforts to fulfil all the requirements of NCTE in time but due to late interview dates given by the University constituted Selection Committee, it was not possible to submit the desired affidavits and other documents before receiving verified complete staff profile from the University. The appellant enclosed copies of correspondence with the University.

AND WHEREAS the Committee noted that the appellant was making continuous efforts to select the faculty and get the approval of the University and at the same time was replying to the communications of the WRC. The appellant, on receipt of the faculty list duly countersigned by the Barkatulla University authorities on 6.7.2016, forwarded the same to the WRC, which was received on 25.7.2016. The Committee, being satisfied with the efforts made by the appellant in getting the faculty selected/approved, concluded that the matter deserved to be remanded to the WRC with a direction to consider the list selected faculty forwarded to them and take a fresh decision in the matter as per the NCTE Regulations. In the meanwhile, the withdrawal order will be kept in abeyance.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Veena Vadini Educational Evum Prashikshan Sansthan, Ambarpur Kolar Road, Bhopal, Madhya Pradesh – 462042.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

65



F.No.89-433/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Barnagar B.Ed. College, Sorbhog, Barpeta, Assam dated 16.7.2016 is against the Order No. ERC/214.9.18/ERCAPP4015/D.El.Ed./2016/46743 dated 19/05/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (Additional course) on the grounds that "1. Show cause notice was issued on 10/02/2016 on the following grounds: (i) NOC for D.El.Ed. programme issued from affiliating/examining body not submitted. 2. No reply received from the institution till date and time limit is over. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP4015 of the institution regarding permission for D.El.Ed. (Addl. Course) is refused under section 15(3)(b) of NCTE Act 1993."

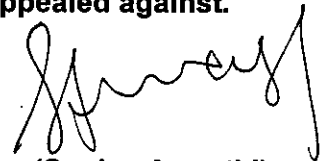
AND WHEREAS Sh. Gholam Saruwar, Principal, Barnagar B.Ed. College, Sorbhog, Barpeta, Assam presented the case of the appellant institution on 30/08/2016. In the appeal and during personal presentation it was submitted that "in response to letter ERC/203.9(i).150/ERCAPP4015/D.El.Ed.(Addl. Course)/2016/42749, dated 10/02/2016, the institution submitted the NOC for D.El.Ed. programme issued from affiliating/examining body, viz SCERT, Assam by Email on dated 01/03/2016. But the hard copy of application along with documents as annexures were not posted. They are posting herewith the hard copy of application alongwith documents as annexure along with the online memorandum of appeal.

AND WHEREAS the Committee noted that the reply dated 1.3.2016 of the appellant to the Show Cause Notice dt. 10.2.2016 is not in the file of the ERC. Along with the appeal, the appellant enclosed a copy of the NOC issued by the SCERT, Govt. of Assam dt. 30.5.2015. The Committee noted that the Council

issued instructions to their Regional Committees informing them that for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications along with NOC, irrespective of the date of submission of on-line applications. The Committee noted that the appellant despatched the hard copy of the application on 14.07.2015 (as per the speed post receipt pasted on the envelope) without the NOC, which was received in the ERC on 24.7.2015. Since, the appellant has not submitted the NOC within the extended time i.e 15.7.2015, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Principal, Barnagar B.Ed. College, 575, Niz Damaka, Sorbhog, Barpeta, Assam – 781317.
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.



66

F.No.89-434/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Fatehpur Sanda Mahavidyalaya, Arwal, Jehanabad, Bihar dated 23.7.2016 is against the Order No. ERC/214.8.68/ERCAPP4045/B.Ed./2016/46827 dated 25/05/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a. Show cause notice was issued on 17/02/2016 on the following grounds: (i) The institution submitted single application for B.Ed. programme. (ii) Neither institution is recognised from NCTE nor applied more than one course simultaneously. The institution comes under the category of standalone institution. (iii) Any institution desirous of running any teacher education programme must be composite institution as per NCTE Regulation 2014. b. In response to show cause notice, the institution submitted its reply dated 05/03/2016 which is not satisfactory. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP4045 of the institution regarding recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993.

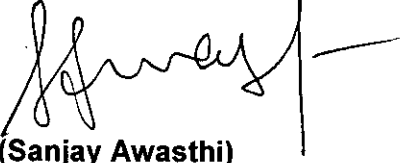
AND WHEREAS Sh. Ashok Kumar, Member and Sh. Satyendra Prasad, Member, Fatehpur Sanda Mahavidyalaya, Arwal, Jehanabad, Bihar presented the case of the appellant institution on 30/08/2016. In the appeal and during personal presentation it was submitted that "due to some reason, they could not apply for the D.El.Ed. Programme for the current session. But in the next session, they will be applying for D.El.Ed. Programme without fail. So please consider our application for B.Ed. Programme and give us a change to apply for D.El.Ed. next."

AND WHEREAS the Committee noted that in reply to the show cause notice, the appellant merely stated that he applied for recognition of B.A. B.Ed./B.Sc. B.Ed. composite course, but clerk indicated B.Ed. course in place of B.A. B.Ed./B.Sc. B.Ed. composite course, which was not considered satisfactory by the ERC. In the course of presentation, the appellant gave a letter dt. 27.08.2016 in which he has stated that in the application, under the column details of Programmes other than teacher education if any, they have mentioned B.A./B.Sc. course, which they are conducting and to make the institution composite they have spent a lot of money. The appellant enclosed copies of affiliation orders for B.A. and B.Sc. courses issued by Magadh University. The appellant also stated that there was some fault in understanding the import of 'composite institution'. He required that the fee paid for B.Ed. may be treated valid and he may be given opportunity to open B.Ed. and D.El.Ed. courses next year.

AND WHEREAS the Committee, independently considering the matter, noted that since the appellant is running B.A. and B.Sc. course, which are affiliated to Magadh University and applied for B.Ed. course, the institution, as per the definition of a 'composite institution' given in clause 2(b) of the NCTE Regulations, 2014, qualified to be a composite institution i.e. a duly recognised higher education institution offering under graduate programmes of study in the field of liberal arts or humanities or social sciences or sciences or commerce or mathematics, as the case may be, at the time of applying for recognition of teacher education programmes. In these circumstances, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to process the application further as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to ERC with a direction to process the application further as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Fatehpur Sanda Mahavidyalaya, Arwal, Jehanabad, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Principal, Fatehpur Sanda Mahavidyalaya, 4/4, 5, 55, 46, 11/5 Arwal, Jehanabad, Bihar – 804402.**
- 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.**

67



F.No.89-435/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Jay Raj Kumari Baba Paras Pal Singh Mahavidyalaya, Lilapur, Pratapgarh, Uttar Pradesh dated 24.7.2016 is against the Order No. NRC/NCTE/NRCAPP-13851/251st (Part-3) Meeting/2016/149375 dated 25/05/2016 of the Northern Regional Committee, refusing recognition for conducting B.El.Ed. course on the ground that "the institution has not submitted NOC for B.El.Ed. Course within the stipulated time period."

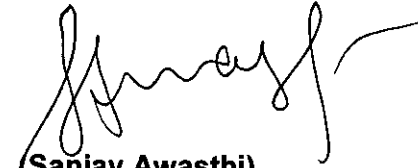
AND WHEREAS Sh. Kamlesh Bahadur Singh, Manager, Jay Raj Kumari Baba Paras Pal Singh Mahavidyalaya, Lilapur, Pratapgarh, Uttar Pradesh presented the case of the appellant institution on 30/08/2016. In the appeal and during personal presentation it was submitted that they had received show cause notice issued on 17th October, 2015 and then they replied with the copy of NOC application given to the University. Now they have got the NOC on 30th May, 2016 from the University and hence it is requested to conduct inspection of their college. In the course of presentation the appellant has given a copy of the NOC dt 30.5.2016.

AND WHEREAS the Committee noted that the Council issued instructions to their Regional Committees informing them that for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with NOC, irrespective of the date of on-line applications. Since the appellant did not submit the NOC within the extended time i.e. 15.7.2015, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC confirmed.

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

during the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Appellant, Jay Raj Kumari Baba Paras Pal Singh Mahavidyalaya, 781, 804, 805, 807, 781, Lilapur, Pratapgarh, Uttar Pradesh – 230137.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-321/2015 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of R.D. College of Education, Siroli, Meerut, Uttar Pradesh dated 11.12.2015 against the order of the NRC No. NRC/NCTE/NRCAPP – 8810/243rd Meeting/2015/125490 dt. 13.10.2015 refusing recognition for conducting D.El.Ed. course on the ground that the institution has not submitted compliance/documents as required in Letter of Intent issued under Clause 7(13) of NCTE Regulations, 2014 and show cause notice issued in this regard, was rejected by the Council in their order F.No. 89-321/2015-Appeal/3rd Meeting – 2016 dt. 18.04.2016 on the ground that there was no evidence on record either in the relevant file or furnished by the appellant to show that the appellant institution has furnished compliance/part compliance or has even requested NRC, Jaipur to grant extension of time for submitting compliance report.

AND WHEREAS the appellant, aggrieved by the order of the Council, filed a Writ Petition CM WP No. 23771/2016 before the Hon'ble High Court, Allahabad. The Hon'ble High Court in their order dt. 04.07.2016 set aside the appellate order dt. 18.04.2016, holding that the impugned order is not a speaking order, as the appellate authority has not taken into consideration the subsequent developments and remanded the matter to the NCTE to consider the appeal on merits and pass appropriate orders. The Hon'ble Court in their order has also mentioned that while exercising appellate powers, there is nothing to prevent NCTE from considering the subsequent events i.e. in the intervening period, if the deficiency has been duly removed to the satisfaction of NCTE, it should be considered by the appellate authority and it was always open to NCTE to remand back the matter to the Regional Committee for consideration.

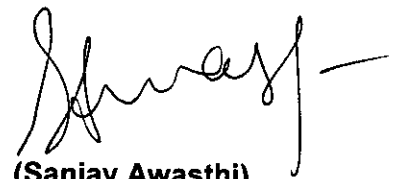
AND WHEREAS the Committee, in compliance with the orders of the Hon'ble High Court, reconsidered the matter. The Committee noted that the appellant in their appeal submitted that the list of teachers selected has been sent to the affiliating body. The appellant with his letter dt. 21.12.2015 enclosed an affidavit dt. 18.12.2015 indicating the composition of the Selection Committee, the teaching staff

selected and copies of the advertisements and other details. In the course of presentation on 17.03.2016, the appellant gave a letter dt. 16.03.2016 enclosing a copy of the letter dated 1.01.2016 from the affiliating body, namely, Pariksha Niyamak Pradhikari, Uttar Pradesh, Allahabad approving the staff. The appellant further submitted that the inordinate delay in getting the staff approved occurred under circumstances, which were beyond their control.

AND WHEREAS the Committee noting that the appellant has finally obtained the approval of the affiliating body to the teaching staff selected, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the approved staff list and take further action as per the NCTE Regulations. The appellant is directed to submit the letter of the affiliating body in which the teaching staff was approved and all the other requisite documents as per the Letter of Intent to the NRC within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to consider the approved staff list and take further action as per the NCTE Regulations. The appellant is directed to submit the letter of the affiliating body in which the teaching staff was approved and all the other requisite documents as per the Letter of Intent to the NRC within 15 days of receipt of the orders on the appeal.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, R.D. College of Education, Village and Post – Sisoli, District – Meerut, Uttar Pradesh – 250004.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

69



F.No.89-189/2013 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Annai Fathima Treachers Training Institute, Kolar District, Karnataka dated 02/04/2013 is against the Order No. SRO/NCTE/AOSO0027-D.Ed./APSO3115-D.Ed-(AI)/2013-14/49129 dated 14/02/2013 of the Southern Regional Committee, withdrawing recognition for conducting D.Ed. (basic) and D.Ed. (AI) course on the grounds that "1) as per the notarized copy of land documents submitted (for site no.37 and Sy.No.222/1) lands are at different places one at Gauribidanur town and the other at Madanahalli Village. 2) Land documents are not in the name of the Trust/Society/Institution as per NCTE regulation 2009. Land documents are not certified. 3) The land area of 10,980+6000 sq. ft. is not as per NCTE norms. As per NCTE norms, 2500 sq. mts and 1500 sq. mts of built up area is required for offering D.Ed. Programme 4) As per affidavit, the built up area and land area is less as per NCTE regulations 2009. 5) Building plan submitted for Sy. nos 37, 38 and 50 is for school building and not for teacher education programme. 6) No documentary proof has been submitted regarding extension of size of Multipurpose Hall. 7) Approved staff list is not submitted. 8) As per Bank statement, 1+5 lecturer (s) are inadequate against the requirement of 1+6 lecturer (s). 9) The reply to the show cause notice was not satisfactory and unconvincing."

AND WHEREAS Shri K.V. Venkatachalapathy, Correspondent, Annai Fathima Treachers Training Institute, Kolar District, Karnataka presented the case of the appellant institution on 28-05-2013. In the appeal and during personal presentation it was submitted that "land location certificate issued by the Chief Officer, Town Municipal Council, Gauribidanur was submitted which clearly states that the Sy. No.222/1 is adjacent to Site Nos.37, 38 and 50. The land is not at different place, and not scattered as observed by SRC. The Land Documents are in the name of the Trust. The same is observed in the Show Cause Notice issued on 31.8.2012 in item no. 3. It is submitted that the plot no. 37, 38 and 50 are also registered in the name

of the Trust. Relevant documents translated version duly signed by the Notary were submitted. The institution is in the heart of the city and at present is having a total area of 16980 sq. ft. However, 4800 sq.ft. which is in the name of the Correspondent is leased out to the Trust and the same is being used for the playground and other educational purposes. With the additional land, the total area available for the institution is 21780 sq. ft. The total area of land satisfied the norms of NCTE. The built up area is 12160 sq. ft and this being an old institution, we have enough infrastructure facility. The visiting Team of SRC in their report has mentioned that the built up area at present is adequate. In the show cause notice issued it was stated that the building plan is not submitted though it was duly submitted. In the building plan it is mentioned as construction of school building. This does not necessarily mean that it is not meant for teachers training institute. It is brought to your notice that we are not running any other course or any other institution in the said building and the management is using this building exclusively for only one course-Teachers Training Course for the last 30 years. The temporary partition wall is removed and that the multipurpose hall is made bigger to an extent of 10,000 sq. ft. Approved Staff List was submitted earlier. We are having 1+5 teachers duly approved by the Competent Authority right from the year 1996. As per the Visiting Team's Report, it is clearly mentioned in that the number of teachers on full time basis is 1+5 and that 2 teachers are on the part time basis. One teacher has appeared for the II year M.Ed. and is already having a Master's Degree. Thus, we have fulfilled the requirement of qualified teachers as per the NCTE Norms".

AND WHEREAS the Committee noted that the institution was granted recognition for D.Ed. course on 6-12-1996 with an intake of 30 which was subsequently raised to 50 in the year 2004 by granting an additional intake of 20. The NCTE Hqrs caused inspection of the institution on 10-06-2010 under section 13 of the NCTE Act and forwarded the report to SRC vide its letter dated 10-08-2010. After issuing a show cause notice, the SRC caused inspection of the institution on 06-04-2011 under section 17 and again issued a show cause notice and after considering the reply decided to withdraw recognition. Against the withdrawal order, the institution filed an appeal under section 18 of the NCTE Act. The NCTE remanded the matter to SRC with the direction to cause re-inspection. Accordingly, re-inspection was carried out on 10-07-2012 and finally after considering the VT

report and reply of the institution to show cause notice, the SRC again withdrew the recognition of the D.Ed. course, both basic and additional intake, from the academic year 2013-14. The Committee further noted that the institution possessed land on ownership basis but the two pieces of land are not adjacent and are separated by a road. The institution was granted recognition in the years 1996 and 2004 and therefore the norms of 2009 are not applicable in respect of land area but the institution is required to fulfil the Norms relating to built-up area. The institution has admitted that they have a built up area of 12160 sq. ft. and the building plan submitted by the institution also indicates that the built up area is 12160 sq. ft. only. The size of multipurpose hall is less than the size prescribed in the Norms. In view of the facts stated above, the Committee concluded that the SRC was justified in withdrawing recognition and hence the order of SRC deserved to be confirmed. Appeal orders dated 25.07.2013 were accordingly issued.

AND WHEREAS Annai Fatima Teacher Training Institute filed Writ Petition No. 37464/2013 & 38541-560/2013 against the impugned orders of SRC and the appeal order dated 25.07.2013. The Hon'ble High Court of Karnataka while deciding these petitions issued orders dated 15.09.2014 wherein inter-alia it has been ordered to set aside the appeal order dated 25.07.2013 for the reason that (i) there is no application of mind of the facts in issue. (ii) the order dated 25.07.2013 does not refer to in detail and has not discussed the report of SRC which indicates that the infrastructure is sufficient. The Hon'ble Court has referred the matter back to the appellate authority for reconsideration. The order of the Hon'ble Court also lays down that Appellate Authority may cause further inspection of the premises to arrive at a conclusion as to whether the infrasture possessed by the petitioner is sufficient, Court's order also say that if any other request is made by petitioner with regard to reduction of intake capacity in consonance with infrastructure available, the same may also be looked into by the Appellate Authority.

AND WHEREAS keeping in view the above orders of Hon'ble Court the appellant was given an opportunity to appear before the Appellate Authority on 13.01.2015. The Correspondent of the appellant institution vide its letter dated 09.01.2015 had requested to postpone the hearing by 40 days as the Secretary of the institution is on tour. Appeal Committee, therefore, decided to give a second opportunity to the appellant preferably after 40 days from 13.01.2015. The appellant

was required to bring all land and building related documents alongwith evidence of faculty appointment approved by the affiliating University.

AND WHEREAS the appellant did not appear before the Committee on 15.04.2015. Appeal Committee decided to give another opportunity, third and final one, to the appellant to bring all land and building related documents along with evidence of faculty appointment approved by affiliating University.

AND WHEREAS Committee noted that the appellant institution had made a request vide its letter dated 09.01.2015 to postpone the hearing for 40 days. Committee, also noted that notices dated 25.03.2015 and 18.06.2015 were issued to the appellant institution for the Appeal Committee meeting to be held on 15.04.2015 and 29.06.2015 respectively. The appellant has neither attended any of the hearings nor has corresponded with NCTE in this regard. Committee also noted that the Hon'ble Court while setting aside the Appeal Order dated 25.07.2013 had said that Appellate Authority may cause further inspection of the premises of the appellant institution to arrive at a conclusion. The issues involved which had resulted in the withdrawal of recognition are mostly related to land & builtup area. The Committee, therefore, decided that a composite inspection of the institution be conducted under Section 13 of the Act within a period of 30 days and the inspection report be placed before the Appeal Committee before taking cognizance as per rules.

AND WHEREAS Appeal Committee noted that recognition granted to Annai Fathima Treachers Training Institute, Kolar District, Karnataka for D.El.Ed. course was withdrawn vide order dated 14/02/2013 issued by S.R.C. The withdrawal order was subsequently confirmed by Appeal Committee and Appeal order dated 25.07.2013 was issued. The appellant filed a Writ Petition in the Hon'ble High Court of Karnataka and the Hon'ble Court set aside to Appeal order date 25.07.2013 for the reason that it does not refer to in detail the report of S.R.C. which indicates that infrastructure is sufficient. Hon'ble Court laid down that Appellate Authority may cause further inspection of the premises to arrive at a conclusion as to whether the infrastructure possessed by the petitioner is sufficient. Court order further mentioned that if any other request is made by the petitioner with regard to reduction of intake capacity in consonance with infrastructure available, the same may be looked into by Appellate Authority.

AND WHEREAS keeping in view the directions of Hon'ble High Court, the appellant was given three opportunities to present its case before the Appellate Authority on 13.01.2015, 15.04.2015 and 29.06.2015. The appellant did not appear before the Appellate Authority. To arrive at a fair conclusion, Appellate Authority thereafter opted to get the premises of appellant institution inspected. Inspection of the institution was conducted on 05.04.2016. Analysis of the Inspection report revealed following points:

1. Correct address of institution is 4th cross, Maneswara Layout, Gowribidanur, Chikkaballapur, Dist., Karnataka.
2. The institution is not functional as it has been derecognised by S.R.C.
3. Land possessed by the institution is adequate though it is separated by a 20 feet wide road.
4. The built up area as per plan is 12160 sq. feet which is not sufficient as per NCTE norms.
5. Construction of 4th Floor is carried out to provide multipurpose hall but roofing of multipurpose hall is made of asbestos sheet which is not permissible under NCTE norms.
6. Two classrooms are of the size of 400 sq. feet. and two classrooms of the size of 180 sq. feet. The size of classrooms is not as per NCTE norms.
7. Library, Common Room for Boys/Girls, Art and Work Experience Rooms are not furnished.
8. No information regarding staff position was provided to the Inspection Team.

AND WHEREAS Appeal Committee has in view that appellant institution was recognised in 1996 under the category of existing institutions. Appeal Committee noted following regulatory provisions which existed in NCTE Regulations, 2009 and have been repeated in NCTE Regulations, 2014 as follows:-

8(11) (Regulations, 2014)

"Wherever there are changes in the norms and standards for a programme in teacher education the institution shall comply with the requirements laid down in the revised norms and standards immediately. However, the revised land area related norms shall not be applicable to the existing institution, but the required built up area shall have to be increased by existing institutions to conform to the revised norms."

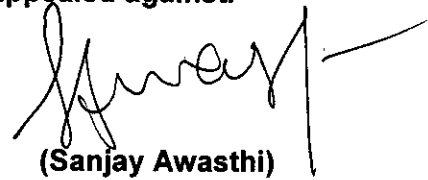
8(7) (Regulations, 2014)

"No temporary structure or asbestos roofing shall be allowed in the institution, even if it is in addition to the prescribed built up area."

AND WHEREAS Appeal Committee after discussing the findings of the Inspection report and having regard to the fact that appellant institution is non-functional for the last couple of years, lacking sufficient built-up area as per norms and is without proper academic support, decided to confirm withdrawal of recognition.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Correspondent, Annai Fathima Treachers Training Institute Hirebidanur Gauribidanur Taluk, Gauribidanur, Kolar District – 561208, Karnataka.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bangalore.



F.No.89-265/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Shashi B.Ed. Teachers Training College, Begusarai, Bihar dated 02/05/2016 is against the Order No. ER/7.205.8.93/(ERCAPP21/2012)/(B.Ed.)/2016/44487 dated 03/03/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the ground that 1. Show Cause Notice was issued on 21/10/2015 on the following ground: "(i) As per VT report (a) No multipurpose hall is there. (b) Laboratories are very small. (c) Instructional space is not as per the NCTE norms. (d) Equipment in all stage are not available. (e) Library has no sitting arrangements. (f) Available titles is 104. (g) Seating capacity in the library is inadequate. (h) Constructed building is not as per the approved building plan and (i) Size of the classroom is 300 sq. ft. which is less than the required norms. 2. The institution has not submitted the compliance of the show cause notice till date. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP21/2012 of the institution regarding recognition for B.Ed. course is refused under section 14(3)(b) of NCTE Act, 1993."

AND WHEREAS Sh. Shaswat Singh, Administrative Officer, Shashi B.Ed. Teachers Training College, Begusarai, Bihar presented the case of the appellant institution on 21/06/2016. In the appeal and during personal presentation it was submitted that "it is wrongly stated that the institution did not submit any reply of the Show Cause Notice issued on 21/10/2015 as the institution submitted representation against the show cause notice and its compliance via letter no. Shesws/903/2015 and Shesws/902/2015 on 10/11/2015 & 09/11/2015 within the stipulated time as a reply of the show cause notice which included the request for re-inspection of the premises and also affirmed the lack of reporting by the ERC visiting team members of the ground situation."

AND WHEREAS In the course of presentation the appellant submitted a letter dt. 21.06.2016 requesting another opportunity to exhibit original proof for despatch of the replies mentioned above. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. Shaswat Singh, Administrative Officer, Shashi B.Ed. Teachers Training College, Begusarai, Bihar presented the case of the appellant institution on 30.8.2016 i.e. the second opportunity given to them. The appellant submitted copies of two letter dt. 9.11.2015 and 10.11.2015 sent in response to the show cause notice dt. 21.10.2015 issued to them. These copies bear postal receipts dt. 19.11.2015 and 20.11.2015 copied thereon. However, the file of the ERC does not contain these letters.

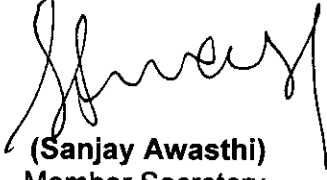
AND WHEREAS the Committee, on perusal of the copies of the letters submitted, noted that the appellant has not made any representation against the specific grounds mentioned in the show cause notice. On the other hand, he has only made general statements, blamed the Visiting team and asked for verification of the facilities by a Visiting Team having full knowledge of New Regulations, Norms and Standards.

AND WHEREAS the Committee noted that according to the provisions of clause 8(7) of the NCTE Regulations, 2014, at the time of inspection, the building of the institution shall be complete in the form of a permanent structure, equipped with all necessary amenities and fulfilling all such requirements as prescribed in the norms and standards. Neither the report of the Visiting Team nor the replies to the show cause notice, stated to have been sent by the appellant and which have not been received in the ERC, indicate that the requirements mentioned in the above provisions of the Regulations have been met by the appellant institution. In these circumstances, the Committee concluded that the appeal deserved to be rejected and the order of the ERC refusing recognition confirmed.

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

the hearing, the Committee concluded that the appeal deserved to be rejected and the order of the ERC refusing recognition confirmed.

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary/Correspondent, Shashi B.Ed. Teachers Training College, Plot No. 652, 7, Sisodia Place, Main Road, Village Post Mahna, Tehsil/Taluka - Begusarai, Barauni, Bihar - 851210.
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.89-323/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Aryawart College of Education, Kharkhoda, Sonapat, Haryana dated 28/05/2016 is against the Order No. NRC/NCTE/NRCAPP-3153/246th Meeting/2015/132649 dated 30/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "NOC from concerned affiliating body required under clause 5(3) of the NCTE Regulations, 2014. Negative recommendation of State of Haryana."

AND WHEREAS the appellant institution in its appeal memoranda submitted that "Aryawart Shiksha Samiti running the Aryawart Institute of Professional Studies Village Khanda, PO Khanda, Tehsil Kharkhoda, District – Sonapat through its Secretary Sh. Arya Dev Dabas, resident of Village Khanda, Post Office Khanda, Tehsil Kharkhoda District Sonapat. Aryawart College of Education is presently running B.Ed. course with intake of 100 seats, approved by NCTE and affiliated to Maharishi Dayanand University, Rohtak. The College has now applied for D.El.Ed. program to NCTE, with the approval of this program the college will have two teacher education program names as B.Ed. and D.El.Ed. Hence the college will be composite one as per the provisions of NCTE, Regulation 2014."

AND WHEREAS Appeal Committee noted that no one representing the appellant institution has appeared before the Committee for making personal presentation. This being the first opportunity, Appeal Committee decided to grant another (2nd) opportunity to appellant to appear before the Committee for making personal presentation of the case.

AND WHEREAS the appellant, aggrieved by the order of the N.R.C. dt. 30.12.2015 filed a Writ Petition CWP No. 3195 of 2016 before the Hon'ble High Court of Punjab and Haryana at Chandigarh. The Hon'ble High Court in their order dt. 29.04.2016 stated that although the period of 60 days is over but since the petitioners have approached this court, therefore, in case the petitioners choose to file appeal against the impugned order dt. 30.12.2015, then the issue of limitation shall not be raised and the appeal shall be decided on merits, as early as possible, preferably within a period of 30 days'. The appellant filed the present appeal on 28.05.2016.

AND WHEREAS Sh. Arya Dev Dabas, Secretary, Aryawart College of Education, Kharkhoda, Sonapat, Haryana presented the case of the appellant institution on 30.08.2016 i.e. the second opportunity given to them. The appellant in a letter dt. 30.08.2016 and in personal presentation submitted that their proposal is an old one and at the time of application, there was no requirement of NOC from the affiliating body and in the appeals of Sun Shine International College of Education, Fransi, Hissar, Haryana and Arya College of Education, Hissar, Haryana the Council decided that requirement of N.O.C. from affiliating body was not justified in the case of applications submitted prior to NCTE Regulations, 2014. Regarding negative recommendation of the State of Haryana, the appellant, citing the orders of the Hon'ble High Courts of Rajasthan and Delhi on the issue of processing the applications pending before the NCTE Regulations, 2014 came into force, submitted that (i) while Haryana Government imposed ban for session 2016-17, there is no recommendation by the State Government on old proposal submitted in 2012; (ii) there is no ban on their application, being a pending application for the last 3 years, which must be considered; (iii) the State Government has given undue preference to some institutions by giving NOC to them; (iv) the State Government has given N.O.C. to the banned course to State Institutions neglecting private institutions; and (v) the minutes of 248th meeting of the NRC held from 11 to 20.01.2016 show that VTs have been constituted for verifying infrastructure of most of the central/state/private universities and Government Institutions of banned courses in Haryana.

AND WHEREAS the Committee, from the file of the NRC, noted the following points: -

- (i) The appellant submitted the application for grant of recognition for D.El.Ed. course on 13.12.2012.
- (ii) The application was returned to the institution due to negative recommendation of the State Government of Haryana in respect of D.El.Ed. course (The file however does not indicate when the application was returned).
- (iii) On the basis of the order dt. 3.10.2010 passed by the Hon'ble High Court of Rajasthan and the order dt. 19.05.2015 passed by the Hon'ble High Court of Delhi in the Writ Petitions filed by the appellant, NRC in their 241st Meeting held on 3-7 August, 2015 considered the matter and issued a Show Cause Notice to the appellant on 08.09.2015 asking them to submit a number of documents, including a N.O.C. from the affiliating body.
- (iv) The appellant submitted a reply dt. 07.10.2015 and with regard to NOC from the affiliating body, he enclosed a copy of their letter dt. 22.09.2015 to the Secretary, SCERT, Gurgaon, Haryana requesting N.O.C.
- (v) The N.R.C., in their 246th meeting held on 09-12 December, 2015 after taking note of the reply received decided to refuse recognition as the institution did not submit N.O.C. from the affiliating body required under Clause 5(3) of the NCTE Regulations, 2014 and also on the ground of negative recommendation of State of Haryana.

AND WHEREAS the Committee, in respect of submission of the appellant relating to submission of N.O.C., noted that the file of the N.R.C. contains only the application dated 13.12.2012, which was taken up for consideration by the N.R.C. in August – September, 2015. The appellant has not been asked to submit any fresh application, but he submitted a representation after the issue of the orders of the Hon'ble High Court of Rajasthan. The provisions relating to N.O.C. from the affiliating body were incorporated in the NCTE Regulations, 2014, and such an N.O.C. has to be enclosed to the applications invited after the promulgation of the

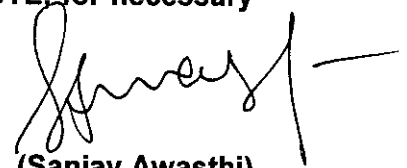
2014 Regulations. Since the appellant's application was submitted under the NCTE Regulations, 2009 and has been pending since then, the application can be processed, leaving aside the requirement of NOC of the affiliating body.

AND WHEREAS regarding the issue of negative recommendation of the State of Haryana, mentioned in the refusal order, the Committee noted that the N.R.C., in their Show Cause Notice dated 08.09.2015 did not make any mention of the negative recommendation. The order of the N.R.C. does not indicate when such a negative recommendation was received in respect of the appellant institution. According to the provisions of the NCTE Regulations, recommendations of the State Governments are sought on the applications of the institutions. The Committee also noted that according to the public notice dt. 27.02.2015 issued by the NCTE, inter-alia, applications for grant of recognition for D.El.Ed. course for the academic session 2016-17 will not be accepted from the State of Haryana. If this is construed as a ban in respect of applications pending consideration as per the directions of the Hon'ble High Court, there was no point in N.R.C. issuing a show cause notice to the appellant calling for a host of documents. In that case the show cause notice should have pointed out the ban preventing any consideration of the appellant's pending application.

AND WHEREAS in view of the above position the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to reconsider the pending application in the light of the submissions made by the appellant and the observations contained in the preceding paragraphs and take an appropriate decision afresh.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be remanded to N.R.C. with a direction to reconsider the pending application in the light of the submissions made by the appellant and the observations contained in the preceding paragraphs and take an appropriate decision afresh.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Aryawart College of Education, Vill.-Khanda, Sehri Road, Kharkhoda, Sonapat, Haryana – 131402.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

75



F.No.89-324/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Aryawart Institute of Professional Studies, Kharkhoda, Sonapat, Haryana dated 28/05/2016 is against the Order No. NRC/NCTE/NRCAPP-4045/246th Meeting/2015/130620 dated 30/12/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not submitted the NOC from concerned affiliating body required under clause 5(3) of the NCTE Regulation, 2014. A proof/evidence to the effect that it is a composite institution as per provisions of the NCTE Regulations, 2014 not submitted. The land is not in ownership of institution. Demand draft enhance fees i.e. Rs. One lakh is not submitted. 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 the appellant institution in its appeal memoranda submitted that "1. Aryawart Shiksha Samiti running the Aryawart Institute of Professional Studies Village Khanda, PO Khanda, Tehsil Kharkhoda, District – Sonipat through its Secretary Sh. Arya Dev Dabas, resident of Village Khanda, Post Office Khanda, Tehsil Kharkhoda District Sonipat. Aryawart Shiksha Samiti applied to NCTE for seeking recognition of Aryawart Institute of Professional Studies for B.Ed. course with intake of 100 seats on 26/12/2012. The Samiti again applied to NCTE for recognition of B.A. B.Sc. B.Ed. course of Aryawart Institute of Professional Studies on 28/05/2015. Thus the college has now applied for two programs to NCTE, with the approval of these programs the college will have two teacher education programs names as B.Ed. and B.A.B.Sc. hence. The institution is also submitting an affidavit that they have become composite institution before commencement of the academic session 2016-17 is already submitted in the written representation against your show cause notice vide letter no. NRC/NCTE/NRCAPP-4045/241st

Meeting/2015/122859-60 dated 08/09/2015 submitted to NCTE, Jaipur on 08/10/2015 having NCTE ref. No. 118557."

AND WHEREAS Appeal Committee noted that no one representing the appellant institution has appeared before the Committee for making personal presentation. This being the first opportunity, Appeal Committee decided to grant another (2nd) opportunity to the appellant to appear before the Committee for making personal presentation of the case.

AND WHEREAS the appellant, aggrieved by the order of the N.R.C. dt. 30.12.2015 filed a Writ Petition CWP No. 3195 of 2016 before the Hon'ble High Court of Punjab and Haryana at Chandigarh. The Hon'ble High Court in their order dt. 29.04.2016 stated that although the period of 60 days is over but since the petitioners have approached this court, therefore, in case the petitioners choose to file appeal against the impugned order dt. 30.12.2015, then the issue of limitation shall not be raised and the appeal shall be decided on merits, as early as possible, preferably within a period of 30 days'. The appellant filed the present appeal on 28.05.2016.

AND WHEREAS Sh. Arya Dev Dabas, Secretary, Aryawart Institute of Professional Studies, Kharkhoda, Sonapat, Haryana presented the case of the appellant institution on 30.08.2016 i.e. the second opportunity given to them. The appellant in personal presentation and a letter dt. 30.08.2016 submitted that (i) they applied for B.Ed. course on 26.12.2012 and for B.A. B.Sc. B.Ed. course on 28.05.2015 and hence the institution with two courses will become a composite one; (ii) they have submitted an affidavit stating that they will become a composite institution before commencement of academic session 2016-17; (iii) NOC from the affiliating body under clause 5(3) of NCTE Regulations, 2014 is not required as theirs is a pending application being considered as per the Hon'ble High Court of Delhi order dt. 21.04.2015 in CWP 3842/2015; (iv) in the minutes of 233rd meeting of the N.R.C. held from February, 2015 (agenda item no. 233.3) it is clearly mentioned that there is no requirement of N.O.C. for the old proposals submitted for 2013-14 session (v) in the case of appeals of Sun Shine International College of Education, Fransi, Hissar and Arya College of Education, Hissar, the requirement of

NOC was not insisted upon; (vii) the institution's application being an old one, they are not liable to pay enhanced fee; and (viii) the land of the institution, which is on lease basis and not acceptable as per 2014 Regulations, will be transferred to the institution on ownership basis within 6 months of recognition.

AND WHEREAS the Committee, from the file of the N.R.C., noted the following points:-

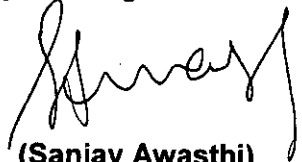
- (i) The appellant submitted the application for grant of recognition for B.Ed. course on 26.12.2012.
- (ii) The application was returned to the institution due to negative recommendation of the State Government of Haryana in respect of B.Ed. course on 05.08.2013.
- (iii) On the basis of the orders dt. 19.05.2015 passed by the Hon'ble High Court of Delhi in W.P. No. 3842/2015, N.R.C. in their 241st meeting held from 3 – 7 August, 2015 considered the matter and issued a Show Cause Notice to the appellant on 08.09.2015, asking them to submit a number of documents.
- (iv) The appellant submitted a reply dt. 07.10.2015.
- (v) The N.R.C. in their 246th meeting held on 9-12, December, 2015, after taking note of the reply received, decided to refuse recognition on the grounds mentioned in the refusal order.

AND WHEREAS the Committee noted the various submissions made by the appellant on the grounds of refusal of recognition. The appellant, inter-alia, admitted that the land for the institution is on lease basis and it will be transferred to the institution on ownership basis within 6 months of recognition. The Committee noted that according to the provisions of Clause 8(4)(i) of the NCTE Regulations, 2014 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, free from all encumbrances on ownership basis or on lease from Government or Government institutions for a period of not less than 30 years. Similar provisions existed in the NCTE Regulations, 2009. Since the appellant does not fulfil this requirement in respect of land as per the Regulations, the Committee

concluded that the appeal deserved to be rejected on the ground that the land is not on ownership basis and the order of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserved to be rejected on the ground that the land is not on ownership basis and the order of the NRC confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Aryawart Institute of Professional Studies, Vill.-Khanda, Sehri Road, Kharkhoda, Sonapat, Haryana-131402.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.



F.No.89-38/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Maharaja College, Chandesri, Ujjain, Madhya Pradesh dated 14/01/2016 is against the Order No. WRC/WRCAPP1925/234th /M.Ed./MP/2015/155670 dated 17/11/2015 of the Western Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "show cause notice was issued on 04/08/2015 regarding insufficiency of built-up area. The institute vide their reply dated 01/09/2015 has stated that they have more than 5000 sq.mts. of built-up area without enclosing any proofs by supporting documents. Hence, Recognition for additional unit of M.Ed. course is refused."

AND WHEREAS No one from, Maharaja College, Chandesri, Ujjain, Madhya Pradesh appeared on behalf of the appellant institution on 25/04/2016. In the appeal memoranda it was submitted that "the institution runs following three courses D.El.Ed. (2 units), B.Ed. (2 Units of 50 each which was exist one unit of 100) and M.Ed. (1 unit). As per NCTE 2014 Norm's institution have required 4500 sq.mts. Built-up area for running above courses. The institution already submitted the proof of built-up area on dt. 26/10/2015 before 234th meeting of WRC which held on 3-4 Nov. 2015, but WRC not considered that proof of built-up area in its 234th meeting (enclosure no.4, submitted with hardcopy of online appeal). On 01/12/2015 institution represented for reconsideration on refusal decision but no action taken by them. (Enclosure no.5 submitted with hardcopy of online appeal). Now we are again submitting additional proof of 5005 sq.mts. Built-up area certified by Govt. Sub-Divisional Officer, Rural Engineering Service, Ujjain, Madhya Pradesh. (Enclosure no. 6, 7 submitted with hardcopy of online appeal). As above mentioned facts this institution have additional infrastructure of 500 sq. mts. To fulfil the required condition for proposed M.Ed. additional unit of 50 seats."

AND WHEREAS Appeal Committee noted that appellant institution has sought another opportunity for making personal presentation of its case vide its letter dated 13.04.2016. Appeal Committee decided to grant another (2nd) opportunity to the appellant for appeal hearing. The appellant in its letter dated 13/04/2016 had requested for another opportunity after 25th May, 2016 and acceding to his request next opportunity was given and appellant was called upon to present the case on 25th June, 2016. Appellant did not appear before the Committee on 25.06.2016. Appeal Committee decided to give another opportunity (3rd & last) to the appellant to make personal presentation failing which appeal will be decided on the basis of relevant records and written submission made by appellant in the appeal memoranda.

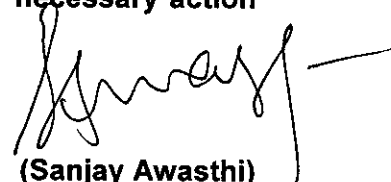
AND WHEREAS Maharaja College, Chandesri, Ujjain, Madhya Pradesh was asked to present the case of the appellant institution on 30.08.2016 i.e. the third and final opportunity given to them, but nobody from that institution appeared. The Committee decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the appellant has submitted that he has given proof of having 5005 sq. mts. of built up area through his subsequent letter dt. 26.10.2015 sent to the W.R.C., which was not considered by the W.R.C. in their 234th meeting held on 3-5 November, 2015 before taking a decision. The appellant enclosed a copy of their letter dt. 26.10.2015, which bears the receipt stamp of WRC. However, this letter is not found in the file of the W.R.C. In these circumstances, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider the letter of the appellant dt. 26.10.2015 and take further action as per the NCTE Regulations, 2014. The appellant is directed to send a duly signed copy of their letter dt. 26.10.2015 with all its enclosures to the W.R.C. within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to W.R.C. with a direction to consider the letter of the appellant dt. 26.10.2015 and take further action as per the NCTE Regulations, 2014. The

appellant is directed to send a duly signed copy of their letter dt. 26.10.2015 with all its enclosures to the W.R.C. within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Maharaja College, Chandesri, Ujjain, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Chairman, Maharaja College, 8937721593, Ownership, 22, 26/1, Chandesri, Ujjain, Madhya Pradesh - 456010.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.**



F.No.89-46/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Birsa College, Khunti, Ranchi, Jharkhand dated 13/01/2016 is against the Order No. ERC/7-197.41/ERCAPP3044/(B.Ed.)/2015/37860 dated 16/11/2015 of the Eastern Regional Committee, summarily rejecting their application for grant of recognition for conducting B.Ed. course on the grounds that "copy of the land document not submitted along with hard copy of printout of the online application. In view of the above the Committee decided as under: The application of the institution is summarily rejected as per clause 7(2)(b) of NCTE Regulation 2014."

AND WHEREAS Sh. Dharendra Tripathi, Asstt. Professor, Birsa College, Khunti, Ranchi, Jharkhand presented the case of the appellant institution on 25/04/2016. In the appeal and during personal presentation it was submitted that "our college is a constituent college of RU Ranchi established in 1961 at the heart of Tribal Area of Khunti District land on possession of college is Govt. land categorized as "Keshere Hind" free from encumbrances which is also witnessed by the certificate issued by DC, Khunti in this regard. College is classified under 12(B) and 2(f) by UGC and on this ground UGC/State Govt. releases us millions of grants in every five year plan for its development. Relevant document will be sent."

AND WHEREAS during the course of appeal presentation, appellant made an oral request for grant of another opportunity to submit documentary evidence to clarify that the appellant institution legally possesses clear demarcated land free from any type of encumbrance. The demarcated land should be adequate as per NCTE Regulations. Committee decided to grant another (2nd) opportunity to the appellant to furnish necessary documentary evidence. Appellant was issued a Notice to appear before the Appeal Committee on 25.06.2016 but neither anybody from the institution turned up nor any communication was received. Appeal

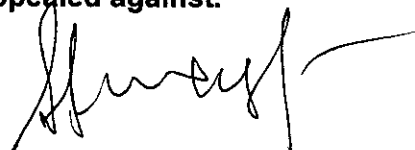
Committee decided to give another (3rd & Last) opportunity to the appellant to appear before the Committee for making personal presentation.

AND WHEREAS Birsa College, Khunti, Ranchi, Jharkhand was asked to present the case of the appellant institution on 30.8.2016 i.e. the third and final opportunity given to them but nobody from that institution appeared. The Committee decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the appellant has not submitted a copy of the land document along with the application as per the NCTE Regulation, 2014. He has also not produced any evidence to show that the institution possesses clear demarcated land, as promised in the hearing held on 25.4.2016. The appellant has also not appeared before the Committee on two subsequent opportunities given to him. In these circumstances, the Committee concluded that the ERC was justified in summarily rejecting the appellant's application and therefore, the appeal deserved to be rejected and the order of the ERC confirmed.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Prof. In-Charge, Birsa College, Khunti 078, Mauza Kadma, Ranchi, Jharkhand - 835210.
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 Jharkhand, Ranchi.



F.No.89-138/2016 Appeal/12th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/9/16

ORDER

WHEREAS the appeal of Raju College of Education, Rayachoty, Kadapa, Andhra Pradesh dated 30/01/2016 is against the Order No. SRO/NCTE/SRCAPP14083/D.El.Ed-AI/AP/2016-17/76556 dated 20/10/2015 of the Southern Regional Committee, rejecting their application for grant of recognition for conducting D.El.Ed. - AI course on the grounds that "failure to submit Print out of the application made online within 15 days of the submission of the online application. (online application submitted on 26/06/2015 hard copy on 13/07/2015."

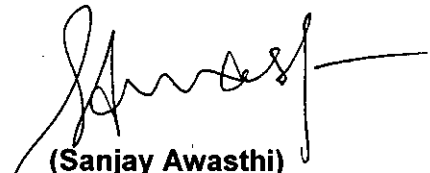
AND WHEREAS No one from, Raju College of Education, Rayachoty, Kadapa, Andhra Pradesh appeared to present the case of the appellant institution on 28/04/2016 and 25.06.2016. Further the submission of the appeal has been delayed by one month and eleven days beyond the prescribed time limit of 60 days. The appellant has neither furnished any reasons for delay nor requested condonation of delay. The Committee decided to give the appellant another opportunity i.e. the third and last opportunity to appear before the Appeal Committee for making a personal presentation.

AND WHEREAS Raju College of Education, Rayachoty, Kadapa, Andhra Pradesh was asked to present the case of the appellant institution on 30.08.2016 i.e. the third and final opportunity given to them, but nobody from that institution appeared. The Committee, therefore, decided to consider the appeal on the basis of the records.

AND WHEREAS the Committee noted that the S.R.C. in their letter no. HQ/Appeal/SRCAPP 14083/D.El.Ed.-AI/AP/2016/83202 dt. 29.03.2016 informed that, in accordance with the Council's decision to accept hard copies of the applications for 2016-17 upto 15.07.2015, the application of the institution was re-

considered by the SRC in their 304th meeting held during 19-20 Feb., 2016 and as per their decision an inspection of the institution was conducted on 21.03.2016. The report received on 25.03.2016 was to be placed before the SRC in their 308th meeting to be held during 28 -30 March, 2016. The SRC, in their subsequent letter no. HQ/Appeal/AP/TN/KA/KL/2016/84487 dt. 19/04/2016 informed the Council that a LOI was issued to the appellant institution on 14.04.2016.

AND WHEREAS in view of the above position, the Committee concluded that the appeal has become infructuous.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Raju College of Education, S No. 615/1, Madanapalli Road, 51/142-5, Rayachoty, Kadapa, Andhra Pradesh – 516269.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.