



F.No.89-177/E-116300/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Bhagwan Budha Primary Teachers Education, Maharajganj – 841238, Bihar dated 01.05.2019 is against the Order No. ERC/268.6.25/ERCAPP201646295/11396/B.Ed. /2019/59603 dated 01.03.2019 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Course on the following grounds: - (i) LOI u/c 7(13) issued on 31.10.2018; (ii) Show Cause Notice u/s 15(3)(b) issued on 15.01.2019 allowing extension of time for compliance of LOI, as requested by the institution. Reply from the institution has not been received so far and stipulated period has already been over. In view of the above, the Committee decided as under:- The Committee is of the opinion that application bearing application No. ERCAPP201646295 of the institution regarding permission to B.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993.

AND WHEREAS Sh. Shiv Kumar Gautam, Clerk and Sh. Neeraj Singh, Admin., Bhagwan Budha Primary Teachers Education, Maharajganj – 841238, Bihar presented the case of the appellant institution on 12/06/2019. In the appeal the appellant submitted that they not receive any notice from NCTE, Bhubaneswar. The appellant, with a copy of their letter dt. 10/06/2019, written in response to the ERC's refusal order dt. 01/03/2019 and addressed to the NCTE, New Delhi, enclosed (i) a copy of an affidavit; (ii) a copy of the faculty list consisting of a H.O.D. and 15 teachers countersigned by the Registrar, J.P. University, Chapra; (iii) a copy of the minutes of the Selection Committee; and (iv) copies of two FDRs for Rs. 5 lakhs and Rs. 7 lakhs.

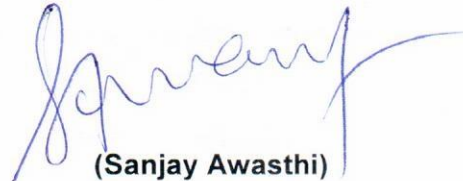
AND WHEREAS the Committee noted that the ERC sent the Letter of Intent dt. 31/10/2018 and the Show Cause Notice dt. 15/01/2019 to the e-mail address given by the appellant in their online application. Therefore, the claim of the appellant that

they did not receive any notice from the ERC is not admissible. The Committee also noted that while the appellant, in their letter dt. 28/12/2018, requested for two months time to complete all requirements and send a reply to the ERC, it is only with their letter dt. 10/06/2019 written after expiry of more than three months from the date of refusal, that they forwarded the documents mentioned in para 2 above. The ground mentioned in the refusal order, i.e. the reply of the institution has not been received, is thus correct.

AND WHEREAS in the above 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 Secretary, Bhagwan Budha Primary Teachers Education, Maharajganj – 841238, Bihar.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.



F.No.89-179/E-116565/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Rama Krishna Teachers Training College, Raghunathpura Ratlya, Diggi Road, Sanganeer, Jaipur – 302029, Rajasthan dated 01.04.2019 is against the Letter No. New Appl./RF/Raj./NRCAPP-3412/2013-14/48205 dated 11.06.2013 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. Course on the following grounds: - "The NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration / processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulation 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the

Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC decided that the recommendations of the State Govt. of Rajasthan i.e. not to allow setting up of new D.El.Ed. institutions in the State be accepted and the applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants."

AND WHEREAS the appellant, aggrieved by the Letter of the N.R.C., filed a S.B. Civil Writs No. 5039/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 11/03/2019, closed writ proceedings with a direction to the petitioner to address a comprehensive representation to the respondents, within two weeks hereinafter. The Hon'ble High Court also observed that in case, a representation is so addressed within the specified period, the State respondents are directed to consider and decide the same by a reasoned and speaking order as expeditiously as possible in accordance with law; preferably, within six weeks from the date of receipt of the representation along with a certified copy of this order.

AND WHEREAS Dr. Pratiksha Shar, Principal and Dr. K.K. Sharma, Director, Rama Krishna Teachers Training College, Ragnathpura Ratlya, Diggi Road, Sanganer, Jaipur – 302029, Rajasthan presented the case of the appellant institution on 12/06/2019. The appellant, in a letter dt. 23/04/2019, forwarding the hard copy of the appeal, submitted that they applied for grant of recognition for conducting D.El.Ed. course on 24/10/2012 and the N.R.C. in the absence of State Government's recommendations returned their application. The State Government of Rajasthan in their letter dt. 01/01/2018 has given permission for D.El.Ed. course from 2019-20. In compliance with the directions of the Hon'ble High Court of Rajasthan, Bench at Jaipur in S.B.C.W 5039/2019, the State Government in their order dt. 27/03/2019 granted them N.O.C. for D.El.Ed. course for 2019-20. The appellant, citing orders issued earlier in respect of some institutions, requested permission to their institution for conducting D.El.Ed. course.

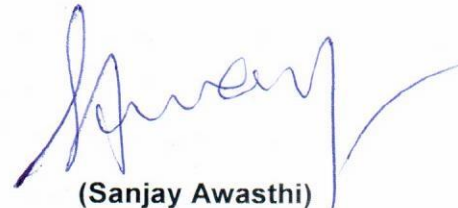
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018,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

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

view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the position stated in paras 4 & 5 above concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Rama Krishna Teachers Training College, Ragnathpura Ratlya, Diggi Road, Sanganer, Jaipur – 302029, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-180/E-116737/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Rao Khem Chand College of Education, Bohatwas Ahir, Rewari – 123101, Haryana dated 01.05.2019 is against the Order No. NRC/NCTE/NRCAPP-11555/295th Meeting/2019/200911 dated 28.02.2019 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the following grounds: - In compliance with the Interim order dated 25.07.2018 in W.P. No. 6973/2018 of the Hon'ble High Court of Delhi, the application was processed and Show Cause Notice was issued on 13.09.2018. The reply dated 03.10.2018 was considered by the Committee. The Committee observed the following: The institution has not submitted the certified registered land documents issued by the Registering Authority or Civil Authority concerned. The NOC from DTP dated 08.11.2012 does not contain the seal of DTP. The land area of 7 kanal and built-up area of 4072.07 sq. mts. is grossly inadequate for the existing courses and the proposed courses. 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. Ravi Kant, Clerk and Sh. Ramesh Kumar, Clerk, Rao Khem Chand College of Education, Bohatwas Ahir, Rewari – 123101, Haryana presented the case of the appellant institution on 12/06/2019. In the appeal the appellant submitted that the Certified registered land documents certified by the Tehsildar, Rewari & Manethi are attached. The NOC from DTP dated 08.11.2012 has been affixed the seal of DTP. Copy attached. The land area is increased 7 kanal + 4 kanal = 11 kanal total land. Built-up area is increased to 5047.25 sq. mts, for B.A. B.Ed./B.Sc. B.Ed. (NRCAPP-11555) and the land for M.Ed. course (NRCAPP-11493) will be arranged later on. This land is only for B.A. B.Ed./B.Sc. B.Ed. (NRCAPP-11555) purpose only.

The appellant, in the course of presentation, submitted certified copies of land documents for land measuring 7 kanals purchased on 17/11/2009 and for another land measuring 4 kanals purchased on 05/04/2019 and a copy of a building completion certificate issued by an Architect and countersigned by Naib Tehsildar, Manethi on 12/06/2019, showing a total built up area of 54,308 sq. ft., the year of completion of construction being 2019.

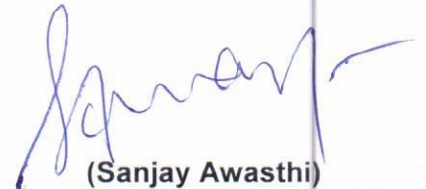
AND WHEREAS the Committee noted that according to the provisions of Clause 8 (4) (i) of the NCTE Regulations, 2014, no institution shall be granted recognition unless the institution or society sponsoring the institution is in possession of required land on the date of application. The Committee noted that at the time of application i.e. on 29/05/2015, the appellant was having only 7 kanals of land and they purchased the additional 4 kanals of land only on 05/04/2019 i.e. after submission of application. The appellant has not given any proof of increased built up area except for producing a building completion certificate, for the first time, and which has not been signed by any Government Engineer. The building map furnished with the application shows only 4072.07 sq. mts. of built up area. Incidentally, the Committee also noted from the file that the appellant has not enclosed a No Objection Certified issued by the concerned affiliating body as required under Clause 5 (3) of the NCTE Regulations, 2014.

AND WHEREAS in view of the above position, the Committee concluded that the N.R.C. was justified in refusing recognition specifically on the ground that the land area of 7 kanals and built up area of 4072.07 Sq. mts. shown at the time of application is inadequate and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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

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



(Sanjay Awasthi)
Member Secretary

1. The President, Rao Khem Chand College of Education, Bohatwas Ahir, Rewari – 123101, Haryana.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.



F.No.89-181/E-116729/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Bhilai Maitri College, Durg – 470004, Chhattisgarh dated 08.05.2019 is against the Order No. WRC / APW06093 / 723006 / B.Ed.(Addl.) /C.G. / 304th / 2019 / 202714 dated 12.04.2019 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the ground that the institution has not submitted a letter granting approval for the selection or appointment of faculty, issued by the affiliating body as per NCTE Regulations, 2014. The institution has submitted staff list signed by Registrar, Durg University, Durg which is not as per NCTE Amendment Regulations 2017. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order.

AND WHEREAS the appellant, aggrieved by the order of the WRC, filed a W.P. (C) 5298/2019 & CM Appl 23443/2019 (for stay) before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 15/05/2019, disposed of the petition with the direction to the Appellate Committee to hear and decide the petitioner's appeal within a period of eight weeks. The Hon'ble High Court also observed that inasmuch as the impugned withdrawal order takes effect only from the end of the academic session 2020-21, next following the date of communication of the said order, there is no necessity of passing any ad interim orders in this case.

AND WHEREAS Sh. Sajan Sudhakaran, Director, Bhilai Maitri College, Durg – 470004, Chhattisgarh presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation the appellant submitted the following:- WRC NCTE vide its letter dated 05.02.2018 issued a show cause notice to the Petitioner Institution observing as under. The case file was seen. As per revised recognition order dated 31.05.2015 the institution was directed to submit duly approved list of faculty, maintenance of FDRs as per NCTE Regulations 2014 and Building Completion Certificate issued by a Government Engineer. The institution is having four units of B.Ed. and the institution has submitted a staff profile of 12 faculty members which is sufficient for running only one unit. HOD has not been appointed. The institution should submit the latest consolidated staff profile in the prescribed format approved by the competent authority in original. It also needs to submit building completion certificate by a Govt. Engineer and FDR for Rs. 12 lakhs in joint name in original total requirement is 12 lakhs. Hence Show Cause Notice be issued as to why recognition should not be withdrawn. Reply should be submitted within one month. Accordingly, Our Institution vide its letter dated 08.03.2018 submitted the entire compliances as per the Show Cause Notice dated 05.02.2018. It is submitted that the institution submitted the following documents in compliance of the Show Cause vide its letter dated 08.03.2018. (a) List of the Teaching Staff in the prescribed format approved by the Registrar, Durg University, Chhattisgarh. (b) Promotion order of the HOD. (c) FDRs. (d) BCC dated 07.03.2018 issued by SDO, PWD, Durg. Letter dated 08.03.2018 along with the documents are annexed herewith. It is submitted that the WRC in its Show Cause notice dated 05.02.2018 never sought any letter granting approval for the selection or appointment of faculty issued by the affiliating body as per NCTE Regulations 2014 and therefore institution did not submit the same. It is submitted that the Institution is also here submitting the entire letters issued by the Affiliating Body approving the faculties. Copy enclosed. NCTE headquarter vide its letter dated 13.08.2018 informed the Regional Directors of the Regional Committee as under. It may be informed that the notification dated 09.06.2017 is likely to be amended to include SLET qualified persons also. The matter is pending in MHRD as of now. Accordingly, the condition arising out of notification dated 09.06.2017 should

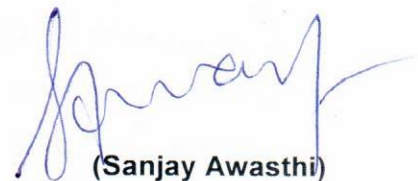
not be mixed with the affidavit exercised initiated some time in 2015. It would be advisable to await amendment to the notification 09.06.2017 before initiating proceedings of withdrawal of recognition merely on the ground that the faculty have not NET qualified. It is clarified that any new recognition should follow the direction content in the notification dated 09.06.2017. A Copy the NCTE Headquarter Letter dated 13.08.2018 is annexed herewith. The institution is already having the faculties as per NCTE Regulations, 2014. The staff profile approved by the university and submitted by the institution with their letter dt. 08/03/2018 contains the entire list of faculties as per Regulations. While the Show Cause Notice was issued on the ground of submission of faculty list approved by the university as per Regulations, 2014, the withdrawal was made observing that the faculty list is not as per Regulations, 2017. This ground was never raised before. The State Government of Chhattisgarh has published advertisement for admission for the session 2019-20 and if the appeal is not decided the appellant will lose the academic session 2019-20 and will suffer irreparable loss due to none of their fault.

AND WHEREAS the appellant, in the course of presentation, submitted, inter-alia, a copy of the letter dt. 12/04/2019 from the Registrar, Hemchand Yadav University, Durg approving 19 faculty members for B.Ed. course of the appellant institution. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC to consider the approved staff list and take further action as per the NCTE, Regulations, 2014. The appellant is directed to forward to the W.R.C., the approval letter of the university and all other faculty related papers submitted in the appeal, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC to consider the approved staff list and take further action as per the NCTE, Regulations, 2014. The appellant is directed to forward to the W.R.C., the approval letter of the university and all other

faculty related papers submitted in the appeal, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Bhilai Maitri College, Durg – 470004, Chhattisgarh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Director, Bhilai Maitri College, Durg-470004, Chhattisgarh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.



F.No.89-182/E-116801/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of IPS Academy, Hukmakhedi, Rajendra Nagar, Indore – 452012, Madhya Pradesh dated 04.05.2019 is against the Order No. WRC/NCTE/APP201660201/303rd/2019/201811-201818 dated 11.03.2019 of the Western Regional Committee, refusing recognition for conducting B.P.Ed. Course on the following grounds: - The Show Cause Notice was issued to the institution on 21.02.2018 as per decision of WRC in its 288th meeting. The institution has not submitted reply of Show Cause Notice dated 21.02.2018 till date.

AND WHEREAS Prof. S.D. Mauriya, Director, IPS Academy, Hukmakhedi, Rajendra Nagar, Indore – 452012, Madhya Pradesh presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation the appellant submitted that while the inspection team visited IPS Academy, Indore, by mistake some one had denied the team for inspection for which they are very sorry. The appellant also submitted that reply to show cause notice was not submitted by the college as it was received very late or not received at all. The appellant, stating that they have all infrastructural and instructional facilities, requested that an inspection team may be sent.

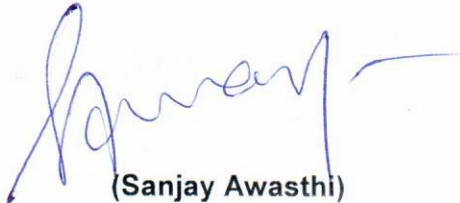
AND WHEREAS the Committee noted that according to the provisions of 7 (7) of the NCTE Regulations, 2014, inspection shall not be subject to the consent of the institution. The Committee also noted that the appellant made a very vague statement about the non-receipt Show Cause Notice.

AND WHEREAS in the above circumstances, the Committee concluded that the WRC was justified in refusing recognition on the ground of non – receipt of a reply to

their Show Cause Notice dt. 21/02/2018 and therefore, the appeal deserved to be rejected and the order of the WRC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. **The Director, IPS Academy, Hukmakhedi, Rajendra Nagar, Indore – 452012, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-183/E-116905/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

05/7/19

ORDER

WHEREAS the appeal of National College of Education, Ayyampudur (PO), Kolathur, Mettur – 636303, Tamil Nadu dated 06.05.2019 is against the Order No. SRO /NCTE/SRCAPP201630058/B.Ed.-AI/TN/2019-101927 dated 06.03.2019 of the Southern Regional Committee, refusing recognition for conducting B.Ed. Course on the following grounds: - Date of issuance of the BCC is missing. Latest Encumbrance Certificate not submitted by the institution. As per the Encumbrance Certificate, submitted by the institution, the nature of land is agriculture. 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."

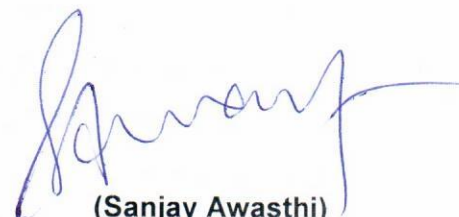
AND WHEREAS Sh. J. Thangavelan, Secretary and R. Selvaraj, Treasurer, National College of Education, Ayyampudur (PO), Kolathur, Mettur – 636303, Tamil Nadu presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation the appellant submitted the following:- With respect to the query, Building Completion Certificate BCC issued from Panchayat Engineer with date has been submitted at the time of application submission. Hereby attaching copy of Building Completion Certificate along with the memorandum of appeal for your reference. Encumbrance certificate issued from Sub-Registrar dated 30.05.2016 has been enclosed at the time of application submission. Our application has been submitted on 13.06.2016 at the SRC office Bangalore. Only 13 days difference is there between the Encumbrance certificate date and application submission date. Here by attaching the copy of Encumbrance certificate for your reference. Encumbrance Certificate submitted contains two survey numbers 555/4, 556/2 totally measuring 8.42 acres. Out of these, survey no. bearing 555/4 measuring 4.57 acres is exclusively provided for running B.Ed. college. This land comes under the Panchayat Jurisdiction. Surrounding villages has completely developed in and around this land. This land is

not utilized for agricultural purpose. To affect this, the Panchayat officer issued a certificate and also, we got the certificate from Tahsildar. Copies of the certificates are enclosed along with this appeal for your reference.

AND WHEREAS the Committee, noting that the appellant has submitted necessary documents, showing the removal of the deficiencies pointed out in the refusal order, concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take necessary action as per the NCTE, Regulations, 2014. The appellant is directed to forward to the SRC all the relevant documents submitted in appeal, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to the SRC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take necessary action as per the NCTE, Regulations, 2014. The appellant is directed to forward to the SRC all the relevant documents submitted in appeal, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of National College of Education, Ayyampudur (PO), Kolathur, Mettur – 636303, Tamil Nadu to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, National College of Education, Ayyampudur (PO), Kolathur, Mettur – 636303, Tamil Nadu.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu, Chennai.



F.No.89-184/E-116905/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Noble College of Education, Sagar – 470004, Madhya Pradesh dated 11.05.2019 is against the Order No. WRC/APW06323/225108/303rd{M.P.}/2019/201987 dated 15.03.2019 of the Western Regional Committee, withdrawing recognition for conducting M.Ed. Course on the following grounds: - The Show Cause Notice was issued to the institution on 24.09.2018. The institution has submitted reply of Show Cause Notice on 22.10.2018. On perusal of the reply the institution has not submitted following documents: The institution has not submitted any proof of additional built-up area. The institution has not submitted any proof of additional infrastructure. The institution has not submitted letter granting approval for the appointment of faculty by Affiliating University. The institution has not submitted land documents certified by the competent authority. The institution has not submitted Land Use Certificate issued by Competent Authority. The institution has not submitted NEC issued by Competent Authority. The institution has not submitted building plan approved by the competent authority mentioning name of institution, course, khasra No./Plot No., total land area, total built-up area and earmarked area for each course being run in the same premises. The institution has not submitted Building Completion Certificate issued by competent authority.

AND WHEREAS Sh. Avnish Mishra, Representative and Koshy Jacob, Representative, Noble College of Education, Sagar – 470004, Madhya Pradesh presented the case of the appellant institution on 12/06/2019. In the appeal and

during personal presentation the appellant submitted the following:- The institute is in existence for the past 14 years and when they planned to start the M.Ed. Programme in the year 2007, they did additional construction and increased the total built up area of the building to more than 29000 Sq. Ft. The copy of the building plan passed in the year 2007 is enclosed. It was a coincidence that when they planned to start the M.Ed. Programme in the year 2007, they did additional construction and increased the total built up area of the building to more than 29000 Sq. Ft. and when the 2014 norms were implemented the built-up area was more than the required area. Therefore, we did not felt the need to increase the built up area. In fact some minor changes in the internal structure was required according to the 2014 norms and was done accordingly. Copy of the building plan with minor changes in the internal structure is also enclosed. The institution had purchased additional furniture and books for library etc. in the year 2015 and 2016 after the implementation of NCTE norms 2014 and thus fulfilled all the norms of 2014 for additional infrastructure. Copies of the bills are enclosed. FDRs for Rs. 7,00,000 Endowment fund and Rs. 5,00,000 Reserve funds are enclosed in original. They had in the past submitted the staff profile several times as and when asked. In reference to show cause notice dated 24.09.18 they applied to the University for approval of their staff list, copy of letter enclosed, on which no action has been taken till date. After getting the withdrawal order they again applied to the University copy of letter enclosed but till date the University has not approved the staff list. They are hopeful that by the time they will be called for the hearing of this appeal, the university will provide us the letter granting approval for the appointment of faculty. Certified land document has been submitted earlier. However again they are submitting the land documents certified by the competent authority for reference. Copy of the land use Certificate/Diversion certificate was submitted in the past. However, they are submitting the same with current receipt of diversion tax paid by them again for reference. Copy of NEC was submitted in the past and they are submitting the same again for reference. Original building completion certificate in prescribed format was submitted earlier. The copy of the same is enclosed. The institute got recognition to start B Ed Course from the session 2005. The building plan submitted prior to the

recognition of M Ed programme in the year 2008 clearly shows that the institution already has additional built up area as is required in the NCTE norms 2014. Therefore they did not felt the need to increase the built up area Some minor changes in the internal structure was required according to the NCTE norms 2014 and was done accordingly. Proper show cause notice was not served to us. The show cause notice served to us demanded reply on two points which we submitted, whereas the withdrawal order says that they have not replied to nine points of the show cause notice which they never received. Not only this there are several other points which proves that the whole process of withdrawal of M.Ed. programme was totally illegal. All the relevant documents are enclosed for reference. Therefore, we had given legal notice as well. Copy enclosed. WRC headed by Regional Director Dr. V.P. Pandey was adamant to withdraw the M.Ed. programme from our institute without giving us a fair chance to present our case. The repatriation of Dr. V P Pandey to his parent department due to unsatisfactory performance on certain regulatory and administrative grounds, copy enclosed, proves that Dr. V.P. Pandey working was not as per the norms and procedure of NCTE. So, we again claim that the withdrawal of recognition of M.Ed. programme from our institute was totally illegal and unjust. Since, the M.Ed. admission process for session 2019 of Dr. Hari Singh Gour University, Sagar will be finished by the end of May 2019, therefore we request you to kindly reinstate the recognition of our M.Ed. programme before this.

AND WHEREAS the appellant, with their letter dt. 12/06/2019, enclosed some more documents. These include a copy of the order of the Hon'ble High Court of Delhi at New Delhi dt. 27/05/2019 in W.P. (C) 5994/2019 & CM APPL25901/2019 filed by the appellant. The Hon'ble High Court, in their order, disposed of the petition with a direction to the Appellate Committee, NCTE to decide the appeal of the petitioner, as early as possible, preferably at the next meeting of the Appellate Committee. The Hon'ble High Court also observed that pending disposal of the appeal, operation of the order withdrawing petitioner's recognition shall remain stayed.

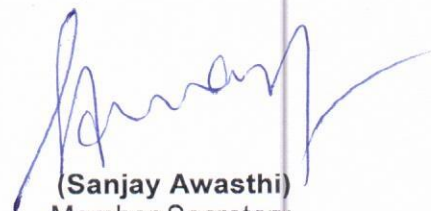
AND WHEREAS the Committee noted from the Show Cause Notice dt. 24/09/2018 that the W.R.C. wanted (i) staff list approved by the Registrar, separately for B.ED. and M.Ed. courses as per Appendix – IV and V of the NCTE Regulations, 2014 with all faculty members for M.Ed. course having Ph.D/NET qualification; and (ii) FDRs for Rs. 12 lakhs. The Committee noted that the appellant submitted a reply to this show cause notice on 22/10/2018. The WRC should have taken a decision after considering the reply of the appellant with reference to the two points in the show cause notice; but they withdrew recognition, in their order dt. 15/03/2019, on as many as nine grounds, which included non- submission of approved faculty and proof of additional fund. The other seven grounds are new.

AND WHEREAS the Committee noted that according to Proviso under Section 17 (1) of the NCTE Act, 1993, no order of withdrawal against a recognised institution shall be passed unless a reasonable opportunity of making a representation against the proposed order has been given to such recognised institution. The Committee, from a perusal of the Show Cause Notice dt. 24/09/2018 and the withdrawal order dt. 15/03/2019, noted that the appellant has not been given a reasonable opportunity of making a representation on the new grounds cited in the withdrawal order.

AND WHEREAS in the above circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to issue a Show Cause Notice including the specific grounds on which recognition is proposed to be withdrawn and take further action as per the NCTE Act, 1993 and the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to the WRC with a direction to issue a Show Cause Notice including the specific grounds on which recognition is proposed to be withdrawn and take further action as per the NCTE Act, 1993 and the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Noble College of Education, Sagar – 470004, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Noble College of Education, Sagar – 470004, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-185/E-117066/2019 Appeal/17th Mtg.-2019/12th June, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 05/7/19

ORDER

WHEREAS the appeal of Maharaja Surajmal College, Ajabpura, NH-148, Jamwaramgrah – 303120, Rajasthan dated 09.05.2019 is against the Order No. NRC/NCTE/NRCAPP201716751/ID No.8630/299th Meeting/2019/Recognition order/202380 dated 26.04.2019 of the Northern Regional Committee granting recognition for conducting for one unit (50) B.A. B.Ed. course. The appellant wants recognition for one unit (50) of B.Sc. B.Ed. also.

AND WHEREAS Sh. Raghuveer Singh Choudhary, Director, Maharaja Surajmal College, Ajabpura, NH-148, Jamwaramgrah – 303120, Rajasthan presented the case of the appellant institution on 12/06/2019. The appellant in a letter dt. 11/06/2019 submitted that noting their existing B.A. course at the time of inspection, the N.R.C. granted recognition for one unit of B.A. B.Ed. whereas both B.A. and B.Sc. courses are being conducted in the institution. The appellant further submitted that when they applied for the year 2017-18, the State Government of Rajasthan has given permanent N.O.C. for B.A. and B.Sc. courses vide order dt. 29/06/2017 issued by the Commissioner, College Education, Rajasthan, Jaipur (Copy enclosed). On the other hand at the time of inspection on 14/07/2018, classes of B.A. and B.Sc. were started from 02/07/2018 for the year 2018-19. Rajasthan University has granted affiliation to these courses for the years 2018-19 and 2019-20 vide their orders dt. 03/10/2018 and 30/05/2019, copies enclosed. The inspection team conducted inspection for B.A. B.Ed./B.Sc. B.Ed. courses. The N.R.C. issued their Letter of Intent dt. 29/11/2018 for two units of B.A. B.Ed./B.Sc. B.Ed. courses. The appellant, in

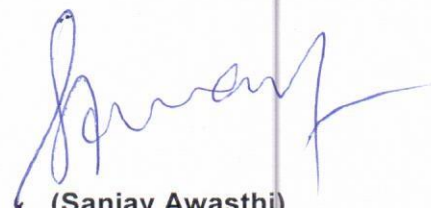
response to the Letter of Intent , got 16 faculty members approved for these two courses by their affiliated university and submitted to the N.R.C. The appellant also submitted that some other institutions have been granted recognition two units (100) of B.A. B.Ed./B.Sc. B.Ed. but the appellant who has fulfilled all the requirements has been differentiated by granting recognition for one unit of B.A. B.Ed. only. The appellant has requested that recognition for two units (100) of B.A. B.Ed./B.Sc. B.Ed. may be granted.

AND WHEREAS the Committee noted that the appellant in their online application dt. 26/05/2016 applied for two units (100) of B.A. B.Ed./B.Sc. B.Ed. 4 year Integrated course. The Visiting Team in their Report dt. 14/07/2018 favoured consideration of recognition for two units. The N.R.C. in their Letter of Intent dt. 29/11/2018 mentioned two units (100). The appellant, in response to the Letter of Intent, submitted a number of documents, including a faculty list of 16 approved by Rajasthan University. The N.R.C., however, on consideration of the reply decided to grant recognition for one unit of B.A. B.Ed and issued the recognition order dt. 26/04/2019.

AND WHEREAS the Committee did not find any specific reasons recorded for grant of recognition for one unit of B.A. B.Ed. only. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to issue a speaking communication to the appellant for granting recognition for one unit of B.A. B.Ed. only.

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 the N.R.C. with a direction to issue a speaking communication to the appellant for granting recognition for one unit of B.A. B.Ed. only.

NOW THEREFORE, the Council hereby remands back the case of Maharaja Surajmal College, Ajabpura, NH-148, Jamwaramgrah – 303120, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Director, Maharaja Surajmal College, Ajabpura, NH-148, Jamwaramgrah – 303120, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

10



F.No.89-186/E-117067/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Shantiniketan B.Ed. College, No.70, Bilekahalli, Bangalore – 560076, Karnataka dated 08.05.2019 is against the Order No. SRO/NCTE/APSO-3285/B.Ed/KA/2019/101770 dated 02.03.2019 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the following grounds: - The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations, Guidelines issued by NCTE from time to time and reply furnished by the institution vide letter dt. 04.12.2017 and 27.12.2017 in response to Show Cause Notice dt. 16.10.2017 were carefully considered by SRC and the following observation were made:- As per submitted CLU land is not for establishing an education institution. The Building Plan submitted by the institution is not duly approved by the competent authority and does not bear / mention even the name of institution. The institution did not submit the Building Completion Certificate as required. The staff list submitted by the institution is not as per new stipulations of NCTE Regulations, 2014. The same is also stated by the Registrar of University, therefore, the staff list is incomplete. Faculty list in the prescribed format as per NCTE Regulations, 2014 (amended vide notification dt. 09.06.2017) duly approved by the Registrar of the affiliating University not submitted. Hence, after thorough examination of all relevant documents, the Committee decided to withdraw the recognition of B.Ed. course from the academic session 2019-20. Revised Recognition order issued to the institution, if any, may also be treated as withdrawn.

AND WHEREAS Sh. S. Chandrashekar, Manager, Shantiniketan B.Ed. College, No.70, Bilekahalli, Bangalore – 560076, Karnataka presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation the appellant submitted the following:- Land usage certificate was issued by Commissioner, CMC

Bommanahalli dt. 22.09.2004 for education purpose only. Copy has been submitted already, hereby we are enclosing a copy for your ready reference. Building Plan issued by the Commissioner CMC Bommanahalli is for B.Ed. College. Copy of the plan is enclosed along with this appeal for your kind reference. The Completion Certificate issued by the Assistant Executive Engineer, BBMP Bommanahalli, sub-Division, Bangalore was submitted earlier. Hereby we are enclosing a copy for your ready reference. As per the orders of the Registrar Bangalore University, we, had noted the incompleteness of the staff members and the same is rectified by appointing the required staff. The latest approval of appointment of teaching staff is as per the NCTE, Regulations 2014. Format is hereby enclosed for your ready reference.

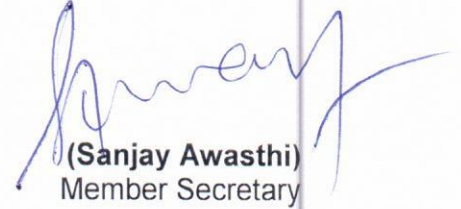
AND WHEREAS the Committee noted that the appellant, with their appeal enclosed (1) a notarised copy of change of Land Use Certificate dt. 22/09/2014 issued by the Commissioner, CMC, Bommanahalli certifying that the land stands for educational purpose; (ii) a notarised copy of the building plan, approved by an Engineer of CMC, Bommanahalli and containing the name of the institution; (iii) a notarised copy the Building Completion Certificate issued by an Assistant Executive Engineer of Bommanahalli Sub Division of BBMP; and (iv) a notarised copy of faculty list in the format countersigned by the Registrar, Bangalore University along with a notarised copy of the said University's letter dt. 27/04/2019.

AND WHEREAS the committee, noting that the appellant has submitted all the documents found wanting in the withdrawal order, concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents mentioned in para 3 above, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC the documents submitted by them in appeal, with originals thereof wherever necessary, within 15 days of receipt of orders on the appeal.

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

concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents mentioned in para 3 above, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC the documents submitted by them in appeal, with originals thereof wherever necessary, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shantiniketan B.Ed. College, No.70, Bilekahalli, Bangalore – 560076, Karnataka to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Principal, Shantiniketan B.Ed. College, No.70, Bilekahalli, Bangalore – 560076, Karnataka.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.



F.No.89-189/E-117184/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Babua Jee Snatak Mahavidyalaya, Pindi, Salempur – 274508, Uttar Pradesh dated 06.05.2019 is against the Letter No. NRC/NCTE/NRCAPP-13684/288th Meeting/2018/196765 dated 13.09.2018 of the Northern Regional Committee, granting recognition for conducting D.El.Ed. Course for one unit as under:- In compliance of the order dated 10.05.2018 passed by the Hon'ble High Court at Allahabad in W.P. No. 16911 of 2018, the case was considered by the NRC and the Committee observed that as per the VTR, total built up area is only 1836.26 sq. mtrs. which is not sufficient for two units of D.El.Ed. as per the NCTE Regulations, 2014. Hence, the earlier decision of NRC for grant of recognition for one unit stands.

AND WHEREAS the appellant filed a Writ C No. 10889 of 2019 before the Hon'ble High Court, Allahabad assailing the decision of the N.R.C. The Hon'ble High Court, in their order dt. 30/03/2019 disposed of the petition observing that it is open to the petitioner to file an appeal within a period of two weeks and in case such an appeal is filed, the appellate authority shall decide the same within a period of three months without going into the question of delay.

AND WHEREAS Sh. Rajeev Ram Tripathi, Manager, Babua Jee Snatak Mahavidyalaya, Pindi, Salempur – 274508, Uttar Pradesh presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation the appellant submitted that they have the sufficient infrastructure, total built-up area of 2165.46 sq. mtrs. and other facilities for running two units of D.El.Ed. course, they therefore, requested to consider the appeal and grant recognition for two units in place of one unit. The appellant enclosed a copy of a building completion certificate

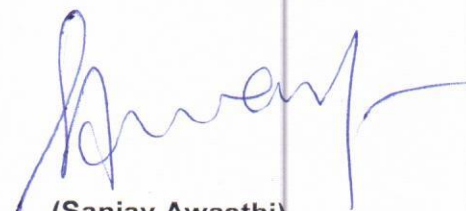
showing a total built up area of 27333 sq. ft. The appellant, in a letter dt. 12/06/2019, submitted that at the time of inspection, they made all necessary arrangements for recognition for two units of D.El.Ed. course but plastering of certain portions of the building was not completed as a result of which it was not accepted for two units. The appellant also submitted that presently plastering of those portions also has been completed.

AND WHEREAS the Committee noted that in the Essential Data furnished to the Visiting Team at the time of inspection, the appellant, with a notarised affidavit, indicated the built up area as 1836.26 sq. mts., which was duly taken into account by the Visiting Team in their report. Further the building completion certificate furnished by the appellant at that time also showed a built up area of 19758.15 sq. ft. The appellant now produced a copy of the building completion certificate issued by a Private Engineer showing a built up area of 27333 sq. ft., whereas a certificate issued by a Government Engineer is only acceptable. Further 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 requirements as per Norms and Standards.

AND WHEREAS in view of the above position, the Committee concluded that the N.R.C. was justified in confirming their decision to grant recognition for one unit (50 intake) of D.El.Ed. and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, Babua Jee Snatak Mahavidyalaya, Pindi, Salempur – 274508, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-190/E-117172/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Shri Mahant Laldas Education College, Sheorinarayan, Bilaspur Road, Nawagarh – 495557, Chhattisgarh dated 14.05.2019 is against the Order No. WRC/APP7547/D.El.Ed./303rd/C.G./2019/201865 dated 11.03.2019 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. Course on the following grounds: - “The original file of the institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, were carefully considered by WRC and the following observations were made: The letter of Intent was issued to the institution on 21.05.2018. The institution has not submitted requirement of appointment of faculty within two months as prescribed under clause 7(13) of NCTE Regulations 2014 after issue of LOI. Hence, the Committee decided to refuse the recognition of D.El.Ed. programme under Section 15(3)(b) of the NCTE Act, 1993.”

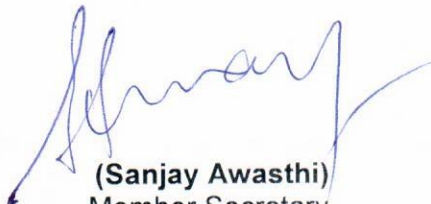
AND WHEREAS Sh. Kamlesh Kumar Patel, Assistant Professor and Kamallesh Kumar, Secretary, Shri Mahant Laldas Education College, Sheorinarayan, Bilaspur Road, Nawagarh – 495557, Chhattisgarh presented the case of the appellant institution on 12/06/2019. The appellant, in the course of presentation, submitted a letter dt. 10/06/2019. In this letter they submitted that after receipt of the Letter of Intent dt. 21/05/2018 from the WRC they took necessary steps for getting the staff approved by the Pariksha Parishad, Chhattisgarh, Raipur and after getting their approval they sent a letter dt. 02/08/2018 to the WRC enclosing a staff profile, Affidavit and other papers. The appellant enclosed a copy of their letter dt. 02/08/2018 and also a copy of the speed post receipt.

AND WHEREAS the Committee noted that this reply of the appellant is not in the file of the WRC. The Committee also noted that the WRC did not issue any Show

Cause Notice to the appellant before refusing recognition as per the Proviso under Section 15 (3) (b) of the NCTE, Act, 1993. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the appellant's letter dt. 02/08/2018, to be sent again by the appellant to them, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC their letter dt. 02/08/2018 along with all enclosures together with originals thereof wherever necessary, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the appellant's letter dt. 02/08/2018, to be sent again by the appellant to them, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC their letter dt. 02/08/2018 along with all enclosures together with originals thereof wherever necessary, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shri Mahant Laldas Education College, Sheorinarayan, Bilaspur Road, Nawagarh – 495557, Chhattisgarh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Shri Mahant Laldas Education College, Sheorinarayan, Bilaspur Road, Nawagarh – 495557, Chhattisgarh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.



F.No.89-191/E-117539/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

05/7/19

ORDER

WHEREAS the appeal of Gyanodaya Mahavidhyalaya, (Tiny Todd School and College Education Society) F-Sector, MIG Colony, Indore – 452001, Madhya Pradesh dated 15.05.2019 is against the Order No. WRC/APW05499/223586 / B.Ed./305th/2019/202955 dated 23.04.2019 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the following grounds: - On perusal of the reply of the institution it is observed that the institution has not submitted the following documents: The institution has not submitted a letter of approval of faculty of affiliating body along with detailed staff profile approved by competent authority of the University as per NCTE Regulations 2014. The institution website found functional but contents not as per clause 7(14)(i) of NCTE Regulations, 2014. The institution has not submitted land use certificate issued by the competent authority. The institution has not submitted NEC issued by the competent authority. The institution has submitted FDRs Rs. 5+4 lakhs in original and photocopy of 3 lakhs FDR. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

AND WHEREAS the appellant, aggrieved by the order of the WRC, filed a W.P. (C) 5064/2019 and CM Nos. 22439, 22440, 22441/2019 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 10/05/2019, disposed of the Writ Petition, with liberty to the petitioner to file an appeal in terms of Section 18 of the NCTE Act, before the Appellate Committee within a period of one week and such appeal, if filed within the above period, would be heard by the Appellate Committee in its next sitting, and would be disposed of within a period of four weeks from the date of hearing. The Hon'ble High Court also directed that till the disposal of

the appeal by the Appellate Committee, the petitioner institute shall be allowed to continue to function.

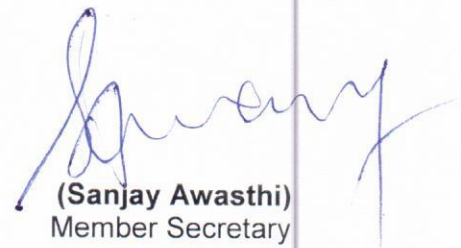
AND WHEREAS Sh. Aniruddh Singh, Secretary, Gyanodaya Mahavidhyalaya, (Tiny Todd School and College Education Society) F-Sector, MIG Colony, Indore – 452001, Madhya Pradesh presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation the appellant submitted the following:- Non-submission of a letter of approval of faculty by the affiliating body along with detailed staff profile, mentioned in the withdrawal order, was not mentioned in the previously issued show cause notice dated 23/11/2016. However, the institute has now obtained the letter from the University. Such a letter was previously never issued by the university and it is mentioned in the letter. A copy of that letter is enclosed. The institution's website not being functional as per Clause 7 (14) (i) of the NCTE Regulations, 2014, mentioned, was not found in the previously issued show cause notice. However, the institute's website had all the content mentioned in section 7 (14) (i) and the institute's website has been further updated since then. Website pages are enclosed. Our institution is built on a land leased by the Government though MP Housing Board, specifically for education purposes. This purpose is also mentioned in the copy of lease deed which is submitted at NCTE, WRC. However, we have taken out a new land use certificate from MP Housing Board and is now available to be furnished to NCTE, WRC. Copy of the certificate is enclosed. Since our institute was on Government Lease the competent authority back in 2016 did not allow us to take out NEC, Since, then the Lease is now free hold and we have been able to obtain the NEC and is now available to be furnished to NCTE WRC. Copy of the NEC is enclosed. In December 2016 NCTE WRC had sent us two FDRs of 3 Lakh each for our D.El.Ed. and B.Ed. course to be renewed and sent back. Both these FDRs were sent back by speed post on 19/12/2016. We have proof of sending these FDR and can also furnish a certificate by the bank manager stating that these FDRs are in force and not been broken by us. However, in case the FDRs have been lost we would request NCTE WRC to issue us a letter so that we can take out duplicate copies of the FDRs and resubmit them. Copies of the relevant letters and FDRs are enclosed. The appellant, in the course of presentation, submitted a copy of the letter dt.

07/06/2019 with enclosures from the Registrar, Devi Ahilya Vishwavidyalaya, Indore about their approvals for the faculty of the institution.

AND WHEREAS the Committee noting that the appellant has submitted in appeal, with due explanation, all the documents found wanting in the withdrawal order, concluded that the matter deserved to be remanded to the WRC with a direction to consider the documents submitted in appeal to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC all the documents submitted in appeal with originals thereof wherever necessary, within 15 days of receipt of orders on the appeal.

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

NOW THEREFORE, the Council hereby remands back the case of Gyanodaya Mahavidhyalaya, (Tiny Todd School and College Education Society) F-Sector, MIG Colony, Indore – 452001, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Gyanodaya Mahavidhyalaya, (Tiny Todd School and College Education Society) F-Sector, MIG Colony, Indore – 452001, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-192/E-117536/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Daying Ering College of Education, Diking – 791102, Arunachal Pradesh dated 15.05.2019 is against the Order No. ER-271.1.23/(APE00564)/B.Ed./2019/60510 dated 21.05.2019 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the following grounds: - Show Cause Notices u/s 17(1) were issued on 20.04.2018, 17.12.2018 and 17.01.2019. Principal is not qualified as per NCTE Regulations, 2014. Faculty list is only signed, wherein the seal of the Registrar/competent authority of the affiliating body not indicated. Total built up area in the building completion certificate mentioned as 589 sq. mts. which is less than required as under NCTE Regulations, 2014 for running 02 units (100) of B.Ed. programme. In view of the above, the Committee decided as under: The Committee is of the opinion that recognition granted to B.Ed. course of the application bearing Code No. APE0564 is withdrawn under section 17(1) of NCTE Act, 1993 with effect from the academic session 2019-20."

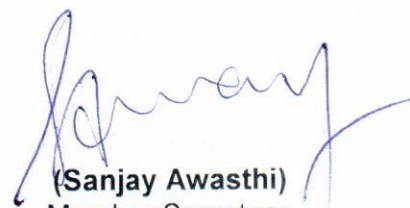
AND WHEREAS Sh. Ponong E Ring, Chairperson and Inty Ering, Representative, Daying Ering College of Education, Diking – 791102, Arunachal Pradesh presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation and in a letter given at the time of presentation, the appellant submitted that as there were no suitable applicants for the post of Principal, in response to earlier advertisements, they again advertised on 14/02/2019, and in response two candidates applied. They thereafter conducted interviews and selected a candidate. The appointment of regular Principal has since been done and is reflected in the staff proforma duly signed and sealed by the competent authority. Faculty list is enclosed herewith indicating the sign and seal of the competent authority

of the affiliating body. The total built up area of the college is measuring to 2,735 sq mts. and the blue print and building completion certificate are attached herewith.

AND WHEREAS the Committee, noting that the appellant submitted all the documents meeting the requirements mentioned in the withdrawal order, concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC, all the documents submitted in the appeal, with originals thereof, wherever necessary, within 15 days of receipt of the orders on the appeal.

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

NOW THEREFORE, the Council hereby remands back the case of Daying Ering College of Education, Diking – 791102, Arunachal Pradesh to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Chairperson, Daying Ering College of Education, Diking – 791102, Arunachal Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Arunachal Pradesh, Itanagar.



F.No.89-193/E-117945/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Nutan Vidyalaya Society's College of Education, N.V. Complex, Brahmapur, Gulbarga – 585103, Karnataka dated 01.05.2019 is against the Order No. SRO/NCTE/APSO2124/B.Ed./KA/2019-101948 dated 06.03.2019 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the following grounds: - A Show Cause Notice dt. 05.01.2018 was issued to the institution on the following grounds:- This is a RPRO case for B.Ed. (2 units) and D.El.Ed. (1 unit). Title is in order, land area is adequate. LUC is in order. EC is not approved. Also, latest EC is required. BP is approved. But, it is not legible. It does not show essential details. BCC is approved. But, it is only a photocopy. Original required. LUC shows that only 9840 sq. ft. out of 15026 sq. ft. of area in first floor is used for B.Ed. This is inadequate for B.Ed. (2 units). It is also noteworthy that the same first floor is also used for D.El.Ed. besides for a High School and a Degree College. FDRs are required in original, in joint account, with a 5 year validity @ Rs. 7 + 5 Lakhs per programme. Faculty list is approved. But it is only a photocopy; Original is required. Also, it is not fully in format. The institution did not submit any reply till date. Hence, after thorough examination of all the relevant documents, the Committee decided to withdraw the recognition of B.Ed. course from the academic session 2019-20. Revised Recognition order issued to the institution, if any, may also be treated as withdrawn.

AND WHEREAS Sh. Bharat Kumar, Lecturer and Sh. Vikram Chandra, Management, Nutan Vidyalaya Society's College of Education, N.V. Complex, Brahmapur, Gulbarga – 585103, Karnataka presented the case of the appellant institution on 12/06/2019. In the online appeal, against the column 'Reason for delay, if any' the appellant submitted the following:- "For your letter dated 05-01-2018 & 06-03-2019 we are very regret about the same that we are unable to continuing in

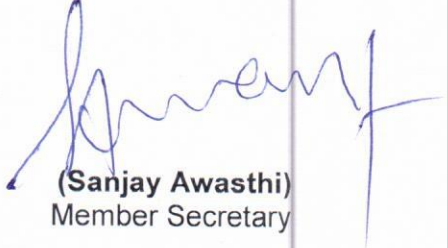
recognition of the institute. As in our college clerk called Mr. Sangamnath has been looking for all this matter, unfortunately all of sudden he has undergone serious medical treatment since 2018 and he is also unable to communicate even after regular touch with their family also. After long battle we have made some communication with their family and received the letters and belongings of the college. Then after we all came to know that your letter dated 05-01-2018 had posted for recognition and very honestly, we are unable to upload it, the same has been revised on 06-03-2019. As per our staff misconduct, we are unable to communicate. Hence, we are applying the same.”

AND WHEREAS the appellant, in their letter dt. 15/05/2019, forwarding the hard copy of the online appeal, has stated that at no point of time, their institution has been served with any show cause notice nor their institution given any reply to the same. The appellant further stated that all requirements as per the norms have been fulfilled and complied by their institution and if there is any shortcoming it will be immediately looked into and attended to. The appellant, to their appeal, enclosed (i) a copy of land use certificate dt. 01/03/2019 issued by Kalaburagi Mahanagar Palika, (ii) a copy of the Non – Encumbrance Certificate dt. 13/03/2019 issued by Sub – Registrar, Kalaburagi (in Kannada with English translation); (iii) a copy of the building completion certificate issued by Mahanagar Palika, Kalaburagi; (iv) a letter dt. 29/04/2019 about use of the building for B.Ed. course; (v) copies of two FDRs with copies of letters from Syndicate Bank; (vi) copies of a letter dt. 25/05/2016 from the Registrar, Gulbarga University approving the faculty; (vii) a copy of staff profile, also countersigned by the Registrar, Gulbarga University; and (viii) a copy of the first floor plan.

AND WHEREAS the Committee noted that the withdrawal of recognition was on the ground that no reply has been received to the Show Cause notice dt. 05/01/2018 which is correct as per the records. In these circumstances, the Committee concluded that SRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the SRC confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, 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 Principal, Nutan Vidyalaya Society's College of Education, N.V. Complex, Brahmapur, Gulbarga – 585103, Karnataka.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.



F.No.89-194/E-117973/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Global Women's College of Education, Jaleel Compound, Payan Darga Road, Gulbarga – 585104, Karnataka dated 10.05.2019 is against the Order No. SRO/NCTE/APSO6075/B.Ed/KA/2019-103496 dated 22.04.2019 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the following grounds: - The original files of the institution alongwith other related documents, NCTE Act, 1993, Regulations Guidelines issued by NCTE from time to time and documents furnished by the institution were carefully considered by the SRC and the following observations were made:- The land is not in the name of Society/Institution. Though the recognition to run B.Ed. programme was accorded in 2007-08, the institution had not made any effort to create required facilities as per NCTE Norms & Standards and the Management now making a request to give one more year to meet the requirement is not agreeable. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act.

AND WHEREAS Dr. Rehana Begum, President, Global Women's College of Education, Jaleel Compound, Payan Darga Road, Gulbarga – 585104, Karnataka presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation the appellant submitted the following:- Initially your appellant's institution has been granted recognition for basic unit (100 annual intake) of B Ed. course by the SRC, NCTE, Bangalore vide its order dated 30/08/2007 in accordance to the NCTE (Recognition Norms & Procedure) Regulation 2005 in-vogue during 13/01/2006 to 09/12/2007, where under the Norms and Standards for Bachelor of education programme leading to Bachelor of Education (B.Ed.) degree were came into effect since 21/07/2006. As per the NCTE Regulations prevailing at that juncture the institution has got the recognition from SRC, NCTE, Bangalore. The facts of this

matter are as under:- Your appellant's institution has been conducting the course on the land acquired through lease deed executed for a period of 35 years w.e.f. 25/07/2006 to 25/06/2041 between Mr. Haji Abdul Raheem (Lessor) and Mohammadia Educational Technical & Social Trust (Lessee), copy enclosed. The Building Completion Certificate issued by the Public Work Department, Government of Karnataka indicating the year of construction 2002, Built-Up area of Ground Floor 12775 sq.f.t. first floor 13687 sq. ft. (Total 26,462 sq. ft.) is enclosed. The Non-Encumbrance Certificate issued by the State Revenue Authority is enclosed. The Possession Letter has been issued by the City Corporation of Gulbarga and is enclosed. It is pertinent to mention that the visiting team deputed by the NCTE has also verified the land and building of the institution as well as all the land document at the time of inspection. Furthermore, your appellant is regularly depositing the electricity, water, telephone etc. bills for this building since the establishment of the institution to till date. In view, of the above the Hon'ble Appellate Authority shall appreciate that the institution is in the possession of land and building adequate as per the extant NCTE Regulations. Therefore, the grounds of withdrawal pointed out by SRC are wrong, unjust, defunct and unmindful. The documentary evidences are enclosed for the kind perusal of the Hon'ble Appellate Authority. After promulgation of the NCTE Regulations 2014 the revised recognition order for B Ed. course with an annual intake of 100 (Two Units) was issued on 18/05/2015 to your appellant's institution by SRC stating that the institution is required to shift to its own premises as per the initial recognition order dated 30/08/2007. This is incorrect and mentioned by the SRC without the application of mind. The institution has acquired the land on long term lease basis for a period of 35 years. The requirement of shifting to its own premises is mandatory for those institutions who have been granted recognition per the NCTE Regulations. 2002 in a RENTED PREMISES. The SRC has confused the long-term lease with rented agreement and insisted for shifting to own premises. The kind attention of the Hon'ble Appellate Authority is drawn to the clause 8 (11) of NCTE Regulations 2014 which stipulates as under :- (11) Whenever 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 institutions, but the required built up area shall have to be increased by existing institutions to conform to the revised norms and the institutions not having land area as per the revised norms, shall not be allowed to expand by way of additional programmes or additional intake. It is absolutely clear from the above provision that the institution will comply the requirements laid down in the revised norms & standards. But nowhere it is stipulated that the institution is required shift its land from lease basis to ownership basis. You will appreciate that any provision of a Regulations is applicable with prospective effect not with retrospective effect. Therefore, our institution must not be insisted by SRC to shift to its own premises as it is not mandated in the NCTE Regulations 2014. However, we are conducting the B.Ed. course since inception to till date as per the NCTE norms & standards prevailing time to time.

AND WHEREAS the Committee noted that the SRC has already concluded that the condition of shifting was not necessary. The appellant has submitted detailed explanation about their land with supporting documents. In these circumstances, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the submissions of the appellant in the appeal mentioned in para 2 above and the documents referred to therein, the latter to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The Committee found that the observation made in the withdrawal order that the appellant had not made any effort to create required facilities as per NCTE Norms and Standards is vague. The appellant is directed to forward to the SRC all the documents submitted in the appeal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the submissions of the appellant in the appeal mentioned in para 2 above

and the documents referred to therein, the latter to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The Committee found that the observation made in the withdrawal order that the appellant had not made any effort to create required facilities as per NCTE Norms and Standards is vague. The appellant is directed to forward to the SRC all the documents submitted in the appeal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Global Women's College of Education, Jaleel Compound, Payan Darga Road, Gulbarga – 585104, Karnataka to the SRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

- 1. The President, Global Women's College of Education, Jaleel Compound, Payan Darga Road, Gulbarga – 585104, Karnataka.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.



F.No.89-195/E-117991/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Kanara Welfare Trust's B.Ed. College, Janatha Vidhyalaya Campus, Dandeli – 581325, Uttarkannada, Karnataka dated 13.05.2019 is against the Order No. SRO/NCTE/APSO3710/B.Ed/KA/2019-101962 dated 06.03.2019 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the following grounds: - Another opportunity was given vide letter dt. 07/09/2018 informing the following deficiencies:- This is a RPRO case of B.Ed. (2 units). They have submitted the required documents. Their request for reduction from 2 to 1 unit has already been accepted. Issue a formal order w.e.f. 2018-19. Land allotted by the Govt. Title is clear. LUC will not be required because of Govt. allotment. Latest EC is required. Building Plan is in photocopy. Not at all legible. Obtain the original. BCC is not given. FDRs are in order. Latest approved faculty list is given. A total of 1+9 are required. They have 1+3 qualified faculty. 2 posts of Assistant Professor in Perspective Group are required to be filled. In the Pedagogy Ground there is no Assistant Professor (Performing Arts) and Kannada. Assistant Professor (Fine Arts), Assistant Professor (Performing Arts) and Assistant Professor (Phy. Ed.) are required. Reply has not been submitted by the institution till date. Hence, after thorough examination of all the relevant documents, the Committee decided to withdraw the recognition of B.Ed. course from the academic session 2019-20. Revised Recognition order issued to the institution, if any, may also be treated as withdrawn.

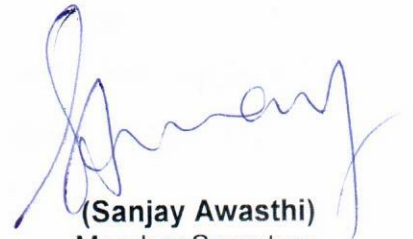
AND WHEREAS Sh. K.V. Shetti, Secretary and Sh. Prashant Rao, Representative, Kanara Welfare Trust's B.Ed. College, Janatha Vidhyalaya Campus, Dandeli – 581325, Uttarkannada, Karnataka presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation the

appellant submitted the following:- The concerned land was allotted by the Govt. under G.O. The Sub-Registrar or the Revenue officials do not maintain any records about the encumbrance for such lands. As such No Encumbrance Certificate is possible to be obtained and submitted. The appellant with their letter dt. 11/06/2019, enclosed a Building Completion Certificate, a building plan and copies of three appointment orders issued by the Trust, without any indication that their appointments have been approved by the concerned affiliating body.

AND WHEREAS the Committee noted that the SRC issued a letter dt. 07/09/2018 to the appellant asking them to submit the documents mentioned therein within 21 days. The appellant has not submitted any reply. In these circumstances, the Committee concluded that the SRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the SRC confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, 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 Principal, Karana Welfare Trust's B.Ed. College, Janatha Vidhyalaya Campus, Dandeli – 581325, Uttarkannada, Karnataka.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.



F.No.89-196/E-117956/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Maharshi Dayanand B.Ed. College, Barf Khana, Jawahar Nagar Road, Jaipur – 302004, Rajasthan dated 13.05.2019 is against the Letter No. New Appl./RF/Raj./NRCAPP-2189/2013-14/49868 dated 18.06.2013 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. Course on the following grounds: - “The NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration / processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon’ble Supreme Court:- The Hon’ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon’ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulation 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon’ble Supreme Court’s

orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC decided that the recommendations of the State Govt. of Rajasthan i.e. not to allow setting up of new D.El.Ed. institutions in the State be accepted and the applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants."

AND WHEREAS the appellant filed a S.B. Civil Writs No. 5633/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 29/03/2019, dismissed the petition as withdrawn with a direction that if any appeal is preferred, the NCTE Authority shall not reject the same on the ground of limitation and shall hear the case on merit and dispose of the same within a period of three months.

AND WHEREAS Dr. Sunita Bhatia, Principal, Maharshi Dayanand B.Ed. College, Barf Khana, Jawahar Nagar Road, Jaipur – 302004, Rajasthan presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation the appellant submitted that (i) they submitted an online application for grant of recognition for D.El.Ed. course on 28/12/2012 and the respondent returned their application on 18/06/2013 in the absence of recommendations of the State Government of Rajasthan on the grounds mentioned therein; (ii) The controversy settled by the Appellate Authority, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-488/E-9740/2017 Appeal/17th Meeting-2017 dt. 27.11.2017 titled "J.B.M. College of Education" directed the NRC to process further the application on the ground that "...Appeal Committee noted that the appellant applied in 2012, there was no ban by the State Government. Further the Appeal Committee is of the view that the blanket general ban imposed by the State Government can be taken into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular State for the prospective academic year(s), applications are invited, the Regional Committee has no right to reject it on grounds of ban imposed subsequently

by the State Government." A copy of Appeal order dated 27.11.2017 is annexed herewith; (iii) the controversy settled by the Appellate Authority vide orders dt. 24/09/2018 titled Sardar Bhagat Singh Shikshan Sansthan & Order dt. 04/12/2018 titled Shree Balaji Teachers Training Institute are annexed herewith; (iv) the respondent had already granted recognition to several institutions ignoring the above said shortcomings vide order dt. 26/08/2016, copy enclosed; (v) the act of respondent giving recognition to various institutions and rejecting their application is faulty and discriminatory in nature; (vi) in similar matters as per direction given by the Appellate Authority the Respondent Committee (NRC) decided to process the same in their 297th Meeting. A photocopy of extract part of the minutes are enclosed; (vii) the Director, Elementary Education, Rajasthan has issued NOCs in favour some institutions, including the appellant institution, a copy of the order is enclosed; (viii) the respondent Committee did not issue a Show Cause Notice to the appellant institution before passing an adverse/rejection order providing an opportunity to the institution for making a written representation under Section 14 (3) (b) of the NCTE Act, 1993; and (ix) the appellant made necessary arrangements with regard to physical infrastructure and other facilities, but their application has been returned in a most arbitrary manner, thereby making the rejection order bad in the eye of law and thus liable to be quashed and set aside.

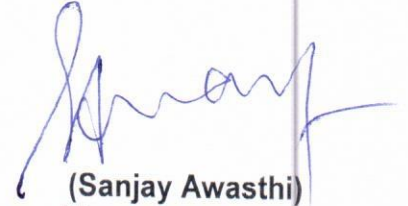
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018,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

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

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

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the position stated in paras 4 & 5 above concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The Appellant, Maharshi Dayanand B.Ed. College, Barf Khana, Jawahar Nagar Road, Jaipur – 302004, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-197/E-118095/2019 Appeal/17th Mtg.-2019/12th June, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 05/7/19

ORDER

WHEREAS the appeal of Rajeev Gandhi College, Trilanga Colony, Shahpura – 462039, Madhya Pradesh dated 19.03.2019 is against the Order No. WRC/OAPW0129/213014/B.Ed./301st/ 2019/2011213 dated 25.01.2019 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the following grounds: - Photocopy of staff list which is not approved by Competent Authority. Building Completion Certificate duly signed by Government Engineer not submitted.

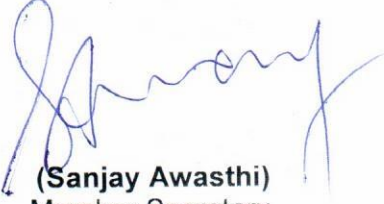
AND WHEREAS the appellant filed a W.P. (C) 5075/2019 & C.M. Appls22541/2019 and 22542/2019 before the Hon'ble High Court of Delhi at New Delhi for a direction to the respondents to decide the petitioner's appeal. The Hon'ble High Court, in their order dt. 10/05/2019, directed the Appellate Committee to decide the petitioner's appeal expeditiously, preferably within eight weeks. The Hon'ble High Court also directed that till a decision is taken on the appeal of the petitioners, the operation of the order dt. 25/01/2019 withdrawing recognition of the petitioner shall remain stayed.

AND WHEREAS Sh. Sandeep Chouhan, Chairman and Sh. Dilip, Accountant, Rajeev Gandhi College, Trilanga Colony, Shahpura – 462039, Madhya Pradesh presented the case of the appellant institution on 12/06/2019. The appellant, in the course of presentation, within their letter dt. 08/06/2019 submitted a staff profile approved by the Registrar, Barkatullah University, Bhopal along with a copy of the university's letter dt. 14/02/2019 and a copy of the building completion certificate, certified by the Sub-Engineer, RFS, Bhopal.

AND WHEREAS the Committee, noting that the appellant has submitted the documents found wanting in the withdrawal order, concluded that the matter deserved to be remanded to the WRC with a direction to consider the documents submitted in appeal to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC, the documents submitted in appeal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

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

NOW THEREFORE, the Council hereby remands back the case of Rajeev Gandhi College, Trilanga Colony, Shahpura – 462039, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Rajeev Gandhi College, Trilanga Colony, Shahpura – 462039, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.