



F.No.89-653/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Shri Onkar Singh Memorial Womens Teachers Training College, Ajmer, Rajasthan dated 06/10/2016 is against the Order No. NRC/NCTE/NRCAPP-10054/254th Meeting/2016/155408 dated 10/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The reply of the institution to the show cause notice dated 06/11/2015 was considered by the Committee. The institution has failed to submit NOC from the affiliating body as required under clause 5(3) of the NCTE Regulations, 2014."

AND WHEREAS Shri. Rajendr Pratap Sharma, Principal, Shri Onkar Singh Memorial Womens Teachers Training College, Ajmer, Rajasthan presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "There was ban on D.El.Ed. programme by the State Govt. of Rajasthan for the session 2016-17. But now vide Rajasthan State Govt. order no. P.7(5)prashi/aayo/2015 dated: 12/08/2016, the ban for the D.El.Ed. programme in respect of Ajmer District has been withdrawn for the session 2017-18. Since this institute has already applied for the NOC from the Rajasthan State Govt. for the D.El.Ed. programme, hence as and when the NOC is received, the same will be provided to you. Therefore, kindly accept the appeal and process the affiliation file of our institute for the D.El.Ed. programme session 2017-18."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 18/5/2015 seeking recognition for conducting D.El.Ed. programme. The applicant did not submit copy of NOC issued by the affiliating body along with print out of the application. NRC issued a Show Cause Notice (SCN) dated 06.11.2015 to the applicant institution pointing out the deficiency with regard to the non-submission of NOC. The applicant institution submitted reply dated


28.12.2015 to the SCN wherein it was stated that application cannot be summarily rejected for non-submission of the NOC.

AND WHEREAS Appeal Committee further noted that Clause 5(3) of the NCTE Regulations, 2014 makes it mandatory for the applicants to submit scanned copies of required documents such as 'no objection certificate' issued by concerned affiliating body along with printout of application and the last date for receipt of printout of application for academic session 2016-17 was 15.07.2015. NOC issued after 15.07.2015 is, therefore, not acceptable and the onus to obtain NOC from affiliating body and submit it along with application lies with the applicant.

AND WHEREAS as the applicant institution has failed to obtain and submit the NOC, Appeal Committee decided to confirm the refusal order dated 10.08.2016 issued by NRC.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Onkar Singh Memorial Womens Teachers Training College, Prasad Nagar, Kotra Pushkar Road, Ajmer, Rajasthan – 305004.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-654/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/2017

ORDER

WHEREAS the appeal of Vidya Teacher Training College, Bhilwara, Rajasthan dated 09/10/2016 is against the Order No. NRC/NCTE/NRCAPP-11165/255th Meeting/2016/155611 dated 16/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Name of the institution for B.A. B.Sc. etc. courses affiliated to MDS University, Ajmer is Vidya Professional & Technical College whereas name given in NOC for D.El.Ed. courses is Vidya Teachers Training College, which are different. Accordingly, institution was given show cause notice. Reply of institution dt. 06/06/2016 submitted on 08/07/2016 is not acceptable."

AND WHEREAS Sh. Ashok Kumar Choudhary, Manager, Managing Society, Vidya Teacher Training College, Bhilwara, Rajasthan presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "This institution has applied for grant of recognition of D.El.Ed. course to NRC, NCTE for 2016-17. That NRC, NCTE has issued a show cause notice on 12/12/2015 in which only 2 deficiencies were mentioned. Failure to submit print out of the application within 15 days of online. Failure to submit NOC of the affiliating body with the hard copy of the application. That this institution has submitted reply of show cause notice to NRC, NCTE on 06/01/2016, 20/02/2016 and 04/04/2016 and deficiencies communicated by NRC, NCTE were fulfilled. That after satisfied from reply of institution, NRC, NCTE has constituted visiting team to inspect our institution. Institution was inspected by the visiting team appointed by NRC, NCTE on 02/05/2016 and inspection report has been submitted in the office of NRC, NCTE. That NRC, NCTE has also sent our application to the Principal Secretary, School of Education, Govt. of Rajasthan for State recommendations. That the inspection report and other documents were considered in the 253rd Meeting (Part-2) of NRC, NCTE held from 10-14 June, 2016. NRC, NCTE has decided to issue show cause notice on following grounds: Name of the institution affiliated to M.D.S.

University, Ajmer is Vidya Professional & Technical College whereas name given in NOC for D.El.Ed. course is Vidya Teacher Training College. The institution has not submitted the approved building map signed by the Competent Govt. Authority indicating the name of the course, address of the institution, Khasra No./Plot No., Total Land Area, Total Builtup Area and the measurement of the Multipurpose Hall as well as the other infrastructural facilities such as class room etc. Institution submitted reply on the basis of minutes on 08/07/2016 to NRC, NCTE along with an affidavit executed by president. That NRC, NCTE has not considered the reply of the institution and refused for recognition. That this institution is running a Degree College in the name of Vidya Professional & Technical College. In the same campus, this institution has applied for grant of recognition of D.El.Ed. course. copy of NOC of State Govt. & affiliation letter for Degree College is attached. That in the online application, it is clearly mentioned by this institution that this institution is running a Degree College in the name of Vidya Professional & Technical College. That appellate Board of NCTE has already decided the same matter on 04/08/2016. In the appeal of Siligui Terai B.Ed. College V/s ERC, it is clearly mentioned that Appeal Committee after considering many of such Appeal matters has decided that the institution proposed to be established by the same Management Society or Trust in the same premises irrespective of little modification in the name even will be treated to be a composite institution. That this institution is running a Degree College and in the same campus applied for grant of recognition of D.El.Ed. course."

AND WHEREAS Appeal Committee noted that appellant society i.e. Vidya Kala Sanskriti Shiksha and Jan Kalyan Samiti, Bheelwada made an online application on 28.05.2015 seeking recognition for D.El.Ed. programme. The applicant declared on page 2 of the application that it is conducting BCA, B.Com, B.B.A. etc. Programmes affiliated by Maharishi Dayanand Saraswati University, Ajmer and the name of the institution is Vidya Professional and Technical College, Telikhera, Bheelwada. The name of the institution with proposed D.El.Ed. programme was mentioned as, Vidya Teacher Training College. Appeal Committee further noted that applicant institution was issued a show cause notice on 12.12.2015 on grounds of non-submission of NOC issued by the affiliating body. The applicant society submitted NOC dated 01/04/2016 by its letter dated 09.04.2016. As per Clause 5(3) of NCTE Regulations, 2014, NOC issued by concerned affiliating body is required to be submitted alongwith printout of

the application. The last date for receipt of printout of application for the academic year 2016-17 was 15/07/2015. As such any NOC issued after 15/07/2015 was not acceptable. Appeal Committee, thus noticed that acceptance of NOC issued after 15/07/2015 was not as per NCTE, Regulations.

AND WHEREAS Appeal Committee further noted that the Regional Committee has refused recognition to the applicant institution after getting an inspection conducted. The refusal is on the ground that "Name of the institution for B.A. B.Sc. etc. courses affiliated to MDS University, Ajmer is Vidhya Professional & Technical College whereas name given in NOC for D.El.Ed. course is Vidhya Teachers Training College, which are different. Accordingly, institution was given show cause notice. Reply of the institution dt. 06/06/2016 submitted on 08/07/2016 is not acceptable."

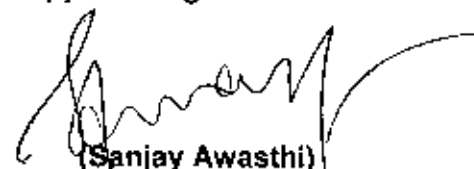
AND WHEREAS During the course of appeal presentation on 29.01.2017 the appellant submitted copy of a letter dated 24.10.2016 issued by the office of Director Primary education, Rajasthan, Bikaner conveying its approval that NOC issued by the Primary Education Department stands modified in the name of Vidya Professional and Technical College, Bheelwada.

AND WHEREAS Appeal Committee noted that the applicant has not made any request for change in the name of applicant institution as mentioned at page 3 of the online application. Hence, the change of name in the NOC approved by the Office of Primary Education, Rajasthan, Bikaner will not serve any purpose. Moreover, the NOC has to be enclosed with the printout of application issued before the cut off date for receipt of application for a particular academic year for which application is submitted.

AND WHEREAS having considered the circumstances of the case Appeal Committee decided to confirm the refusal order dated 16/08/2016.

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, Vidya Teacher Training College, 872/5, Vidya K.S.S. and J.K. Samiti, 872/5, Paldi, Bhilwara, Rajasthan - 311001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-655/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Vikaya Vikrama Rai Mahila Mahavidyalaya, Azamgarh, Uttar Pradesh dated 08/10/2016 is against the Order No. NRC/NCTE/NRCAPP-14828/255th Meeting/2016/156044 dated 22/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 28/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Shri. Sandeep Tewari and Dheeraj Rai, Representatives of , Vikaya Vikrama Rai Mahila Mahavidyalaya, Azamgarh, Uttar Pradesh presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "Show Cause Notice dated 28.06.2016 was received quite late and as such we could not submit reply within the stipulated period of 30 days. Before we could send our reply our case was refused as decided in the 255th meeting of NRC held between 2-6 August, 2016. We should be given a chance to submit the required documents".

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 28.06.2016 was issued to appellant institution seeking written representation within 30 days on the following points:

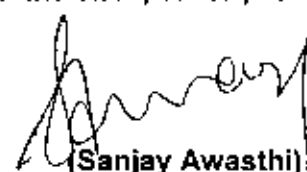
- i. Certified copy of registered land documents.
- ii. Notarised copy of C.L.U.
- iii. Non-Encumbrance certificate.
- iv. Approved building plan with details of infrastructural facilities.

AND WHEREAS Appeal Committee noted that NRC in its 255th Meeting held between 2-6 August, 2016 decided to refuse recognition. Appeal committee is of the opinion that the office of NRC Jaipur acted in haste and did not take into consideration the postal delay which might occur in despatch and delivery of the SCN to the appellant institution. The appellant during the course of appeal presentation on 29.01.2017 submitted before the committee copy of the required documents some of which are quite old and date back to a period before issue of the SCN.

AND WHEREAS Appeal Committee is therefore, of the opinion that had NRC ensured prompt delivery of its SCN or would have waited for some more time, the appellant could have sent reply to SCN. Appeal Committee, therefore, decided that appellant be given a fair chance to submit reply to SCN by remanding back the case to NRC. The appellant is required to submit to NRC a complete and comprehensive reply to SCN within 15 days of the issue of Appeal order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to remand back the case to NRC. The appellant is required to submit to NRC a complete and comprehensive reply to SCN within 15 days of the issue of Appeal order.

NOW THEREFORE, the Council hereby remands back the case of Vikaya Vikrama Rai Mahila Mahavidyalaya, Azamgarh, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Manager, Vikaya Vikrama Rai Mahila Mahavidyalaya, 1755, Registered Deed, Harraiya, Azamgarh, Uttar Pradesh - 276127.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-656/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Beta College of Education, Sinhet, Hooghly, West Bengal dated 04/10/2016 is against the Order No. ERC/220.7.9/ERCAPP2961/B.Ed./2016/49017 dated 25/08/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that:-

- (i) "As per land document, total land area is 64 decimal which is less than the requirement for running proposed B.Ed. + D.El.Ed. programme.
- (ii) The land document is in favour of Mohammad Ali Mandal as Chairman of Beta College of Education i.e. land is in the name of individual.
- (iii) Construction work of the 1st floor is yet to be completed.
- (iv) As per fresh CD submitted by the institution in response to show cause notice, the committee found that the same building is used for Beta College of Education as well as Gayatri Devi Institute of Education which is forged and violation of NCTE Act, Rules and Regulations."

AND WHEREAS Sh. Mohd. Ali Mondal, Chariman and Prof. Dr. Abdur Rahim Khan, President, Beta College of Education, Sinhet, Hooghly, West Bengal presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "The applicant trust, submitted its online application for grant of recognition for the academic session 2016-17 on 29/05/2015 for D.El.Ed. programme (ERCAPP2969) with an annual intake of 50 (one basic unit) and for B.Ed. programme (ERCAPP2961) with annual intake of 50 (one basic unit) as a composite institute in the name of "Beta College of Education" under "Beta Educational and Socio Welfare Trust (BEST)". The ERC, NCTE upon proper verification/scrutinizing of all the essential documents submitted by the applicant trust got fully satisfied and constituted an inspection team (Composite VT Inspection) for physical verification to the institution, which was inspected by the Visiting Members

on 18/04/2016. The applicant trust fully cooperated with the Visiting Team Members and arranged for Video Photography as directed by ERC, NCTE as per provision in Regulation 7(8). The applicant trust agreed with the facts that the outside plastering work on a small part of the first floor of the Building was going on at the time of visiting team inspection, which was fully completed within 15 days from the inspection date. The applicant trust, in its reply dated 07/06/2016 against show cause notice vide proceedings of Emergent Meeting held on 24th – 25th April, 2016 by ERC, NCTE, Bhubaneswar, submitted in its written submission alongwith relevant documents with a prayer of consideration of the application, which was unfortunately not considered by ERC, NCTE. The applicant trust, at the time of submitting online application was in possession of 0.75 Decimal of Land (Deed No. 07495/14 measuring 0.64 Decimal and Deed No. 03022/15 measuring 0.11 Decimal) and 3808.80 sq. mts. of built-up area (ground floor measuring 1904.40 sq. mts and first floor measuring 1904.40 sq. mts.) in the name of the institute "Beta College of Education." The applicant trust, before its online application was having all significant documents (change of Land Use Certificate, Permission of use of Land for running the Educational institution, land position certificate, Non Encumbrance Certificate, etc. issued by concerned SDL & LRO, Govt. of West Bengal, dated 12/04/2015) in the name of the "Beta College of Education." ERC, NCTE, after passing of 1 year 2 months 13 days (approx.) from the receipt of the hard copies of the online application (12/06/2015) to issuance of rejection order/(s) (25/08/2016 & 26/08/2016) ultimately refused both the applications for D.El.Ed. (ERCAPP2969) programme and B.Ed. (ERCAPP2961) programme. The applicant trust submitted the fact that ERC NCTE failed to process both the aforementioned applications of the appellant as per time scheduled stipulated in the NCTE Regulation 2014 and also as per the time schedule laid down by Hon'ble Supreme Court of India in the matter of Maa Vaishno Devi Mahila Mahavidyalaya Vs. State of Uttar Pradesh and others. The applicant trust affirms that "Beta College of Education" has diligently portrayed its true position of the land and building on the aforementioned address and has no connection (directly/indirectly) with the "Gayatri Devi Institute of Education". Besides, the trust does not possess/submitted any forged Video CD to ERC NCTE and has/have no information/knowledge in this regard. The applicant trust presently having all the necessary documents including "Registered Deed of Rectification" and a fresh "Building Completion Certificate", duly signed by Govt. Engineer and issued by competent authority, in accordance with the

requirements set-up by the ERC-NCTE to establish its position and may satisfy the Hon'ble Appeal Committee in favour of the institution against such refusal."

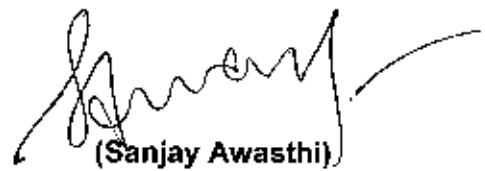
AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 26.06.2016 was issued to appellant institution on the first three grounds mentioned in para 1 and the appellant institution had submitted a reply to the S.C.N. The appellant in its reply had stated that there are two pieces of land measuring 0.64 decimal and 0.11 decimal totalling 0.75 decimal i.e. 3034 sq. meters. The appellant had also furnished copies of the sale deed documents in respect of both these plots. The registration of the land is well before the date of application and the number of both the plot numbers have been mentioned in the online application form. As regard, the ownership of land by the appellant institution is concerned, the name of the trustee has been mentioned as Chairman of Beta Educational and Socio Welfare Trust. Further, the office of Hooghly Zilla Parishad had issued a certificate dated 06.05.2016 stating that Beta College of Education under the aegis of Beta Educational Socio Welfare Trust is the owner of plot measuring 0.75 decimal and a built up area of 1904.4 sq. meters each on ground floor and 1st floor totalling 3808.8 sq. meter is available. Zila Parishad has also certified that there are no incomplete portion of the said proposed composite institution. The appellant had also submitted copy of a Building Completion Certificate (BCC) dated 06.05.2016 verifying the above built up area. B.C.C. is issued by Assistant Engineer, Chinsurah, Sub Division, Hooghly, Government of West Bengal. Appeal Committee viewed the C.D. recorded at the time of inspection on 18.04.2016. The videography shows that a part of the construction on 1st floor is covered by putting curtains. This may be a reason why the Regional Committee had pointed out that construction work of the 1st floor is yet to be completed. Otherwise, the building inspected by the Visiting Team appears to be well constructed structure. The appellant had also submitted a Building Completion Certificate dated 06.05.2016 issued by Government authorities.

AND WHEREAS the appellant during appeal hearing on 29.01.2017 stated that appellant institution had not submitted any fresh C.D. in response to the Show Cause Notice. No such C.D. is also found on the regulatory file. The videography done on the date of inspection does not show any indication that the building of the institution is being used for Gaytri Devi Institute of Education. Appeal Committee taking into

consideration the circumstances of the case, decided to remand back the case to ERC for further processing of the application in view of the recommendations made by the Visiting Team.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to remand back the case to ERC for further processing of the application in view of the recommendations made by the Visiting Team.

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


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Beta College of Education, Plot No. 4930, 4931, 4932, 4933, Village – Beta More (Gholsara), PO – Sinhet, Tehsil/Taluka – Sinhet, Hooghly, West Bengal – 712305.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar – 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-657/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Beta College of Education, Sinhet, Hooghly, West Bengal dated 04/10/2016 is against the Order No. ERC/220.7.8/ERCAPP2969/D.El.Ed./2016/49052 dated 26/08/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that:-

- (i) "As per land document, total land area is 64 decimal which is less than the requirement for running proposed B.Ed. + D.El.Ed. programme.
- (ii) The land document is in favour of Mohammad Ali Mandal as Chairman of Beta College of Education i.e. land is in the name of individual.
- (iii) Construction work of the 1st floor is yet to be completed.
- (iv) As per fresh CD submitted by the institution in response to show cause notice, the committee found that the same building is used for Beta College of Education as well as Gayatri Devi Institute of Education which is forged and violation of NCTE Act, Rules and Regulations."

AND WHEREAS Sh. Mohd. Ali Mondal, Chariman and Prof. Dr. Abdur Rahim Khan, President, Beta College of Education, Sinhet, Hooghly, West Bengal presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "The applicant trust, submitted its online application for grant of recognition for the academic session 2016-17 on 29/05/2015 for D.El.Ed. programme (ERCAPP2969) with an annual intake of 50 (one basic unit) and for B.Ed. programme (ERCAPP2961) with annual intake of 50 (one basic unit) as a composite institute in the name of "Beta College of Education" under "Beta Educational and Socio Welfare Trust (BEST)". The ERC, NCTE upon proper verification/scrutinizing of all the essential documents submitted by the applicant trust got fully satisfied and constituted an inspection team (Composite VT Inspection) for physical verification to the institution, which was inspected by the Visiting Members

on 18/04/2016. The applicant trust fully cooperated with the Visiting Team Members and arranged for Video Photography as directed by ERC, NCTE as per provision in Regulation 7(8). The applicant trust agreed with the facts that the outside plastering work on a small part of the first floor of the Building was going on at the time of visiting team inspection, which was fully completed within 15 days from the inspection date. The applicant trust, in its reply dated 07/06/2016 against show cause notice vide proceedings of Emergent Meeting held on 24th – 25th April, 2016 by ERC, NCTE, Bhubaneswar, submitted in its written submission alongwith relevant documents with a prayer of consideration of the application, which was unfortunately not considered by ERC, NCTE. The applicant trust, at the time of submitting online application was in possession of 0.75 Decimal of Land (Deed No. 07495/14 measuring 0.64 Decimal and Deed No. 03022/15 measuring 0.11 Decimal) and 3808.80 sq. mts. of built-up area (ground floor measuring 1904.40 sq. mts and first floor measuring 1904.40 sq. mts.) in the name of the institute "Beta College of Education". The applicant trust, before its online application was having all significant documents (change of Land Use Certificate, Permission of use of Land for running the Educational institution, land position certificate, Non Encumbrance Certificate, etc. issued by concerned SDL & LRO, Govt. of West Bengal, dated 12/04/2015) in the name of the "Beta College of Education." ERC, NCTE, after passing of 1 year 2 months 13 days (approx.) from the receipt of the hard copies of the online application (12/06/2015) to issuance of rejection order/(s) (25/08/2016 & 26/08/2016) ultimately refused both the applications for D.El.Ed. (ERCAPP2969) programme and B.Ed. (ERCAPP2961) programme. The applicant trust submitted the fact that ERC NCTE failed to process both the aforementioned applications of the appellant as per time scheduled stipulated in the NCTE Regulation 2014 and also as per the time schedule laid down by Hon'ble Supreme Court of India in the matter of Maa Vaishno Devi Mahila Mahavidyalaya Vs. State of Uttar Pradesh and others. The applicant trust affirms that "Beta College of Education" has diligently portrayed its true position of the land and building on the aforementioned address and has no connection (directly/indirectly) with the "Gayatri Devi Institute of Education". Besides, the trust does not possess/submitted any forged Video CD to ERC NCTE and has/have no information/knowledge in this regard. The applicant trust presently having all the necessary documents including "Registered Deed of Rectification" and a fresh "Building Completion Certificate", duly signed by Govt. Engineer and issued by competent authority, in accordance with the

requirements set-up by the ERC-NCTE to establish its position and may satisfy the Hon'ble Appeal Committee in favour of the institution against such refusal.

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 26.06.2016 was issued to appellant institution on the first three grounds mentioned in para 1 and the appellant institution had submitted a reply to the S.C.N. The appellant in its reply had stated that there are two pieces of land measuring 0.64 decimal and 0.11 decimal totalling 0.75 decimal i.e. 3034 sq. meters. The appellant had also furnished copies of the sale deed documents in respect of both these plots. The registration of the land is well before the date of application and the number of both the plot numbers have been mentioned in the online application form. As regard, the ownership of land by the appellant institution is concerned, the name of the trustee has been mentioned as Chairman of Beta Educational and Socio Welfare Trust. Further, the office of Hooghly Zilla Parishad had issued a certificate dated 06.05.2016 stating that Beta College of Education under the aegis of Beta Educational Socio Welfare Trust is the owner of plot measuring 0.75 decimal and a built up area of 1904.4 sq. meters each on ground floor and 1st floor totalling 3808.8 sq. meter is available. Zila Parishad has also certified that there are no incomplete portion of the said proposed composite institution. The appellant had also submitted copy of a Building Completion Certificate (BCC) dated 06.05.2016 verifying the above built up area. B.C.C. is issued by Assistant Engineer, Chinsurah, Sub Division, Hooghly, Government of West Bengal. Appeal Committee viewed the C.D. recorded at the time of inspection on 18.04.2016. The videography shows that a part of the construction on 1st floor is covered by putting curtains. This may be a reason why the Regional Committee had pointed out that construction work of the 1st floor is yet to be completed. Otherwise, the building inspected by the Visiting Team appears to be well constructed structure. The appellant had also submitted a Building Completion Certificate dated 06.05.2016 issued by Government authorities.

AND WHEREAS the appellant during appeal hearing on 29.01.2017 stated that appellant institution had not submitted any fresh C.D. in response to the Show Cause Notice. No such C.D. is also found on the regulatory file. The videography done on the date of inspection does not show any indication that the building of the institution is being used for Gaytri Devi Institute of Education. Appeal Committee taking into

consideration the circumstances of the case, decided to remand back the case to ERC for further processing of the application in view of the recommendations made by the Visiting Team.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to remand back the case to ERC for further processing of the application in view of the recommendations made by the Visiting Team.

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


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Beta College of Education, Plot No. 4930, 4931, 4932, 4933, Village – Beta More (Gholsara), PO – Sinhet, Tehsil/Taluka – Sinhet, Hooghly, West Bengal – 712305.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-659/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Rani Ganesh Kunwari PG College, Jamon, Sultanpur, Uttar Pradesh dated 13/10/2016 is against the Order No. NRC/NCTE/NRCAPP-12876/256th Meeting/2016/159316 dated 02/09/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 18/07/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Dr. Dharendra Pratap Singh, Representative, Rani Ganesh Kunwari PG College, Jamon, Sultanpur, Uttar Pradesh presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "Due to not finding eligible candidates after advertisement."

AND WHEREAS Appeal Committee noted that a combined Letter of Intent (L.O.I.) dated 27.02.2016 under Clause 7(13) of the NCTE Regulation, 2014 was issued to the appellant institution seeking compliance within a period of two months. The applicant institution did not submit compliance on any of the points mentioned in the L.O.I. Appeal Committee further noted that a Show Cause Notice (SCN) dated 18/07/2016 was issued seeking written representation from the institution within 30 days for the reasons of not sending compliance to be L.O.I. The applicant institution neither submitted any reply to the Show Cause Notice nor did seek extension of time for submitting reply to the L.O.I. or S.C.N. The NRC in its 256th Meeting held between 22nd - 25th Aug., 2016 decided to refuse recognition to the institution on the ground that the institution did not submit any reply to the S.C.N.

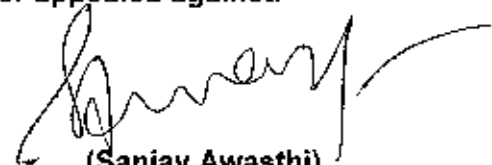
AND WHEREAS during the course of appeal presentation on 29th Jan., 2017 appellant admitted that they had failed to submit any reply to the L.O.I and S.C.N.

The appellant had however, submitted a compliance report to L.O.I. on 05/10/2016 by which time recognition was already refused.

AND WHEREAS Appeal Committee appreciates that there may be some genuine difficulties in getting faculty approved by the affiliating bodies but this does not absolve the applicant institution of responding to the Regional Committee communications issued from time to time. As the appellant institution, has not submitted any reply to the L.O.I. and S.C.N within the time limit prescribed, Appeal Committee decided to confirm the refusal order dated 02.09.2016.

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, Rani Ganesh Kunwari PG College, 41-48, 51-52, 109-110, President RGK Mahavidyalaya, Alipur, Jamon, Sultnapur, Uttar Pradesh – 227801.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



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F.No.89-663/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/2017

ORDER

WHEREAS the appeal of Sukhdeo Narayan Lal Bahadur Sita Ram Memorial B.Ed. College, Nalanda, Bihar dated 15/10/2016 is against the Order No. ERC/220.7.3/APP3128/D.El.Ed./2016/48938 dated 23/08/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. SCN was issued on 25/06/2016 on the following grounds: (i) Built-up area is not clear in the submitted building plan. The institution is required to submit a consolidated blue print of building plan indicating total land area, total built-up area, plot no. etc. and duly approved by any Govt. Engineer. b. In response to show cause notice, the institution submitted its reply dated 21/06/2016 on the basis of proceedings uploaded in the ERC, NCTE website. The Committee considered the reply of the institution and observed that the institution is still deficient on the following grounds: (i) The institution submitted a fresh building plan indicating total built up area 302.54 sq. mts. (ii) The institution is recognized for B.Ed. (100 seats) and now applied D.El.Ed. programme. (iii) As per submitted building plan, total built up area is 3027 sq. mts. which is not sufficient for running B.Ed. (two units) + D.El.Ed. (proposed one unit). In view of the above, the Committee is of the opinion that application bearing code No. ERCAPP3128 of the institution regarding recognition for D.El.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Abdul Rahman and Sh. Alok Ranjan, Representative, Sukhdeo Narayan Lal Bahadur Sita Ram Memorial B.Ed. College, Nalanda, Bihar presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "In connection with the SCN dated 25/06/2016, our reply dated 21/06/2016 (based on proceedings uploaded in the ERC Website) was sent to the ERC, Bhubaneswar but by mistake the old copy of the blue print of the building plan was enclosed with our letter and our application bearing code no. ERCAPP3128 was refused. On the other hand we have with us

the duly approved revised composite building plan indicating total land area, total built-up area, plot no. etc. and accordingly our building is complete."

AND WHEREAS Appeal Committee noted that appellant institution made an online application dated 30.05.2015 seeking recognition for conducting B.Ed. programme as an additional programme. Appellant institution already has recognition for conducting B.Ed. programme since 2013. The building plan submitted alongwith application was for a purposed built up area 711.98 sq. Mtrs. on each of the ground floor, first floor and Second floor totalling 2116 sq. mtrs. A Show Cause Notice (SCN) dated 09.02.2016 was issued to the appellant institution on the ground that total built up area is less than the required 3000 sq. mtrs. stipulated for B.Ed. + D.El.Ed. programmes. The appellant submitted reply to the SCN by stating that the institution is having two buildings and the total built up area is 3026.788 sq. mtrs. The appellant also submitted with its reply to the SCN another building plan which was not very clear and it did not mention the property details such as Plot number.

AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted on 01.04.2016 and the Visiting Team in its report has verified a built up area of 32581.41 sq. feet. Two building plans have been found enclosed with the Visiting Team report. Apparently, these building plans pertain to two different blocks. A Building Completion Certificate (B.C.C.) dated 10.03.2016 signed by Anchal Adhikari Asthavan (Nalanda) and countersigned by PWD Works Division, Bihar Sharif is also found enclosed with the V.T. report. The above B.C.C. pertains to built up area of two buildings the total of which comes to 3027 sq. meters (32576 sq. feet).

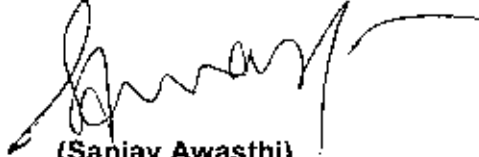
AND WHEREAS Appeal Committee noted that the Eastern Regional Committee (ERC) has taken a stand that the built up area of 3027 sq. meters is not sufficient for running two units of B.Ed. programme and two proposed units of D.El.Ed. programme. The requirement of built up area is calculated with reference to existing 100 seats (Two Units) in B.Ed. programme and 100 seats (Two Units) proposed for D.El.Ed. programme. Appeal Committee noted that para 6 (i) of the Norms and Standards for B.Ed. (Annexure 4) and D.El.Ed. (Annexure - 2) are compatible so far as these norms prescribe a built up area of 1500 sq. meters for one unit (50

seats) of the programme and 500 sq. meters of additional built up area for each additional unit. According to the table below para 6 of Annexure – 4 the minimum built up area for D.El.Ed. plus B.Ed. programme shall be 3000 sq. meters. If this requirement is taken for one unit each of B.Ed. and D.El.Ed., the required space shall be 4000 sq. meters for 2 units of existing B.Ed. & 2 units of proposed D.El.Ed. However, para 6.1 of Annexure 4 makes a mention that for the institution established prior to this regulation, for an additional intake of one hundred students, built up area is to be increased by 500 sq. meters. This institution is conducting B.Ed. programme since 2013 and as such is entitled to add D.El.Ed. programme by adding the built-up area of 500 sq. meters for each unit of a programme. The built up area is verified and found to be adequate by the Visiting Team.

AND WHEREAS Appeal Committee decided to remand back the case to E.R.C. for revisiting the refusal order based on the recommendations made by Visiting Team in their report dated 01.04.2016.

AND WHEREAS after perusal of the Memoranda of Appeal affidavit, documents and record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for revisiting the refusal order based on the recommendations made by Visiting Team in their report dated 01.04.2016.

NOW THEREFORE, the Council hereby remands back the case of Sukhdeo Narayan Lal Bahadur Sita Ram Memorial B.Ed. College, Nalanda, Bihar dated to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Managing Director, Sukhdeo Narayan Lal Bahadur Sita Ram Memorial B.Ed. College, 4753, S.N.L.B.S.R.M. B.Ed. College, 392, Balwapar, Astahawan, Nalanda, Bihar – 803107.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-671/2016 Appeal/2nd Meeting-2017
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 06/3/17

ORDER

WHEREAS the appeal of Nova Institute of Education, Bhausastra, Lucknow, Uttar Pradesh dated 13/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13220/255th Meeting/2016/156201 dated 23/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 04/11/2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice"

AND WHEREAS Sh. T. B. Joshi, Admn. Officer, Nova Institute of Education, Bhausastra, Lucknow, Uttar Pradesh presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "I have paid application fee of Rs. 1,50,000/- through online on 30/05/2015, and it was deducted from my account on that day itself. Due to Council's server Technical problem, we could not take printout of the online application on the same day. We have registered a complaint to the council about the technical problem, and we were assured from the council that it will be rectified very soon. However, the council has extended one-month time for submitting the application. Once the server problem was rectified, we took out the print of application and submitted to the council as instructed."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 04.11.2015 was issued to applicant institution on following two grounds:

- (i) Failure to submit fee on or before the day of online application.
- (ii) Failure to submit printout of application within 15 days of online.

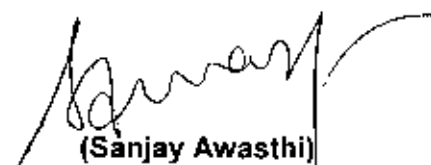
AND WHEREAS Appeal Committee noted that applicant institution submitted its online application on 03.06.2015 and requisite application fee was paid through

credit card. Transaction I.D. no. 4C7845124FD2042D3A21 is found printed on the online application itself. The printout of application is also found received in the office of N.R.C. on 02/07/2015 vide diary no. 111330. Last date for receipt of hard copy of application for the academic year 2016-17 was extended upto 15/07/2015 irrespective of the date of online application. Appeal Committee, therefore, found that there was no merit in both the points mentioned in the S.C.N.

AND WHEREAS the appellant during the course of appeal presentation did not submit any reason for not giving a reply to the SCN. However, as the grounds on which SCN was issued do not find any merit, Appeal Committee decided to remand back the case to NRC for processing of the application as printout of application was received in the office of NRC within the time limit prescribed and the applicant has also furnished evidence of having paid the application fee through credit card.

AND WHEREAS after perusal of the Memoranda of Appeal affidavit, documents and record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for processing of the application as printout of application was received in the office of NRC within the time limit prescribed and the applicant has also furnished evidence of having paid the application fee through credit card.

NOW THEREFORE, the Council hereby remands back the case of Nova Institute of Education, Bhausaara, Lucknow, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Nova Institute of Education, 74, 74, Bhausaara, Lucknow, Uttar Pradesh – 226010.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-672/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Ganga Gauri Prashikshan Sansthan, Ram Nagar, Azamgarh, Uttar Pradesh dated 17/10/2016 is against the Order No. NRC/NCTE/NRCAPP-2299/211th Meeting/2016/38798 dated 12/03/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution refused to get it inspected by the VT reply of Show Cause Notice submitted by the institution is not acceptable."

AND WHEREAS Sh. Shailendra Singh, Asst. Manager and Sh. Manoj Kumar Singh, Teacher, Ganga Gauri Prashikshan Sansthan, Ram Nagar, Azamgarh, Uttar Pradesh presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "Manager of institution was abroad and when he came back. He was shocked to know that his institution was rejected by NCTE for not getting inspected. Institution has created infrastructural and institutional facility as per NCTE norms 2014 along with NOC. Kindly accept our application for D.El.Ed programme."

AND WHEREAS Appeal Committee noted that the refusal order was issued on 12.03.2013 and the appellant has preferred an appeal on 17.10.2016. Thus, there is delay of more than 3 years and 5 month in preferring the appeal which was required to be filed within 60 days from the date of issue of the impugned order. Appellant stated that the delay was caused as the Manager of institution was abroad. Appeal Committee considered the submission made by the appellant. The reason given by the appellant for the long delay of more than 3 years was not convincing. Hence, the Appeal Committee decided not to admit the appeal as it was time barred.

AND WHEREAS after perusal of the memoranda of appeal, affidavit, documents on records and oral arguments advanced during the hearing, the Appeal Committee concluded not to admit the appeal on grounds of time bar.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Ganga Gauri Prashikshan Sansthan, 3, Shri Ganga Gauri Smiriti Sanst. 3, Ram Nagar, Sagari, Azamgarh, Uttar Pradesh – 276122.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

F.No.89-673/2016 Appeal/2nd Meeting-2017**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Moradabad College of Education, Jyotiba Phule Nagar, U.P. dated 17/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13515/255th Meeting/2016/155857 dated 19/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. (Addl.) course on the grounds that "The institution was given show cause notice vide letter dt. 28/06/2016 with direction to submit the reply, within 30 days. The institution did not submit the reply of show cause notice."

AND WHEREAS Sh. Ashok Kumar, Manager, Moradabad College of Education, Jyotiba Phule Nagar, U.P. presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "This institution has submitted the reply of show cause notice on 10/07/2016 through courier services "first flight" to NRC, NCTE, Jaipur. Copy of receipt enclosed. That copy of reply of show cause notice is also attached. That in the reply it is clearly mentioned that the total built up area available in the college for running 2 unit of D.El.Ed. course is 2290.90 sqm. due to mistake old building completion certificate was submitted to VT team. Building plan indicating total built up area 2290.90 sqm. was submitted to VT team at the time of inspection. That after inspection this institution has submitted an affidavit on 12/02/2016 to NRC, NCTE in which it is clearly stated that the total built up area of the college building is 2290.90 sqm. That NRC, NCTE did not consider the reply submitted by the institution and wrongly and arbitrarily refused for recognition of additional unit of existing D.El.Ed. course."

AND WHEREAS Appeal Committee noted that a combined Letter of Intent (L.O.I.) dated 03.03.2016 was issued to the appellant institution seeking compliance within a period of 2 months. Appeal Committee further noted that a combined recognition order dated 03.03.2016 was issued granting recognition to conduct


D.El.Ed. programme with 1 unit (50 seats). Subsequently, a corrigendum dated 21.06.2016 was issued deleting the name of applicant institution from the list of recognised institutions issued vide order dated 03.03.2015. Thereafter, a Show Cause Notice (S.C.N.) dated 28.06.2016 was issued to the appellant institution on the ground that "01 unit of D.El.Ed. course is already being run by the applicant institution. The total built up area in possession of the applicant institution is only 1660 sq. meters. The applicant institution does not possess requisite built up area for the increased intake of D.El.Ed. programme." The reply to the S.C.N. was required to be sent by the applicant within 30 days. The impugned refusal order dated 19.08.2016 is on the ground, that the institution did not submit any reply to the S.C.N.

AND WHEREAS the appellant in its appeal memoranda has stated that the College is running 2 units of D.El.Ed. course within an area 2290 sq. meters and due to mistake old Building Completion Certificate (BCC) was submitted to the Visiting Team. The appellant also submitted copy of a B.C.C. indicating a total built up area of 2290.90 sq. meters. Appeal Committee observed that the B.C.C. submitted by the appellant is not signed by Competent Government Authority. During the course of appeal presentation appellant also stated that it has sent a reply to the SCN on 10.07.2016 and the letter was sent by First Flight Couriers Ltd. Appeal Committee could not locate the so called reply to the S.C.N. on the regulatory file of N.R.C. The receipt issued by First Flight Couriers Ltd., produced by the appellant, prima-facie appears to be a tampered document. The management of the institution while submitting essential data sheet to the V.T. had itself mentioned the total built up area as 1660 sq. meters. The Visiting Team has also mentioned in its report that total built up area in the building is 1660 sq. meters. Appeal Committee, further noted that the appellant institution while filling up the online application did not fill up the details of the existing teacher education programme at page 4 of the application form. Appeal Committee, therefore, decided to confirm the refusal order dated 19.08.2016 issued by NRC, Jaipur.

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 confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, Moradabad College of Education, Village - Shavajpur MAFI, Post Khadgajar, Amroha, Jyotiba Phule Nagar, Uttar Pradesh - 244235.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawanl Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-674/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Mata Radhika Devi B.T.C. Prashikshan Sansthan, Kamhariya, Azamgarh, Uttar Pradesh dated 14/10/2016 is against the Order No. NRC/NCTE/NRCAPP-10316/254th Meeting/2016/156744 dated 29/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was issued show cause notice on 16.11.2015. The reply of the same has not been received till date."

AND WHEREAS Shri. Ajender Singh, Representative, Mata Radhika Devi B.T.C. Prashikshan Sansthan, Kamhariya, Azamgarh, Uttar Pradesh presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "We have submitted reply of show cause notice to NRC, Jaipur alongwith NOC for D.El.Ed. programme dated 22.06.2016 receiving no. 147011."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 16.11.2015 was issued to appellant institution on ground of non-submission of NOC issued by affiliating body with hard copy of the application. Appeal Committee further noted that impugned refusal order dated 29.08.2016 is for the reason that reply to SCN was not received.

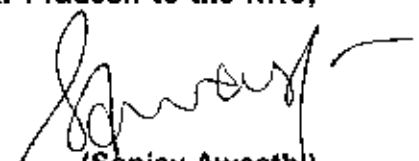
AND WHEREAS appellant during the course of Appeal hearing on 29.01.2017 submitted copy of letter dated 15.06.2016 which is seen acknowledged in the office of NRC vide Dy. no. 147011 dated 22.06.2016. Through this letter, the appellant institution submitted copy of NOC dated 27.05.2015 issued by affiliating body. The copies of documents enclosed with the letter dated 15.06.2016 are observed to be attested on 17.06.2016 and as such there is a doubt that how copies attested on 17.06.2016 could have been enclosed with a letter dated 15.06.2016. However as

the date of issue of NOC is 27.05.2015, normally the NOC was an acceptable document provided it was submitted to NRC in reply to SCN. It is also a fact that the appellant institution has failed to observe the time limit given in the SCN dated 16.11.2015 to submit NOC.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for verifying the receipt of reply to SCN submitted by applicant and acknowledged vide Diary no. 147011 dated 22.06.2016 and revisiting their decision accordingly. Appellant is required to submit necessary evidence to NRC within 15 days of the issue of Appeal Order.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the NRC for verifying the receipt of reply to SCN submitted by applicant and acknowledged vide Diary no. 147011 dated 22.06.2016 and revisiting their decision accordingly. Appellant is required to submit necessary evidence to NRC within 15 days of the issue of Appeal Order.

NOW THEREFORE, the Council hereby remands back the case of Mata Radhika Devi B.T.C. Prashikshan Sansthan, Kamhariya, Azamgarh, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Manager, Mata Radhika Devi BTC Prashikshan Sansthan, Kamhariya, Mehnagar, 880, Azamgarh, Uttar Pradesh – 276123.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-676/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Shri Bala Prasad Kushwaha Mahavidyalaya, Allahabad, Uttar Pradesh dated 17/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13944/255th Meeting/2016/155862 dated 19/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 02/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

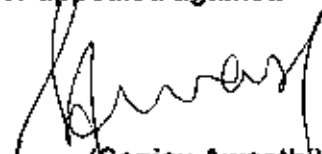
AND WHEREAS Sh. Ajay Kumar, Dy. Registrar, Shri Bala Prasad Kushwaha Mahavidyalaya, Allahabad, Uttar Pradesh presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "At the time of visit of the proposed institution the Manager was in Hospital in Bombay for his treatment. VT team reached institution on one day prior telephonic notice, Principal of our institution requested the VT to provide additional 7 days for proper arrangement and display of infrastructural and institutional facility but they refused to grant additional time for visit. Institution is ready to bear all expenses for re-visit institution is a composite institution with B.Ed. programme (NRCAPP-6922). Management Committee request to NCTE for re-visit of institution."

AND WHEREAS Appeal Committee noted that impugned refusal order dated 19.08.2016 is on the ground that appellant institution did not submit reply to Show Cause Notice (SCN) dated 02.06.2010. The appellant neither in its appeal memoranda nor during oral submission stated that the institution had submitted any reply to S.C.N. which was required to be submitted within 30 days of the issue of SCN.

AND WHEREAS Appeal Committee further noted that SCN dated 02.06.2016 was issued to the institution on grounds of, refusal to get inspected by V.T. Committee noted that an attempt to get the institution inspected was made on 27.01.2016 and the V.T. has reported that the institution has denied inspection. The appellant in its appeal memoranda has stated that manager of the institution was hospitalised when V.T. team reached the institution and the Principal requested the V.T. to provide additional 7 days for arrangement and display of infrastructural and institution facilities. Appeal Committee noted that Letter of Inspection (LOI) dated 17.01.2016 was endorsed to the applicant institution informing the institution to be ready for inspection. Visiting Team was under no obligation to have extended the date of inspection and there is no mention in the V.T. report that principal of the institution requested for postponement of the inspection. Appeal Committee, therefore decided to confirm the refusal order dated 19.08.2016 issued by N.R.C.

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 confirmed.

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


(Sanjay Awasthi)
Member Secretary

1. The Manager, Shri Bala Prasad Kushwaha Mahavidyalaya, 427, 429, own, Balrampur Bazar, Allahabad, Uttar Pradesh – 221505.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur – 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

F.No.89-677/2016 Appeal/2nd Meeting-2017**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 06/3/17

ORDER


WHEREAS the appeal of Raj Narayan Pandey Degree College, Village – Berui, Garapur, Phoolpur, Allahabad, Uttar Pradesh dated 19/10/2016 is against the Order No. NRC/NCTE/NRCAPP-9857/254th Meeting/2016/156737 dated 29/08/2016 of the Northern Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "The institution was given show cause notice on 17/11/2015. The reply of the same has not been received till date."

AND WHEREAS Sh. Rakesh Kumar, Principal and Sh. Devender Pandey, Secretary, Raj Narayan Pandey Degree College, Village – Berui, Garapur, Phoolpur, Allahabad, Uttar Pradesh - 221507 presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "The applicant institution had submitted the hard copy of online application along with all relevant documents to the office of NRC on 27/04/2015. Your appellant had simultaneously applied on 23/04/2015 to its affiliating body i.e. Chatrapati Sahuji Maharaj University for grant of No Objection Certificate (NOC) for the M.Ed. course as per clause 5(3) of the NCTE Regulations, 2014. Thereafter, your appellant made constant reminders to the affiliating University for grant of NOC. However, all the efforts of your appellant have gone in vain as the University did not pay any heed to the repeated requests of your appellant. The University had issued the NOC to our institution on 3rd June 2016 for M.Ed. course, which was submitted to NRC, Jaipur vide letter dated 10th June 2016. Reply to show cause notice was sent to NRC on 20th Dec. 2015 through courier, wherein we had intimated that our institution is in regular touch with the University and as soon as NOC issued by the University, the same will be submitted to the NRC. The same is enclosed with the appeal for perusal of the appeal authority. It is humbly requested that the appeal authority may kindly accept our submissions and direct NRC to process our application at least for the academic session 2017-18, as the delay in submission / issuance of NOC is purely procedural delay on the part of the University, for which our institution should not be penalised."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 17.11.2015 was issued to the appellant institution on the ground of failure to submit NOC of the affiliating body with hardcopy of the application. Appeal Committee further noted that the impugned refusal order dated 29.08.2016 is on the ground that the institution was issued Show Cause Notice on 17.11.2015 and the reply of the same has not been received till date. The appellant in its appeal memoranda stated that a reply to SCN was sent on 29.12.2015 through courier. The appellant institution further submitted a copy of its letter dated 10.06.2016 submitting therewith a copy of NOC dated 03.06.2016 issued by Chhatrapati Shahu Ji Maharaj University, Kanpur. Appeal Committee noted that Clause 5 (3) of NCTE Regulations, 2014 makes it mandatory to submit NOC issued by the concerned affiliating body alongwith printout of the application. The last date for submission of applications for academic year 2016-17 was 15.07.2015. The NOC issued by affiliating body therefore should have been of a date prior to 15.07.2015. In the present case, the NOC dated 03.06.2016 is not acceptable and moreover, there is no evidence that the appellant institution has furnished a reply to the Show Cause Notice. Appeal Committee, therefore decided to confirm the impugned refusal order dated 29.08.2016 issued by N.R.C., Jaipur.

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 confirmed.

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


(Sanjay Awasthi)
Member Secretary

1. The Manager, Raj Narayan Pandey Degree College, 486, 819, 830, 838K, Ownership Basis, Berui, Allahabad, Uttar Pradesh – 221507.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-678/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Dr. Lalji Tripathi Mahavidyalaya, Gauriganj, Sultanpur, Uttar Pradesh dated 17/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13656/255th Meeting/2016/156022 dated 22/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.P.S.E course on the ground that "The institution was given show cause notice vide letter dt. 03/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Sh. Rakesh Kumar Shukla, President, Dr. Lalji Tripathi Mahavidyalaya, Gauriganj, Sultanpur, Uttar Pradesh presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "That the NOC was issued for D.El.Ed. course by the prescribed authority. That when the NOC was not issued for D.P.S.E. course, how NRC-NCTE can consider the recognition for D.P.S.E. course. That the affidavit was given for the recognition of D.El.Ed. course and not for D.P.S.E. course. That in the forwarding letter request was made for D.El.Ed. course. That due to clerical mistake in the online filling of application form D.P.S.E. course was selected."

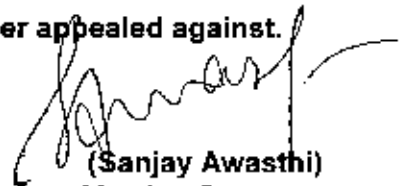
AND WHEREAS Appeal Committee noted that applicant institution submitted online application dated 19.06.2015 and the name of programme applied for was mentioned as D.P.S.E. at page 3 of the application form. Committee, further noted that name of the programme applied for as per affidavit submit alongwith application was mentioned as D.El.Ed. The forwarding letter enclosing printout of the application also mentioned the name of the programme as D.El.Ed. The NOC issued by the regulatory authority also mentioned the name of the programme as D.El.Ed. Appeal Committee noted that applicant institution never made any request to the N.R.C. for correction in the name of programme applied for from D.P.S.E. to D.El.Ed. The data entered in the online application is taken as authentic and as such N.R.C. purposed

inspection of the institution for D.P.S.E. programme. The Visiting Team made efforts to conduct an inspection of the institution on 28.01.2016 but the institution management refused to get the inspection conducted. As a result, a Show Cause Notice dated 03.06.2016 was issued to appellant institution on the ground that "The application institution refused to get it inspected by the V.T." The institution was required to submit reply to the SCN within a period of 30 days. The appellant neither in its appeal memoranda nor during personal presentation stated any reason for not submitting a reply to the Show Cause Notice which was on the ground of refusal to get inspected. Appellant has all along tried to emphasise that the error in mentioning the name of the programme in online application was inadvertent and the applicant be allowed to opt for D.El.Ed. programme.

AND WHEREAS Appeal Committee, noted that the applicant institution did not make any formal application to NRC/NCTE for change in the name of programme applied for. The applicant institution did not reply to the Show Cause Notice (SCN) within the time limit prescribed. Also, the applicant refused to get the institution inspected on the scheduled day. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 22.08.2016 issued by N.R.C., Jaipur.

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 confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, Dr. Lalji Tripathi Mahavidyalaya, 572, 574(A), 526, Bainama, 572, 574(A), 526, Pathanpur, Gauriganj, Sultanpur, Uttar Pradesh – 227409.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



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F.No.89-679/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Block Institute of Teacher Education, Village – Nagina, Tehsil – Ferozpur Zhilka, Nuh, Mewat, Haryana dated 07/10/2016 is against the Order No. NRC/NCTE/NRCAPP-9754/252nd Meeting (Part-8)/2016/154895 dated 29/07/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the ground that "The institution has not submitted any reply of the show cause notice issued on 01/03/2016 by the NRC, NCTE."

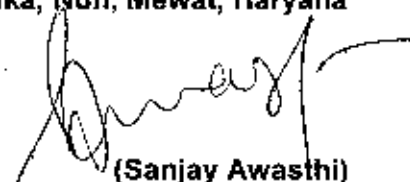
AND WHEREAS Sh. Mahender Kumar Goyal, Lecturer and Ms. Rekha Jain, Office Staff, Block Institute of Teacher Education, Village – Nagina, Tehsil – Ferozpur Zhilka, Nuh, Mewat, Haryana presented the case of the appellant institution on 29/01/2017. In the appeal and during personal presentation it was submitted that "Grant of recognition to BITE, Nagina Tehsil – Ferozpur Jhirka, Distt. – Mewat (Haryana) – 122108 was rejected/refused on the grounds that the infrastructural facilities are not sufficient and complete. It is pertinent to mention here that the institution has all the infrastructural facilities which were earlier not acquired by the institute. All the norms required for infrastructure have been acquired/met as per NCTE Norms. Completion certificate from the Govt. shall be forthwith sent to NCTE. Likewise, the building safety certificate shall also be sent/submitted to NCTE. It is further most kindly submitted that this institute has never received any show cause notice dated 01/03/2016 in this regard. Besides, fire safety certificate was not required and submitted by any previously recognized BITE and DIETs institutions. However, if any such requirements is mandatory it will be forthwith met out. It is further most kindly intimated and supplicated that 100 students (50 in D.El.Ed. 1st year and 50 in IInd year) are already studying in the remotely located institute where education is still secondary objective and perspective. Keeping in view, all the reasons cited above it is again most kindly requested that the present appeal may

kindly be accepted so that the students who are studying in this institute do not face any problem and awkward situation. The problem pertains to the future of students. Favour in this regard shall be highly appreciated. Kindly submitted for consideration and perusal."

AND WHEREAS the Appeal Committee noted that a Show Cause Notice (SCN) dated 01.03.2016 was issued to applicant institution which is a Government run institution known as Block Institution of Teacher Education. Inspection of the institution was conducted on 23.01.2016. On the date of inspection, the building was being used for Panchayat Election therefore the institution management requested the inspection team to postpone inspection for sometime. It is a known practice that buildings owned by Government are requisitioned for election purposes. The appellant also denied having received the Show Cause Notice for the reason it could not give reply to the Show Cause Notice. Appeal Committee, therefore, decided to remand back the case to N.R.C. for getting the inspection conducted by giving the institution another opportunity.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the N.R.C. for getting the inspection conducted by giving the institution another opportunity.

NOW THEREFORE, the Council hereby remands back the case of Block Institute of Teacher Education, Village – Nagina, Tehsil – Ferozpur Zailka, Nuh, Mewat, Haryana to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Block Institute of Teacher Education, Village – Nagina Tehsil – Ferozpur Zailka Dist. – Mewat, Nuh, Mewat, Haryana – 122108.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.



F.No.89-680/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Jay Bajrang Mahila Mahavidyalaya, Mungra Badshahpur, Jaunpur, Uttar Pradesh dated 20/10/2016 is against the Order No. NRC/NCTE/NRCAPP-10039/251st Meeting (Part-2)/2016/156784 dated 29/08/2016 of the Northern Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "The letter signed on 29/02/2016 no. 6831 was issued again on 04/03/2016 bearing no. 6890 and the word "Sansodhit". The computer typing was imposed on the copy of the letter issued on 29/02/2016. Such discrepancy has made the communication erroneous. How can a Pravakta be designated as Professor or Sah. Professor? On what basis the Registrar, VBPU made such addition? Where is the order of constitution of Selection Committee? Where are the minutes of the constitution of Selection Committee. Where is corrigendum order with approval of the competent authority/ Vice-Chancellor of VBPU? The affidavit submitted by the institution regarding selection of faculty members is incomplete. The space about the experience of teachers selected has been left blank."

AND WHEREAS Sh. Ghanshyam Mishra, Manager and Sh. Sewa Ram Sharma, Representative, Jay Bajrang Mahila Mahavidyalaya, Mungra Badshahpur, Jaunpur, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "The NRC in its 250th Meeting decided to issue letter of intent under clause 7(13) of the NCTE Regulations 2014. The letter of the intent was issued to the institution of 26/02/2016 by the NRC. The institution is required to the NCTE Regulation 2014. That NRC issued the recognition/permission for Teacher Education course 2 years M.Ed. for session 2016-17 under clause NCTE Act 1993, 7(16). The institution completed file M.Ed. course by proposed affiliated University."

AND WHEREAS Appeal Committee noted that a combined recognition order number NRC/NCTE/Recognition/2016/147856-88 dated 02.05.2016 was issued granting recognition for one unit of M.Ed. programme to the appellant institution. Appeal Committee noted that grant of recognition was in accordance to the decision recorded at Serial No. 107 of the minutes of 252nd Meeting of the N.R.C held from 19th April to 02nd May, 2016 (Part – 9) (30.04.2016). Appeal Committee further noted that the N.R.C. in its 253rd Meeting held from 30th May to 03rd June, 2016 (Part -1) decided to delete the agenda item. No specific reason was indicated for modifying the decision taken earlier in the 252nd Meeting. No Show Cause Notice (SCN) was also issued to the appellant institution and instead a refusal order dated 29.08.2016 was issued. The refusal order dated 29.08.2016 is perused by the Appeal Committee and it looks quite amazing the way the discrepancies leading to issue of the refusal order have been pointed out as follows:-

- (i) How can a Pravakta be designated as Professor or Sah. Professor?
- (ii) On what basis the Registrar, VBPU made such addition?
- (iii) Where is the order of constitution of Selection Committee?
- (iv) Where the minutes of the constitution of Selection Committee.
- (v) Where is corrigendum order with approval of the competent authority/ Vice-Chancellor of VBPU.
- (vi) The affidavit submitted by the institution regarding selection of faculty members is incomplete. The space about the experience of teachers selected has been left blank.

AND WHEREAS Appeal Committee noted that action of the N.R.C to issue impugned order based on certain reasons which were in fact queries seeking clarifications is not justified that too without giving an opportunity to the appellant institution to furnish written representation. Hence, the impugned refusal order dated 29.08.2016 is set aside. The Regional Committee is required to revisit the whole matter after considering the written representation of the appellant institution which may be sought by issuing Show Cause Notice.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the committee concluded to set aside the impugned refusal order dated

29.08.2016. the regional committee is required to revisit the whole matter after considering the written representation of the appellant institution which may be sought by issuing show cause notice.

NOW THEREFORE, the Council hereby remands back the case of Jay Bajrang Mahila Mahavidyalaya, Mungra Badshahpur, Jaunpur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Jay Bajrang Mahila Mahavidyalaya, 359, 311/4, 311/5, Mungra Badshahpur, Jaunpur District, Uttar Pradesh - 222202.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-681/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Ram Gopal Institute of Education, Badgaon, Maunath Bhanjan, Uttar Pradesh dated 19/10/2016 is against the Order No. NRC/NCTE/NRCAPP-12329/255th Meeting/2016/158759 dated 23/09/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution on 30/05/2015 applied for D.El.Ed. course on online, print-out of the application was received on 16/06/2015. As such, institution did not submit printout of application made online within 15 days of the submission of online application as per clause 7(2)(b) of NCTE Regulations, 2014."

AND WHEREAS Sh. Sanjay Kumar Yadav, Manager, Ram Gopal Institute of Education, Badgaon, Maunath Bhanjan, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "The institution has been submit to online print-out to time but "First Flight" First Flight Couriers Ltd. Couriers is not submit to time NCTE."

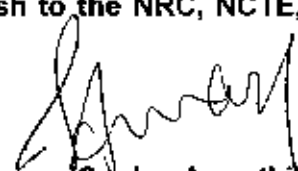
AND WHEREAS Appeal Committee noted that appellant institution made an online application dated 30.05.2015 seeking recognition for conducting D.El.Ed. programme. Printout of the online application is found received in the office of N.R.C. on 16.06.2015 and diarised at Serial No. 107692. Appeal Committee further noted that NCTE (HQ) had issued directions addressed to all Regional Committee offices that hardcopy of the online application are to be accepted if submitted before 15.07.2015 irrespective of the date of online application. As such printout of the application received in the office of N.R.C. on 16.06.2015 was acceptable. Appeal Committee further noted that a Show Cause Notice (SCN) dated 19.11.2015 was issued to the appellant institution on the point that "Failure to submit printout of the application made online within 15 days of the submission of online application as per Clause 2 (b) Section 7 of NCTE, Regulations, 2014." On getting the Show Cause

Notice the appellant institution furnished another copy of printout of online application which was received in the office of N.R.C. on 14.12.2015 diarised at Serial No. 126591.

AND WHEREAS Appeal Committee, thus noted that impugned refusal order dated 23.09.2016 on the ground that "Institution did not submit printout of application made online within 15 days of the submission of online application" is not sustainable. Appeal Committee, therefore decided to set aside the refusal order dated 23.09.2016 and remand back the case to N.R.C. for further processing of the application.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to set aside the refusal order dated 23.09.2016 and remand back the case to N.R.C. for further processing of the application.

NOW THEREFORE, the Council hereby remands back the case of Ram Gopal Institute of Education, Badgaon, Maunath Bhanjan, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Ram Gopal Institute of Education, 1213, 1214, 1215, 1216, Khatuni (Non-Agriculturer Lan), Badagaon, Maunath Bhanjan, Mau, Uttar Pradesh – 275101.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



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F.No.89-682/2016 Appeal/2nd Meeting-2017
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 06/2/17

ORDER

WHEREAS the appeal of Kanpur Vocational College, Kanpur, Kanpur Nagar, Uttar Pradesh dated 18/10/2016 is against the Order No. NRC/NCTE/NRCAPP-14765/255th Meeting/2016/156005 dated 22/08/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 28/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Col. J.N. Agnihotri, Director and Sh. Praveen Agnihotri, Manager, Kanpur Vocational College, Kanpur, Kanpur Nagar, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "Requisite amended NOC from CSJM University, Kanpur ref. CSJMVV/AFFN/8859/2016 dtd. 6th Oct. 2016 is provided. Institution is affiliated to CBSE upto class XII (Science, Commerce, Arts) and also accredited to Nios Board for class X & XII Exams (Ministry of HRD). Proof/evidence of composite institution submitted vide our letter dtd. 06/08/2016. Free hold land allotted by KDA is for Educational purpose. Relevant documents already submitted/enclosed vide our letter dt. 06/Aug/2016. Copy of Ministry of urban Development, Govt. of UP letter dated 24th Jan. 1998 regarding changed land use for "Educational" purpose already submitted/enclosed vide our letters dated 14/07/2016. Non-encumbrance certificate duly signed by the competent authority already submitted/enclosed with our letters dated 14/07/2015 & 06/Aug/2016. Reply to show cause notice already submitted alongwith supporting documents through DTDC courier receipt no. V30715778."

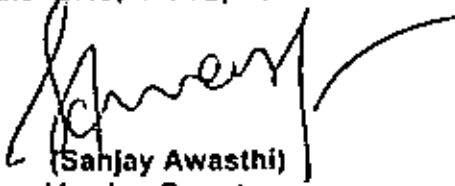
AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 28.06.2016 was issued to applicant institution on following four grounds:-

- (i) NOC issued is in favour of Kanpur Public School whereas the name of the institution in online application is Kanpur Vocational College.
- (ii) Evidence in support of its being a composite institution not submitted.
- (iii) Land is allotted for school purpose.
- (iv) Notarised C.L.U and non-encumbrance Certificate issued by Competent Authority not submitted.

AND WHEREAS Appeal Committee noted that reply to the Show Cause Notice was required to be submitted within 30 days. Appeal Committee further noted that the appellant institution submitted a reply dated 06.08.2016. The reply was received in the office of N.R.C. on 10.08.2016 diarised as Serial no. 150152. Appeal Committee noted that before reply of the institution was received in the office of N.R.C. the regional Committee had already decided in its 255th Meeting held from 02nd to 06th Aug., 2016 to refuse recognition on the ground that "Institution did not submit reply to S.C.N." Appellant during the course of appeal presentation stated that the Show Cause Notice (S.C.N) dated 28.06.2016 was received by the institution quite late and correspondingly there was a delay in submission of reply. Appeal Committee is convinced that sometimes there are minor delays in signing of the communication, its despatch and postal delay in delivery of the communication. The S.C.N. was dated 28.06.2016 and presumably it might have taken 10 days in delivery of the communication. The N.R.C. took a decision in its meeting held from 2nd to 6th August, 2016 without taking this into consideration. Appeal Committee, therefore decided to remand back the case to N.R.C. for considering the reply dated 06.08.2016 submitted by the appellant and found available in the regulatory file.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for considering the reply dated 06.08.2016 submitted by the appellant and found available in the regulatory file.

NOW THEREFORE, the Council hereby remands back the case of Kanpur Vocational College, Kanpur, Kanpur Nagar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Director, Kanpur Vocational College, G.T. Road, 1 K.M. From Chakeri Airport, PO – Harjinder Nagar, Chakeri, Kanpur, Kanpur Nagar, Uttar Pradesh – 208007.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-683/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Vidushi Mahila Mahavidyalaya, Akbarpur, Ambedkar Nagar, U.P. dated 20/10/2016 is against the Order No. NRC/NCTE/NRCAPP-15057/256th Meeting/2016/157307 dated 02/09/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 08/07/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Sh. Vijay Kant Dubey, Manager, Vidushi Mahila Mahavidyalaya, Akbarpur, Ambedkar Nagar, U.P. presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "That the NRC processed the application and some deficiency was shown in the application itself. It appears that the NRC issued some letter pointing out the short coming in the application. The institution did not receive any such letter and could not acquaint the short comings which were in the Normal nature. Since, the appellant had no knowledge about the short coming pointed out by the NRC, therefore, the reply could not be submitted or the deficiency could not be removed within the time limit. The NRC issued show cause notice without being satisfied that the letter was served upon the institution. The show cause notice was also not served. The appellant was in the impression that the deficiency would be pointed out and before rejection of the application time to remove the deficiency would be provided. That the 256th 2nd meeting of the NRC was held w.e.f. 22/08/2016 to 25/08/2016 and the case rejected without serving the show cause notice. That the appellant received letter dated 02/09/2016 and it was revealed that the application has been rejected. It is specifically submitted that the institution has completed entire formalities in conformity with the norms laid down by the NCTE. That the appellant most respectfully submits that if there was deficiency or mistake

in the application it must have been pointed out and the institution was and is still ready to remove the deficiency and the visiting team must have been sent to ascertain that the institution fulfils the criteria for granting the recognition. No reason has been given to reject the case of the appellant. The visiting team never visited the institution in as much as in the presence of the Manager of the institution. That the application for granting the recognition has been rejected without providing opportunity of hearing vide order dated 02/09/2016 which is against the principles of natural justice."

AND WHEREAS Appeal Committee noted that a Show Cause Notice dated 08.07.2016 was issued to be appellant institution on following points:-

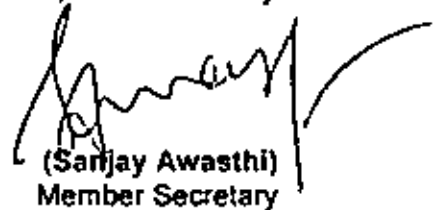
- (i) Proof of being a composite institution as per Clause 2 (b) of NCTE, Regulation, 2014 not furnished.
- (ii) Building plan is not approved by Competent authority.
- (iii) Non submission of certified copy of registered land documents.
- (iv) Non submission of notarised copy of CLU.
- (v) Built up area for proposed B.Ed. and D.Ed. Course is not sufficient.
- (vi) No proper facility for library.

AND WHEREAS Appeal Committee noted that impugned refusal order dated 02.09.2016 is on the ground that appellant institution has not submitted reply to be Show Cause Notice (SCN).

AND WHEREAS Appeal Committee further noted that decision to refuse recognition was taken in 256th Meeting of NRC held from 22nd to 25th Aug., 2016 and the Regional Committee did not take into consideration the reply of the appellant institution dated 20.08.2016 received in the office of N.R.C. on 23.08.2016 diarised at Serial No. 150638. The Regional Committee did not take into consideration the postal delay which might have occurred between the date of issue of SCN and its delivery to the institution. Delay calculated in submission of the reply the SCN is just 12 days. Appeal Committee, therefore decided to remand back the case to N.R.C. for consideration of the reply dated 20.08.2016 submitted by the appellant institution.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for consideration of the reply dated 20.08.2016 submitted by the appellant institution.

NOW THEREFORE, the Council hereby remands back the case of Vidushi Mahila Mahavidyalaya, Akbarpur, Ambedkar Nagar, U.P. to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Vidushi Mahila Mahavidyalaya, 564, Non-Agricultural, 564, Gaura Basantpur, Akbarpur, Ambedkar Nagar, Uttar Pradesh - 224157.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-684/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Radhemohan Radheshyam Mahavidyalaya, Ambedkar Nagar, Uttar Pradesh dated 21/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13803/255th Meeting/2016/156372 dated 23/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution refused for inspection. The reply submitted by the institution is not acceptable."


AND WHEREAS Sh. Chander Shekhar Singh, Representative, Radhemohan Radheshyam Mahavidyalaya, Ambedkar Nagar, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "The manager of the institution has got Cardiac Arrest (and has been recommended by the Doctor's to take complete rest as it is the matter of live and death), and is unavailable for the VT, there by requesting for re-VT after few days. The institution has requested NRC, NCTE, Jaipur for re-deposition of processing fee as and when required. Details attached."

AND WHEREAS Appeal Committee noted that Visiting Team made an effort to inspect the institution on 22.01.2016. The Visiting Team reported that "*nobody in the institution was ready to get the inspection conducted on first sight the building looked incomplete. The College authorities once talked on phone and never picked up the phone thereafter.*" A Show Cause Notice (SCN) dated 03.06.2016 was issued to the appellant institution on grounds of, refusal to get inspected. The appellant submitted an affidavit in the office of N.R.C. on 05.07.2016 in which it was affirmed that the building of the institution was not complete at the time of inspection and the applicant has health problem at that time. Applicant in its appeal memoranda stated that since he was medically unfit members of the inspection team were requested to allot another date.

AND WHEREAS Appeal Committee noted that the appellant institution lacked preparedness to conduct the course at the time of inspection as the building was incomplete. Appeal Committee, therefore decided to confirm the impugned refusal order dated 23.08.2016.

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, Radhemohan Radheshyam Mahavidyalaya, Plot No. 320, 315, 323, 316, 321, 322, Village & AMP; Post – Baknata Bujurg, Tehsil – Alapur, Ambedkar Nagar, Uttar Pradesh – 224176.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



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F.No.89-685/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Sri Pramod Ji Mahila Mahavidyalaya, Sonbhadra, Uttar Pradesh dated 21/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13842/253rd (Part-I) Meeting/2016/156383 dated 23/08/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Non-submission of NOC from the affiliating body as required under clause 5(3) of the NCTE Regulations, 2014."

AND WHEREAS Sh. Sudhir Kumar, Manager, Sri Pramod Ji Mahila Mahavidyalaya, Sonbhadra, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "The rejection is totally on wrong ground. Sir, we had already submitted the NOC and only after obtaining the NOC, NRC, NCTE has constituted the VT. Details attached."

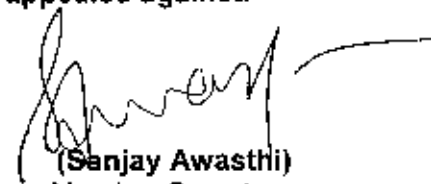
AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 16.10.2015 was issued to the applicant institution on grounds of, failure to submit NOC of the affiliating body alongwith the hardcopy of the application. Appeal Committee noted that appellant institution submitted a reply dated 18.12.2015 to the SCN by inviting reference to an order dated 04.12.2015 given by the Hon'ble High Court of Delhi. By the above order the Hon'ble High Court issued direction to the respondents to adjudicate the SCN. Appeal Committee noted that under Clause 5 (3) of the NCTE, Regulations, 2014 NOC of the affiliating body is required to be submitted alongwith printout of the application. In cases, where a Show Cause Notice was issued to the applicant institution on ground of non-submission of NOC, the applicant institutions were given an opportunity to submit NOC but the NOC invariably was required to have been issued by the affiliating body before the last date for receipt of applications for a particular academic year. In the above case,

the last date for receipt of application was 15.07.2015. Appeal Committee noted that the appellant institution had submitted a consent certificate dated 25.01.2016 issued by Mahatma Gandhi Kashi Vidhyapeeth, Varanasi.

AND WHEREAS Appeal Committee noted that appellant institution had raised a point that NRC decided in its 252nd Meeting held from 19th April to 02 May, 2016 to conduct an inspection of the appellant institution. However, there is no record available on the regulatory file of the Northern Regional Committee indicating the above decision and issue of a letter to the Visiting Team members for conducting inspection of the institution. No inspection report is also available in the relevant file. The note portion of the relevant file also does not indicate any decision of the N.R.C to conduct inspection of the appellant institution. Considering that the NOC (Consent Certificate) issued by affiliating body was much after the last date for receipt of applications for academic year 2016-17, the Appeal Committee decided to confirm the impugned refusal order dated 23/08/2016 for non compliance of Clause 5 (3) of the NCTE, Regulations, 2014.

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, Sri Pramod Ji Mahila Mahavidyalaya, Plot No. 4MI, Village – Kushahara, Post – Shahganj, Tehsil – Ghorwal, Sonbhadra, Uttar Pradesh – 231215.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-686/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of RKBN Academy Shikshan Evam Prashikshan Sansthan, Sultanpur, Uttar Pradesh dated 18/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13604/255th Meeting/2016/155772 dated 19/08/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 09/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

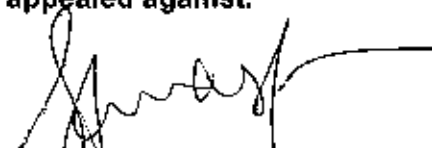
AND WHEREAS Sh. Brijesh Tiwari, Teacher, RKBN Academy Shikshan Evam Prashikshan Sansthan, Sultanpur, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "It is submitted that the appellant vide its letter dated 30/05/2015 applied to the affiliating body for issuance of the NOC as per the format provided by the NCTE. It is relevant to State that the issuance of the NOC was the duty of the affiliating body and the appellant was not at fault for their delay. It is submitted that the NRC failed to process the application of the petitioner as per the time schedule stipulated in the Regulation 2014 and as per the time schedule laid down by Hon'ble Supreme Court in the matter of Maa Vaishno Devi Mahila Mahavidyalaya. It is submitted that the appellant thereafter responded to the show cause notice stating the facts in details and explained the delay of the affiliating body in issuance of the NOC. It is submitted that the issue of the NOC has been settled by Hon'ble Supreme Court in the (2006) 9 SCC1 i.e. State of Maharashtra Vs. Sant Dnyaneshwar Shikshan Shastra Mahavidyalaya and Ors. It is also relevant to state that Hon'ble Supreme Court in the matter of Civil Appeal No. 8054 of 2013 (arising out of SLP (C) No. 21788 of 2013) decided on 10/09/2013, in the matter of Royal Medical Trust (Regd.) Vs. Union of India (UOI) and ann. held in para 11 to the following effect: In the instant case, the appellant mindful of the aforesaid directions of this Court had applied in due time adhering to the statutory timelines.

Its application in terms of necessary documents was in fact complete but for the affiliation certificate from KUHS which was awaited by the Appellant even after several reminders for its issuance to KUHS pressing upon the urgency of the matter. It is stated that so far the old institutions are concerned the NCTE has provided them an opportunity to convert themselves into the composite institution and therefore, NCTE should provide the necessary opportunity to our institution."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 09.06.2016 was issued to the appellant institution on the ground that "institution has not submitted NOC issued by the affiliating university." Appeal Committee further noted that the impugned order dated 19.08.2016 is on the ground that appellant institution did not submit any reply to the SCN. The appellant institution in its appeal memoranda dated 18.10.2016 did not mention any reason for not submitting reply to the SCN and reiterated that the affiliating body has not issued NOC so far. Appeal Committee decided to confirm the impugned refusal order dated 19/08/2016 on the ground that (i) non-submission of reply to SCN (ii) non submission of NOC issued by affiliating body as required under Clause 5 (3) of NCTE, Regulations, 2014.

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, RKBN Academy Shikshan Evam Prashikshan Sansthan, 50, Manas Sadan, Laxmanpur Colony, Distt. – Sultanpur, 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, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



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F.No.89-687/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of NMKRV College for Women, Bangalore, Bangalore Urban District, Karnataka dated 18/10/2016 is against the Order No. NCTE/SRC/SRCAPP201630084/(Course Code)/KA/2017-18/1 dated 29/09/2016 of the Southern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "Failure to furnish the application fee, as prescribed under Rule 9 of the NCTE Rules 1997 or before the date of submission of online application. Failure to submit printout of the applications made online along with land documents as required under sub-regulation (4) of Regulation 5 within 15 days of the submission of online application."

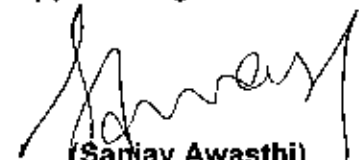
AND WHEREAS Dr. Snehlata Nadiger, Principal, NMKRV College for Women, Bangalore, Bangalore Urban District, Karnataka presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "The application fee is paid before the submission of online application. The delay is due to the issue of NOC from the parent University (i.e. on 30/06/2016)."

AND WHEREAS Appeal Committee noted that applicant institution submitted online application dated 31.05.2016 seeking recognition for conducting B.A. B.Ed./B.Sc. B.Ed. programme. The applicant submitted printout of application vide its letter dated 30.08.2016. Clause 7 (2) (b) states that "*application shall be summarily rejected in case of failure to submit printout of the application within 15 days of the submission of online application.*" As the submission of printout of online application was considerably delayed by the applicant. Appeal Committee, decided to confirm the impugned refusal order dated 29/09/2016 issued by S.R.C.

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, NMKRV College for Women, Jayanagar, III Block, Bangalore, Bangalore Urban District Karnataka - 560011.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.**



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F.No.89-688/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Amani Group of Institution, Amroha, Jyotiba Phule Nagar, Uttar Pradesh dated 21/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13117/255th Meeting/2016/156332 dated 23/08/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 19/10/2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

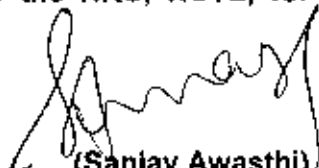
AND WHEREAS Sh. S.K. Chaturvedi, Registrar and Sh. Sunil, Representative, Amani Group of Institution, Amroha, Jyotiba Phule Nagar, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "The institution is a composite institution. MJP Rohilkhand University, Bareilly Granted the affiliation to the institute for B.Sc. and B.B.A. in 2015."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 06.02.2015 seeking recognition for conducting B.Ed. programme. The appellant institution did not submit any information regarding details of any other teacher education programme run by the same applicant or any programme other than teacher education. A Show Cause Notice (SCN) dated 19.10.2015 was issued to the applicant institution on this ground. The applicant institution did not submit any reply to the Show Cause Notice. During the course of appeal hearing 30.01.2017, the appellant stated that no Show Cause Notice was ever received by the applicant institution. The appellant further stated that the institution is conducting courses like B.Sc. and B.B.A. In support of its claim of conducting B.Com and B.Sc. courses the appellant submitted copy of affiliation letter dated 30.06.2015 issued by Mahatma Jyotiba Phule Rohilkhand University affiliating the

institution to conduct B.Sc., B.Com and B.B.A. programmes. As the above letter of affiliation is dated 30.06.2015 which is well before the date of issue of SCN i.e. 19.10.2015, there is no reason the appellant institution would not have complied to the deficiency mentioned in the SCN. Appeal Committee is therefore convinced that appellant institution was fulfilling the condition of being a composite institution and had it received the SCN it would have been possible for it to furnish a satisfactory reply. Appeal Committee, therefore decided to remand back the case to N.R.C. for reissue of the Show Cause Notice and give an opportunity to the institution to submit its explanation.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for reissue of the Show Cause Notice and give an opportunity to the institution to submit its explanation.

NOW THEREFORE, the Council hereby remands back the case of Amani Group of Institution, Amroha, Jyotiba Phule Nagar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Amani Group of Institutions, Pervaiz Villa Opposite Arya Samaj Minder Station Road, Amroha, Jyotiba Phule Nagar, Uttar Pradesh – 244221.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



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F.No.89-689/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Amani Group of Institution, Amroha, Jyotiba Phule Nagar, Uttar Pradesh dated 21/10/2016 is against the Order No. NRC/NCTE/NRCAPP-14152/255th Meeting/2016/156240 dated 23/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 28/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice"

AND WHEREAS Sh. S.K. Chaturvedi, Registrar and Sh. Sunil, Representative, Amani Group of Institution, Amroha, Jyotiba Phule Nagar, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "The institution is a composite institution. MJP Rohilkhand University, Bareilly Granted the affiliation to the institute for B.Sc. and B.B.A. in 2015. Land is not on private lease basis and it is registered in the name of Aley Ahmed Educational Trust. The institution had not received any show cause notice in this matter however we have got Non-Encumbrance Certificate signed by the Tehsildar, Amroha. A copy of Certificate is enclosed herewith."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 28.06.2016 was issued to the appellant institution on following grounds:-

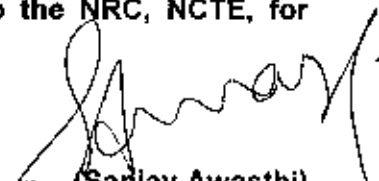
- (i) The institution has not submitted any evidence to prove that it is a composite institution.
- (ii) Land is on private lease.
- (iii) The institution has not submitted non encumbrance certificate signed by competent authority.

AND WHEREAS Appeal Committee noted that a reply to SCN was required to be submitted within 30 days of the issue of SCN. Appeal Committee further noted that NRC in its 255th Meeting held from 02nd to 06th August, 2016 decided to refuse

recognition on the ground that appellant institution did not submit any reply to the SCN. Appeal Committee noted that the decision to refuse recognition was taken immediately after the expiry of 30 days of the date of Show Cause Notice of there might be some delay in delivery of the SCN. The Appeal Committee further noted that ownership of land lies with the applicant trust i.e. Aley Ahmed Educational Trust. Clause 8 (4) of the NCTE, Regulations, 2014 says that "the land free from encumbrances could be either on ownership basis by the sponsoring society or the institution" in the above case the land is owned by the sponsoring trust. The Regulation further says in Clause 8(4) (iii) that the sponsoring society/trust shall be required to transfer and vest the title of the land and building in the name of the institution within a period of 6 months from the date of issue of formal recognition order. Considering the circumstances of the case, Appeal Committee decided to remand back the case to N.R.C. for giving the appellant institution a fair chance to submit a reply of the Show Cause Notice dated 28.06.2016. The appellant institution is required to submit reply to SCN within 15 days of the issue of appeal orders.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for giving the appellant institution a fair chance to submit a reply to the Show Cause Notice dated 28.06.2016. The appellant institution is required to submit reply to SCN within 15 days of the issue of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Amani Group of Institution, Amroha, Jyotiba Phule Nagar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Amani Group of Institutions, Pervaiz Villa Opposite Aarya Samaj Mandir Station Road, Amroha, Jyotiba Phule Nagar, Uttar Pradesh – 244221.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-691/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Suratgarh P.G. College, Suratgarh, Hanumangarh, Rajasthan dated 19/10/2016 is against the Order No. NRC/NCTE/NRCAPP-10444/257th (Part 3) Meeting/2016/160180 dated 13/10/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "As per the documents submitted by the institution in response to the show cause notice, Dr. Bhera Ram Hingra S/o Choona Ram Hingra appointed as Principal does not possess the qualification required for the Principal as per NCTE Regulations, 2014. Dr. Bhera Ram does not have Eight years of Teaching experience in a Secondary Teachers Education Institution as per the documents submitted by the institution."

AND WHEREAS Sh. Parveen Arora, Chairman and Sh. Satpal Swami, Member, Suratgarh P.G. College, Suratgarh, Hanumangarh, Rajasthan presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "Because reply to show cause notice submitted by the appellant vide letter dated 03/10/2016 has not been considered by NRC and order was passed. The reply dated 03/10/2016 containing relevant documents which clearly proved that all the deficiencies pointed out to appellant were cured by the appellant inter alia clarifying that appointment of Dr. Rekha Soni as the Principal/HOD has been made in place of Dr. Bhera Ram. Thus, NRC has failed to objectively consider reply submitted by the institution. The order dated 13/10/2016 passed by the NRC, NCTE is solely on a completely unwarranted and unjustified ground making the refusal order dated 13/10/2016 liable to be set aside. The NRC did not provide reasonable opportunity for removal of deficiency under Section 14(3) (a) of the NCTE Act, 1993 particularly when the appellant appointed the new Principal in place of Dr. Bhera Ram who was also having sufficient qualification as per provisions of the earlier promulgated Regulation, 2009 which required 10 years of teaching experience (5

years in TEIs and 5 years in School). It is stated that appellant fulfils all the requirements and conditions for running integrated course and the refusal/rejection order passed by NRC is not sustainable and the same is liable to be set aside."

AND WHEREAS Appeal Committee noted that N.R.C. in its 252nd Meeting held from 19th April to 2nd May, 2016 decided to issue Letter of Intent (L.O.I.) under Clause 7 (13). The applicant institution was required to submit:-

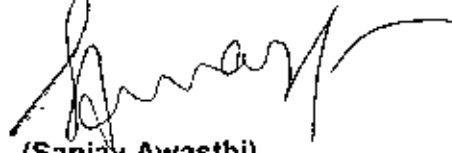
- (i) Copies of FDRs.
- (ii) Downloaded copies of the Website.
- (iii) List of faculty duly approved by the affiliating body.

AND WHEREAS Appeal Committee further noted that the appellant institution submitted a compliance letter in response to the L.O.I. on 15.05.2016. N.R.C. in its 253rd Meeting held from 30th May to 03rd June, 2016 considered the reply and observed that "qualification of the principal is not as per NCTE, Regulations, 2014." Appeal Committee noted that no formal Show Cause Notice (SCN) was issued to the appellant institution and the appellant institution after noting the decision taken in 253rd Meeting of NRC, acted suo-moto and replaced the principal with another candidate namely Dr. Rekha Soni. The N.R.C. considered the submission made by the appellant institution and again decided that since Dr. Bhera Ram Hingra does not have 8 years of teaching experience in a secondary teacher education institution, the recognition applied for may be refused.

AND WHEREAS the appellant during the course of appeal hearing has stated that the institution has now appointed Dr. Rekha Soni who is having the requisite qualifications and experience as per NCTE, Regulations, 2014. Further the appointment of Dr. Rekha Soni was duly approved by the affiliating body i.e. Maharaja Ganga Singh University, Bikaner. The Appeal Committee, decided to remand back the case to N.R.C. for considering the submission made by the appellant with regard to be appointment of Ms. Rekha Soni as new Principal. Appellant institution is required to submit to N.R.C., within a period of 15 days of issue of appeal order the particulars of Ms. Rekha Soni and the approval of the affiliating body.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for considering the submission made by the appellant with regard to be appointment of Ms. Rekha Soni as new Principal. Appellant institution is required to submit to N.R.C., within a period of 15 days of issue of appeal order the particulars of Ms. Rekha Soni and the approval of the affiliating body.

NOW THEREFORE, the Council hereby remands back the case of Suratgarh P.G. College, Suratgarh, Hanumangarh, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Appellant, Suratgarh PG College, 318/3, NH, No. 15, NH. No. 15, Suratgarh, Hanumangarh, Rajasthan - 335804.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



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F.No.89-693/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/3/17

ORDER

WHEREAS the appeal of Anjali Memorial College of Education and Training, South 24 Parganas, West Bengal dated 20/10/2016 is against the Order No. ERC/222.7.1/ERCAPP2701/B.Ed./2016/49381 dated 27/09/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a. SCN was issued on 19/07/2016 on the following grounds: (i) The NOC for B.Ed. programme issued on 17th July 2015 from the University of Calcutta i.e. after the stipulated date of 15th July 2015. b. The institution submitted its reply dated Nil received in ERC office on 14th July 2016 (on the basis of proceedings uploaded in ERC website) alongwith a letter dated 10th July 2015 issued from Joint Secretary, Department of Higher Education, Govt. of West Bengal regarding NOC of the University for establishment of B.Ed./M.Ed. College. The ERC considered the reply of the institution and observed that the institution is still deficient on the following grounds: (i) The NOC for B.Ed. programme issued on 17th July 2015 from the University of Calcutta i.e. after the stipulated date of 15th July 2015. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP2701 of the institution regarding recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Ashim Roy, Secretary and Sh. Abhijit Pal, Member, Anjali Memorial College of Education and Training, South 24 Parganas, West Bengal presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "Miscommunication between Higher Education Deptt. Govt. of West Bengal and Calcutta University caused the delay for issuing and submitting the NOC within the stipulated date of 15 July 2015. Even though the Higher Education Deptt. had issued a letter on 10th July 2015."

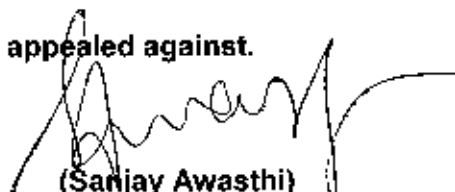
AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 19.07.2016 was issued to the appellant institution seeking clarification on the following point:-

- (i) *NOC for B.Ed. programme issued on 17.07.2015 from University of Calcutta i.e. after the stipulated date 15.07.2015.*

AND WHEREAS Appeal Committee further noted that appellant institution submitted a reply dated Nil to the S.C.N. enclosing therewith copy of a letter dated 10.07.2015 in which Calcutta university was advised by the Higher Education Department, Government of West Bengal to issue NOC for B.Ed./M.Ed. colleges. Appeal Committee noted that on the advice of the Department of Higher Education actual NOC was issued on 17.07.2015. Appeal Committee observed that ERC has taken into account the actual date on which NOC was issued as the crucial date for deciding the case which is upheld. Appeal Committee decided to confirm the impugned refusal order dated 27/09/2016 on the ground that N.O.C. issued by the affiliating body was of a date subsequent to the last date for receipt of online applications which according to Regulation Clause 5 (3) of the NCTE, Regulations, 2014 should contain the N.O.C. issued by the affiliating body.

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, Anjali Memorial College of Education and Training, 458, Deed of Girt, 15, 16, Damodarpur, Karanjali, South 24 Parganas, West Bengal – 743348.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



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F.No.89-695/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

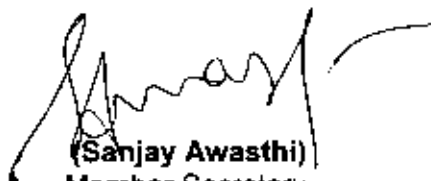
WHEREAS the appeal of JMK Institute of Technology and Management College, Ram Nagar, Rampur, Uttar Pradesh dated 19/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13459/255th Meeting/2016/155966 dated 19/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 11/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Sh. Rajkumar Maurya, Manager and Sh. Ramesh Kumar Sharma, Chairman, JMK Institute of Technology and Management College, Ram Nagar, Rampur, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "the institute did not receive any SCN."

AND WHEREAS Appeal Committee noted that applicant institution submitted online application dated 11.06.2015 seeking recognition for conducting D.El.Ed. programme. Appeal Committee further noted that a Show Cause Notice dated 11.06.2016 was issued to the applicant institution after a lapse of more than one year. The impugned refusal order dated 19.08.2016 is on the ground that appellant institution did not submit any reply to the Show Cause Notice (SCN) within the time limit of 30 days prescribed in the S.C.N. The appellant in its appeal memoranda as well as during oral submission made during the hearing stated that no Show Cause Notice was received by the appellant institution. Appeal Committee decided to remand back the case to N.R.C. for re-issuing the Show Cause Notice for seeking written representation of the appellant institution.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for re-issuing the Show Cause Notice for seeking written representation of the appellant institution.

NOW THEREFORE, the Council hereby remands back the case of JMK Institute of Technology and Management College, Ram Nagar, Rampur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Appellate, JMK Institute of Technology and Management College, Plot No. 263, Village – Ramnagar Tehsil Milak Distt. Rampur Uttar Pradesh – 244901.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**



F.No.89-696/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

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Date: 06/3/17

ORDER

WHEREAS the appeal of JMK Institute of Technology and Management College, Ram Nagar, Rampur, Uttar Pradesh dated 19/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13457/255th Meeting/2016/155837 dated 19/08/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Sc. course on the grounds that "The institution was given show cause notice vide letter dt. 03/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Sh. Rajkumar Maurya, Manager and Sh. Ramesh Kumar Sharma, Chairman, JMK Institute of Technology and Management College, Ram Nagar, Rampur, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "We did not received any letter from NCTE."

AND WHEREAS Appeal Committee noted that applicant institution submitted online application dated 11.06.2015 seeking recognition for conducting B.A. B.Ed./B.Sc. B.Ed. programme. Appeal Committee further noted that a Show Cause Notice dated 03.06.2016 was issued to the applicant institution after a lapse of more than one year. The impugned refusal order dated 19.08.2016 is on the ground that appellant institution did not submit any reply to the Show Cause Notice (SCN) within the time limit of 30 days prescribed in the S.C.N. The appellant in its appeal memoranda as well as during oral submission made during the hearing stated that no Show Cause Notice was received by the appellant institution. Appeal Committee decided to remand back the case to N.R.C. for re-issuing the Show Cause Notice for seeking written representation of the appellant institution.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for re-issuing the Show Cause Notice for seeking written representation of the appellant institution.

NOW THEREFORE, the Council hereby remands back the case of JMK Institute of Technology and Management College, Ram Nagar, Rampur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Appellate, JMK Institute of Technology and Management College, Plot No. 263, Village – Ramnagar Tehsil Milak Distt. Rampur Uttar Pradesh – 244901.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**



F.No.89-897/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Dakha Devi Teachers Training College, Lalsot, Dausa, Rajasthan dated 15/10/2016 is against the Order No. NRC/NCTE/NRCAPP-10587/257th Meeting/2016/160103-06 dated 13/10/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The institution was issued show cause notice dt. 18/07/2016. Reply of the institution dt. 08/09/2016 is not acceptable."

AND WHEREAS Sh. N.K. Sharma, Chairman and Sh. M.D. Sharma, Manager, Dakha Devi Teachers Training College, Lalsot, Dausa, Rajasthan presented the case of the appellant institution on 30/01/2017. In the appeal memoranda it was submitted that "The take report was shown by VT so if you want can re-inspection."

AND WHEREAS Appeal Committee noted that based on the observation made in the visiting team report dated 29.04.2016, a Show Cause Notice (S.C.N) dated 18.07.2016 was issued to the appellant institution pointing out the following deficiencies:-

- (i) Building and infrastructure facilities are not as per Norms.
- (ii) No multipurpose hall.
- (iii) Steel Shutters are shown in the class rooms.
- (iv) Staircase is without railing.
- (v) Building plan and actual building do not match.
- (vi) Size of Classroom is not as per NCTE Norms.
- (vii) Library is not as per NCTE Norms.
- (viii) Certified copy of registered land documents not submitted.
- (ix) Building plan approved and signed by Competent Authority not submitted. The building plan does not mention Khasra Number/Plot Number/Land Area/Total built up area.

AND WHEREAS Appeal Committee noted that the impugned refusal order dated 13.10.2016, on the ground that the reply dated 05/08.09.2016 submitted by the appellant institution in response to Show Cause Notice (SCN) is not acceptable, is cryptic and non-speaking so far as it does not mention the deficiencies in the reply of the appellant. Appeal Committee observed that appellant had furnished copy of a building plan, office structure at Khasra No. 3495 and 3496. The plot area is mentioned as 5700 sq. meters with a proposed built up area of 1501 sq. meters on each of the ground, first and second floor. The building plan is signed by Junior Engineer, Nagar Palika, Lalsot. The appellant has also submitted a certified copy of the correct deed dated 01.09.2016 of the land documents. Copy of following documents were also submitted by the appellant:-

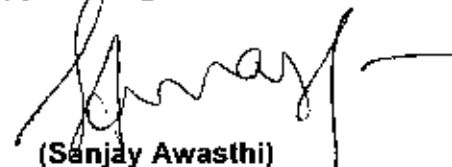
- (i) Building Completion Certificate.
- (ii) Non-encumbrance Certificate.
- (iii) Land Use Certificate.
- (iv) A few photographs.

AND WHEREAS Appeal Committee, further noted that the Building Completion Certificate (B.C.C.) submitted by the appellant institution has a number of over writings which are not countersigned or attested by any Competent Authority. Details of construction and type of roofing is also not mentioned in the B.C.C. Overall the B.C.C. does not appear to be a genuine document and the built-up area also does not match with the building plan. The Non-encumbrance Certificate is also not issued by any Competent Authority. The photograph of the front portion of the building does not appear to be safe, as there is no railing or protection on the projections. Appeal Committee therefore does not find any reason to disagree with the observations made by the Visiting Team in its report dated 29.04.2016 which says that the instructional space is not upto the mark and there is no match between building plan and actual site. Appeal Committee, therefore decided to confirm the impugned refusal order dated 13.10.2016 issued by N.R.C.

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

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

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Dakha Devi Teachers Training College, 3495, 3496, 3583, Ownership, 00, New Colony, Lalsot Dausa, Rajasthan - 303503.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-698/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Dakha Devi Teachers Training College, Lalsot, Dausa, Rajasthan dated 24/10/2016 is against the Order No. NRC/NCTE/NRCAPP-10593/257th Meeting/2016/160107-10 dated 13/10/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution was issued show cause notice dt. 18/07/2016. Reply of the institution dt. 08/09/2016 is not acceptable."

AND WHEREAS Sh. N.K. Sharma, Chairman and Sh. M.D. Sharma, Manager, Dakha Devi Teachers Training College, Lalsot, Dausa, Rajasthan presented the case of the appellant institution on 30/01/2017. In the appeal memoranda it was submitted that "The take report was shown by VT so if you want can re-inspection."

AND WHEREAS Appeal Committee noted that based on the observation made in the Visiting Team report dated 29.04.2016, a Show Cause Notice (S.C.N) dated 18.07.2016 was issued to the appellant institution pointing out the following deficiencies:-

- (i) Building and infrastructure facilities are not as per Norms.
- (ii) No multipurpose hall.
- (iii) Steel Shutters are shown in the class rooms.
- (iv) Staircase is without railing.
- (v) Building plan and actual building do not match.
- (vi) Size of Classroom is not as per NCTE Norms.
- (vii) Library is not as per NCTE Norms.
- (viii) Certified copy of registered land documents not submitted.
- (ix) Building plan approved and signed by Competent Authority not submitted. The building plan does not mention Khasra Number/Plot Number/Land Area/Total built up area.

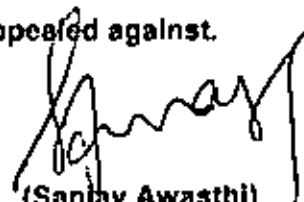
AND WHEREAS Appeal Committee noted that the impugned refusal order dated 13.10.2016, on the ground that the reply dated 05/08.09.2016 submitted by the appellant institution in response to Show Cause Notice (SCN) is not acceptable, is cryptic and non-speaking so far as it does not mention the deficiencies in the reply of the appellant. Appeal Committee observed that appellant had furnished copy of a building plan, office structure at Khasra No. 3495 and 3496. The plot area is mentioned as 5700 sq. meters with a proposed built up area of 1501 sq. meters on each of the ground, first and second floor. The building plan is signed by Junior Engineer, Nagar Palika, Lalsot. The appellant has also submitted a certified copy of the correct deed dated 01.09.2016 of the land documents. Copy of following documents were also submitted by the appellant:-

- (i) Building Completion Certificate.
- (ii) Non-encumbrance Certificate.
- (iii) Land Use Certificate.
- (iv) A few photographs.

AND WHEREAS Appeal Committee, further noted that the Building Completion Certificate (B.C.C.) submitted by the appellant institution has a number of over writings which are not countersigned or attested by any Competent Authority. Details of construction and type of roofing is also not mentioned in the B.C.C. Overall the B.C.C. does not appear to be a genuine document and the built-up area also does not match with the building plan. The Non-encumbrance Certificate is also not issued by any Competent Authority. The photograph of the front portion of the building does not appear to be safe, as there is no railing or protection on the projections. Appeal Committee, therefore does not find any reason to disagree with the observations made by the Visiting Team in its report dated 29.04.2016 which says that the instructional space is not upto the mark and there is no match between building plan and actual site. Incidentally, Appeal Committee noted that the appellant institution has also applied for B.A. B.Ed./B.Sc. B.Ed. programme on the same site and the same building is proposed for conducting that programme also. The building does not appear to be adequate and suitable for conducting even a single programme. Appeal Committee, therefore decided to confirm the impugned refusal order dated 13.10.2016 issued by N.R.C.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Dakha Devi Teachers Training College, 3495, 3496, 3583, Ownership, 00, New Colony, Lalot Dausa, Rajasthan - 303503.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



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F.No.89-699/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Ram Manohar Singh Sikshan Prashikshan Sansthan, Faizabad, Uttar Pradesh dated 22/10/2016 is against the Order No. NRC/NCTE/NRCAPP-13679/255th Meeting/2015/156209 dated 23/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 11/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Sh. Raghvendra Pratap Singh, Chairman, Ram Manohar Singh Sikshan Prashikshan Sansthan, Faizabad, Uttar Pradesh presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "NCTE introduced the Regulation 2014 in the month of the December, 2014 and it was the first time that the NCTE introduced the provisions of the NOC. It is submitted that the appellant vide its letter dated 17/06/2015 applied to the affiliating body for issuance of the NOC as per the format provided by the NCTE. It is relevant to State that the issuance of the NOC was the duty of the affiliating body and the appellant was not at fault for their delay. It is submitted that applicant vide its letter dated 04/11/2015 again submitted the reminder to the University for issuing NOC. It is submitted that the NRC failed to process the application of the petitioner as per the time schedule stipulated in the Regulation 2014 and as per the time schedule laid down by Hon'ble Supreme Court in the matter of Maa Vaishno Devi Mahila Mahavidyalaya, and first time processed the application of the appellant first time vide its letter dated 14/10/2015. It is submitted that the appellant thereafter responded to the show cause notice vide its letter dated 06/11/2015 stating the facts in details and explained the delay of the affiliating body in issuance of the NOC. It is submitted that the issue of the NOC has been settled by Hon'ble Supreme Court in the (2006) 9SCC1 i.e. State of Maharashtra Vs. Sant

Dnyaneshwar Shikshan Shastra Mahavidyalaya and ors. It is also relevant to State that Hon'ble Supreme Court in the matter of Civil Appeal No. 8054 of 2013 (Arising out of SLP (C) No. 21788 of 2013) decided on 10/09/2013, in the matter of Royal Medical Trust (Regd.) Vs. Union of India (UOI) and Anr. State that the application should not be rejected only for NOC. It is also stated that so far the old institutions are concerned the NCTE has provided them an opportunity to convert themselves into the composite institution and therefore, NCTE should provide the necessary opportunity to our institution."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 11.06.2016 was issued to the appellant institution on following two grounds:-

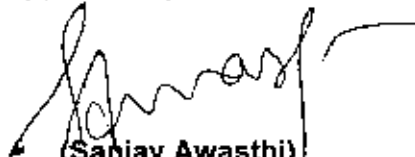
- (i) Institution has not submitted any evidence to prove that it is a composite institution as per Clause 2 (b) of NCTE Regulations, 2014.
- (ii) The institution has not submitted notarised copy of change of land use certificate issued by Competent Government Authority.

AND WHEREAS Appeal Committee further noted that appellant institution did not submit a reply to the S.C.N. and the impugned refusal order is on the ground of non-submission of any reply to the S.C.N. Appellant during the course of appeal hearing on 30.01.2017 submitted a letter that the application seeking recognition for conducting B.Ed. course made by the appellant institution was earlier rejected by the N.R.C. on grounds of non-submission of NOC issued by affiliating body. The appeal filed by the appellant against the refusal order for B.Ed. programme was subsequently confirmed by the Appeal Committee and the appellant has now approached the Hon'ble High Court of Delhi and the Writ filed by appellant is sub-judice. Appeal Committee noted that appellant institution in its online application dated 20.06.2015 seeking recognition for D.El.Ed. programme did not furnish any information on page 5 of the application form which intends to seek information regarding details of application for Teacher Education programme submitted by the same applicant/society/trust. In the absence of requisite information required to be furnished by the applicant in the online application it was difficult for the N.R.C. to presume that applicant has filed another application simultaneously seeking

recognition for another programme which may be helpful to prove that the institution can be covered under the definition of composite institution. Moreover, there was no effort on part of the appellant to submit reply to the Show Cause Notice within the stipulated period. Appeal Committee, therefore decided to confirm the impugned refusal order dated 23.08.2016 issued by N.R.C., Jaipur.

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, Ram Manohar Singh Shikshan Prashikshan Sansthan, Village – Kaurah, Post – Khandasa, Tahsil – Milkipur, Distt. – Faizabad, Uttar Pradesh – 224153.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur – 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-01/2017 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Ambika Teachers Training STC College, Malsisar, Jhunjhunu, Rajasthan dated 27/12/2016 is against the combined Order No. NRC/NCTE/RAJ-1406/238th Meeting-2015/109567-83 dated 01/05/2015 of the Northern Regional Committee, granting recognition for conducting D.El.Ed. programme within an intake of 50 seats (01 Unit).

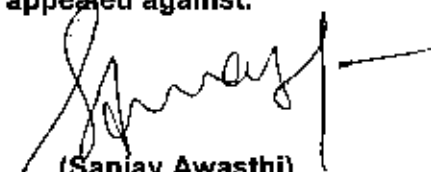
AND WHEREAS Sh. Santosh Kumar Sharma, Secretary and Shashi Kant Sharma, Clerk, Ambika Teachers Training STC College, Malsisar, Jhunjhunu, Rajasthan presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "Despite our repeated representations and requests the NRC didn't grant 2 units in D.El.Ed. course. Hence this appeal for seeking direction for 2 units in D.El.Ed. course due to shortage of space here we are attaching details on a separate sheet with this appeal's hard copy."

AND WHEREAS Appeal Committee noted that inspection of the applicant institution was conducted on 24.02.2015 for a proposed intake of 50 seats (1 unit). Appeal Committee further noted on being found eligible a Letter of Intent (L.O.I.) dated 13/04/2015 was issued to appellant institution. The applicant institution submitted compliance report dated 23.05.2015 enclosing therewith a list containing the names of 01 Principal and 07 other faculty approved by the affiliating body. Para 5.1 Appendix -2 of the Norms and Standards for D.El.Ed. programme mentioned that for an intake of two basic units of 50 students each, the faculty strength shall be 16. The Principal H.O.D. is included in the faculty. Appeal Committee further noted that 02 basic units are permissible initially as per Para 3.1 of the Norms and Standards but the intake capacity depends on the number of faculty appointed. Further the application seeking recognition for the applied course was made in the

year 2008 and once the application was returned by the N.R.C. on 17.03.2009 alongwith application fee and other related documents. The above application remained under process since then and intake capacity for D.El.Ed. programme was restricted to 01 unit till NCTE, Regulations, 2014 came into force. It is therefore, not correct on part of the appellant to say that it applied for 02 units of D.El.Ed. programme. Appeal Committee further noted the contents of the affidavit dated 22.05.2015 submitted by the Secretary of the society in which details of 08 faculty members were furnished. Appeal Committee decided to confirm the impugned order dated 01/05/2015 granting recognition for only 01 unit of the D.El.Ed. programme.

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 to confirm the impugned order dated 01/05/2015 granting recognition for only one unit of D.El.Ed. programme.

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



(Sanjay Awasthi)
Member Secretary

1. The Appellant/Secretary, Ambika Teachers Training STC College, Ward No. 13 Near Goushala V.P.O. – Malsisar, Distt. – Jhunjhunu, Rajasthan - 331028.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



(42)

F.No.89-772/2016 Appeal/2nd Meeting-2016
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

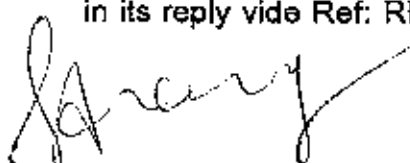
ORDER

Date: 02/2/2017

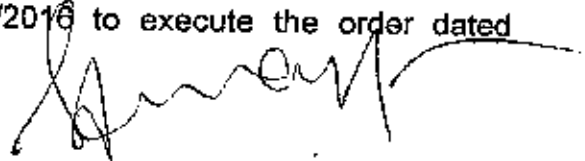
WHEREAS the appeal of Raiganj Educare Teachers Training College, Raiganj, Uttar Dinajpur, West Bengal dated 22/11/2016 is against the Order No. ERC/215.8.2/ERCAPP3497/B.Ed/2016/48343 dated 21/07/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a. Show cause notice was issued on 23/02/2016 on the following grounds:- (i) The institution applied for two courses bearing Code No. ERCAPP3496 and ERCAPP3497. The D.El.Ed. application (ERCAPP3496) had already been summarily rejected, hence the B.Ed. programme comes under the category of standalone institution which is not acceptable. b. Further, the Appeal Committee has confirmed the refusal order dated 06/11/2015 for D.El.Ed. programme issued by ERC, NCTE, Bhubaneswar. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3497 of the Institution regarding recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Jitendra Nath Roy, Secretary, Raiganj Educare Teachers Training College, Raiganj, Uttar Dinajpur, West Bengal presented the case of the appellant institution on 30/01/2017. In the appeal and during personal presentation it was submitted that "The applicant trust, submitted its online application for grant of recognition for the academic session 2016-17 on 19/06/2015 for D.El.Ed. programme (ERCAPP3496) and B.Ed. programme (ERCAPP3497) with annual intake of 100 (two basic units) as a composite institute in the name of "Raiganj Educare Teachers Training College" under the Trust "Raiganj Educare". The applicant Trust, despatched the online application of D.El.Ed. and B.Ed. along with the hard copies printouts of all relevant documents and an application fee of Rs. 3,00,000/- (Rs. 1, 50,000/- each Programme) by local courier. Both the applications were received by the ERC NCTE office on 03/07/2015. Both the application (D.El.Ed. and B.Ed.) were submitted to the ERC NCTE altogether on the same date. The applicant trust

received a phone call from ERC NCTE Bhubaneswar office stating that they had not received the hard copy of the online application of D.El.Ed. Programme and advised the applicant institute to resubmit the same to the ERC, NCTE office. Accordingly, the same copy of the online application was submitted 2nd time on 20/08/2015. Unfortunately ignoring the previous submission on 03/07/2015, the ERC NCTE recorded the 2nd date as 20/08/2015 and rejected the D.El.Ed. application. No Show Cause Notice / Clarification / Deficiency Letter had been issued to the applicant institution before rejection of the application by the ERC NCTE, as per the guideline and provision of NCTE Regulation 2014. ERC NCTE rejected the application without providing any opportunity to the Applicant Trust despite passing of 4 months (approx.) from the receipt of the hard copies of the online application (03/07/2015) to issuance of rejection order (06/11/2015). Hon'ble Supreme Court in the matter of Maa Vaishno Devi Mahila Mahavidyalaya Vs. State of Uttar Pradesh [2013 (2) SCC 617] and other passed in W.P. (C) 276 of 2012 has fixed the time schedule for the processing of the application by the NCTE: Letter of Intent to the institution with respect to grant or refusal of recognition in terms of Regulation 7.9 by 10th of February of the succeeding year/relevant year. Issuance of Formal Order of Recognition by 3rd March of each year. Applicant Trust on the apprehension of losing the academic session 2016-17 due to shortage of time approached the Hon'ble Delhi High Court at New Delhi, challenging the order (No. ERC/7-197.9.25/ ERCAPP3496/(D.El.Ed. Course)/ 2015/37838, dated 06/11/2015) issued by ERC NCTE in W.P. (C) 11516/2015 which was disposed off on 05/02/2016 was liberty to file an appeal. Order dated 05/02/2016 in W.P. (C) 11516/2015 passed by the Hon'ble Delhi High Court. *"Since the remedy of appeal is available to the petitioner, the present writ petition is disposed of with a direction to the petitioner to file an appeal challenging the impugned decision within a period of one week. In the event, the appeal is filed within the aforesaid period, NCTE is directed to decide the same as expeditiously as possible, preferably on or before 3rd March, 2016"*. The applicant trust accordingly filed an Appeal Application APPL2749 of 09/02/2016 before the Hon'ble Appeal Committee, NCTE Hqrs., New Delhi as directed by the Hon'ble Delhi High Court, unfortunately after hearing the Hon'ble Appeal Committee confirmed the order of ERC, NCTE, and the application for D.El.Ed. (ERCAPP3496) was rejected, vide F.No. 89-64/2016/3rd Meeting-2016/28456, dated 14/04/2016. The applicant trust, in its reply vide Ref: RE/ERCAPP3497/NCTE/03-1/2016, dated 14/03/2016 against



the Show Cause Notice issued by the ERC NCTE vide order No. ERC/7-204.9(i).53/B.Ed./ERCAPP3497/2016/43705, dated 23/02/2016 submitted in its written submission alongwith all relevant documents and informed ERC NCTE about the Appeal Application of D.El.Ed. Programme (ERCAPP3496) with a request to consider B.Ed. Programme (ERCAPP3497). The applicant trust, challenging the impugned orders passed by ERC and Appeal Committee, NCTE before the Hon'ble Delhi High Court in W.P. (C) 4667/2016 which was disposed off on 23/05/2016 set aside the impugned orders and remand back the matter to ERC for further processing the application for D.El.Ed. course for academic session 2017-18. Order dated 23/05/2016 in W.P. (C) 4667/2016 passed by the Hon'ble Delhi High Court *"Consequently, the impugned orders are set aside and the matter is remand back to ERC for further processing of petitioner's application for D.El.Ed. course for the academic year 2017-18.* The applicant trust immediately forwarded the internet copy of the abovementioned order to the Member Secretary NCTE New Delhi (vide Ref. RETTC/NCTE/06-1/2016, dated 10/06/2016). The Chairman NCTE New Delhi (vide, Ref: RETTC/NCTE/06-2/2016, dated 10/06/2016). The Regional Director ERC NCTE vide, Ref: RETTC/NCTE/06-3/2016, dated 10/06/2016), and Chairman ERC NCTE (vide, Ref: RETTC/NCTE/06-4/2016, dated 10/06/2016) for information and to execute the order. The applicant trust submitted original Certified copy of the order dated 23/05/2016 passed by the Hon'ble Delhi High Court in W.P. (C) 4667 of 2016 to the Member Secretary NCTE New Delhi vide Ref: RETTC/NCTE/07-1/2016. The Chairman NCTE, New Delhi, vide, Ref: RETTC/NCTE/07-2/2016, The Regional Director ERC, NCTE vide, Ref: RETTC/NCTE/07-3/2016, and Chairman ERC NCTE, vide, Ref: RETTC/NCTE/07-4/2016, dated 02/07/2016 with a request to process both the applications. ERC, NCTE without consideration of the facts and documentations including Court Orders rejected the applications of B.Ed. ((ERCAPP3497) Programme Vide Order No. ERC/215.8.2/ERCAPP3497/B.Ed/2016/48343, dated 21/07/2016 applied for the academic session 2016-17 with liberty to file an appeal to the Applicant Institution as per NCTE Act, 1993. ERC, NCTE, after passing of 1 year 0 month 18 days (approx.) from the receipt of the hard copies of the online application (03/07/2015) to issuance of rejection order/(s) 21/07/2016) ultimately refused the application for B.Ed. (ERCAPP3497) Programme. The applicant trust after long wait and sevrsl requests filed an Contempt Application before the Hon'ble Delhi High Court at New Delhi, In Cont. Cas (C) 1057/2016 to execute the order dated

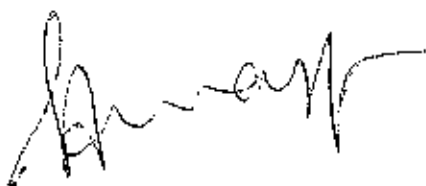


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23/05/2016 in W.P. (C) 4667/2016 passed by the Hon'ble Delhi High Court, which was disposed off on 20/09/2016 with a direction to decide the application within a period of ten weeks. Order dated 20/09/2016 in Cont. Cas (C) 1057/2016 passed by the Hon'ble Delhi High Court *"Keeping in view the aforesaid facts as well as the fact that no time line had been prescribed for processing of petitioner's application for D.El.Ed. course for the academic year 2016-17, this Court directs the respondent-ERC to decide the petitioner's aforesaid application within a period of ten weeks..."*

The Hon'ble Delhi High Court dismissed the Appeal Application filed by the NCTE, order dated 26/10/2016 in LPA 592/2016 passed by Hon'ble Delhi High Court, New Delhi as follows: *"Having heard the learned counsel for both the parties, though we are not inclined to interfere with order under appeal since the direction was to process the application for the Academic Year 2017-18, we made it clear that the order under appeal shall not be treated as precedent. The appeal is accordingly disposed of..."*

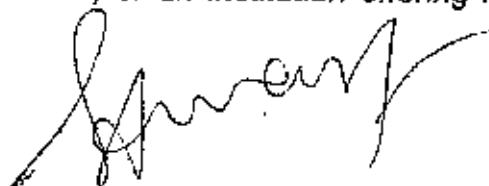
Applicant trust being aggrieved by the refusal order of B.Ed. application (ERCAPP3497) approached before the Hon'ble Delhi High Court at New Delhi, challenging the order (No. ERC/215.8.2/ERCAPP3497/ B.Ed/2016/48343, dated: 21/07/2016) issued by ERC, NCTE in W.P. (C) 9882/2016 which was disposed off on 15/11/2016 with liberty to file an appeal under section 18 of NCTE Act, 1993. Order dated 15/11/2016 in W.P. (C) 9882/2016 passed by the Hon'ble Delhi High Court *"Learned counsel appearing for the petitioner seeks to withdraw the present petition to avail the remedy of appeal under section 18 of the national Council for Teacher Education Act, 1993. The petition is dismissed as withdrawn. The applicant trust, in good intention and willingness to become a composite institute, filed both the Online Applications for D.El.Ed. (ERCAPP3496) Programme and B.Ed. (ERCAPP3497) Programme on 19/06/2015 in the name of "Raiganj Educare Teachers Training College" for grant of Recognition for the academic session 2016-17 in compliance with the NCTE Regulation 2014. Unfortunately, the same was rejected by ERC, NCTE without considering any Court order/(s). The applicant trust presently having all the necessary documents including Court Order/(s) to establish its position, and may satisfy the Hon'ble Appeal Committee in favour of the institution against such refusal by ERC, NCTE. The B.Ed. application (ERCAPP3497) doesn't come under the category of Standalone Institution. Hence, the Applicant, Trust/Institute had no other alternative but to file an Appeal under Section 18 of the*



NCTE Act 1993, to reconsider the case and remands back to the ERC for further processing of the B.Ed. Application (ERCAPP3497)."

AND WHEREAS Appeal Committee noted that the appellant preferred an appeal under section 18 of the NCTE Act by pleading that both the applications (D.El.Ed. and B.Ed.) were submitted to ERC on same date and the printout for D.El.Ed. application was infact resubmitted to ERC on receiving a phone call to the effect that hard copy of online application was not received. As per statement made by appellant, the printout of application for D.El.Ed. programme submitted for the second time was received in ERC on 20.08.2015 which was after the last date for receiving the printout of application. The appellant in its deposition made before the Appeal Committee on 19.03.2016 stated that hardcopy was sent and received in the office of ERC on 03.07.2015 and the second copy which was just a duplicate copy was sent on 20.08.2015 as desired by ERC. On being asked to show evidence in support of his claim, the appellant could not submit any documentary evidence of having submitted printout of D.El.Ed. application on 03.07.2015. Appeal Committee had also taken note of the statement made by appellant where he stated that printout of application for B.Ed. and D.El.Ed. programme were submitted simultaneously. The appellant was given an opportunity to prove through arguments or through documentary evidence that hard copy of application was submitted on or before the cut-off date. Appellant failed to substantiate its claim before the Appeal Committee which led to confirmation of the refusal order dated 06.11.2015 issued by ERC Bhubaneshwar in respect of D.El.Ed. course.

AND WHEREAS Appeal Committee noted that the second application for B.Ed. programme was also rejected by ERC by issue of refusal order on the ground that B.Ed programme comes under the category of standalone institution. Clause 3(a) of the NCTE Regulations state that '*recognition for commencement of new Teacher Education programmes will be offered in composite institutions*' Composite Institution is defined in clause 2(b) of the NCTE Regulations as '*Composite institute means a duly recognised higher education institution offering undergraduate of postgraduate programmes of study in the field of liberal arts or humanities or social sciences or sciences or commerce or mathematics, as the case may be, at the time of applying for recognition of teacher education programmes, or an institution offering multiple teacher education programmes.*'



AND WHEREAS Appeal Committee, in its meeting held on 30.01.2017, noted the submission made by appellant institution with regard to the appeal made by it pertaining to D.El.Ed. as well as B.Ed. programmes. The appellant institution had applied for D.El.Ed. and B.Ed. programmes for the academic session 2016-17 and it is stated by the appellant that both the applications were submitted online simultaneously with consecutive I.D. Number i.e. ERCAPP3496 and ERCAPP3497. Appeal Committee further noted that application for D.El.Ed. programme submitted by the appellant was first rejected by ERC by issue of an order No. ERC/7-197.25/ERCAPP3496(D.El.Ed. Course)/ 201537838 dated 06.11.2015 on the ground that appellant institutions had despatched the printout of application on 20.08.2015 i.e. after the cut-off date of receiving the hard copy of applications. Incidentally, Appeal Committee noted that appellant institution while submitting its application for B.Ed. programme had mentioned the name of D.El.Ed. programme in the forwarding letter. However, the name of programme applied for was mentioned as B.Ed. at page 3 of the application. No separate application for D.El.Ed. programme seems to have been submitted on 3.07.2015.

AND WHEREAS Appeal Committee while processing the appeal filed by appellant institution in respect of its B.Ed. programme was apprised of the order dated 26.10.2016 passed by Hon'ble High Court of Delhi which set aside the refusal order 06.11.2015 and appellate order dated 18.04.2016 in respect of D.El.Ed. programme. The Hon'ble Court vide its order dated 26.10.2016 issued directions to ERC for processing of the application for D.El.Ed programme for the academic year 2017-18. The Hon'ble Court further stated that the order under appeal shall not be treated as precedent.

AND WHEREAS following inferences are drawn from the above order of Hon'ble High Court:

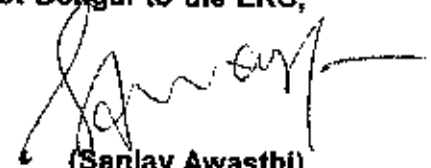
- i. Directions of the Hon'ble Court were for ERC Bhubaneswar to implement.
- ii. As the orders under appeal were not to be treated as precedent: it implied that even the Hon'ble Court appreciated the merits of the impugned orders and just made the appellant institution eligible to be considered for subsequent academic year 2017-18.



AND WHEREAS reverting back to the refusal order dated 21.07.2016 for B.Ed. programme which is on ground of standalone status, Appeal Committee is of the view that ERC is under legal obligation to decide the fate of D.El.Ed. application as per directions of the Hon'ble High Court of Delhi. Pending a final decision on D.El.Ed. application (ERCAPP3496), the decision to refuse recognition of B.Ed. programme cannot be taken. The matter is remanded back to ERC Bhubaneshwar for taking a collective decision keeping in view the directions of Hon'ble High Court of Delhi.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to remand back the case to ERC Bhubaneshwar for taking a collective decision keeping in view the directions of Hon'ble High Court of Delhi.

NOW THEREFORE, the Council hereby remands back the case of Raiganj Educare Teachers Training College, Raiganj, Uttar Dinajpur, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Raiganj Educare Teachers Training College, Plot No. 131, 132, 132/353, 140, 142, Village/Tehsil/Taluka - Bhagdumur, PO. - Taherpur, Raiganj, Uttar Dinajpur, West Bengal - 733134.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-473/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Arihant College of Education, Roorkee, Haridwar, Uttarakhand dated 12/08/2016 is against the Order No. NRC/NCTE/NRCAPP-10919/252nd (Part-6) Meeting/2016/151089 dated 17/06/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the reply of the institution to the SCN dated 14.10.2015 was considered by the Committee. The institution has not yet submitted the NOC from the affiliating body."

AND WHEREAS Sh. Deepak Jain, Secretary, Arihant College of Education, Roorkee, Haridwar, Uttarakhand presented the case of the appellant institution on 25/10/2016. In the appeal and during personal presentation and in a letter dt. 24.10.2016 it was submitted that "(i) the SCERT, Dehradun has not given the No Objection Certificate; (ii) as theirs is a minority institution they have approached the National Commission for Minority Educational Institutions for relief; and (iii) the National Commission for Minority Educational Institutions passed an order on 24.06.2016 and issued a certificate relating to grant of No Objection Certificate on 27.06.2016. The appellant enclosed copies of the order and the certificate."

AND WHEREAS the Committee noted from the order of the National Commission that the appellant while seeking a declaration in terms of Sub-Section (3) of Section 10 of the National Commission for Minority Educational Institutions Act, pleaded before them that he applied for NOC on 27.04.2015 and even after expiry of the statutory period of 90 days, the Competent Authority did not pass any order thereon. The averments made in the petition of the society have not been controverted by the respondent. The National Commission, holding that the Competent Authority of the State Government had not passed any order even after the expiry of the statutory period of 90 days, declared that the competent authority is

deemed to have granted the NOC as sought by the petitioner institution for its affiliation to the NCTE and ordered that NOC be issued accordingly and also directed NCTE to act upon the said certificate issued by the Commission for processing the petitioner's application.

AND WHEREAS the Committee noted that according to the provisions of Clause 5 (3) of the NCTE Regulations, 2014, NOC issued by the concerned affiliating body has to be submitted alongwith the online application and failure to do so will result in rejection of the application. It has therefore to be seen whether there is any conflict between the provisions of the NCTE Regulations and the order issued by the National Commission for Minority Educational Institutions holding that the NOC is deemed to have been issued by the Competent Authority and also issuing a certificate to that effect. Legal opinion in this regard was obtained by the Council before taking further action on the appeal.

AND WHEREAS Appeal Committee considered all aspects of the case and noted that a Show Cause Notice dated 14.10.2015 was issued to the appellant institution on two grounds:-

- (i) Failure to submit printout of the application made online within 15 days of the submission of online application. The online application was submitted by the applicant on 28.05.2015 and hardcopy was received on 08.08.2015 which is beyond 15 days.
- (ii) Failure to submit No Objection Certificate issued by concerned affiliating body.

AND WHEREAS Appeal Committee noted that appellant institution submitted two letters dated 26.11.2015 and 27.11.2015 in response to the Show Cause Notice (SCN). The appellant stated that printout of the application was submitted in the office of N.R.C. on 08.07.2015 instead of 08.08.2015. Secondly, the appellant institution has applied for N.O.C. and as and when the NOC is received it will be made available to NCTE. Appeal Committee further noted that the impugned refusal order is on the ground of non submission of N.O.C. issued by the concerned affiliating body.

AND WHEREAS the appellant during the course of appeal hearing submitted copy of its petition in case no. 968 of 2016 before the National Commission for Minority Educational Institution. In para 1 of the petition it has been stated that "the Petitioner school had applied to the Competent authority of the Government of Uttarakhand for grant of N.O.C. seeking affiliation on 27.04.2015. According, to the appellant's own statement the affiliating body had 90 days time to grant or to refuse No Objection Certificate. The 90 days period after the application made by the appellant to SCERT, Uttarakhand expired on 26.07.2015. The deemed to N.O.C. would in any case have been operative from a date subsequent to 26.07.2015. Onus also rested with the appellant institution to prove that the affiliating body had not taken any decision to issue N.O.C. in case of the Minority Institution which was not done by the appellant institution. The last date for receipt of printout of the application alongwith N.O.C. issued by the affiliating body was 15.07.2015.

AND WHEREAS considering that the appellant institution failed to submit either the N.O.C. or any evidence of the affiliating body not taking any decision in respect of the Minority Institution to issue N.O.C., decided to confirm the impugned refusal order dated 17.06.2016 issued by N.R.C., Jaipur.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Arihant College of Education, Chak No. 466, Arihant Educational Society, NA, Shantershah, Roorkee, Haridwar, Uttarakhand – 249402.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttarakhand, Dehradun.

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F.No.89-424/2016 Appeal/2nd Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/3/17

ORDER

WHEREAS the appeal of Rishi Institute of Engineering and Technology, Meerut City, Meerut, Uttar Pradesh dated 18/07/2016 is against the Order No. NRC/NCTE/NRCAPP-14423/253rd (Part-1) Meeting/2016/150180-83 dated 08/06/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Non-submission of NOC from the affiliating body as required under clause 5(3) of the NCTE Regulations, 2014."


AND WHEREAS Sh. Rishi Pal Singh, Chairman and Ms. Mansi, Member, Rishi Institute of Engineering and Technology, Meerut City, Meerut, Uttar Pradesh presented the case of the appellant institution on 29/08/2016. In the appeal and during personal presentation it was submitted that "We have already received the NOC from the affiliating body in November, 2015 and we have not received any reminder or show cause notice which was issued by the NRC, NCTE, Jaipur."

AND WHEREAS Appeal Committee noted that refusal order dated 08/06/2016 is on the ground of non-submission of N.O.C. from the affiliating body as required under Clause 5 (3) of the NCTE Regulations, 2014. Appeal Committee further noted that a Show Cause Notice (S.C.N.) on the above ground was also issued to appellant institution on 16.10.2015.

AND WHEREAS Appeal Committee is of the view that Show Cause Notice does not bestow an opportunity upon the applicant to submit N.O.C. issued by the affiliating body after the closing date for receipt of printout of application. The NOC dated 10.11.2015 issued by Ch. Charan Singh University, Meerut is of a date after the closing date (15.07.2015) for receipt of application for the academic year 2016-17. Appeal Committee, therefore decided to confirm the impugned refusal order dated 08.06.2016 issued by N.R.C., Jaipur.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Rishi Institute of Engineering and Technology, Plot No. 311/2, 314/2, Village-Dungravali, Post – Partapur, Tehsil-Meerut, District – Meerut, Uttar Pradesh – 250001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-143/2016 Appeal/2nd Meeting-2017
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 06/3/17

ORDER

WHEREAS the appeal of Ram Lakhan Bhatt Degree College, Bhausing, Kanpur Nagar, Kanpur, Uttar Pradesh dated 23/02/2016 is against the Order No. NRC/NCTE/NRCAPP-6588/243rd Meeting/2015/125416 dated 13/10/2015 of the Northern Regional Committee refusing recognition for conducting B.Ed. course on the grounds that "the institution has not submitted compliance / documents as required in letter of intent issued under Clause 7 (13) of NCTE Regulations, 2014 and Show Cause Notice issued in this regard."

AND WHEREAS the submission of the appeal has been delayed by two months and 10 days beyond the prescribed time limit of 60 days. The appellant, in his letter dt. 28.04.2016, submitted that the delay occurred on account of their engagement with the University for getting their approvals. The Committee noting the submission, decided to condone the delay and consider the appeal.

AND WHEREAS Sh. Bhuvaneshwar Nath Mishra, Assistant Professor, Ram Lakhan Bhatt Degree College, Bhausing, Kanpur Nagar, Kanpur, Uttar Pradesh presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation it was submitted that "there was delay from affiliating university in forming the Selection Committee and the teachers have since been selected. FDRs have been created and submitted. Institution is composite. Institution's letter of affiliation of B.A. & B.Com from affiliated University is attached. NOC is attached."

AND WHEREAS the Committee noted that the N.R.C. issued the Letter of Intent (L.O.I.) on 20.03.2015. As the appellant institution did not respond, the N.R.C. issued a Show Cause Notice on 17.08.2015. The appellant institution did not respond to this notice also. The N.R.C. thereafter issued the refusal order on

13.10.2015. The appellant with his appeal enclosed two letters addressed to the Regional Director, N.R.C. – one dated 06.12.2015, purported to be a reply to the L.O.I. and the other undated, purported to be a reply to the Show Cause Notice. While these two letters are not available in the file of the N.R.C., the appellant did not furnish any proof of despatch of receipt of these letters in the N.R.C. As a matter of fact a reply to the L.O.I. was required to be submitted within two months of issue of L.O.I. In these circumstance, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected. Accordingly, Appeal Order dated 09/06/2016 confirming the refusal order dated 13.10.2015 was issued.

AND WHEREAS it has now been brought to the notice of Appeal Committee that appellant filed a Writ Petition No. 32863 of 2016 in the Hon'ble High Court of Allahabad and Hon'ble Court had passed a verdict as under:

"Learned counsel appearing for second respondent would submit that there is no infirmity in the impugned order passed by the appellate authority. However, he would not dispute that appellate authority has not considered the subsequent events and developments intervening between the decision taken by the Regional Committee and the appellate authority. On bare perusal of the NCTE Act, Regulation as well as Rules framed thereunder would provide for disposal of appeal. I find nothing to prevent the NCTE while exercising such appellate powers from considering the subsequent events i.e. in the intervening period if deficiency has been duly removed to the satisfaction of the NCTE, it should be considering by the appellate authority. It was always open for the NCTE to remand back matter to the Regional Committee for consideration. Having considered the facts and circumstances of the case, it is provided that the impugned order dated 09 June, 2016 being a non speaking order is set aside as the appellate authority has not taken into consideration the subsequent developments. The matter is accordingly remanded to the first respondent National Council for Teacher Education to consider the appeal on merits and pass appropriate orders in accordance with law."

AND WHEREAS Appeal Committee appreciates the observations made by Hon'ble Single Judge stating that there is nothing to prevent the NCTE while exercising appellate powers from considering the subsequent events i.e. in the intervening period if deficiency has been duly removed to the satisfaction of NCTE; it should be considered by the appellate authority. Hon'ble Court has however, set aside the appellate order being a non-speaking order. The reasons given in para 4 of the Appeal order are quite comprehensive and speak itself of the ground on which the refusal order was confirmed. The Petitioner i.e. Ram Lakhan Bhatt Degree College was issued a Letter of Intent (L.O.I) on 23.03.2015 and as per time limit prescribed in it, compliance report was required to be submitted within 60 days. The appellant institution did neither submit a reply nor sought extension of time to comply. Thereafter a Show Cause Notice (SCN) dated 17.08.2015 was issued to appellant seeking written reasons for non-compliance within a period of 30 days but the appellant again did not submit any reply. The refusal order dated 13.10.2015 issued by N.R.C. was therefore, on the ground of non-submission of any reply.

AND WHEREAS the appellant institution has not responded to the communications even belatedly. Even filing an Appeal by the appellant was delayed by two months. Appeal Committee appreciates that sometimes delay occur on the part of affiliating universities in nominating experts on selection committee and giving final approval to the selections. Never the less onus lies on the applicant institution to send suitable reply to the communications addressed to them by the Regional Committee. Ignoring the communication which indicate a time limit cannot be taken leniently as it would result in keeping the matter pending indefinitely.


AND WHEREAS honouring the order of Hon'ble Court in the W.P. No. 32863 of 2016, Appeal Committee decided to remand back the case to N.R.C. for considering the reply to L.O.I. The appellant should submit to N.R.C. a complete and comprehensive reply to L.O.I. within 15 days of the issue order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for considering the reply

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to L.O.I. The appellant should submit to N.R.C. a complete and comprehensive reply to L.O.I. within 15 days of the issue order.

NOW THEREFORE, the Council hereby remands back the case of Ram Lakhan Bhatt Degree College, Bhausing, Kanpur Nagar, Kanpur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. **The Secretary/Manager, Ram Lakhan Bhatt Degree College, 513, 516, Private, 513, 516, Bhausing Kanpur, Kanpur Nagar, Uttar Pradesh – 208020.**
2. **The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
3. **Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
4. **The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**