F.No.89-126/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Sikkim University, Samdur, Gangtok, East Sikkim, Sikkim dated 12/02/2016 is against the Order No. ERC/7-198.9(i).8/ERCAPP2789/M.Ed./2015/39463 dated 1/12/2015 of the Eastern Regional Committee, rejecting their application for grant of recognition for conducting M.Ed. course on the ground that "the date of application through online is 29/05/2015 and date of dispatch of printout of online application is 17/07/2015 i.e. after 15 days of submission of online application."

AND WHEREAS Dr. T.J.M.S. Raju, Representative, Sikkim University, Samdur, Gangtok, East Sikkim, Sikkim presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation it was submitted that "they were not aware about this clause that they have to send the hard copy within 15 days. Further, they have applied online in time so their appeal may be considered and they may be allowed to open M.Ed. programme from the session 2016-17."

AND WHEREAS the Committee noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with N.O.C., irrespective of the date of online submission. The Committee also noted that the appellant filed their application online on 29.05.2015 and submitted the hard copy of the application with their letter dt. 13.07.2015, despatched by speed post on 17.07.2015, which was received in the E.R.C. on 20.07.2015. Since the hard copy of the application has not been submitted within the extended date i.e. 15.07.2015, the Committee concluded that the E.R.C. was justified in rejecting the application and therefore, the appeal deserved to be rejected and the order of the E.R.C. confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Registrar, Sikkim University, Samdur, Gangtok, East Sikkim, Sikkim – 737102.
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 Sikkim, Gangtok.

(2)

F.No.89-127/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Rao Rukmani Devi Institute of Teaching and Skill Development, Narsinghpur, Madhya Pradesh dated 31/01/2016 is against the Order No. WRC/APP2924/223/235th/2015/156488 dated 03/12/2015 of the Western Regional Committee, rejecting their application for grant of recognition for conducting B.Ed. course on the grounds that *"The College applied online on 01/06/2015. However, the hard copy was received on 18/06/2015, which is more than the 15 days stipulated under the NCTE Regulations, 2014. Hence, the application is summarily rejected and application fee paid be forfeited."*

AND WHEREAS Sh. Ajeet Kaurav, Director, Rao Rukmani Devi Institute of Teaching and Skill Development, Narsinghpur, Madhya Pradesh presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation it was submitted that "he was unable to prepare some required document. Due to this reason he was late only a single day to submit the document after last date of submission. Besides that they had paid the whole application fees within specified period of time on May 30th, 2015."

AND WHEREAS the Committee noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with N.O.C., irrespective of the date of online submission. The Committee also noted that the appellant filed their application online on 1.06.2015 and submitted the hard copy of the application to the W.R.C on 18.06.2015. Since the hard copy of the application has been submitted within the extended date i.e. 15.07.2015, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to process the application further as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Rao Rukmani Devi Institute of Teaching and Skill Development, Narsinghpur, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Managing Director, Rao Rukmani Devi Institute of Teaching and Skill Development, 172/6, Rao Rukmani Devi Campus, Lolari, Tendukheda, Narsinghpur, Madhya Pradesh – 487221.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

(3)

F.No.89-128/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Shri Sai Baba Aadarsh Mahavidyalaya, Ambikapur, Surguja, Chhattisgarh dated 29/01/2016 is against the Order No. WRC/APP15680/235th/B.A. B.Sc. B.Ed./CG./2015/156558 dated 04/12/2015 of the Western Regional Committee, rejecting their application for grant of recognition for conducting B.A., B.Sc. course on the grounds that "the College applied online on 30/05/2015. However, the hard copy was received on 06/10/2015, which is more than the 15 days stipulated under the NCTE Regulations, 2014. Hence, the application is summarily rejected and application fee paid be forfeited."

AND WHEREAS Dr. Rajesh Shrivastava, Principal, Shri Sai Baba Aadarsh Mahavidyalaya, Ambikapur, Surguja, Chhattisgarh presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation it was submitted that "the online application was submitted on 30/06/2015 and not on the 30/05/2015. The prescribed fee of Rs. 150000.00 was submitted through demand draft No. 57897, dated 30/05/2015, IndusInd Bank Ltd., payable at Bhopal in favour of Member Secretary, NCTE. The Original hard copy of the application form was submitted by hand at Regional office, Bhopal on 15/07/2015. Copy of the receipt is enclosed. On 15/09/2015, they received a letter from Regional Office, Bhopal dt. 05.09.2015 stating that their online application was not bearing application ID and advising them to get the ID from NCTE, New Delhi and submit the same. Thereafter they got the application ID from NCTE on 17.09.2015 and informed the W.R.C. about the confirmation of Application ID by their registered letter no. 3950/NCTE/SSBAM/2015-16 dt. 1.10.2015. This letter might have been received in the Regional Office, Bhopal on 06.10.2015, but the hard copy of the application had already been submitted at Bhopal on 15.07.2015.

AND WHEREAS the Committee noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with N.O.C., irrespective of the date of online submission. The Committee also noted that the appellant, as per his claim filed their application online on 30.06.2015 and submitted the hard copies of the application with their letter dt. 13.07.2015 in the W.R.C. on 15.07.2015. The appellant was asked by the W.R.C on 05.09.2015 to submit a valid print out bearing online code of the online application. The appellant submitted the required information with his letter dt. 1.10.2015, which was received in the W.R.C. on 06.10.2015. The Committee noted that the hard copy of the application was initially submitted within the extended date i.e. 15.07.2015; the W.R.C. in their letter dt. 05.09.2015 specifically asked the appellant to submit the print out bearing application ID for further processing of the application; and the appellant after ascertaining the application ID form the NCTE, New Delhi furnished the information to the W.R.C. with their letter dt. 1.10.2015. In these circumstances, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to process the application further as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Shri Sai Baba Aadarsh Mahavidyalaya, Ambikapur, Surguja, Chhattisgarh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Sai Baba Aadarsh Mahavidyalaya, 42/4, 42/2, 317/2, Revenue, Nehru Nagar, Digma, Ambikapur, Surguja, Chhattisgarh – 497001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.

(4)

F.No.89-129/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Binoy Sadan B.Ed. College of Women in Social Action, Midnapore, West Bengal dated 26/01/2016 is against the Order No. ERC/7-/198.9.(i).16/ERCAPP2134/D.El.Ed.(Addl. Course)/2015/39455 dated 1/12/2015 of the Eastern Regional Committee, rejecting their application for grant of recognition for conducting D.El.Ed. (Additional) course on the grounds that "the date of application through online is 24/03/2015 and date of dispatch of printout of online application is not clear but the date of forwarding letter is 19/04/2015 i.e. after 15 days of submission of online application. In view of the above the Committee decided as under: The application of the institution is summarily rejected as per clause 7(2)(b) of NCTE Regulation 2014".

AND WHEREAS Sh. Romy Mazumdar, Assistant Secretary and Sh. Pranabananda Barik, Secretary, Binoy Sadan B.Ed. College of Women in Social Action, Midnapore, West Bengal presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation it was submitted that "they purchased a demand draft of Rs. 1,50,000/- in favour of Member Secretary, NCTE, Bhubaneswar as application fee vide DD No. 702845 dated 24/03/2015 and sent the same along with duly filled in online application form and subsequently dispatched the same along with the hard copy on 19/04/2015. After sending the online application they came to know that the NOC is required from the State Govt. Hence, they applied immediately to the State Govt. for NOC. After a week, they came to know that it would be delayed. Then they contacted NCTE, ERC and they advised to send the application immediately and submit the NOC later on. They sent the hard copy on 19/04/2015. The delay of 10/11 days in sending the hard copy to the authority was not at all wilful and the matter may please be considered."

AND WHEREAS The Committee noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the

last date for submission of hard copies of the applications with N.O.C., irrespective the date of online submission. The Committee also noted that the appellant filed their application on line on 24.03.2015 and submitted the hard copy of the application with their letter dt. 19.04.2015, which was received in the E.R.C. on 21.04.2015. Since the hard copy of the application has been submitted within the extended date i.e. 15.07.2015, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to process the application further as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Binoy Sadan B.Ed. College of Women in Social Action, Midnapore, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Assistant Secretary, Binoy Sadan B.Ed. College of Women in Social Action, 158/194, Jangal Khas, Jhargram, Midnapore, West Bengal – 721507.
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.89-130/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Saket College of Education, Sitapur, Datia, M.P. dated 29/01/2016 is against the Order No. WRC/APP3017/223/235th/2015/156210 dated 1/12/2015 of the Western Regional Committee, rejecting their application for grant of recognition for conducting B.Ed. course on the grounds that "the College applied online on 26/06/2015. However, the hard copy was received on 15/07/2015, which is more than the 15 days stipulated under the NCTE Regulations, 2014. Hence, the application is summarily rejected and application fee paid be forfeited."

AND WHEREAS Saket College of Education, Sitapur, Datia, M.P. was asked to present the case of the appellant institution on 28/04/2016 but nobody appeared. In the appeal it was submitted that "they have applied online on 26/06/2015 and dispatched the hard copy of online application on 07/07/2015. Since it is a speed post it may have been received on 09/07/2015. But WRC NCTE is saying that it was received on 15/07/2015. The last date of online application was 30/06/2015. According to them the document has to be received within 15 days. So the case may please be considered."

AND WHEREAS the Committee noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with NOC, irrespective of the date of online submission. The Committee also noted that the appellant filed their application online on 26.06.2015 and submitted the hard copy of the application by speed post dt. 07.07.2015, which was received in the WRC on 15.07.2015. Since the hard copy of the application has been submitted within the extended date i.e. 15.07.2015, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to process the application further as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Saket College of Education, Sitapur, Datia, M.P. to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Saket College of Education, 598, 599, 608, Commercial, Sitapur, Datia, Madhya Pradesh – 475661.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-131/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Abhiraj College of Education, Gwalior Madhya Pradesh dated 29/01/2016 is against the Order No. WRC/APP2953/223/235th/2015/156464 dated 03/12/2015 of the Western Regional Committee, refusing their application for grant of recognition for conducting B.Ed. course on the grounds that "the college applied online on 09/06/2015. However, the hard copy was received on 09/07/2015, which is more than the 15 days stipulated under the NCTE Regulations, 2014. Hence, the application is summarily rejected and application fee paid be forfeited." In view of the above, the application of the institution is hereby summarily rejected."

AND WHEREAS Abhiraj College of Education, Gwalior Madhya Pradesh was asked to present the case of the appellant institution on 28/04/2016 but nobody appeared. In the appeal it was submitted that "they applied online on 09/06/2015, but they received NOC from affiliating University on 29/06/2015. The last date of online application was 30/06/2015. They despatched the hard copy by speed post on 06/07/2015 which was received by WRC, NCTE on 09/07/2015. Since the hard copy was received within 15 days of last date of online application, the case may please be considered."

AND WHEREAS the Committee noted that the Council issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with N.O.C., irrespective of the date of online submission. The Committee also noted that the appellant filed their application on line on 09.06.2015 and submitted hard copy of the application by speed post on 06.07.2015, which was received in the W.R.C. on 09.07.2015. Since the hard copy of the application has been submitted within the extended date i.e. 15.07.2015, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to process the application further as per the NCTE Regulations.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Abhiraj College of Education, 874, 875, Commercial, Nirawali, Gwalior Madhya Pradesh – 474011.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-133/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Kaushalya Foundation B.Ed. College, Durgapur, Bardhaman, West Bengal dated 29/01/2016 is against the Order No. ERC/7-198(i)/.49/ERCAPP3229/B.Ed./2015/39476 dated 03/12/2015 of the Eastern Regional Committee, rejecting their application for grant of recognition for conducting B.Ed. course on the grounds that "the date of application through online is 30/05/2015 and date of dispatch of printout of online application is 16/06/2015 i.e. after 15 days of submission of online application. In view of the above the Committee decided as under: The application of the institution is summarily rejected as per clause 7(2)(b) of NCTE Regulation 2014."

AND WHEREAS Sh. Aurobindo Roy Barman, Member, Kaushalya Foundation B.Ed. College, Durgapur, Bardhaman, West Bengal presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation it was submitted that "he was unable to submit the hard copy within 15 days because of his mother's death on 12th June, 2015. A copy of his mother's death certificate Registration No. 1316/2015 dated 22/06/2015 has been attached."

AND WHEREAS the Committee noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with N.O.C., irrespective of the date of online submission. The Committee also noted that the appellant filed their application online on 30.05.2015 and submitted the hard copy of the application with their letter dt. 12.06.2015 sent by speed post on 16.06.2015, which was received in the E.R.C. on 17.06.2015. Since the hard copy of the application has been submitted within the extended date i.e. 15.07.2015, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to process the application further as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Kaushalya Foundation B.Ed. College, Durgapur, Bardhaman, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Kaushalya Foundation B.Ed. College, RS Plot No.-358, LR Plot No. 363, Mouja-Sundiyara, JL-67, RS Plot No. -358, LR Plot No. 363, Sundiyara, Durgapur, Bardhaman, West Bengal – 713148.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-134/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Shri College of Education, Sawali, Chhindwara, M.P. dated 29/01/2016 is against the Order No. WRC/APP3429/223/235th/2015/156198 dated 1/12/2015 of the Western Regional Committee, rejecting their application for grant of recognition for conducting B.Ed. course on the grounds that "the College applied online on 29/05/2015. However, the hard copy was received on 06/07/2015, which is more than the 15 days stipulated under the NCTE Regulations, 2014. Hence, the application is summarily rejected and application fee paid be forfeited."

AND WHEREAS Sh. Kunal Alker, President and Smt. Lata Alker, Member, Shri College of Education, Sawali, Chhindwara, M.P. presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation it was submitted that "the application ID formed on 30/06/2015 and the hard copy of the same was submitted on 06/07/2015. So the institution submitted the hard copy within 15 days of the generation ID. Hence there is no reason for rejection. The NCTE, New Delhi already sent a mail to consider the application."

AND WHEREAS the Committee noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with N.O.C., irrespective of the date of online submission. The Committee also noted that the appellant filed their application online on 29.05.2015 and submitted the hard copy of the application on 06.07.2015 in the W.R.C. by hand. Since the hard copy of the application has been submitted within the extended date i.e. 15.07.2015, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to process the application further as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Shri College of Education, Sawali, Chhindwara, M.P. to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Shri College of Education, 271/3, Education, 32/15, Sawali, Chhindwara, Madhya Pradesh – 480106.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-135/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Sarvoday College of Education, Kanod Pigaliroad, Panchmahal, Gujarat dated 01/02/2016 is against the Order No. WRC/APP2802/235th/B.Ed.M.Ed./Guj./2015/156371 dated 02/12/2015 of the Western Regional Committee, rejecting their application for grant of recognition for conducting M.Ed. course on the grounds that "the college applied online on 30/05/2015. However, the hard copy was received on 18/06/2015, which is more than the 15 days stipulated under the NCTE Regulations, 2014. Hence, the application is summarily rejected and application fee paid be forfeited."

AND WHEREAS the appellant, aggrieved by the order of the W.R.C., filed a Writ Petition WP (C) 549/2016 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 27.01.2016, dismissed the petition as withdrawn, with liberty to the petitioner to approach the Appellate Committee within a period of one week. The Hon'ble High Court also directed the Appellate Committee to decide the same as expeditiously as possible.

AND WHEREAS Sh. H.M. Sheth, Manging Trustee, Sarvoday College of Education, Kanod Pigaliroad, Panchmahal, Gujarat presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation it was submitted that the petitioner vide its letter dated 10/06/2015 dispatched the hard copy to the WRC through Indian Speed Post booking ID E0603168655IN dated 10/06/2015 (copy enclosed) stating the reasons for submitting the demand draft with delay. It is submitted that the petitioner as per the provision of the Regulation dispatched the hard copy within the period of 15 days from submission of the online application. There is no delay in the submission of the hard copy but its delay in receiving of the hard copy by the Regional Committee which

has been caused by the Postal Authorities. The Bank of India also regretted and refused to complete the transaction to remit the funds despite their efforts on generated challan.

AND WHEREAS the Committee noted that the Council has issued instructions to their Regional Committees informing them that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications with NOC, irrespective of the date of online submission. The Committee also noted that the appellant filed their application online on 30.05.2015 and submitted the hard copy of the application with their letter dt. 10.06.2015 sent by speed post on 10.06.2015, which was received in the W.R.C. on 18.06.2015. Since the hard copy of the application has been submitted within the extended date i.e. 15.07.2015, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to process the application further as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Sarvoday College of Education, Kanod Pigaliroad, Panchmahal, Gujarat to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Managing Trustee, Sarvoday College of Education, Samaldevi Derol Station Kanod Pigali Road, TA Kalol, Distt. – Panchmahal, Gujarat - 389320.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.

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F.No.89-136/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Khalsa College of Physical Education, Amritsar, Punjab dated 28/01/2016 is against the Order No. NRC/NCTE/B.P.Ed. Integrated/246th Meeting/2015/131824 dated 17/12/2015 of the Northern Regional Committee, refusing recognition for conducting B.P.Ed. (for Four years) Integrated course on the ground that "the reply of the institution dated 26/05/2015 in response to SCN issued by NRC, NCTE, Jaipur dated 24/05/2015 is not acceptable. Hence, the Committee decided that recognition / permission to the institution is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Dr. Jaswinder Singh Dhillon, Principal, Khalsa College of Physical Education, Amritsar, Punjab presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation it was submitted that "Khalsa College of Physical Education, VPO Heir, came into existence in 2009 with one unit of 50 students for B.P.Ed. one year programme. Besides, this the college is conducting B.P.Ed. 3 years programme of GNDU, Amritsar which doesn't come in the purview of the NCTE. But they had constructed 3364 sq. mt. on 9/49 acres of land. The building plan was duly sanctioned by the Competent Authority. For the present, B.P.Ed. four year integrated programme, no new building was required. It has already been amended vide letter No. 6472 dated 24/06/2015 and relevant documents were presented well in time. Khalsa College Charitable Society, Amritsar is 124 years old society in the field of Higher Education managing 12 colleges and 05 schools with a student's strength over 20000. It has played praise worthy role in the field of Higher Education. So it is hereby requested that order of refusal No. F.No. NRC/NCTE/B.P.Ed. Integrated/246th Meeting/2015/131824 dated 17th December, 2015 be withdrawn."

AND WHEREAS the Committee noted that the N.R.C. issued a Show Cause Notice dt. 24.05.2015 stating that (i) the institution is required to submit building completion certificate duly signed by the Town Planner on prescribed format and (ii) the institution submitted building plan for D.P.Ed. course whereas the application is for 4 year B.P.Ed. Integrated course. The appellant replied on 24.06.2015 stating that (i) the building completion certificate singed by Town Planner is under process and shall be submitted shortly and (ii) the building plan submitted in the original file pertains to B.P.Ed. (4 years) integrated innovative course. With that reply, the appellant furnished an affidavit in support of his reply regarding building plan and also a copy of the plan in which the name of B.P.Ed. (4 years Integrated) is also written. The N.R.C., finding the reply not acceptable refused recognition.

AND WHEREAS the Committee noted that the appellant in a letter dt. 27.04.2016 given at the time of personal presentation submitted that the building was completed in 2007 and a building completion certificate was issued by the competent authority i.e. Gram Panchayat by Resolution dt. 08.05.2007. A copy of this resolution duly countersigned by Tehsildar, Amritsar has been enclosed. With his letter the appellant also enclosed a copy of a building completion certificate given by Manager (Projects), Khalsa College, Amritsar and countersigned by Sarpanch of Gram Panchayat. The total built up area shown i.e. 36201 sq. ft. tallies with the built up area indicated in the building plan, a copy of which is found in the file. Though the appellant has not produced a building completion certificate from Town Planner as promised in his reply to the show cause notice, the Committee is of the view that the Resolution of Gram Panchayat and the copy of the certificate produced with the appeal deserved to be considered as adequate. Regarding the building plan, the Committee noted that the file contained a copy in which the name of the course is shown as D.P.Ed. The appellant has submitted that no new building was added and for the present no new building is required for B.P.Ed. four year integrated programme. He also submitted that the building plan and other documents submitted pertain to B.P.Ed. (Four year) integrated course. The Committee noted that the plan available in the file which was approved in 2007 showed the name of the course as D.P.Ed. From the submission it appears that the very building constructed for the then course of D.P.Ed., with a built up area of 36201 sq. ft. will be used for the proposed

B.P.Ed. course. Further the name of the institution i.e. Khalsa College of Physical Education is mentioned in the building plan. In such a situation the question of indicating the name of B.P.Ed. course, in a building plan approved earlier, as an addition, does not arise. The affidavit dt. 16.06.2015 submitted by the appellant to N.R.C. should therefore suffice to meet the observation of the N.R.C.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to take further action on the application as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Khalsa College of Physical Education, Amritsar, Punjab to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Khalsa College of Physical Education, Khalsa College Charitable Society, Amritsar, Punjab – 143002.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Punjab, Chandigarh.

(12)

F.No.89-137/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Khalsa College of Physical Education, Amritsar, Punjab dated 27/01/2016 is against the Order No. NRC/NCTE/NRCAPP-6586/245th Meeting/2015/130684 dated 04/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.P.Ed. course on the grounds that "the institution has submitted list of faculty approved by the affiliating body. Only 6 lecturers against required one principal, six lecturers, one librarian and one physiotherapist, which is not as per Regulations, 2014. The institution has not submitted proof of composite institution. The institution was given SCN dated 11/09/2015. Reply submitted by the institution is not accepted. Hence, the Committee decided that recognition / permission to the institution is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution on account of incomplete compliance of faculty appointed against Norms and Standards."

AND WHEREAS Dr. Jaswinder Singh Dhillon, Principal, Khalsa College of Physical Education, Amritsar, Punjab presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation and in a letter dt. 27.04.2016 it was submitted that "Khalsa College of Physical Education, VPO Heir, Amritsar was established in the year 2009 with B.P.Ed. one year programme with an annual intake of 50 students vide NCTE order F.NO. NRC/NCTE/F-7/PB-576/149 Meeting/2009/11044 dated 06/10/2009. Since then the college has a Principal, faculty and supporting staff as per NCTE requirements. For the present D.P.Ed. two years programme (code No. NRCAPP-6586) the college fulfils the conditions as per Regulations 2014. The list of faculty duly approved by Guru Nanak Dev University was forwarded to the N.R.C. The proof of composite institution was submitted vide letter No. 951 dated 10/06/2015. More so in the records of NCTE, it is very much clear that the NRC-NCTE has already given

approval for B.P.Ed. (1 Year) and the letters of intent were issued for D.P.Ed. (two years) and B.P.Ed. Integrated (4 years). The same was conveyed by the management committee to NRC-NCTE. It is hereby prayed that refusal order No. F.No. NRC/NCTE/NRCAPP-6586/245th/130684 Meeting/2015 be cancelled and order of recognition be issued."

AND WHEREAS the Committee noted that the appellant, in response to the Letter of Intent dt. 14.05.2015, with his letter dt. 04.08.2015, forwarded a list of six teachers approved by the university. The N.R.C. in their show cause notice dt. 11.09.2015 informed the appellant that the appointed six faculty is insufficient against the number required as per the norms and standards for D.P.Ed. programme. In this show cause notice there was no mention of proof required for being a composite institution. The appellant, with his reply dt. 08.10.2015 forwarded a list of six other staff members like librarian, physiotherapist, dietician and coaches. After considering the reply the N.R.C. refused recognition on the grounds mentioned in the refusal order.

AND WHEREAS the Committee noted that the appellant, with his letter dt. 27.04.2016 forwarded a list of faculty including the Principal/HOD and other staff. He has confirmed that form the inception, the College has a Principal. The appellant has also stated that the College is already a composite institution as they are running B.P.Ed. (Three years) and B.P.Ed. (Two years) and a Letter of Intent has been issued for D.P.Ed. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the submission made by the appellant in the appeal and his letter dt. 27.04.2016 and take further action as per the Regulations. The appellant is directed to forward all the relevant documents and a copy of his letter dt. 27.04.2016 with its enclosures to the N.R.C. within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to consider the submission made by the appellant in the appeal and his letter dt.

27.04.2016 and take further action as per the Regulations. The appellant is directed to forward all the relevant documents and a copy of his letter dt. 27.04.2016 with its enclosures to the N.R.C. within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Khalsa College of Physical Education, Amritsar, Punjab to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Khalsa College of Physical Education, Khalsa College Charitable Society, Amritsar, Punjab – 143002.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Punjab, Chandigarh.

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F.No.89-139/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Raju College of Education, Rayachoty, Kadapa, Andhra Pradesh dated 30/01/2016 is against the Order No. SRO/NCTE/SRCAPP14086/B.Ed./AP/2016-17/76294 dated 15/10/2015 of the Southern Regional Committee, rejecting their application for grant of recognition for conducting B.Ed. course on the grounds that "Failure to submit Print out of the application made online along with the land documents as required under sub-regulation (4) of Regulation 5 within 15 days of the submission of the online application. (Online application submitted on 26/06/2015 hard copy received on 13/07/2015)."

AND WHEREAS Raju College of Education, Rayachoty, Kadapa, Andhra Pradesh was asked to present the case of the appellant institution on 28/04/2016 but nobody appeared. In the appeal it is submitted that "they submitted the online application on 26.06.2015. While 15 days from the date of online submission was 11.7.2015, they could not submit on 10.07.2015 as the vehicle by which they were travelling broke down. Since 11th and 12th July, 2015 were holidays being Saturday and Sunday they could not submit within 15 days."

AND WHEREAS the Committee noted from a letter no. HQ/Appeal/AP/TN/KA/KL/2016/84487 dt. 19.04.2016 received from the Regional Director, S.R.C. that they have reconsidered certain cases, including that of the appellant, as per directive of the NCTE regarding acceptance of hard copies of the applications and delayed submission of N.O.C. In the case of the appellant institution, after such

reconsideration, the S.R.C. issued a L.O.I. to the appellant on 14.04.2016. In these circumstances, **the Committee concluded that the appeal has become infructuous.**

(Sanjay Awasthi)
Member Secretary

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

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F.No.89-142/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of The Kavery College of Education, Salem, Tamil Nadu dated 19/02/2016 is against the Order No. SRCAPP14690/B.A.B.Ed/B.Sc.B.Ed/TN/2016-17/79031 dated 22/12/2015 of the Southern Regional Committee, refusing recognition "for conducting B.Sc. B.Ed. & B.A. B.Ed. course on the grounds of non-submission of NOC issued by the affiliating body along with application."

AND WHEREAS Sh. S.K. Elangovan, Secretary, The Kavery College of Education, Salem, Tamil Nadu presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation and in a letter dt. 28.04.2016 it was submitted that "they have applied for the new course B.A.B.Ed. & B.Sc.B.Ed. of 4 years duration through online on 30/06/2015 and paid the fees of Rs. 1,50,000/- by way of internet transaction ID No. a334092325ee6e3d. The hard copy of our application ID No. SRCAPP14690 was submitted at the office of the Regional Director, SRC on 13/07/2015 by receipt no. 153844. SRC/NCTE issued a show cause notice for not submitting NOC from the affiliating body. They requested the affiliating university i.e. the Tamil Nadu Teachers Education University to issue NOC vide letters TKCE/TNTEUNOC-2016-17/01 dt. 22/06/2015, Lr. No. 373/TKCE/TKET/NCTE/15 dt. 05/11/2015. Lr. No. 396/TKCED/TKET/TNTEU/2015 dt. 14.12.2015 and Lr. No. 456/TKCED/TKET/TNTEU/2016 dt. 11.04.2016, but they did not get any reply till date. It is understood that the Vice-Chancellor's post is vacant, and the administrative decisions are delayed at TNTE University. The appellant also submitted that they understood that the Vice-Chancellor and Registrar are not willing to give a reply. Hence, they may be exempted from the submission of NOC as they are an existing institution and their application may be considered for processing."

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

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary/Correspondent, The Kavery College of Education, 143/2, 165, The Kaavery Educational Trust, M. Kalipatti, Mecheri Salem, Tamil Nadu – 636453.
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 Tamil Nadu, Chennai.

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F.No.89-143/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

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 Regulation 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 Reginal 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 or 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 circumstances, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The 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.

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F.No.89-144/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of The Kavery College of Education, Salem, Tamil Nadu dated 19/02/2016 is against the Order No. SRCAPP14691/B.Ed-AI/TN/2016-17/79025 dated 22/12/2015 of the Southern Regional Committee, refusing recognition "for conducting B.Ed. - AI course on the ground of non- submission of N.O.C. issued by the affiliating body along with the application."

AND WHEREAS Sh. S.K. Elangovan, Secretary, The Kavery College of Education, Salem, Tamil Nadu presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation and in a letter dt. 28.04.2016 it was submitted that "they have applied for the additional intake in B.Ed. through online on 30/06/2015 and paid the fees of Rs. 1,50,000/- by way of internet transaction ID No. 1714369896 da2bdc. The hard copy of their application ID No. SRCAPP14691 was submitted at the office of the Regional Director, SRC on 13/07/2015 by receipt no. 153843. SRC/NCTE issued a show cause notice for not submitting NOC from the affiliating body. They requested the affiliating university, i.e. the Tamil Nadu Teachers Education University to issue NOC vide their letters TKCE/TNTEU-NOC-2016-17/02 dt. 22/06/2015, Lr. No. 374/TKCE/TKET/NCTE/2015 dt. 05/11/2015, Lr. No. 396/TKCED/TKET/TNTEU/2015 dt. 14.12.2015 and Lr. No. 456/TKCED/TKET/TNTEU/2016 dt. 11.04.2016, but they did not get any reply till date. It is understood that the Vice-Chancellor post is vacant, and the administrative decisions are delayed at TNTE University. The appellant also submitted that they understood that the Vice-Chancellor and Registrar are not willing to give a reply. Hence, they may be exempted from the submission of NOC as they are an existing institution and their application may be considered for processing."

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

affiliating university has to be sent along with the application. As the appellant has not fulfilled this requirement, the Committee concluded that the S.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the S.R.C. confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, The Kavery College of Education, 143/2, 165, The Kaavery Educational Trust, 143/2, 165, M. Kalipatti, Mecheri, Salem, Tamil Nadu – 636453.
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 Tamil Nadu, Chennai.

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F.No.89-145/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Indra Ganesan College of Education, Tiruchirapalli, Tamil Nadu dated 18/02/2016 is against the Order No. SRO/NCTE/SRCAPP2739/M.Ed/TN/2016-17/79024 dated 22/12/2015 of the Southern Regional Committee, "refusing recognition for conducting M.Ed. course on the ground that the institution has not submitted N.O.C. from the affiliating body."

AND WHEREAS Indra Ganesan College of Education, Tiruchirapalli, Tamil Nadu was asked to present the case of the appellant institution on 28/04/2016 but nobody appeared. The appellant, however, sent a letter dated 21.04.2016 informing that they submitted, the N.O.C. issued by the Tamil Nadu Teachers Education University, Chennai, to the S.R.C. on 23.02.2016 and based on an inspection of their college conducted on 26.03.2016, the S.R.C. released L.O.I. The appellant, therefore, submitted that as their prayer was considered by S.R.C. itself, no appeal is required at this juncture.

AND WHEREAS the Committee noted that from the letter no. HQ/Appeal/AP/TN/KA/KL/2016/84487 dt. 19.04.2016 sent by the Regional Director, S.R.C. that they have reconsidered certain cases, including that of the appellant, as per directive of the NCTE regarding acceptance of the hard copies of the applications and delayed submission of N.O.C. In the case of the appellant institution, after such reconsideration, the S.R.C. issued a L.O.I. to the appellant on 05.04.2016. In these circumstances, **the Committee concluded that the appeal has become infructuous.**

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Indra Ganesan College of Education, 107/1C, 107/1C, Indra Ganesan College, 107/1C, Manikandam, Tiruchirappalli, Tamil Nadu – 620012.

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 Tamil Nadu, Chennai.

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F.No.89-146/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Aryakul College of Education, Sadar, Lucknow, U.P. dated 17/02/2016 is against the Order No. NRC/NCTE/NRCAPP-8502/246th Meeting/2015/131859 dated 17/12/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The list of faculty duly approved by affiliating body is not as per Regulation 2014. The institution has not submitted Bank form alongwith joint FDR's. Copy of website printout. A proof/evidence to the effect that it is a composite institution as per provisions of the NCTE Regulations, 2014 not submitted. NOC from concerned affiliating body required under clause 5(3) of the NCTE Regulations, 2014 not submitted."

AND WHEREAS Sh. Sashakt Singh, Manager, Aryakul College of Education, Sadar, Lucknow, U.P. presented the case of the appellant institution on 28/04/2016. In the appeal and during personal presentation it was submitted that "List of faculty duly approved by affiliating body is attached as per Regulation 2014. FDR of Rs. 4.0 lacs, sent to NCTE, NRC as per new Regulation, 2014 has not been returned to the institution alongwith "Letter of Intent". So FDR's of Rs. 7.0 lacs and Rs. 5.0 lacs could not be generated and so the "FORM A" issued by the Bank Manager. Website is properly updated and printouts of the pages are attached. Institution is already running D.El.Ed. course since 2013 and hence a composite institution as per the NCTE regulations, 2014. Letter of approval of D.El.Ed. is attached herewith. NOC from the concerned affiliating body is available and is attached herewith."

AND WHEREAS the Committee noted that the N.R.C. issued a Letter of Intent (L.O.I.) on 15.07.2015. The appellant sent a reply on 10.08.2015 in which he only asked for return of F.D.R. for Rs. 4 lakhs for furnishing F.D.R. for the required revised amount. The N.R.C. issued a show cause notice on 09.10.2015. The appellant sent a reply on

30.10.2015. The documents enclosed to that reply did not contain approval of the faculty by the affiliating body, bank form for the F.D.Rs, copy of the printout of the Website, proof of the institution being a composite one and N.O.C. from the affiliating body. It is only with the appeal, the appellant enclosed a copy of Lucknow University's Letter dt. 10.02.2016 approving the faculty, copy of bank form and copies of F.D.Rs for Rs. 7 lakhs and Rs. 5 lakhs taken on 16.02.2016, printout of Website, copy of recognition order for D.El.Ed. course and copy of the N.O.C. issued by Lucknow University on 17.02.2016. Since none of these documents were available with the N.R.C, when they last considered the matter during 9-12 December, 2015, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. dt. 17.12.2015 confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, Aryakul College of Education, 581, Vill. – Kullahi Khera (Natkur), PO-Chandrawal, Tehsil-Sadar, Lucknow, Uttar Pradesh – 226002.
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.89-149/2016 Appeal/6th Meeting-2016
F.No.89-151/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Jote Kanuramgarh Mahatma Primary Teachers Training Institute, Vill.-Konnagar, Ghatal, Paschim Medinipur W.B. dated 15/02/2016 is against the Order No. ERC/199.2.2/NCTE/APEO0706/D.El.Ed./2015/39822 dated 30/12/2015 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given opportunity to remove/cure the deficiency pointed out in letter dated 24.04.2015/ 05/05/2015. The institution has not removed/ cured the deficiencies."

AND WHEREAS Appeal Committee noted that impugned order dated 30.10.2015 is appealed against by two different appellants who have made individual submissions as in forthcoming paras 3 and 4. The ground of refusal cited in the impugned order relate to failure of the institution represented by two rival groups to cure the deficiencies.

AND WHEREAS Sh. Tito Bhattacharjya, Representative and Sh. Rameshwar Chakraborty, Founder Secretary, Mahatama Rural Development society under the agis of which Jote Kanuramgarh Mahatama Primary Teacher Training Institute was conducting D.El.Ed. course presented the case of appellant institution on 29.04.2016. The appellant in its written submission before the Appeal Committee stated that "Before passing the said impugned order dated 30.12.2015 the authority had taken legal opinion from an Advocate of Odisha High Court. It is revealed from the said opinion that both the appellant and other parties had filed their respective reply to the show cause notice issued by the NCTE Authority. It is further evident from the said opinion that both the parties had appeared in the hearing took place on 20.11.2015. While hearing was going on the parties were agreeable to compromise the matter amicably amongst themselves and to that effect one letter dated 20.11.2015 was given to the said authority. It is a matter of great regret that the other party namely Saiful Mallick and Sri. Joydev Subud vide their

letter dated 26.11.2015 intimated the said authority to revoke the compromise petition dated 20.11.2015 filed by them as they are not interested to settle the matter amicably. On the basis of such observation the said Advocate opined that "both the parties are not in a position to go for an amicable compromise, therefore, the NCTE Authority has no option but to take immediate steps to withdraw the recognition of the institution." The Appellant submits that Hon'ble High Court, Calcutta after considering the facts that so many litigations including criminal cases are pending wherein both the parties are fighting amongst each other, has directed the NCTE Authority to decide about the subject matter of recognition. The appellant further submits that the appellant in its reply to the show cause notice never expressed his inability to cure the deficiencies pointed out by the inspecting team. Failure to amicable compromise is not a ground for rejecting the prayer of the appellant as well as withdrawal of recognition. There is no document to prove or there is any iota of elements present in this case from which the authority came to its conclusion that the appellant is not in a position to run the institution for better interest of students. The appellant further submits that the land wherein the building of the institution is situated is in the name of the appellant and the sanction building plan is also in the name of Sri. Rameswar Chakroborty i.e. appellant. The building constructed on the said land is also constructed by the appellant Sri. Rameswar Chakroborty. Initial recognition was prayed at the instance of Rameswar Chakroborty. But it is a matter of great regret that when the recognition forwarded to the said Institution the opponent party i.e. Saiful Mallick has taken the control of the said institution by using forge signature of the appellant i.e. Rameswar Chakroborty. So the said recognition letter was received by the said Saiful Mallick. As the said Saiful Mallick has got no legal as well as financial power to develop infrastructure of the said institution, so the inspecting authority while inspection of the said institution has found some deficiency. The appellant in his series of letters including reply to the show cause notice has prayed for temporary recognition so that he can take control over the said institution and cure the deficiencies pointed out by the said inspecting team. The said point was never considered by the authority while passing the said impugned order. The authority failed to give any reason as to why the prayer of the appellant as to allow the appellant to run the said institution with temporary recognition for certain period to cure the deficiencies and if the appellant failed to do the same the

recognition can be withdrawn at that point of time. It is to be stated that the said deficiency is curable as it relates to properly setting up of computer lab and liberty, and for arrangement of enhance seating power in the library and installation of more computer. The appellant in his reply to the show cause notice has also stated that main classroom's roof is concrete but some portion is got asbestos roofing which also can be curable within a very short period of time. In respect of payment of salary to the faculty, the system of payment of cheque or directly through the bank can be introduced within two three days. So those cannot be a good ground to reject recognition. It is important to mention here that initial recognition order issued in the year 2009 was also subject to fulfilment of certain criteria. So the authority can easily allow the appellant to run the institution subject to curing the deficiencies within a specific time. It would be worth mentioning that the opposite party i.e. Saiful Mallick has got no land and building, so question of giving recognition to him or allowing him to run the said institution does not arise at all. It is to be stated that the appellant has given alternative proposal to shift the same at Purulia District where infrastructure has already made but the authority also did not consider the same while passing the said impugned order. It is to be further stated that the authority has not assigned any reason as to why the temporary recognition cannot be given with a rider to cure the deficiency within a short period of time or why the appellant is not entitled to get recognition if he shifted the institution at Purulia. The appellant further submits that the appellant in its letter dated 20.11.2015 i.e. replied to the show cause notice, has categorically stated that as the opponent party forcefully obstructed the appellant, so the appellant was not able to reach the spot of inspection and the appellant has lodged complaint to the local police station to that effect which also informed to the authority. The appellant in it reply to the show cause notice has categorically stated that he was accompanied with the faculty of the said institution but as he was not able to reach the spot, the said faculty could not able to apprise the inspecting team. The Regional Director while passing the said impugned order also did not consider the said fact as well as did not make any observation to the said averment to the appellant. The appellant further submits that the Hon'ble High Court Calcutta in its order dated 17.07.2015 directed the Regional Director, to decide as to which of the two groups have the authority to manage and administer the affairs of the training institute upon extending reasonable opportunity

of hearing to the two groups. It is a matter of great regret that the said authority did not comply with the said solemn order of the Hon'ble High Court, Calcutta and left the issue without consideration. Thus the said impugned order is also perverse and not sustainable in the eye of law. The appellant submits that while passing the said impugned order dated 30.12.2015 the authority did not assign any reason. The appellant further submits that the observation of the authority as to both the parties cannot run the institute for the interest of the students has got no basis to all. Thus the said order is nothing but a clear example of non-application of mind and it also showed that the authority acted beyond its jurisdiction. The appellants submits and prayed before the appellant authority to set aside and/or cancelled the said impugned order dated 30.12.2015.

AND WHEREAS Sh. Saiful Mallick, Secretary and Sh. Subrata Ghosh, Representative, J.K.M., Primary Teachers Training Institute, Daspur, Midnapore, West Bengal presented the case of the appellant institution on 29.04.2016. In the appeal and during personal presentation it was submitted that "As it is apparent from the order itself that the order was passed being persuaded by the alleged legal opinion of Sri. S.S. Das, Advocate and no opportunity whatsoever was given to the appellant to take objection to the legal opinion, the order under challenge in the Appeal is a result of bias approach by the Committee and the appellant was denied right to self-defence and as such the order under appeal is liable to be set aside. The finding of the committee that "the institution has not removed/cured deficiencies till date" though opportunity vide show cause notice dated 5th November, 2015 was given in not only motivated but also result of non-application of mind in as such as there is no whisper in the order as to taking into consideration of the reply dated 13th November, 2015 to the show cause notice dated 5th November, 2015. The recognition was granted in terms of Rules and circulars prevailing in 2009. The initial recognition was following an application for grant of recognition singed by Saiful Mallick and all communications to and therafter took place in the name of Saiful Mallick. E.R.C. cannot enter in to any dispute between two individuals or groups of members of the Managing society as had clearly been laid town in the inspection report filed earlier on 25th February, 2015 and as such the order impugned cannot sustain in law." The appellant submits that Hon'ble High Court, Calcutta after considering the facts that so many litigations including criminal cases are pending wherein both the parties are

fighting amongst each other, has directed the NCTE Authority to decide about the subject matter of recognition. The appellant further submits that the appellant in its reply to the show cause notice never expressed his inability to cure the deficiencies pointed out by the inspecting team. Failure to find an amicable compromise is not a ground for rejecting the prayer of the appellant as well as withdrawal of recognition."

AND WHEREAS Appeal Committee noted that appellant institution was granted recognition for conducting ETT (D.El.Ed.) course from the academic session 2009-10 under NCTE Regulations, 2007. Subsequently there was a legal dispute over controlling of management of the institute and Hon'ble High Court of Calcutta directed inter-alia that facilities and infrastructure of the institute should be got checked by conducting an enquiry. Appeal Committee further noted that once joint enquiry conducted by NCTE and West Bengal Board of Primary Education was completed and the Hon'ble Court was apprised of the findings of the enquiry, Hon'ble Court ordered that 'let Regional Director shall also decide as to which of the two groups have the authority to manage and administer the affairs of the training institute upon extending reasonable opportunity of hearing to the two groups.' NCTE was also under obligation to check, after receiving responses from the two groups, as to whether the deficiencies pointed out in the enquiry report have been cured/ removed.

AND WHEREAS Appeal Committee noted that deficiencies detected and intimated to the institution for rectification related to:

(a) Computer Lab and Library are not properly set up. Institution is directed to enhance seating capacity in library and arrange more computers and digital learning resources in ICT Lab.

(b) Inadequate size of multipurpose hall, library, science lab, computer lab and art room. Institution has asbestos roofing also.

(c) (i) Non availability of students for interaction with V.T. members.

(ii) Salary of staff not paid through bank and salary statement upto December, 2014 not submitted.

(d) List of students enrolled for the session 2012-13 and list of schools for practice teaching to be submitted.

Appeal Committee further noted that the Regional Director, E.R.C. also summoned the rival parties for a personal hearing on 20.11.2015 and held conciliation meeting to enable the rival groups come to a compromising level. Appeal Committee noted that the group led by Sh. Rameshwar Chakraborty, who is also appellant in this case, stated that other party is not allowing him to take necessary steps to cure the said deficiencies.

AND WHEREAS the rival group led by Sri Saiful Mallick made a statement relating to deficiencies as under: -

(a) Library and computer lab have been developed by acquiring more computers, digital learning resources and seating capacity is enhanced.

(b) The institution building is a 4 storied building of which the top most floor is asbestos roofed.

(c) & (d) Since July, 2012 no student was admitted. Inspection was conducted at the dead hours on 26.12.2014. As such no student and teacher was available for interaction.

Appeal Committee further noted that the conciliation proceedings held by R.D., E.R.C. failed and the rival groups could not come to a compromise. E.R.C., Bhubaneswar, therefore, considering that deficiencies were not cured and both the parties are not in a position to run the institution for better interest of students. The society has disintegrated resulting in a split management. E.R.C., therefore, decided to withdraw recognition from academic session 2016-17.

AND WHEREAS during the course of appeal presentation on 29.04.2016 both the rival groups one led by Sh. Rameshwar Chakraborty and second led by Sri. Saiful Mallick deposed before the Committee. Appeal Committee noted that whereas both the parties were keen to run the course none had the absolute control on the assets and administration of the institution. The submission made by Sh. Rameshwar Chakraborty that he is the legal owner of land, building of the institution has to be first legally up held as he himself has stated that during inspection he was not allowed to participate in the proceedings by the other group. Had Sh. Rameshwar Chakraborty absolutely possessed the assets he would not have stated in his reply to deficiency letter that 'other party is not allowing him to take necessary steps to cure deficiencies.' Sh. Saiful Mallick could not

provide any evidence that faculty is paid salary through bank and also admitted that upper floor of the Institute has asbestos roofing. Appeal Committee after going through the details of case has no doubt that there is a legal dispute between both the parties which has to be settled in the Court of Law only. Irrespective of the fact whether deficiencies pointed out in the Enquiry Report are cured or not, Institution cannot be allowed to conduct the course as it will not be conducive to the interest of students and faculty and in case any untoward incident occurs, the blame game will restart. From the deposition made by Sh. Rameshwar Chakraborty, it is also proved that there have been no Fixed Deposit Receipts on account of endowment and Reserve Fund and the fourth floor is made of asbestos roofing. As per provision of Clause 8(7) of NCTE Regulations, 2014 'No temporary structure or asbestos roofing, shall be allowed in the institution, even if it is in addition to the prescribed built up area. Appeal Committee is therefore, convinced that none of the rival groups is able to run the existing institution independently and efficiently by fulfilling all the norms and standards and as such decided to confirm the withdrawal order dated 30.12.2015 issued by E.R.C., Bhubaneswar.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced by Sh. Rameshwar Chakraborty and Sh. Saiful Mallick during the course of appeal, Appeal Committee concluded to confirm the withdrawal order dated 30.12.2015.

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

(Sanjay Awasthi)
Member Secretary

1. The Founder & Secretary, Jote Kanuramgarh Mahatma Primary Teachers Training Institute, Vill.-Konnagar, P.O. & AMP; P.S.-Ghatal, Dist. – Paschim Medinipur – 721212, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-150/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Sarwan College of Education, Bawal, Rewari, Haryana dated 22/02/2016 is against the Order No. NRC/NCTE/HR-1171/246th Meeting/2015/132390 dated 29/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.Ed. course on the grounds that the deficiencies leading to issue of withdrawal order dated 25.06.2013 still stand."

AND WHEREAS Sh. Lokender Yadav, Managing Director, Sarwan College of Education, Bawal, Rewari, Haryana presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "The visiting team never came to the institution nor any letter/notice of anything. The NRC notice clearly states that a visiting team was to be constituted for inspection of the institution to re-examine the facts."

AND WHEREAS Appeal Committee noted that recognition was granted to appellant institution for conducting D.El.Ed. course in August, 2008 and subsequently based on a report dated 08/10/2012 submitted by Haryana School Shiksha Board, recognition was withdrawn by N.R.C. on 25.06.2013. The withdrawal order was issued after giving opportunity to the appellant institution by issuing a Show Cause Notice (S.C.N) dated 30.01.2013 wherein 13 deficiencies as noticed by School Shiksha Board were intimated to the appellant and appellant had also submitted a reply dated 22.02.2013 (received in the office of N.R.C. on 04/03/2013). The Withdrawal order dated 25.06.2013 was on the ground that institution has not submitted any evidence showing removal of the deficiencies pointed out in the S.C.N. The appellant preferred its first appeal against the impunged order dated 25.06.2013 and the Appeal Committee vide its order dated 12.11.2013 remanded back the case to N.R.C. to re-examine the reply of appellant

institution dated 16.02.2013 and communicate decision in the form of a speaking order indicating the deficiencies for which evidence was not submitted.

AND WHEREAS ever since the appeal order dated 12.11.2013 was issued, the matter remained pending in N.R.C. till April, 2015 when N.R.C. addressed a letter dated 1/04/2015 to NCTE (HQ) proposing inspection to be conducted under Section 13 of the Act. NCTE (HQ) in its reply dated 18.11.2015 advised N.R.C. to re-examine the matter in context of the reply dated 16.02.2013 to the S.C.N. and issue a revised speaking order indicating the deficiencies for which evidence was not submitted. Appeal Committee noted that appellant's letter dated 16.02.2013 was just an acknowledgement and point wise reply was contained in appellant's reply dated 22.02.2013.

AND WHEREAS Appeal Committee noted that impunged order dated 29.12.2015 issued by N.R.C. Jaipur is on same grounds and deficiencies pointed out are exactly the same as were pointed out in the earlier withdrawal order dated 25.06.2013 an no cognisance was taken of the clarifications submitted by appellant vide its letter dated 22.02.2013.. Appeal Committee observed that more than four years have passed since Haryana School Education Board conducted a surprise check of the institution on 26.04.2012 and reported certain deficiencies. Appeal Committee is of the opinion that the deficiencies relating to non-attendances of students and faculty members are difficult to be verified at this late stage. The deficiencies relating to nonexistence of independent building for the D.El.Ed. course, non-availability of relevant books in the library and labs lacking necessary equipment should have been independently verified by conducting inspection which has not been done so far. Appeal Committee, therefore, decided that let NCTE (HQ) conduct an inspection under Section 13 of the Act, to verify the availability of necessary resources for making an objective assessment on continuation/withdrawal of recognition. Withdrawal order dated 29.12.2015 is kept in abeyance.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that let NCTE (HQ) conduct an inspection under Section 13 of the NCTE Act to assess

and verify the availability of necessary resources by the appellant institution. The withdrawal order dated 29.12.2015 be kept in abeyance.

(Sanjay Awasthi)
Member Secretary

1. The Appellant, Sarwan College of Education, Nangli Parsapur Road, Bawal, Rewari – 123501.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

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F.No.89-172/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Pt. Ashok Kumar Mishra Samarak Mahavidyalaya, Khutehna, Sarsa, Bahraich, Uttar Pradesh dated 06/03/2016 is against the Order No. NRC/NCTE/NRCAPP-2655/246th Meeting/2015/131852 dated 17/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.E.C.Ed. course on the grounds of non-furnishing (i) that proof/evidence to the effect that it is a composite institution as per provisions of the NCTE Regulations, 2014. (ii) NOC from concerned affiliating body required under clause 5(3) of the NCTE Regulations, 2014."

AND WHEREAS Sh. Prkash Chandra Srivastava, Lecturer, Pt. Ashok Kumar Mishra Samarak Mahavidyalaya, Khutehna, Sarsa, Bahraich, Uttar Pradesh presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "Institution is composite under the NCTE Regulation, 2014. Graduation courses bachelor of Art and Bachelor of Science classes are running in the institution since 2010. Institution has submitted a notarized affidavit on 100 Rs. Non judicial stamp paper photo copy of this attached. Institution has submitted a letter for NOC to Registrar, Examination Controller UP Allahabad and sent photo copy of this letter to Regional Director Northern Regional Committee, Jaipur. Registrar, Examination Controller UP Allahabad informed to institution according to NCTE Regulation 2014 that lastly the NOC has been issued up to 30/06/2015 and thereafter issuance of No Objection Certificate is not possible photo copy is attached. Institution has sent a photo copy of this letter."

AND WHEREAS Appeal Committee noted that the appellant institution made online application on 30.09.2011 for D.E.C.Ed. course but in all its subsequent communications mentioned the name of course as D.E.C.Ed. (BTC) whereas N.R.C. has been referring

the course name as D.E.C.ed. The appellant institution was issued a Show Cause Notice (S.C.N) dated 11.09.2015 on following grounds to submit:

(i) N.O.C. form affiliating body under Clause 5(3) of NCTE Regulation, 2014.

(ii) & (iii) Proof of being a composite institution or affidavit undertaking to become a composite institution before 2016-17.

(iv) Notarised C.L.U.

(v) Remaining fee of Rs. 1 lac.

AND WHEREAS Appeal Committee further noted that appellant institution submitted reply dated 02.11.2015 to the S.C.N. after consideration of which refusal order dated 17.12.2015 was issued on following two grounds:-

(a) Evidence of composite nature of institution.

(b) N.O.C. from affiliating body.

AND WHEREAS Appeal Committee noted that the appellant could not properly understand the terms 'Composite' and submitted to N.R.C. an explanation which was otherwise not relevant. During the course of appeal presentation, the appellant submitted copy of L.O.I. dated 16.02.2016 issued for B.Ed. course and also copy of a letter dated 14/03/2016 issued by 'Dr. Ram Manohar Lohia Avadh Vishwavidyalaya, Faizabad' awarding affiliation to the appellant institution for conducting B.Sc. course. Appeal Committee, therefore, decided that ground of non-furnishing evidence of composite nature of the institution shall not render to be valid reason for refusal of recognition. It is more so when the institution is at liberty to achieve this status gradually. Appellant Committee further noted that appellant institution had applied to the affiliating body in Oct., 2015 for issue of N.O.C. and this was informed to N.R.C. in reply to Show Cause Notice. Appeal Committee also noted that there is no provision in 2014 Regulations for submission of N.O.C. in cases where applications were submitted under 2009 Regulations and such applications have been pending for certain reasons. N.O.C. from affiliating body is applicable only to new applications as it has to accompany such applications which are invited under NCTE Regulations, 2014. Affiliating body has also informed that N.O.C. is issued in a phased manner and N.O.C. were issued in respect of applications received upto 30.06.2015.

AND WHEREAS keeping in view circumstances of the case, Appeal Committee decided to remand back the case to N.R.C. for further processing of the application under NCTE Regulations, 2014 leaving aside the requirement of N.O.C. of affiliating body in case of applications made under NCTE Regulations, 2009 and pending since then. The appellant is required to submit proof/evidence of having issued a L.O.I. and affiliation letter issued by Dr. Ram Manohar Lohia Avadh University to N.R.C. within 15 days of the receipt of Appeal Orders.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for further processing of the application. The appellant is required to submit proof/evidence of having issued a L.O.I. and affiliation letter issued by Dr. Ram Manohar Lohia Avadh University to N.R.C. within 15 days of the receipt of Appeal Orders.

NOW THEREFORE, the Council hereby remands back the case of Pt. Ashok Kumar Mishra Samarak Mahavidyalaya, Khutehna, Sarsa, Bahraich, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Pt. Ashok Kumar Mishra Smarak Mahavidyalaya, Khutehna, Gonda Road, Plot No.296, Village – Khutehna, P.O. – Sarsa, Bahraich – 271870, 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.89-173/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Shri B. Shamsunder Memorial College of Education, (B.Ed.), Gulbarga, Karnataka dated 16/01/2016 is against the Order No. SRO/NCTE/SRCAPP14189/B.Ed/KA/2016-17/77911 dated 17/11/2015 of the Southern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Certified copy of land document by the competent authority is not submitted."

AND WHEREAS Sh. Maruti Rao D. Maley, General Secretary, Shri B. Shamsunder Memorial College of Education, (B.Ed.), Gulbarga, Karnataka presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "we have submitted the order of the District Commissioner Gulbarga vide order No. Rev/Lnd/HD/168/85-89 dated 02/03/89 where in the District Commissioner, Gulbarga was pleased to grant 25 acre of land in survey no 88/2 of Village of Kushnoor Tq. District Gulbarga in favour of B. Shamsunder Memorial College of KPE Society Gulbarga ROR (Right of Record) of said land survey no. 88/2 measuring 25 acre is also furnished."

AND WHEREAS Clause 5(4) of the NCTE Regulations reads as follows:

"While submitting the application online a copy of registered land document issued by the competent authority, indicating that the society or the institution applying for the programme possesses land on the date of application, shall be attached with the application."

Compliance of the above clause would mean that:

(i) Society or institution should possess land as on the date of application.

(ii) Land document should be enclosed with the application.

(iii) Land documents should find its source from a competent authority.

AND WHEREAS Appeal Committee noted that in the present case, the appellant had furnished, alongwith printout of the application, a copy of 'proceedings of the Deputy Commissioner, Kalaburgi' allotting land measuring 25 acres to the Education Society. The document (allotment letter dated 02.03.89) submitted by appellant was in vernacular (Kannada) language. Appellant during the course of appeal presentation on 29.04.2016 submitted english translation of the above allotment letter alongwith other supporting documents. Appeal Committee also noted that the appellant is a composite institution conducting courses such as B.A., B.Sc., B.Com, D.El.Ed., B.Ed., B.P.Ed. and details of existing courses were furnished in the online application. Keeping in view that appellant institution had furnished copy of allotment order issued by Dy. Commissioner, Kalaburgi alongwith application and the institution is conducting a number of courses on the said land, Appeal Committee decided to remand back the case to S.R.C. Bangalore for further processing of the application.

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

NOW THEREFORE, the Council hereby remands back the case of Shri B. Shamsunder Memorial College of Education, (B.Ed.), Gulbarga, Karnataka to the SRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The General Secretary, Shri B. Shamsunder Memorial College of Education, 28/1, own land, Kusnoor, Gulbarga District, Karnataka – 585106.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bangalore.

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F.No.89-152/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Jawahar Lal Nehru College of Education, Gohana, Sonepat, Haryana dated 07/2/2016 is against the Order No. NRC/NCTE/NRCAPP-4607/246th Meeting/2015/132142 dated 21/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution did not submit reply of SCN issued by NRC office."

AND WHEREAS Dr. Sachin Sharma, Member of Society and Dr. Surender, Principal Jawahar Lal Nehru College of Education, Gohana, Sonepat, Haryana presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "Jaipur office issued a deficiency letter on 16/08/2013 and a show cause notice on 07/08/2015. But the above mentioned letters were not delivered to us by the postal department (the copy of letter delivery report of P.D. Haryana is being attached), on telephonic enquiry by us, Jaipur office informed us about the same on 29/12/2015 our representative Mr. Sachin Sharma visited the NCTE, Jaipur & made a request to issue the copy of said letter."

AND WHEREAS Appeal Committee noted that appellant institution had applied for D.El.Ed. course on 27.12.2012 and N.R.C. issued a deficiency letter dated 16.08.2013 intimating eight deficiencies and seeking appellant institution's compliance. A Show Cause Notice (S.C.N.) dated 07/08/2015 was issued to the appellant institution on the ground that institution did not submit any reply to the deficiency letter. Refusal order dated 21.12.2015 is on the ground that appellant did not submit any reply to S.C.N.

AND WHEREAS appellant during the course of appeal presentation on 29.04.2016 stated that the institution has not received the deficiency letter dated 16.08.2013 and S.C.N. dated 07.08.2015. After going through the relevant records Appeal Committee,

noticed that appellant institution never made any effort to know the status of its application till recognition was refused on 21.12.2015. In between N.R.C. has addressed three communications to the appellant institution on 16.08.2013, 05.01.2015 and 07.08.2015 and all three communications have remained unreplied to. Appeal Committee, therefore, decided to confirm the refusal order dated 21.12.2015 as the plea that appellant had not received the deficiency letter and S.C.N. is not convincing.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 21.12.2015 issued by N.R.C.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Jawahar Lal Nehru College of Education, Gudha Road, Gohana, Sonepat, Haryana - 131301.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

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F.No.89-153/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Jyotirmay School of Education, Kalikapur, Sonarpur, South 24 Parganas, West Bengal dated 24.02.2016 is against the Order No. ER/7-199.9(i).4/ERCAPP2933/D.El.Ed.(Addl. Course)/2015/39781 dated 28/12/2015 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (Addl.) course on the grounds that "(i) The date of application through online is 29/05/2015 and date of forwarding letter (dispatch) of hard copy of printout of online application is 30/06/2015 i.e. after 15 days of submission of online application. In view of the above the Committee decided as under: The application of the institution is summarily rejected as per clause 7(2)(b) of NCTE Regulation 2014."

AND WHEREAS Sh. Sushant Das, Principal, Jyotirmay School of Education, Kalikapur, Sonarpur, South 24 Parganas, West Bengal presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "Unfortunately we failed to submit the print out of the application made online along with required documents within fifteen days of submission of the online application."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application for D.El.Ed. (A) course on 29.05.2015 and hard copy thereof was submitted on 30.06.2015 (Received in the office of E.R.C. on 06.07.2015). Appeal Committee further noted that NCTE (HQ) has issued directions addressed to all Regional Committee offices stating that 15.07.2015 shall be the last date for submission of hard copy of application alongwith N.O.C. for the academic year 2016-17 irrespective of the date of submission of online application. Noting that the appellant institution submitted hard copy of application much before the cut-off date, Appeal Committee decided to remand back the case to E.R.C. Bhubaneswar for further processing of the application.

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

NOW THEREFORE, the Council hereby remands back the case of Jyotirmay School of Education, Kalikapur, Sonarpur, South 24 Parganas, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President, Jyotirmay School of Education, RS Dag No.-620, 641, LR K-1412, Jyotirmoy School of Educational, Kalikapur, Sonarpur, South 24 Parganas, West Bengal – 743330.
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

(29)

F.No.89-154/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Vijay Laxmi College of Education, Daroli, Mandi Adampur, Hisar, Haryana dated 24.02.2016 is against the Order No. NRC/NCTE/NRCAPP-7635/246 Meeting/2015/132289 dated 28/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Institution has not submitted (a) proof/evidence to the effect that it is a composite institution as per provisions of the NCTE Regulations, 2014. (b) NOC from concerned affiliating body required under clause 5(3) of the NCTE Regulations, 2014." Hence, the Committee decided that recognition / permission to the institution is refused u/s 14/15 (3)(b) of the NCTE Act, 1993."

AND WHEREAS Sh. Dayanand Jain, Vice President, Vijay Laxmi College of Education, Daroli, Mandi Adampur, Hisar, Haryana presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "At present the institute is conducting a D.Ed. course of two-year duration with an annual intake of 50 seats. To become composite institution before commencement of the academic session 2016-17, we had already submitted an application form for the recognition of B.A./B.Sc./B.Ed. (4 year integrated) for our institute Vijay Laxmi College of Education, Daroli (Hisar) under application No. NRCAPP12308 on dated 30/05/2015, which was received under dairy No. 105508 dated 31/05/2015 at NRC, NCTE office. That the institution has applied the said course as per NCTE Regulations 2009 and there is no such requirement of NOC issued by concerned affiliation body at that time. However, the institute has resubmitted the application for increase intake for D.Ed. course as per decision of Hon'ble High Court, New Delhi Writ Petition (Civil) No. 3351 of 2215 which allow the institute to resubmit the application."

AND WHEREAS Appeal Committee noted that appellant institution submitted application for D.El.Ed. (A) course on 31.12.2012 which was subsequently returned to them by N.R.C. pursuant to the general direction issued by a communication dated 20.03.2013. Hon'ble High Court order dated 19/05/2015 in W.P. case no. 3338 of 2015 enabled the petitioner institute to re-submit a new application which has now been refused on the ground that Institute has not submitted:

(a) Evidence to the effect that it is a composite institution.

(b) N.O.C. from concerned affiliating body.

AND WHEREAS Appeal Committee further noted that although the appellant institution has been required to submit a fresh application for D.El.Ed. course for academic session 2016-17 and also pay application fee afresh as per NCTE Regulations, 2014, it is on the basis of its pending application of 2012 made under 2009 regulations. Appellant institution in reply to Show Cause Notice (S.C.N.) dated 08.09.2015 had submitted an affidavit stating that to become composite institution they have submitted an application for recognition of B.A./B.Sc./B.Ed. (4 years integrated) course vide application ID No. NRCAPP 123.08 dated 30.05.2015.

AND WHEREAS as regards N.O.C. from affiliating body is concerned, Appeal Committee is of the opinion that there is no provision in 2014 Regulations for submission of N.O.C. in cases where applications were submitted under 2009 regulations and such applications have remained pending for certain reasons. There is also no provision in NCTE Regulations, 2014 which enabled the institution with their past applications pending to apply afresh. The N.O.C. from affiliating body is applicable only to entirely new applications as it has to accompany such applications which are invited under NCTE Regulations, 2014. Submission of application afresh by the appellant institution was perhaps not required and N.R.C. was duty bound to have approached the State Government seeking their comments under Clause 7(4) (5) (6). Appeal Committee also took note that for D.El.Ed. course, the affiliating body is a department of State Government and comments of State Government can be treated as synonymous to the comments of the affiliating body.

AND WHEREAS keeping in view the circumstances of the case, Appeal Committee decided to 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 arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C., Jaipur for further processing of the application.

NOW THEREFORE, the Council hereby remands back the case of Vijay Laxmi College of Education, Daroli, Mandi Adampur, Hisar, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vijay Laxmi College of Education, 63, Owner Ship Basis, 63//23, Daroli, Mandi, Adampur, Hissar, Haryana – 125052.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh

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F.No.89-155/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of B.S. Mahavidyalay, Ghazipur, Uttar Pradesh dated 27.02.2016 is against the Order No. NRC/NCTE/NRCAPP-4405/247th Meeting/2015/133145 dated 06/01/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the institution has not submitted the list of teachers duly approved by affiliating body."

AND WHEREAS Sh. Mahendra Singh Kushwaha, Manager, B.S. Mahavidyalay, Ghazipur, Uttar Pradesh presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "the delay in submission the list of teachers is due to university not appointing the expert on time for appoint the teachers. Experts were appointed on 25th Feb. 2016. The appellant now has all requisite documents required for recognition which may be considered, evaluated and appeal may be allowed in the interest of justice."

AND WHEREAS Appeal Committee noted that a Letter of Intent (L.O.I.) dated 26.02.2015 was issued to appellant institution seeking compliance within a period of two months. The name and address of appellant institution in the L.O.I. was wrongly mentioned as Sarudevi Mahavidyalaya, Pratapgarh and N.R.C. subsequently issued a corrigendum dated 23.03.2015 correcting the name and address of the institution. Appeal Committee further noted that neither the appellant furnished any compliance nor did send any communication to N.R.C. seeking extension of time for submitting a compliance report. This resulted in issue of a Show Cause Notice (S.C.N.) dated 23.09.2015. The S.C.N. further required the appellant to submit N.O.C. from affiliating body and affidavit regarding composite nature of the institution. Appeal Committee noted that appellant institution furnished reply dated 19.10.2015 to S.C.N. wherein affidavits were submitted explaining the (i) action taken to achieve status of composite nature of

institution, (ii) action taken to seek subject experts from Veer Bahadur Singh Purvanchal University for facilitating selection of faculty. On being asked, the appellant apprised that affiliating University has nominated subject experts but faculty is yet to selected and approved by the affiliating body. The appellant failed to make any concrete submission with regard to submission of full and final compliance of the conditions laid down in the L.O.I. Appeal Committee, therefore, decided to confirm the refusal order dated 06.01.2016 issued by N.R.C. Jaipur.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 06.01.2016 issued by N.R.C., Jaipur.

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, B.S. Mahavidyalaya, Plot No.-1022 & AMP; 1023, Vill.-Fatehullahpur, PO-Fatehallahpur, Tehsil- Ghazipur, Uttar Pradesh – 233001.
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.

(31)

F.No.89-156/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Modern D.Ed. College, Meham, Rohtak, Haryana dated 25.02.2016 is against the Order No. NRC/NCTE/NRCAPP-8141/246th Meeting/2015/132365 dated 29/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Institution has not submitted: (i) Proof / evidence to the effect that it is a composite institution as per provisions of the NCTE Regulations, 2014. (ii) NOC from concerned affiliating body required under clause 5(3) of the NCTE regulations, 2014. (iii) Negative recommendations of State of Haryana."

AND WHEREAS Sh. Amar Pal, Lecturer, Modern D.Ed. College, Meham, Rohtak, Haryana presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "the impugned order passed by the NRC on the ground of becoming composite institution letter by 2016-17 is bad in law. The appellant had submitted its application the year 2012 when the regulations of the year 2009 were in force and according to which an institution was permitted to submit only one application. The said application has now been resubmitted pursuant to order passed by the Hon'ble Delhi High Court."

AND WHEREAS Appeal Committee noted that appellant institution submitted application for D.El.Ed. (A) course on 31.12.2012 which was subsequently returned to them by N.R.C. on 10.10.2013 pursuant to the general direction issued by State Government of Haryana. Hon'ble High Court order dated 19/05/2015 in W.P. case no. 3338 of 2015 enabled the petitioner institute to submit a new application which has now been refused on the ground that Institute has not submitted:

(a) Evidence to the effect that it is a composite institution.

(b) N.O.C. from concerned affiliating body.

AND WHEREAS Appeal Committee further noted that although the appellant institution was required to submit a fresh application for D.El.Ed. course for academic session 2016-17 and pay application fee afresh as per NCTE Regulations, 2014, which was on the basis of its pending application of 2012 made under 2009 regulations. Appellant institution in reply to Show Cause Notice (S.C.N.) dated 08.09.2015 had submitted an affidavit stating that institution will proceed for composite institution in future.

AND WHEREAS as regards N.O.C. from affiliating body is concerned, Appeal Committee is of the opinion that there is no provision in 2014 Regulations for submission of N.O.C. in cases where applications were submitted under 2009 regulations and such applications have remained pending for certain reasons. There is also no provision in NCTE Regulations, 2014 which enabled the institution with their applications pending to apply afresh. The N.O.C. from affiliating body is applicable only to entirely new applications as it has to accompany such applications which are invited under NCTE Regulations, 2014. Submission of application afresh by the appellant institution was not required and N.R.C. was duty bound to have approached the State Government for their comments under Clause 7(4) (5) (6). Appeal Committee also took note that for D.El.Ed. course, the affiliating body is a department of State Government and comments of State Government can be treated as synonymous to the comments of the affiliating body.

AND WHEREAS keeping in view the circumstances of the case, Appeal Committee decided to 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 arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C., Jaipur for further processing of the application.

NOW THEREFORE, the Council hereby remands back the case of Modern D.Ed. College, Meham, Rohtak, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President, Modern D.Ed. College, Gram Vikas Simite VPO Kharkara, Tehsil-Meham, District – Rohtak, Haryana – 124111.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

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F.No.89-157/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Adarsh D.Ed. College, Baba Shirdi Nath Education Society, VPO-Basana, Tehsil-Kalanaur, Distt. – Rohtak, Haryana dated 25/02/2016 is against the Order No. NRC/NCTE/NRCAPP-8097/246th Meeting/2015/132688 dated 30/12/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. (Increase) course on the grounds that "the institution has not submitted (i) proof/evidence to the effect that it is a composite institution as per provisions of the NCTE Regulations 2014. (ii) NOC from concerned affiliating body required under clause 5(3) of the NCTE Regulations 2014. (iii) Notarized copy of land use certificate issued by competent authority."

AND WHEREAS Sh. Sukhbir Singh, Manager, Adarsh D.Ed. College, Baba Shirdi Nath Education Society, VPO-Basana, Tehsil-Kalanaur, Distt. – Rohtak, Haryana presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "It is submitted that the impugned order passed by the NRC on the ground of becoming composite institution latest by 2016-17 is bad in law. The appellant had submitted its application in the year 2012 when the Regulations of the year 2009 were in force and according to which an institution was permitted to submit only one application. The said application has now been resubmitted pursuant to order passed by the Hon'ble Delhi High Court. The Hon'ble Delhi High Court had directed the respondents."

AND WHEREAS Appeal Committee noted that appellant institution submitted application for D.El.Ed. (A) course on 31.12.2012 which was subsequently returned to them by N.R.C. vide letter dated 27.08.2013 pursuant to the general direction issued by a communication dated 20.03.2013. Hon'ble High Court order dated 19/05/2015 in W.P.

case no. 3338 of 2015 enabled the petitioner institute to submit a new application which has now been refused on the ground that Institute has not submitted:

(a) Evidence to the effect that it is a composite institution.

(b) N.O.C. from concerned affiliating body.

(c) Notarised Change of Land Use Certificate.

AND WHEREAS Appeal Committee further noted that although the appellant institution has been required to submit a fresh application for D.El.Ed. course for academic session 2016-17 and also pay application fee afresh as per NCTE Regulations, 2014, it is on the basis of its pending application of 2012 made under 2009 regulations. Appellant institution in reply to Show Cause Notice (S.C.N.) dated 04.09.2015 had submitted an affidavit stating that it will become composite institution.

AND WHEREAS as regards N.O.C. from affiliating body is concerned, Appeal Committee is of the opinion that there is no provision in 2014 Regulations for submission of N.O.C. in cases where applications were submitted under 2009 regulations and such applications have remained pending for certain reasons. There is also no provision in NCTE Regulations, 2014 which enabled the institution with their applications pending to apply afresh. The N.O.C. from affiliating body is applicable only to entirely new applications as it has to accompany such applications which are invited under NCTE Regulations, 2014. Submission of application afresh by the appellant institution was perhaps not required and N.R.C. was duty bound to have approached the State Government for their comments under Clause 7(4) (5) (6). Appeal Committee also took note that for D.El.Ed. course, the affiliating body is a department of State Government and comments of State Government can be treated as synonymous to the comments of the affiliating body.

AND WHEREAS Appeal Committee noted that one of the points raised in S.C.N. was relating to permission of competent authority to the use of land for educational purpose. The appellant has furnished copy of Khatoni endorsed by Revenue officer verifying the possession of land by the appellant society. As the appellant has applied for D.El.Ed. (Additional intake) on the same piece of land where it is running the basic

unit, the purpose of obtaining land use is not of much importance moreso when revenue officer has attested the Khatoni papers.

AND WHEREAS keeping in view the circumstances of the case, Appeal Committee decided to remand back the case to N.R.C. for further processing of the application under NCTE Regulations, 2014 leaving aside the requirement of N.O.C. from affiliating body to be made available by the applicant institution.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. for further processing of the application under NCTE Regulations, 2014 leaving aside the requirement of N.O.C. from affiliating body to be made available by the applicant institution.

NOW THEREFORE, the Council hereby remands back the case of Adarsh D.Ed. College, Baba Shirdi Nath Education Society, VPO-Basana, Tehsil-Kalanaur, Distt. – Rohtak, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President, Adarsh D.Ed. College, Baba Shirdi Nath Education Society, VPO-Basana, Tehsil-Kalanaur, Distt. – Rohtak, Haryana – 124028.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

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F.No.89-160/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Bhilai Mahila Mahavidyalaya, Bhilai, Durg, Chhattisgarh dated 23/02/2016 is against the Order No. WRC/APP3116/236th/D.El.Ed. (Girls)/CG/2015/157763 dated 01/01/2016 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The application was submitted online on 29/06/2015, whereas the hard copy has been received on 15/07/2015. As per rule 7(2)(a)(b) of NCTE Regulations, 2014, the application is summarily rejected because it has not been submitted within 15 days of the submission of the online application."

AND WHEREAS Dr. (Mrs.) Zehra Hasan, Principal, Bhilai Mahila Mahavidyalaya, Bhilai, Durg, Chhattisgarh presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "The College has submitted the online proposal for both D.El.Ed. and M.Ed. on 29/06/2015. The hard copy for both D.El.Ed. and M.Ed. was sent together on the same date from Civic Center Post office, Bhilai, 490006 on 07/07/2015 through speed post."

AND WHEREAS Appeal Committee noted that the appellant institution submitted online application for D.El.Ed. course on 29.06.2015 and hard copy thereof was submitted on 07/07/2015 (Received in the office of W.R.C. Bhopal on 15.07.2015). Appeal Committee further noted that NCTE (HQ) had issued directions addressed to all Regional Committee offices stating that 15/07/2015 shall be the last date for submission of hard copy of application alongwith N.O.C. irrespective of the date of online application. Noting that the appellant institution submitted hard copy of application much before the cut-off date, Appeal Committee decided to remand back the case to W.R.C., Bhopal for further processing of the application.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on records and oral submission made by appellant, Appeal Committee concluded to remand back the case to W.R.C., Bhopal for further processing of the application.

NOW THEREFORE, the Council hereby remands back the case of Bhilai Mahila Mahavidyalaya, Bhilai, Durg, Chhattisgarh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Bhilai Mahila Mahavidyalaya, 62/001, Bhilai Education Trust, 62/001, Bhilai, Durg, Chhattisgarh – 490009.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.

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F.No.89-161/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Vasavi College of Education, Madagadipet, Puducherry. dated 23/02/2016 is against the Order No. SRO/NCTE/SRCAPP2499/M.Ed/PU/2016-17/81240 dated 03/02/2016 of the Southern Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that Non submission of NOC issued by the affiliating body along with application.

AND WHEREAS No one from, Vasavi College of Education, Madagadipet, Puducherry. Appeared on behalf of the appellant institution on 29/04/2016. In the appeal memorandum it was submitted that "We have submitted our online application for the new course - M.Ed. on 28/05/2015 and subsequently sent the hard copy with relevant documents with NOC dated 05/06/2013 which was valid for one year. Incidentally we got our new NOC on 23/11/2015 and we have immediately submitted for your kind perusal."

AND WHEREAS Appeal Committee noted that relevant file of S.R.C. Bangalore has not been made available. It may be for the reason that S.R.C. Bangalore vide its letter no. HQ/Appeal/AP/TN/KA/KL/2016/84487 dated 19.04.2016 has informed that Letter of Intent (L.O.I.) has been issued to appellant institution on 16.3.2016. Application of appellant institution having been processed, the appeal dated 23.02.2016 filed by appellant institution is held **infructuous.**

(Sanjay Awasthi)
Member Secretary

1. The Treasurer/Principal, Vasavi College of Education, R.S. No. 118/7A, 293/5,4, NA,NA,Madagadipet, Puducherry, Puducherry – 605107.
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 Puducherry.

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F.No.89-163/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/16

ORDER

WHEREAS the appeal of Dr. Grahams Homes, Kalimpong, Darjeeling, West Bengal dated 26/02/2016 is against the Order No. ERC/7-201.9(i).153/ERCAPP2802/(B.Ed.-Addl.Intake)/2016/40205 dated 16/01/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(i) Copy of the registered land document not submitted with the hard copy of the print out of online application."

AND WHEREAS Col. P.C. Thapa, Principal, Dr. Grahams Homes, Kalimpong, Darjeeling, West Bengal presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "Dr. Graham's Homes has been in possession and ownership of a vast estate of several hundred acres since the beginning of the last century and in fact the area of the estate was known after its previous St. Andrew's Colonial Homes, Kalimpong. The land is administered under the West Bengal State Govt.'s land administration law, known as the West Bengal Land Reforms Act 1955. The original grants made by the British to its founder Dr. J.A. Graham in the early part of the last century are lost in the mists of time. With the arrival of independence and the enactment of the West Bengal Reforms Act, 1955 all lands came under the purview of the State administration and by virtue of Section 3 A the rights and interests of all non-agricultural tenant and under tenants stood vested in the State and Dr. Graham's Homes became the recorded raiyat in respect of its lands. Section 4 of the W.B.L.R. Act made the raiyat the owner of his plot of land and the plot of land was made heritable and transferable. The name of Dr. Graham's Homes (in its previous name of St. Andrew's Colonial Homes) therefore stands entered in the record of rayats pertaining to the land upon which the college is proposed to be built. Thus by operation of law Dr. Grahm's Homes is the lawful owner of the land upon which the proposed institution is intended to be stated. In the case of institutions having considerable antiquity as the

present appellant, there are therefore no registered deed to prove ownership and the Govt. records themselves are the proof of ownership read with the statue providing rayati rights. The appellant provided the record of rights showing its rayati status and ownership over the said land along with an order of the District Land and Land Reforms Officer, Darjeeling no 202 dated 13/10/2014 and order no 116/DL&LRO/DJ/15 dated 10/06/2015 permitting conversion under Section 4C of the W.B.L.R. Act for the purposes of the college. The prescribed non-encumbrance Certificate was also provided by the B.L. and L.R.O., Kalimpong dated 17/04/2015. The appellant's Advocate also issued a proper Land Title Certificate in the prescribed form and the documents were supported by an affidavit of the appellant's representative."

AND WHEREAS Appeal Committee noted that refusal order dated 16/01/2016 is based on a sole ground that appellant institution has not submitted copy of registered land document alongwith hard copy of the printout of online applications. The appellant during the course of appeal hearing on 29.04.2016 insistently made a submission that land documents were enclosed with the printout of online application. On verification Appeal Committee discovered that relevant file of E.R.C., Bhubaneswar does not contain page 2 to 9 (8 pages) which may be land documents. The appellant society, during the course of appeal presentation furnished sufficient evidence of owning and possessing land and the documents furnished included orders 30.10.2014, 10.06.2015, issued by Land & Land Reforms officer and certificate dated 27.12.1978 issued by the Government of West Bengal. Appeal Committee is of the opinion that land documents need not necessary be sale deed documents registered with the office of Registrar. The possession and ownership of land prime facie appears to rest with the applicant society. In case of any clarification is required, E.R.C. may seek it by writing to the applicant but rejecting the application for the said reasons is not justified in wake of missing pages from the printout of application. Appeal Committee, decided to remand back the case to E.R.C. Bhubaneswar for revisiting the whole issue and if need be, applicant may be asked to resubmit copy of required land documents.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on records and oral submission made by appellant. Appeal Committee concluded to remand

back the case to E.R.C. Bhubaneswar for revisiting the whole issue and if need be applicant may be asked to resubmit copy of required land documents.

NOW THEREFORE, the Council hereby remands back the case of Dr. Grahams Homes, Kalimpong, Darjeeling, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Dr. Grahams Homes, Homes St. Andrew Colonial Home, RS/LR 110/113-238/293, Kalimpong, Darjeeling, West Bengal – 734301.
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.89-164/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Sri Ram Suhag Tilak College of Education, Jehanabad, Bihar dated 24.02.2016 is against the Order No. ERC/204.9(i)90/APP 2579/B.Ed./2016/43792 dated 17/02/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The name of the General College is Sri ram Mahavidyalaya whereas the proposed B.Ed. programme is applied in the name of Sri Ram Suhag Tilak College of Education which does not mean a composite institution. Show Cause Notice has already been issued on 15/01/2016. Reply of the institution is not satisfactory."

AND WHEREAS Sh. Punit Kumar, Cashier, Sri Ram Suhag Tilak College of Education, Jehanabad, Bihar presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "according to new Regulation 2014 there it is not mandatory that the name of general college and proposed Teacher Education College should be the same."

AND WHEREAS Appeal Committee noted that recognition for B.Ed. course applied by the appellant institution was refused by E.R.C. on the ground that applicant submitted single application for B.Ed. programme which does not mean a composite institution. The appellant's plea that the society is also running a general college by name 'Sri Ram Mahavidyalaya' was not found acceptable by E.R.C.

AND WHEREAS Appeal Committee observed that the appellant had furnished the details of 'Sri Ram Mahavidyalaya' conducting B.A. (Hons) with affiliation of Magadh University at page 2 of the application form for B.Ed. programme. The address of 'Sri Ram Mahavidyalaya' as mentioned at page 2 of the application form is 'village Owa Makhdumpur, Jehanabad.' For its B.Ed. programme, the applicant has mentioned the

same address. Appeal Committee is of the opinion that even if the names of two institutions slightly differ depending on the courses offered by them, the institutions are located adjacent to each other and managed by same society. As such the condition of composite status of the institution is fulfilled. Appeal Committee decided the remand back the case to E.R.C. for further processing of the application.

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

NOW THEREFORE, the Council hereby remands back the case of Sri Ram Suhag Tilak College of Education, Jehanabad, Bihar to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sri Ram Suhag Tilak College of Education, 30, Deed of Sale, 131, Owa, Jehanabad, Bihar – 804422.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-166/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Dr. Grahams Homes, Kalimpong, Darjeeling, West Bengal dated 26.02.2016 is against the Order No. ERC/7-201.9(i).151/ERCAPP2804/(D.El.Ed.)/2016/40216 dated 19/01/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Copy of the registered land document not submitted with the hard copy of the print out of online application."

AND WHEREAS Col. P.C. Thapa, Principal, Dr. Grahams Homes, Kalimpong, Darjeeling, West Bengal presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "Dr. Graham's Homes has been in possession and ownership of a vast estate of several hundred acres since the beginning of the last century and in fact the area of the estate was known after its previous St. Andrew's Colonial Homes, Kalimpong. The land is administered under the West Bengal State Govt.'s land administration law, known as the West Bengal Land Reforms Act 1955. The original grants made by the British to its founder Dr. J.A. Graham in the early part of the last century are lost in the mists of time. With the arrival of independence and the enactment of the West Bengal Reforms Act, 1955 was enacted all lands came under the purview of the State administration and by virtue of Section 3 A the rights and interests of all non-agricultural tenant and under tenants stood vested in the State and Dr. Graham's Homes became the recorded raiyat in respect of its lands. Section 4 of the W.B.L.R. Act made the raiyat the owner of his plot of land and the plot of land was made heritable and transferable. The name of Dr. Graham's Homes (in its previous name of St. Andrew's Colonial Homes) therefore stands entered in the record of rayats pertaining to the land upon which the college is proposed to be built. Thus by operation of law Dr. Grahm's Homes is the lawful owner of the land upon which the

proposed institution was intended to be stated as mentioned in the application rejected by the NCTE. In the case of institutions having considerable antiquity as the present appellant, there are therefore no registered deed to prove ownership and the Govt. records themselves are the proof of ownership read with the statue providing rayati rights. The appellant provided the record of rights showing its rayati status and ownership over the said land along with an order of the District Land and Land Reforms Officer, Darjeeling no 202 dated 13/10/2014 and order no 116/DL&LRO/DJ/15 dated 10/06/2015 permitting conversion under Section 4C of the W.B.L.R. Act for the purposes of the college. The prescribed non-encumbrance Certificate was also provided by the B.L. and L.R.O., Kalimpong dated 17/04/2015. The appellant's Advocate also issued a proper Land Title Certificate in the prescribed form and the documents were supported by an affidavit of the appellant's representative. All other documents and formalities have been completed to the fullest extent. It is therefore generous, arbitrary and discriminatory for the respondent counsel NCTE to insist upon registered documents such as deeds of sale/gift/settlement in the case of institutions having historical antiquity and ownership rights since time immemorial. The appellants have obtained a further certification from the Govt. of West Bengal through the Block Land and Land Reforms Officer supporting the above contentions and confirming the absolute right title and interest of the appellant over the 9/73 acres of land on which the institution is proposed to be built."

AND WHEREAS Appeal Committee noted that relevant file of the Regional Committee has a deceptive page numbering as page numbers start from serial no. 140 (from the back). Committee further noted the submission made by appellant relating to grant of land to the founder member of the society in pre-independence days. The appellant institution in the related case has furnished copy of a Land Title Certificate issued by paying fee to District Sub-Registrar, Darjeeling. Certificates issued by Dist. Land & Land Reforms officer and Non Encumbrance Certificate issued by Block Land and Land Reforms officer, Kalimpong – I also support the fact that land is recorded in the name of Dr. Graham's Homes Board of Management. Appeal Committee is of the opinion that registered land documents does not necessarily mean copy of sale deed of land documents registered in the office of Registrar/Sub-Registrar. Legal ownership and

possession of land can also be through land allotment or some other certificates issued by competent authority.

Appeal Committee, decided to remand back the case to E.R.C., Bhubaneswar for revisiting the land related documents and if necessary seek legal opinion also.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for revisiting the land related documents and if necessary seek legal opinion also.

NOW THEREFORE, the Council hereby remands back the case of Dr. Grahams Homes, Kalimpong, Darjeeling, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Dr. Grahams Homes,Homes St. Andrew Colonial Home, RS/LR 110/113-238/293, Kalimpong, Darjeeling, West Bengal – 734301.
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.89-198/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Ch. Mahavir Singh Mahavidyalaya, Mahavir Nagar, Nagla Shobha, Barnahal, Mainpuri, Uttar Pradesh dated 09/11/2015 is against the Order No. NRC/NCTE/NRCAPP-8446/242nd Meeting/2015/123346-49 dated 11/09/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the Show Cause Notice was issued to the institution on 20.07.2015. The reply submitted by the institution was considered and found that the institution has not submitted N.O.C. from affiliating body and evidence with regard to composite institution."

AND WHEREAS Sh. Subhash Chandra, Secretary and Sh. Sudhir Yadav, Principal, Ch. Mahavir Singh Mahavidyalaya, Mahavir Nagar, Nagla Shobha, Barnahal, Mainpuri, Uttar Pradesh presented the case of the appellant institution on 29.04.2016. In the appeal and during personal presentation it has been submitted that "the NOC from the affiliating body was obtained by the Regional Director of NRC-NCTE, Jaipur vide letter no. 55502/503 dated 24/07/2013. Even then, as required by N.R.C. a fresh copy of NOC from the affiliating body was obtained again from the affiliating body vide letter no. 933-64 dated 11/09/2015. As per NCTE Regulation 2014, the institution has completed the required formalities for being a composite institution vide letter no. 091977. The NRC-NCTE has not re-sent any Deficiency Letter/Show Cause Notice to the institution as required/decided according to the Appellant Authority/NCTE Meeting 241. In spite of many reminders from the Institution NRC has rejected the recognition of the institution without providing opportunity and time for clarification."

AND WHEREAS Appeal Committee noted that recognition for conducting D.El.Ed. programme by appellant institution was first refused by W.R.C. in February, 2014 on the

ground that reply to deficiency letter and Show Cause Notice was not submitted. The case was remanded back to N.R.C. by the Appeal Committee Vide order dated 25.11.2014 with directions to reissue the deficiency letter and Show Cause Notice. From relevant records, it is observed that a Show Cause Notice dated 20.07.2015 containing points of deficiencies was issued by N.R.C. Appeal Committee further observed that the appellant institution addressed a letter dated 1.08.2015 to N.R.C. stating that deficiency letter and S.C.N. which was required to be reissued in compliance of earlier Appeal order dated 25.11.2014 has not been received.

AND WHEREAS Appeal Committee observed that N.R.C. instead of ensuring that S.C.N. dated 20.07.2015 was despatched properly so as to ensure its timely delivery at the receiving end, issued refusal order dated 11.09.2015. In para 3 of refusal order it is stated that 'The Institution has not submitted its reply to Show Cause Notice.' Further in the ground of refusal it is mentioned that 'The reply submitted by the institution was considered and found that the institution has not submitted N.O.C. from affiliating body and evidence with regard to composite institution.'

The refusal order suffers with the inconsistency relating to non-submission of reply to S.C.N. or reply having been found not satisfactory. Perhaps the letter dated 1.08.2015 of the appellant in which it was stated that Deficiency letter and S.C.N. have not been received was taken as reply to S.C.N. dated 20.07.2015. Appeal Committee is of the view that sufficient and proper opportunity was not given to appellant institution to submit the required clarifications and as such the matter is remanded back to N.R.C. for reissue of the D.L. and S.C.N. Track record of postal delivery of the communication should also be kept on relevant file.

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 reissue of the D.L. and S.C.N. Track record of postal delivery of the communication should also be kept on relevant file.

NOW THEREFORE, the Council hereby remands back the case of Ch. Mahavir Singh Mahavidyalaya, Mahavir Nagar, Nagla Shobha, Barnahal, Mainpuri, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Ch. Mahavir Singh Mahavidyalaya, Mahavir Nagar, Nagla Shobha, Barnahal, Mainpuri, Uttar Pradesh – 205261.
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.89-199/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Dr. Rishi Kant Siddharth Mahavidyalaya Seva Sansthan, Gunar, Etah, Uttar Pradesh dated 11/11/2015 is against the Order No. NRC/NCTE/NRCAPP-8998/242nd Meeting/2015/123331-34 dated 11/09/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the institution has not submitted reply of Show Cause Notice issued on 16/06/2015."

AND WHEREAS no one from, Dr. Rishi Kant Siddharth Mahavidyalaya Seva Sansthan, Gunar, Etah, Uttar Pradesh appeared on behalf of the appellant institution on 12/01/2016. In the appeal memoranda it is submitted that "the institute was issued a Show Cause Notice in the 238th Part-II Meeting and reply had been sent through Track on Courier within the 30 days' time on 20/06/2015."

AND WHEREAS Appeal Committee decided to grant another (2nd) opportunity to the appellant for making a personal presentation of the case.

AND WHEREAS Sh. Deepak Thakur, Member, Dr. Rishi Kant Siddharth Mahavidyalaya Seva Sansthan, Gunar, Etah, Uttar Pradesh presented the case of the appellant institution on 30.04.2016 i.e. the second opportunity granted to him. In the course of presentation, the appellant submitted a copy of his letter dt. 19.06.2015 addressed to the Regional Director, N.R.C., with which a copy of the building completion certificate was enclosed. The show cause notice issued was on account of non-submission of building completion certificate duly certified by Competent Government authority on prescribed format.

AND WHEREAS the Committed noted that this letter dt. 19.06.2015, sent through a courier on 20.06.2015, is not available in the file of the N.R.C. The appellant also could not show any proof for the receipt of that letter in the N.R.C. The Committee further noted that the building completion certificate, issued by a private Architect, does not indicate the date of inspection of the building or the date of issue of the certificate or the date of its approval by Pradhan of Gram Panchayat. In these circumstances, the Committee concluded that the N.R.C was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Dr. Rishi Kant Siddharth Mahavidyalaya Seva Sansthan, 345, Registered, 345, Gunar, Etah, Uttar Pradesh – 207243.
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.89-213/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Shri Wagheshwar Gramvikas Pratishthans, Lokete, Shirur, Pune, Maharashtra dated 17/11/2015 is against the Order No. WRC/APP2029/233rd/MH/2015/154591 dated 27/10/2015 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "...LOI was issued to the institution. The institute had submitted the list of faculty members which did not have approval of the affiliating body. It has also been found that one of the lecturers identified had less than 55% marks in PG subject. Hence, clarification was obtained from the institute. The institute has identified another person for the post of lecturer having required qualification and submitted that the affiliating body has not given approval of qualified staff. Thus, the institute has failed to submit the list of the staff duly approved by the affiliating body which is mandatory requirement. Hence, recognition is refused."

AND WHEREAS Sh. Rajiv V. Pharate, Chairman, Shri Wagheshwar Gramvikas Pratishthans, Lokete, Shirur, Pune, Maharashtra presented the case of the appellant institution on 13/01/2016. In the appeal and during personal presentation it was submitted that "with reference to your letter no. WRC/APP2029/233/MH/2015/154591 dated 27/10/2015, with the reference of above letter we have submitted all the documents according the LOI dated on 29/04/2015. According to NCTE WRC, Bhopal teaching staff should be approved by the affiliating body that is Savitribai Phule, Pune University, Pune, but fact is that affiliating body is not ready to give us approval until NCTE gives recognition letter to the institute."

AND WHEREAS Appeal Committee noted that Letter of Intent (L.O.I.) under clause 7(13) of the NCTE Regulations, 2014 was issued to the appellant institution on 29.04.2015. The appellant during the course of appeal presentation informed that the

affiliating University i.e. Savitribai Phule Pune University, Pune was not ready to give approval till NCTE issues a formal recognition order. The appellant also informed that a Writ Petition no. 31727 was filed in Bombay High Court on 24.11.2015 in this regard. Committee at the same time noted that appellant has not furnished any evidence in support of its request made to affiliating University for nominating subject experts for selection of faculty and seeking approval of the University. Committee also noted that while endorsing a copy of the L.O.I. dated 29.04.2015 to the Registrar, University of Pune, W.R.C., Bhopal did not make a formal request that institution be provided all assistance to ensure that the faculty is appointed as per norms of the Council within 2 months.

AND WHEREAS Keeping in view the circumstances of the case, Appeal Committee decided to grant appellant another opportunity (second) for showing evidence in support of (i) efforts made to obtain approval of the affiliating University and (ii) denial by the University to cooperate in the selection/approval of the University. Appellant should also bring with him the latest status of the Writ Petition filed in the High Court of Bombay in this regard.

AND WHEREAS Sh. Amol Pravin Pitale, Member,Shri Wagheshwar Gramvikas Pratishthans, Lokete, Shirur, Pune, Maharashtra presented the case of the appellant institution on 30.04.2016 i.e. the second opportunity granted to them. The appellant did not produce any evidence in support of the efforts made by him for getting the approval of the affiliating university to the teaching staff or for the alleged refusal of the university to assist in the selection of staff or to their approval. The appellant has not intimated the outcome of the Writ Petition reported to have been filed before the Hon'ble High Court of Bombay. The Committee, however, noted from the letter no. WRC/Legal/2393/2015/164501 dt. 12.04.2016 received from the Regional Director, W.R.C. that the Hon'ble High Court of Bombay in their order dt. 16.02.2016 in W.P. No. 12243/2015 filed by the appellant disposed of the petition as withdrawn with liberty as a statutory appeal has already been preferred to the NCTE.

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

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

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

(Sanjay Awasthi)
Member Secretary

1. The Chairman, Shri Wagheshwar Gramvikas Pratishthans Lokete Hon. Shri Ajitdada Pawar Education College, Plot No. 937, 938 Street Tandali Mandavgan Road, Village Mandavgan Pharata, Tehsil-Shirur, District – Pune, Maharashtra – 412211.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

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F.No.89-214/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Meenakshi Academy of Higher Education and Research, Chennai, Tamil Nadu dated 19/11/2015 is against the Order No. SRO/NCTE/SRCAPP2277/B.Ed/TN/2016-17/76329 dated 15/10/2015 of the Southern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "land document submitted is a lease deed executed by Meenakshi Ammal Trust in favour of Meenakshi University."

AND WHEREAS no one from, Meenakshi Academy of Higher Education and Research, Chennai, Tamil Nadu appeared on behalf of the appellant institution on 13/01/2016. In the appeal it is submitted that "out of land to the extent of 10.09 acres in survey No.'s 196/1, 195, 194, 193/5 owned by Meenakshi Ammal Trust, 3 acres of land has been allotted and earmarked to the University of Maher, Chennai-600078 for 99 years. The same land details were furnished while sending proposal to UGC for declaration of Maher (MU) as deemed University. Deemed University status was granted by Govt. of India, MHRD Notification F.9.5/2002-U.U3 dated 31/03/2004."

AND WHEREAS Appeal Committee decided that another (second) opportunity be granted to the appellant for making a personal presentation.

AND WHEREAS Sh. S.S. Mohamed Masood, Deputy Registrar and Dr. K. Sujatha, Assistant Professor, Meenakshi Academy of Higher Education and Research, Chennai, Tamil Nadu presented the case of the appellant institution on 30.04.2016 i.e. the second opportunity granted to them. The appellant, in his presentation and in a letter dt. 25.04.2016 submitted that the land measuring 3 acres with building thereon has been leased by Meenakshi Ammal Trust to MAHER (Meenakshi University) for 99 years. He also submitted that as per UGC (Institutions Deemed to be Universities) Regulations,

2010, in case the immovable property has been acquired by the institution by way of lease, the lease shall be perpetual in nature and initially for at least 99 years.

AND WHEREAS the committee noted that as per the provisions of Clause 8(4) (i) of the NCTE Regulations, 2014, land free from all encumbrances could be either on ownership basis or on lease from Government or Government institutions for a period of not less than thirty years. Since the land in possession of the appellant is not taken on lease from Government or Government Institutions but from a private institution, the Committee concluded that the S.R.C. was justified in rejecting the application and therefore, the appeal deserved to be rejected and the order of the S.R.C. confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Vice-Chancellor, Meenakshi Academy of Higher Education and Research, 12, Vembulimman Koil Street, Meenakshi University, 12, West K.K. Nagar, Chennai, Tamil Nadu - 600078.
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 Tamil Nadu, Chennai.

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F.No.89-216/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of K.G. Prasada Rao A.N.R. College of Education, Gudivada Krishna, Andhra Pradesh dated 19/11/2015 is against the Order No. SRO/NCTE/SRCAPP2314/M.Ed./AP/2016-17/76239 dated 15/10/2015 of the Southern Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "the institution has submitted land documents in regional language which are not in favour of Society/Institution."

AND WHEREAS Sh. K. S. Appa Rao, Treasure and Sh. K. Sreenivasa Rao, Superintendent, K.G. Prasada Rao A.N.R. College of Education, Gudivada Krishna, Andhra Pradesh presented the case of the appellant institution on 13/01/2016. In the appeal and during personal presentation it was submitted that "the Society by the name of Godivada College Committee purchased land measuring 5.18 acres in the year 1958. This piece of land was registered on 14.04.1958 in the name of the then President of Godivada College Committee. It is not in the name of any individual, but in the name of the President of the Gudivada College Committee. Notarized English version of the document (which is in vernacular) is enclosed. The Gudivada College was renamed as "Akkineni Nageswar Rao College" in the year 1959 and all the assets of the "Godivada College" became the assets of "Akkineni Nageswara Rao College" administered by the Society called the "College Committee of Akkineni Nageswara Rao College" from 1959. Once again, in the year 2000 the Society of "College Committee of Akkineni Nageswara Rao College" was renamed as "Akkineni Nageswara Rao College Committee, Gudivada". The K.G. Prasada Rao – ANR College of Education is in possession of 5.18 acres of land in R.S. No. 198/2 purchased in the year 1958, and the irrevocable resolution of the "College Committee of Akkineni Nageswara Rao College" holds good as on date."

AND WHEREAS Appeal Committee noted that land documents submitted by the appellant institution are in the name of President, Gudivada College Committee whereas the appellant institution/society is 'A.N. Rao College Committee.' The appellant during the course of appeal presentation stated that the name of 'Gudivada College Committee' was changed to 'A.N. Rao College Committee' and so the landed assets on which institution building is located are now owned by the appellant society. The appellant requested for grant of another opportunity to submit documentary evidence in this regard. Appeal Committee decided to grant another (second) opportunity to the appellant for submission of legally acceptable documentary evidence to prove that land registered in name of 'Gudivada College Committee' is now owned by 'A.N. Rao College Committee."

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to grant another (second) opportunity to appellant for submission of necessary evidence.

AND WHEREAS Sh. K.S. Appa Rao, Treasure, K.G. Prasada Rao A.N.R. College of Education, Gudivada Krishna, Andhra Pradesh presented the case of the appellant institution on 30.04.2016 i.e. the second opportunity granted to them. In the course of presentation the appellant submitted a letter dt. 22.04.2016 with which a self-attested copy of a certificate No. RC.AI/194/2016 dt. 13.04.2016 issued by the Tahsildar, Gudivada has been enclosed. This certificate certifies that the properties belonging to "the Gudivada College Committee, Gudivada", which was in existence from 1950 have become the properties of "Akkineni Nageswara Rao College Committee, Gudivada" which came into existence from 1959 by virtue of being the successor of the Gudivada College Committee. It is further certified that Akkineni Nageswara Rao College Committee, Gudivada possessed and owned lands in different R.S. Nos measuring 23 acres and 43 cents in Bethavolu Village of Gudivada Mandal.

AND WHEREAS the Committee, noting the submissions of the appellant, concluded that the matter deserved to be remanded to the S.R.C. with a direction to

process the application further as per the NCTE Regulations. The appellant is directed to forward the English Versions of the land documents and a copy of the certificate dt. 13.04.2016 issued by the Tahsildar, Gudivada to the S.R.C. within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to S.R.C. with a direction to process the application further as per the NCTE Regulations. The appellant is directed to forward the English Versions of the land documents and a copy of the certificate dt. 13.04.2016 issued by the Tahsildar, Gudivada to the S.R.C. within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of K.G. Prasada Rao A.N.R. College of Education, Gudivada Krishna, Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, K.G. Prasada Rao A.N.R. College of Education, R.S. No. 198/2, A.N.R. College Committee, Bhushanagulla Panchayat, Gudivada Krishna, Andhra Pradesh – 521301.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

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F.No.89-123/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Hari College of Management, Shivaji Nagar, Saharanpur, Uttar Pradesh dated 11/09/2015 is against the Order No. NRC/NCTE/NRCAPP-7671/239th Meeting/2015/118684 dated 15/07/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Reply of SCN dated 26/03/2015 is not submitted."

AND WHEREAS no one from, Hari College of Management, Shivaji Nagar, Saharanpur, Uttar Pradesh appeared on behalf of the appellant institution on 27/10/2015. The appellant institution in a letter dated 26.10.2015 requested for another opportunity for making appeal presentation. Appeal Committee decided to grant another (second) opportunity to the appellant to appear before the Committee for making a personal presentation.

AND WHEREAS Sh. Lokesh Sharma, representative of Hari College of Management, Saharanpur appeared before the Appeal Committee on 14.01.2016 and submitted a written request for granting another opportunity. Appeal Committee decided to grant another (third) opportunity. Appellant is however, made clear that this is the third and last opportunity and in case appellant fails to present the case, decision will be taken on the basis of available relevant records without awarding any more opportunity.

AND WHEREAS Sh. Lokesh Sharma, Representative, Hari College of Management, Shivaji Nagar, Saharanpur, Uttar Pradesh presented the case of the appellant institution on 30.04.2016 i.e. the third and final opportunity granted to them. In the appeal and in the course of personal presentation and in a letter dt. 30.04.2016, the appellant submitted that "they did not receive the show cause notice dt. 26.03.2015, the same may be cancelled and an opportunity given to them to fulfil the requirements. With their letter dt.

30.4.2016, the appellant enclosed copies of letters written to N.R.C., Jaipur on 18.04.2014 and 08.09.2014 in which the appellant stated that the university has not nominated subject experts for commencing the process for getting faculty approved and requested for grant of some more time."

AND WHEREAS the Committee noted that the N.R.C. issued a Letter of Intent (L.O.I) on 25.02.2014. As the institution did not respond to the L.O.I., N.R.C. issued a show cause notice on 26.03.2015. As the institution did not respond to this notice also the N.R.C. issued the refusal order on 15.07.2015. The Committee did not find copies of the letters dt. 18.04.2014 and 08.9.2014 reported to have been sent by the appellant, in the file of the N.R.C. However, considering the submission of the appellant contained in their letter dt. 30.04.2016, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to re-issue the show cause notice to the appellant and take further action as per the NCTE Regulations.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Hari College of Management, 2231/2, Shivaji Nagar Delhi Road, Saharanpur, Uttar Pradesh – 247001.
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.89-133/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Deep Narayna Surya Kumar Smrit Mahavidhyalaya, Bandipur Ambedkar Nagar, Jalalpur, Ambedkar Nagar, U.P. dated 12/09/2015 is against the Order No. NRC/NCTE/NRCAPP-6888/239th Meeting/2015/118630 dated 14/07/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "reply of SCN not submitted."

AND WHEREAS No one from the appellant institution appeared before the Appeal Committee on 27.10.2015 for making a personal presentation of the case. Committee decided to grant another (second) opportunities to the appellant institution for making appeal presentation before the Committee.

AND WHEREAS Sh. Sanjay Kumar Singh, representative, Managing the Deep Narayan Surya Kumar Smriti Mahavidhyalaya appeared before the Appeal Committee on 14.01.2016 and sought another opportunity to submit evidence of having sent a reply to S.C.N. dated 26.03.2015. Appeal Committee decided to grant another (third & final) opportunity for submitting required documents in support of his claim of having sent a reply to S.C.N.

AND WHEREAS Deep Narayna Surya Kumar Smrit Mahavidhyalaya, Bandipur Ambedkar Nagar, Jalalpur, Ambedkar Nagar, U.P. was asked to present the case of the appellant institution on 30.04.2016 i.e. the third and final opportunity granted to them, but nobody appeared. In the circumstances, the Committee decided to consider the appeal on the basis of the records.

AND WHEREAS the appellant in the appeal and in a letter dt. 12.01.2016 submitted that they could not furnish the documents required in the Letter of Intent (L.O.I) dt.

25.02.2014 within 60 days as their affiliating university, namely, Dr. R.M.L. Awadh University did not provide their approval. The appellant further submitted that they had replied with many annexures to the show cause notice on 25.05.2015 through registered post. With the appeal, the appellant enclosed a copy of their letter dt. 25.05.2015 addressed to the Regional Director, N.R.C. and sent by speed post (the speed post receipt stamp copied on the letter) and copies of the correspondence between the appellant and R.M.L. Awadh University.

AND WHEREAS the Committee noted that the appellant's reply dt. 25.05.2015 to the show cause notice dt. 26.03.2015 stated to have been sent by registered (speed) post is not found in the file of the N.R.C. and the N.R.C. refused recognition on the ground of non-reply to the show cause notice. The Committee noted that the appellant in their letter dt. 25.05.2015 informed the N.R.C. that the university in their letter dt. 05.09.2014 approved seven lecturers but not the Head of the Department. The appellant further informed that the University neither intimated reasons for not approving the Head of the Department nor approved the selection as a result of which they were unable to furnish the required documents to the N.R.C. The appellant also requested the R.D., N.R.C. to request the Vice Chancellor of the university to take an early decision in the matter. The appellant with his letter dt. 25.05.2015 enclosed copies of the university's letter approving seven lecturers and other correspondence with that university. The appellant in his letter dt. 14.01.2016 stated that after repeated efforts, they came to know from the Vice Chancellor that the Head of the Department was not approved as he was holding L.T. degree instead of B.Ed. degree. Thereafter the appellant requested the Vice-Chancellor in their letter dt. 24.04.2015 to nominate a subject expert for selection of H.O.D. and lecturer in Fine Arts and Physical Education and the university nominated the subject expert on 14.07.2015 and by that time the N.R.C. refused recognition. The appellant further submitted they have since selected the H.O.D. and lecturer and also obtained the approval of the university.

AND WHEREAS from the foregoing the Committee noted that the appellant not only replied to the show cause notice, the reply having been sent by speed post, but also made necessary efforts to obtain the approval of the university for the Head of the Department

and lecturers. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the Regulations. The appellant is directed to furnish a copy of his reply dt. 25.05.2015 to the show cause notice with its enclosures (including the letter of the university approving seven lecturers) and also the letter of the university approving the H.O.D. and another lecturer to the N.R.C. within 15 days of the receipt of the order on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to take further action as per the Regulations. The appellant is directed to furnish a copy of his reply dt. 25.05.2015 to the show cause notice with its enclosures (including the letter of the university approving seven lecturers) and also the letter of the university approving the H.O.D. and another lecturer to the N.R.C. within 15 days of the receipt of the order on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Deep Narayna Surya Kumar Smrit Mahavidhyalaya, Bandipur Ambedkar Nagar, Jalalpur, Ambedkar Nagar, U.P. to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Deep Narayna Surya Kumar Smrit Mahavidhyalaya, Bandipur Ambedkar Nagar, 1146, 1147, Bandipur, Jalalpur, Ambedkar Nagar, Uttar Pradesh - 224125.
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.89-246/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Ch. S.S.D. College of Norajpur, Bagpat, Uttar Pradesh dated 02/12/2015 is against the Order No. NRC/NCTE/NRCAPP-8232/243rd Meeting/2015/125305-09 dated 12/10/2015 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 Regulation, 2014 and Show Cause Notice issued in this regard."

AND WHEREAS No one from, Ch. S.S.D. College of Norajpur, Bagpat, Uttar Pradesh appeared on behalf appellant institution on 15/02/2016. In the appeal memoranda it was submitted that "Appellant institution was issued letter of intent under Sub-Regulation 7(13) of the NCTE Regulations, 2014 on 19/05/2015 with request to make compliance, followed by Show Cause Notice dated 19/08/2015. Appellant institution had already approached the Affiliating University for according approval of the teaching staff well before time, vide letter dated 25/04/2015. However, the Affiliating University took considerable time to approve the teaching staff. In the meantime, the NRC refused recognition to the institution in its 243rd meeting held on 28th to 30th September, 2015. Appellant institution approached the affiliating University well in time for according approval of the teaching staff. However, it was the University only which took a considerable time of 5-6 months to convey the approval of the teaching staff. Kindly consider the teaching staff duly approved by the affiliating University and grant recognition to the appellant institution under Sub-Regulation 7(16) of the NCTE Regulations, 2014."

AND WHEREAS as per extant appeal rules, three opportunities can be provided to an appellant to make personal presentation of the appeal case. Appeal Committee, therefore, decided to grant another (second) opportunity to the appellant for making a personal presentation.

AND WHEREAS Sh. Subhas Chand, Chairman and Sh. N.K. Sinha, Director, Ch. S.S.D. College of Norajpur, Bagpat, Uttar Pradesh presented the case of the appellant institution on 30.04.2016 i.e. the second opportunity granted to them. The appellant re-iterated the submissions made in the appeal and requested grant of recognition.

AND WHEREAS the Committee noted that the N.R.C. issued a Letter of Intent (L.O.I.) to the appellant institution on 19.05.2015. As the appellant did not respond to the L.O.I. within two months of its issue, N.R.C. issued a Show Cause Notice on 17.08.2015. As the appellant did not respond to the show cause notice also within 30 days of its issue, N.R.C. in their meeting held on 28-30 September, 2015 decided to refuse recognition and issued the order of refusal on 12.10.2015. The Committee noted that while the appellant was corresponding with the university for approval of the teaching staff, he did not send any communication in response to the L.O.I. or Show Cause Notice, even by way of endorsement of his communication to the university. It is only after they obtained university's approval for the teaching staff through the university's letters dt. 14.09.2015 and 28.10.2015 that they wrote to the N.R.C. on 27.10.2015. By that time N.R.C. had issued the refusal order.

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

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Ch. S.S.D. College, Plot No. 38A and B, Norojpur Village Norojpur Gujar Post Agarwal Mandi, Bagpat, Uttar Pradesh – 250601.

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.89-256/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Baba Sahoru Das Smarak Mahavidyalaya, Siksha Sankay, Nizamabad, Azamgarh, Uttar Pradesh dated 07/12/2015 is against the Order No. NRC/NCTE/NRCAPP-7194/243rd Meeting/2015/125647 dated 14/10/2015 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 Regulation 2014 and Show Cause Notice issued in this regard."

AND WHEREAS Sh. Ashok Kumar Yadav, Manager, Baba Sahoru Das Smarak Mahavidyalaya, Siksha Sankay, Nizamabad, Azamgarh, Uttar Pradesh presented the case of the appellant institution on 16/02/2016. In the appeal and during personal presentation it was submitted that "we were unable to submit the compliance/document as required in LOI issued under clause 7(13) of NCTE Regulation, 2014 due to delay in the process of Faculty approval by the Affiliating University. Meanwhile, after receiving the Refusal Order file No. NRC/NCTE/NRCAPP7194/243rd Meeting/2015/125647 dated 14th October, 2015 institute came to know that in 241th meeting, NRC issued show cause notice on 14/08/2015. Before that no information received about SCN issued."

AND WHEREAS Appeal Committee noted that a Letter of Intent (L.O.I) dated 6.05.2015 was issued to appellant institution seeking compliance on certain points within a period of two months. Subsequently a Show Cause Notice (S.C.N.) dated 14.08.2015 was issued on ground of non-submission of reply to L.O.I. and further requiring the appellant institution to furnish N.O.C. from affiliating body and an affidavit declaring composite nature of the institution.

AND WHEREAS the appellant during the course of appeal presentation on 16.02.2016 denied having received the S.C.N. dated 14/08/2015 and sought another opportunity to show valid documentary evidence in this regard. Rules relating to appeal presentation allow three adjournments. Appeal Committee, therefore, decided to give another (second) opportunity to the appellant for submission of documentary evidence in support of its claim of not having received the S.C.N. dated 14/08/2015.

AND WHEREAS Sh. Ashok Kumar Yadav, Manager, Baba Sahoru Das Smarak Mahavidyalaya, Siksha Sankay, Nizamabad, Azamgarh, Uttar Pradesh presented the case of the appellant institution on 30.04.2016 i.e. the second opportunity granted to them. In the course of presentation, the appellant submitted a letter dt. 30.04.2016 with which he has enclosed a certificate issued by the postal authorities certifying that the relevant speed post letter i.e. the show cause notice addressed to the appellant has not been received.

AND WHEREAS the Committee noted from the letter dt. 16.02.2016 submitted by the appellant at the time of the earlier hearing held on 16.02.2016 that they got their teaching staff including Head of the Department approved by the affiliating University, they are already running B.A. course and obtained N.O.C. from the University for B.Ed. Course; and converted Endowment and Reserve Funds into joint account. The Committee taking into account the proof submitted by the appellant for non- receipt of the show cause notice, concluded that the matter deserved to be remanded to the N.R.C. with a direction to re-issue the show cause notice to the appellant and take further action as per the NCTE Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of Baba Sahoru Das Smarak Mahavidyalaya, Siksha Sankay, Nizamabad, Azamgarh, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Baba Sahoru Das Smarak Mahavidyalaya Siksha Sankay Village Nandawn Post Nandawn, Tehsil – Nizamabad, Azamgarh, Uttar Pradesh - 276305.
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.89-258/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of K.R.S. College of Education, Jankinagar, Gonda, Uttar Pradesh dated 10/12/2015 is against the Order No. NRC/NCTE/NRCAPP-7193/243rd Meeting/2015/125381 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 Regulation 2014 and show cause notice issued in this regard."

AND WHEREAS No one from, K.R.S. College of Education, Jankinagar, Gonda, Uttar Pradesh appeared on behalf of the appellant institution on 16/02/2016. In the Appeal Memoranda it is submitted that "I communicated to Dr. R.M.L. Awadh University Faizabad and had been allotted experts for conduction of teacher approval. I was working on it but all experts did not arrange on same day for conduction of teacher approval. It took time and within this we have been issued a show cause notice and after that refusal order. I request you to please consider my application and allow me to complete the process".

AND WHEREAS as per extant appeal rules Council can allow upto three adjournments in any appeal. This being the first opportunity, Appeal Committee decided to grant another (second) opportunity to the appellant to appear before the Committee for making a personal presentation.

AND WHEREAS Sh. Neeraj Kumar Singh, Senior Clerk, K.R.S. College of Education, Jankinagar, Gonda, Uttar Pradesh presented the case of the appellant institution on 30.04.2016 i.e. the second opportunity granted to them. In the course of presentation, the appellant merely stated that they did not receive the Show Cause Notice. He did not submit any evidence in support of his statement. The appellant gave

a letter dt. 30.04.2016 requesting that he may be given one more time for teachers approval.

AND WHEREAS the Committee noted that the N.R.C. issued a Letter of Intent (L.O.I) to the appellant institution on 29.04.2015. As the appellant did not respond to the L.O.I. within two months of its issue, N.R.C. issued a Show Cause Notice on 13.08.2015. As the appellant did not respond to the show cause notice also within 30 days of its issue, N.R.C. in their meeting held on 28-30 September, 2015 decided to refuse recognition and issued the order of refusal on 13.10.2015. In these circumstances, the question of giving one more time for teacher's approval does not arise.

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

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

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, K.R.S. College of Education, 567, K.R.S. College of Higher Education, 567, Jankinagar, Gonda, Uttar Pradesh - 271001.
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.89-259/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Indra Ganesan College of Education, Tiruchirapalli, Tamil Nadu dated 07/12/2015 is against the Order No. SRO/NCTE/SRCAPP2747/BA.BSc/TN/2016-17/76320 dated 15/10/2015 of the Southern Regional Committee, refusing recognition for conducting B.A. B.Sc. course on the grounds that "the institution has submitted photocopy of only one page of registered land documents in regional language, other pages are not submitted."

AND WHEREAS no one from, Indra Ganesan College of Education, Tiruchirapalli, Tamil Nadu appeared on behalf of the appellant institution on 16/02/2016. In the Appeal Memoranda it is submitted that "we have submitted photocopy of all pages of registered land documents in regional language for your kind perusal and consideration."

AND WHEREAS Appellant in a written communication dated 13.02.2016 had requested NCTE to grant another opportunity as Secretary of the appellant institution is preoccupied on 16.02.2016. Appeal Committee decided to grant another (second) opportunity to the appellant for making personal presentation of the appeal case.

AND WHEREAS the Committee, in their meeting held on 30.04.2016, noted that the appellant sent a letter dated 24.04.2016. In this letter the appellant submitted that they submitted the N.O.C. received from the Tamil Nadu Teachers Education University, Chennai to the S.R.C. on 23.02.2016; an inspection of their institution was conducted on 26.03.2016 and S.R.C. released L.O.I. as per their 308th meeting. The appellant further submitted that at this juncture as their prayer was considered by the S.R.C. itself, no appeal is required.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Indra Ganesan College of Education, 107/1C Manikandam, Tiruchirappalli, Tamil Nadu – 620012.
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 Tamil Nadu, Chennai.

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F.No.89-273/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Vinayak Shikshak Prashikshan Sansthan, Sarendhi, Kheragarh, Agra, Uttar Pradesh dated 07/12/2015 is against the Order No. NRC/NRCAPP-7952/243rd/2015/25069 dated 09/10/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "list of faculty approved by the affiliating body."

AND WHEREAS no one from, Vinayak Shikshak Prashikshan Sansthan, Sarendhi, Kheragarh, Agra, Uttar Pradesh appeared on behalf of the appellant institution on 17/02/2016. In the appeal memoranda it is submitted that, receiving letter of intent dated 21/05/2015, we have immediately approached to the affiliating University namely Dr. Bheem Rav Ambedkar University, Agra on 22/05/2015. Since then we have been pursuing with University but time an again they have not cooperated resulting in to non-approval of the faculty. We could get conducted interview 29/11/2015. Same has been submitted to the University on 03/12/2015."

AND WHEREAS as per extant appeal rules, an appellant can seek upto three adjournments for appeal hearing. Appeal Committee decided to grant another (second) opportunity to the appellant for making a personal presentation of the case.

AND WHEREAS Sh. Pramod Sharma, Manager, Vinayak Shikshak Prashikshan Sansthan, Sarendhi, Kheragarh, Agra, Uttar Pradesh presented the case of the appellant institution on 30.04.2016 i.e. the second opportunity granted to them. In the course of presentation, the appellant gave a letter dt. 30.04.2016. With this letter the appellant enclosed copies of the correspondence they had after the issue of Letter of Intent (L.O.I.) dt. 21.05.2015 with the affiliating university and the N.R.C. including a copy of the university's letter dt. 28.03.2016 approving the teaching staff.

AND WHEREAS the Committee noted that the N.R.C. issued the Letter of Intent (L.O.I.) to the appellant institution on 21.05.2015. As the appellant did not respond to this L.O.I. within two months from the date of its issue, N.R.C. issued a Show Cause Notice on 14.08.2015. The appellant replied to the show cause notice on 10.09.2015. In that letter the appellant informed the N.R.C. that, after issue of L.O.I., they have approached Bhim Rao Ambedkar University, Agra on 22.05.2015 for selection of staff and the process of selection is under way and as soon as the university's approval is received a reply to the L.O.I. will be sent. With that letter, the appellant furnished certain other documents called for in the show cause notice. The N.R.C. after considering the reply refused recognition.

AND WHEREAS the Committee noted that the appellant kept the N.R.C. informed about the steps they have taken to get the teaching staff approved by the affiliating university and the university have approved the teaching faculty in their letter dt. 28.03.2016. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the list of approved staff and other documents submitted by the appellant and take further action as per the NCTE Regulations. The appellant is directed to forward a copy of the letter of the affiliating university approving the teaching staff to the N.R.C. within 15 days of receipt of the orders on the appeal.

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

NOW THEREFORE, the Council hereby remands back the case of Vinayak Shikshak Prashikshan Sansthan, Sarendhi, Kheragarh, Agra, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Vinayak Shikshak Prashikshan Sansthan, VPO-Sarendhi, The-Kheragarh, Dist. – Agra, Uttar Pradesh - 283121.
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.89-285/2015 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Shri Radhe Mahavidyalaya, Vasundhara, Etah, Uttar Pradesh dated 11/12/2015 is against the Order No. NRC/NCTE/NRCAPP-8182/243rd Meeting/2015/125606 dated 14/10/2015 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 Regulation, 2014 and Show Cause Notice issued in this regard."

AND WHEREAS Sh. Narendra Singh, Secretary and Sh. Anand Kumar, Member, Shri Radhe Mahavidyalaya, Vasundhara, Etah, Uttar Pradesh presented the case of the appellant institution on 17/02/2016. In the appeal and during personal presentation it was submitted that "Shri Radhe Shiksha Samit, Vasundhara / Radhe Mahavidyalaya, Vasundhara Etah has not received any Show Cause Notice. The institution has already submitted the FDR of four Lac & form "A" stating fixed deposit of additional Reserve fund in addition to the previous funds i.e. five lacs & three lac."

AND WHEREAS the appellant during the course of appeal presentation requested orally for grant of another opportunity for submitting certain documents which he had failed to bring. Appeal Committee decided to grant another (2nd) opportunity as appellant can be allowed upto three adjournments.

AND WHEREAS Sh. Narendra Singh, Secretary and Sh. Anand Kumar, Assistant Secretary, Shri Radhe Mahavidyalaya, Vasundhara, Etah, Uttar Pradesh presented the case of the appellant institution on 30.04.2016 i.e. the second opportunity granted to them. In the course of presentation the appellant submitted a letter dt. 30.04.2016. In this letter, the appellant stated that while he received back the F.D.Rs for Rs. 5 lakhs and Rs. 3 lakhs, he has been writing to the N.R.C. to return the N.R.C. for Rs. 4 lakhs sent by

him so that he can complete the requirement of F.D.Rs as per the new Regulations but he has not received the same.

AND WHEREAS the Committee noted from the show cause notice dt. 16.06.2015 that the only requirement to be fulfilled by the appellant was submission of Form 'A' in respect of F.D.Rs for Rs. 7 lakhs and Rs. 5 lakhs jointly held with the Regional Director, N.R.C. The Committee also noted that the appellant is still awaiting for return of the F.D.R for Rs. 4 lakhs. In these circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to return the F.D.R for Rs. 4 lakhs to the appellant, if not done already, obtain the Form 'A' from the appellant and take further action as per the NCTE Regulations. The appellant is directed to furnish the Form 'A' for the F.D.Rs of Rs. 7 lakhs and Rs. 5 lakhs to the N.R.C. within 15 days of receipt of the F.D.R for Rs. 4 lakhs from the N.R.C.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to return the F.D.R for Rs. 4 lakhs to the appellant, if not done already, obtain the Form 'A' from the appellant and take further action as per the NCTE Regulations. The appellant is directed to furnish the Form 'A' for the F.D.Rs of Rs. 7 lakhs and Rs. 5 lakhs to the N.R.C. within 15 days of receipt of the F.D.R for Rs. 4 lakhs from the N.R.C.

NOW THEREFORE, the Council hereby remands back the case of Shri Radhe Mahavidyalaya, Vasundhara, Etah, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Radhe Mahavidyalaya, Vasundhara Etah, Plot/Khasra No.-440 & 444, Street No.-000000, Vill.-Vasundhara, PO.-Vashundhara, Tehsil/Taluka – Etah, Town/City – Etah, District – Etah, Uttar Pradesh - 207001.
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.89-17/2014 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Jai Marudhar Kesari B.Ed. College, Nagaur, Rajasthan dated 10/01/2014 is against the Order No. NRC/NCTE/F-3/RJ-1612/2010/163rd Meeting/27322 dated 08/09/2010 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "the Major deficiencies communicated through letter number NRC/NCTE/F-3/RJ-1612/161 Meeting/2010/23596 dated 14 June 2010 still exist. Hence, the committee decides to withdraw the recognition of B.Ed. programme from 2010-2011 academic sessions."

AND WHEREAS Sh. Vikram Singh, Director and Anil Kumar, Secretary, Jai Marudhar Kesari B.Ed. College, Nagaur, Rajasthan presented the case of the appellant institution on 26-05-2014. In the appeal and during personal presentation it was submitted that "the Northern Regional Committee withdrew recognition of this college in its controversial 163rd meeting. It is controversial because then chairman of the N.R.C. knew that he would be leaving and in his last effort to create a controversy and portray an iron image withdrew recognition to many institutions who have had their recognition restored through this appeal committee. The grievance of this college is that our reply to the show cause notice was not carefully perused by the N.R.C. while taking its withdrawal of recognition decision. This is clearly evident in the minutes of NRC-163rd meeting and the withdrawal of recognition order. The Regional Committee was in such a hurry that it did not even bother to point out any existing deficiency according to it or any point lacking adequate proof. They simply withdrew recognition in a single line. The committee observes the following - The major deficiencies communicated through letter No. NRC/NCTE/F-3/RJ-1612/161 meeting/2010-2011 still exist. Hence the committee decides to withdraw the recognition of B.ED. programme from 2010-2011 academic session. This is a nonspeaking order which reflects the highhandedness of the NRC and

its non-seriousness in deciding a serious matter of withdrawal of recognition. The College has obtained the copy of the V.T. report through RTI. A perusal of the same reveals major discrepancies. The total constructed area in the start of the report is 1654-92 sqmt. and in the end is 1300 sqmt. This becomes a deficiency. Science laboratory and language laboratory were entered 500 sq.ft. and was made into a deficiency in the last. 16 computers have been entered in the start and this becomes a deficiency in the last. This questions the reliability of the V.T. report on the basis of which the college had its recognition withdrawn. The college in its reply to the Notice had made sure to present certificates by competent authorities, documentary evidence, photographs, copy of bills, stock registers, library accession registers, Journal subscription & all other proofs that show that the college has fulfilled all deficiencies as per NCTE norms. This was ignored by the NRC. The college produced certificate of electric connection by Assistant Engineer (O & M) Ajmer Vidyut Vitran Nigam Limited (Ajmer Division) Merta City and a bill of the same connection photograph of the meter and transformer in the college premises. The proof submitted by the college was adequate but was ignored by the NRC.The V.T. without actually perusing the syllabus of the affiliating university gave a broad deficiency. In proof that the deficiency has been removed the College presented the original syllabus of the University pointing out that art education and work experience are a very low priority in our B.Ed. Syllabus. The bills and stock register entries of art education and work experience equipment were provided, photographs of these activities were also given. The V.T. report and documents attached to it with qualifications proves that staff was as per norms of NCTE. The C.D. of the report clearly shows the I.T. facilities. In the V.T. report 16 computers have been mentioned. The college had 20 computers with internet, printers and other I.T. facilities. This was deliberately made into a deficiency. The college provided proof with bills of computer and IT facilities, stock register entries of the same. The deficiency about books titles, journal and encyclopedias had been removed and proof about the same was provided. The deficiency about the total constructed area never existed. The V.T. report states it as 1654.92 sq.mt. in the start and changes it to a deficiency in the last. Presently the total constructed area stands at 2143.29 sq.mt. Proofs submitted were by competent authority certificates of measurement (Engineer P.W.D. Merta City), a verified blue print map by engineer P.W.D. Merta City. The last deficiency

about multipurpose hall, Science Lab and Language Lab being small had been removed. The multipurpose hall (2331 sq.ft.), Science Lab, (1036 sq.ft.), Library (1536 sq.ft.), language laboratory (680 sq.ft.) are all as per norms and certificate by engineer P.W.D. The measurements and map certified by engineer P.W.D. being the competent authority had verified the same. The section 17 inspection of the college took place on 28.08.2009 when Dec. 2007 N.C.T.E. norms were effective. The file was put up in the 161 meeting on 26 to 29.5.2010, 2009 norms were effective. The changing of norms after inspection played a negative role. The College as on date of filing this appeal has no deficiency whatsoever.

AND WHEREAS the Appeal Committee noted that recognition for conducting B.Ed. course to the appellant institution was withdrawn vide NRC order dated 8.09.2010 after extending opportunity to the institution by way of issue of a Show Cause Notice dated 14.06.2010. The withdrawal was on the grounds that the appellant institution lacked infrastructural and instructional facilities. So far as the applicability NCTE regulation of 2005 or 2007 or 2009 are concerned, the Committee is of the opinion that except for area of land, all other requirements be it infrastructural or instructional, should have been meticulously complied by the appellant institution. The withdrawal order dated 8.09.2010 was kept on hold for want of legal status of W.P. no. 9029/2010 and stay petition no. 13383/2010 before the Hon'ble Court of Judicature for Rajasthan at Jodhpur. The petitioner Institution had also filed a W.P. no. 9028 of 2010 in the Hon'ble High Court of Rajasthan at Jodhpur and the Hon'ble Court vide its order dated 21.01.2014 has directed that "if the petitioner institution files appeal as aforesaid, the same may be treated within limitation and be decided within fixed time. If the petitioner institution points out before the appellate authority about the rectification of the deficiencies as pointed out by NCTE, the appellate authority is bound to consider the said contention in accordance with law."

AND WHEREAS Appeal Committee noted that the withdrawal order dated 8.09.2010 did not elaborate as to in which respect the reply to SCN was not satisfactory and why it was considered that major deficiencies communicated through SCN dated 14.06.2010 still exist. The appellant's contention that all the deficiencies were rectified is now to be verified as per directions of the Hon'ble Court. Committee therefore, concluded

that inspection under Section 13 of the Act should be conducted with specific reference to the deficiencies pointed out in the SCN dated 14.06.2010. Till such time the Inspection report is received and acted upon, the withdrawal order dated 8.09.2010 may be kept in abeyance.

AND WHEREAS the Committee, in their meeting held on 30.04.2016, perused the Report of Inspection under Section 13 of the NCTE Act conducted on 27.02.2016. The deficiencies pointed out in the show cause notice dt. 14.06.2010 and the observations of the Inspection Team as contained in their Report are as follows:-

S.No.	Deficiencies pointed out in the Show Cause Notice dt. 14/06/2010	Observation of the Inspection Team
1.	The Institute has no electricity connection.	There is electricity connection.
2.	There is no permanent drinking water facility available in the institute	Proper drinking water facility is provided.
3.	The institute has to create facilities for art education, work-experience and other activities as per the requirements of affiliating university.	The institution has created curriculum lab, Art & Craft resource centre, ICT Resource Centre with multiple sets. List of articles were verified and found them to be as per NCTE Norms.
4.	Faculty should be appointed as per NCTE norms for B.Ed.	Principal and teachers are qualified as per NCTE norms and approved by the affiliating body. A notarised copy of their approval has also been submitted. This list of staff 2015-16 contains the names of one principal and seven lecturers.

5.	The IT facilities are yet to be created.	See comments at (3) above.
6.	There are only 500 titles of books as against 1000 required. The number of titles of books, journals and encyclopaedia are not as per NCTE norms for B.Ed.	A good library – cum – reading room with a seating capacity of 60 students has been created. As per accession register, the number of books is 5112 and the number of titles is 1705. Adequate number of educational journals and encyclopaedia are available.
7.	The total constructed area of the college is 1300 sq. mts. as against 1500 sq. mts. required as per NCTE norms for B.Ed.	The institution is having 8086 sq. mts. of land in favour of the society. The built up area available for the institution is 2052 sq. mts. (Building Completion Certificate dt. 16.01.2016 issued by an Asst. Engineer, P.W.D., Merta City, certifying that the total built up area is 22,087.72 sq. ft. has been enclosed). Space of 10 sq. ft. per student is available. Sizes of Instructional rooms and class rooms are as per NCTE norms.
8.	Multipurpose hall, science lab, library and language lab are small in size.	The size of the multipurpose hall is 2153.87 sq. ft. (From the details of accommodation for different facilities given in the report, it is seen that it is adequate) **<u>Conclusion</u>:** The institution has removed all the deficiencies pointed out in the Show

		Cause Notice dt. 14.06.2010. Hence, the institution fulfilled the present NCTE norms for conducting B.Ed. course successfully.

AND WHEREAS in view of the findings of the Inspection Team Vis-a-Vis the deficiencies pointed out in the Show Cause Notice, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to re-examine the matter and take a fresh decision. Till then the withdrawal order dt. 08.09.2010 will remain in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to re-examine the matter and take a fresh decision. Till then the withdrawal order dt. 08.09.2010 will remain in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Jai Marudhar Kesari B.Ed. College, Nagaur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Jai Marudhar Kesari B.Ed. College, Merta City, Nagaur – 341510, Rajasthan.
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.89-147/2016 Appeal/6th Meeting-2016

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 9/6/16

ORDER

WHEREAS the appeal of Columbia College, Tekari, Raipur, Chhattisgarh dated 18/02/2016 is against the Order No. WRC/APP3544/236th/D.El.Ed./CG/2015/157759 dated 01/01/2016 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The application was submitted online on 30/05/2015, whereas the hard copy has been received on 09/07/2015. As per rule 7(2)(a)(b) of NCTE Regulations, 2014, the application is summarily rejected because it has not been submitted within 15 days of the submission of the online application."

AND WHEREAS Sh. Jay Ku. Khatri, Dy. Registrar and Sh. Vijay Jadwani, Vice-Chairman, Columbia College, Tekari, Raipur, Chhattisgarh presented the case of the appellant institution on 29/04/2016. In the appeal and during personal presentation it was submitted that "We have submitted the online application on 30/06/2015 (not on 30/05/2015 as mentioned in the rejection letter) and the hard copy was received by your good office on 09/07/2015 as mentioned in letter No. F.No. WRC/APP3544/236th/D.El.Ed./CG/2015/157759, dated 01/01/2016."

AND WHEREAS Appeal Committee noted that NCTE (HQ) issued directions addressed to all Regional Committee offices stating that printout of online applications can be submitted by the applicants upto 15.07.2015 alongwith N.O.C. irrespective of the date of online application. The appellant institution has submitted the online application and hard copy of the application within the time limit prescribed. Appeal Committee therefore, decided to remand back the case to W.R.C., Bhopal for further processing of the application.

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

NOW THEREFORE, the Council hereby remands back the case of Columbia College, Tekari, Raipur, Chhattisgarh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Columbia College, 314/7/12/13/14/15/16/17/18, Rural. Ph.No. 97, Tekari, Raipur, Chhattisgarh – 493111.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.