



F.No.89-79/E-109014/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Rabindranath Thakur PTTI, Chandipur to Nandigram, Kulbari, West Bengal dated 25/02/2019 is against the Order No. ERC/264.6.12/ERCAPP2205/B.Ed./2018/58796 dated 31.12.2018 of the Eastern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "LOI u/c 7(13) issued on 09.01.2018, reply of which was not received within the stipulated period. 1st Show Cause Notice u/s 15(3)(b) was issued on 01.08.2018 for compliance of LOI. The institution requested vide letter dated 20.08.2018 for extension of two months' time. 2nd Show Cause Notice u/s 15(3)(b) was issued on 17.09.2018 giving 21 days more time. Reply from the institution has not been received so far and extended period has already been over. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP2205 of the institution regarding permission to B.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Bireswar Das, Office Staff, Rabindranath Thakur PTTI, Chandipur to Nandigram, Kulbari, West Bengal presented the case of the appellant institution on 29/04/2019. In the appeal it was submitted that they requested the university on 24/04/2018 for recruitment process of faculty but till now no reply has been received and hence could not submit the faculty list. The appellant, in their letter dt. 29/04/2019, stating that the process of selection of teaching faculty has been held up owing to commencement of general elections to the Lok Sabha, requested for 45-60 days for submission of staff list.

AND WHEREAS the Committee noted that the ERC refused recognition on the ground that the appellant did not submit any reply to the second show notice dt.

17/09/2018 giving 21 days more time. The Committee also noted that the appellant has not given any explanation for not sending any reply to the Show Cause Notice. In these circumstances, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Rabindranath Thakur PTTI, Chandipur to Nandigram, Kulbari – 721625, West Bengal.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-80/E-108981/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Maa Ismati Devi Mahila Mahavidyalay, Vijarwan Post Bankat, Azamgarh to Jiyanpur Road, Sagri, Azamgarh, Uttar Pradesh dated 31/08/2018, hard copy of which was received on 06/03/2019, is against the Order No. NRC/NCTE/NRCAPP-13747/276th Meeting/2017/184547 dated 08.11.2017. of the Northern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "the institution was issued letter of intent on 13.04.2017, followed by Show Cause Notice dated 05.09.2017. The institution has not responded so far."

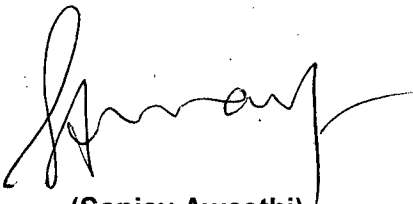
AND WHEREAS Sh. Vinay Upadhaya, Member and Sh. Anand Joshi, Member, Maa Ismati Devi Mahila Mahavidyalay, Vijarwan Post Bankat, Azamgarh to Jiyanpur Road, Sagri, Azamgarh, Uttar Pradesh presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that due to his kidney transplant, the matter could not be taken up with the affiliating body for approval of the faculty and could not submit the compliance of the LOI in the office of NRC. The bills of the hospital related to his treatment of kidney are attached herewith for consideration and grant of one opportunity to submit the compliance of LOI.

AND WHEREAS the Committee noted that online submission of the appeal has been delayed by seven months and 23 days beyond the prescribed period of sixty days. The submission of hard copy was further delayed by six months and six days. The appellant stated that the appeal could not be filed within the time limit due to his kidney transplant. The appellant adduced this same reason for not responding to the Letter of Intent issued as far back as 13/04/2017. The appellant has not enclosed any medical bills of the hospital for his treatment as stated in the appeal.

AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 16 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, 1993 and the Proviso thereunder, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor, provided that an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the Committee is not satisfied that the reason adduced for delay in preferring the appeal, which is devoid of any details, and which is also stated as a reason for not sending compliance of Letter of Intent dt. 13/04/2017, is a sufficient cause for not preferring the appeal within the prescribed period. The Committee, therefore, decided not to condone the delay. Hence the appeal is not admitted.

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 not to admit the appeal on ground of delay. Hence the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Maa Ismati Devi Mahila Mahavidyalay, Vijarwan Post Bankat, Azamgarh to Jiyanpur Road, Sagri, Azamgarh – 276125, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-81/E-108972/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Maharaja Chhatrasal Shiksha Mahavidhyalaya, Panna Road, Chhatarpur, Madhya Pradesh dated 05/03/2019 is against the Order No. WRC/APP201660296/11259/B.El.Ed./301st/M.P./2019/201293-201300 dated 05.02.2019 of the Western Regional Committee, refusing recognition for conducting for B.El.Ed. Course on the grounds that "and whereas, the reply of Show Cause Notice not received. The matter was placed before WRC in its 301st Meeting held on January 17-18, 2019. The Committee decided that "...Show Cause Notice was issued to the institution on 10.07.2018 and reply has not been received till date. Hence, Recognition is refused. FDRs, if any, be returned."

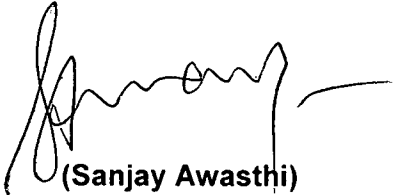
AND WHEREAS Sh. Dharmendra Singh, Secretary and Sh. Ajay, Member, Maharaja Chhatrasal Shiksha Mahavidhyalaya, Panna Road, Chhatarpur, Madhya Pradesh presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that the College has submitted staff list and all related documents according to NCTE Regulations 2014 on 12.03.2016. But NCTE WRC issued the show cause notice dated 10.07.2018 relating staff list new notification published on 09.06.2017. After receiving show cause notice dated 10.07.2018, the College has processed new appointment Principal and staff according to NCTE new notification published on 09.06.2017. The College has recently submitted the staff list duly signed by Registrar Maharaja Chhatrasal Bundelkhand University Chhatarpur Madhya Pradesh and sent the NCTE, WRC, New Delhi on 18.01.2019. NCTE WRC New Delhi meeting 301st was held on January 17 and 18

January 2019. The Committee has refused the recognition since the new staff list according to NCTE new notification published dated 09.06.2017 was not received in due time. Now you are humbly requested to consider my new staff list and issue the recognition of B.El.Ed. Course. The appellant, with their letter dt. 27/04/2019, submitted a copy of the letter dt. 25/04/2019 issued by the Registrar, Maharaja Chhatrasal Bundelkhand University, Chhatarpur containing the names of the selected faculty and also a copy of staff list, countersigned by the Registrar of the university on 17/01/2019.

AND WHEREAS the Committee noted that the appellant submitted the approved staff list and other documents to the WRC with their letter dt. 18/01/2019 which was received on 21/01/2019 and which is in the WRC's file. The WRC on the basis of the decision taken in their 301st Meeting held on January 17 – 18, 2019 issued the refusal order on 05/02/2019. Since the requisite information has been received just about the time of WRC's 301st Meeting, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the reply of the appellant dt. 18/01/2019 and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to the WRC a copy of the affiliating university's letter dt. 25/04/2019 and other documents submitted in appeal, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the reply of the appellant dt. 18/01/2019 and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to the WRC a copy of the affiliating university's letter dt. 25/04/2019 and other documents submitted in appeal, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Maharaja Chhatrasal Shiksha Mahavidhyalaya, Panna Road, Chhatarpur, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Maharaja Chhatrasal Shiksha Mahavidhyalaya, Bajrang Nagar Behind Bajrang Mandir, Panna Road, Chhatarpur -471001, M.P..
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector - 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-82/E-108999/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Sarvodaya Girls College, Naya Padariya Kalinjara, Bagidora, Rajasthan dated 27/02/2019 is against the Order No. NCTE/NRC/NRCAPP201616429/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 19.04.2017 of the Northern Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “the applicant institution has not submitted the reply of the SCN issued by the NRC on 02.03.2017 within the stipulated time. Hence, the Committee decided that the application is rejected, and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

AND WHEREAS Dr. Rajnish Ameta, Office Staff and Sh. Jighar Jain, Member, Sarvodaya Girls College, Naya Padariya Kalinjara, Bagidora, Rajasthan presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that since after filing application they have not received any communication from your end whether it is show cause notice or rejection letter. After long time , when they have not received any letter, they went to the regional office and very much regret to write that in spite of their repeated visits they have not received any reply from their office. Ultimately after many follow-ups they came to know that their application has been rejected long back. They asked them to give a copy of the same but unfortunately, they have not been provided any letter till date. They only told that their application has been rejected in their 267th meeting held from 5th to 7th of April 2017. Ultimately being aggrieved with the unsatisfactory reply from the office, they went to the court and attaching herewith a copy of the court order for kind consideration and further necessary action. We hope you will give us an opportunity to present our self before hearing and put our case.

AND WHEREAS the appellant filed a S.B. Civil Writs No. 3596/2019 before the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur and in the hearing the petitioner requested for direction to the Respondents to decide the representation of the petitioner, within a time frame, which the petitioner was ready and willing to address within a week hereinafter. The Hon'ble High Court, in their order dt. 19/02/2019, in view of the prayer of the petitioner, closed writ proceedings with a direction to the petitioner to address a comprehensive representation to the respondents. The Hon'ble High Court also observed that in case, a representation is so addressed within the aforesaid period, the respondents are directed to consider and decide the same by a reasoned and speaking order, in accordance with law, as expeditiously as possible, however in no case later than two weeks from the date of receipt of the representation along with a certified copy of this order.

AND WHEREAS the submission of the appeal has been delayed by one year, eight months and 11 days beyond the prescribed period of sixty days.

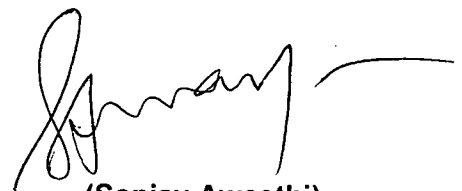
AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 16 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, 1993 and the Proviso thereunder, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor, provided that an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the Committee noted that the appellant, in their appeal, has submitted that after filing of their application, they have not received any show cause notice or the rejection letter till date and they were only told that their application has

been rejected in a meeting held from 5th to 7th April, 2017. The Committee noted that the appellant submitted an application for grant of recognition for B.A. B.Ed./B.Sc. B.Ed. course on 30.06.2016. The N.R.C. sent their Show Cause Notice dt. 02/03/2017 and refusal order dt. 19/04/2017 to the appellant to their email address given by them in their online application. Therefore, the submission of the appellant about non-receipt of these communications is not acceptable. On the other hand, the appellant also did not give any specific details of the efforts made by them, such as writing letters/reminders to the N.R.C. to find out the action taken on their application. The appellant has not stated how and when he got a copy of the refusal order dt. 19/04/2017, a copy of which has been enclosed to the appeal.

AND WHEREAS in the above circumstances, the Committee is not satisfied that the explanation given by the appellant is a sufficient cause for not preferring the appeal within the prescribed period. The Committee, therefore, decided not to condone the delay. Hence, the appeal is not admitted.

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 not to admit the appeal on ground of delay. Hence the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Sarvodaya Girls College, NH-113, Naya Padariya Kalinjara, Bagidora – 327601, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-84/E-109578/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Ram Krishna College, Vill. – Institution Area Soujana, PO – Tighra, Tehsil & City – Gwalior, Madhya Pradesh dated 05/03/2019 is against the Order No. WRC/NCTE/APP2826/B.A.B.Ed./302nd/2019/201607 dated 26.02.2019 of the Western Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “the Show Cause Notice dated 19.02.2018 was issued to the institution as per decision of 288th WRC meeting. Last opportunity for compliance has also been issued vide letter dated 10.07.2018 as per decision of 294th WRC meeting, Reply was received on 20.08.2018. On perusal of reply dated 20.08.2018 of the institution the Committee observed that the institution has submitted staff list of 1+15 from which staff mentioned at Sr. No. 14,15 & 16 are not qualified as per NCTE amendment Regulation dated 09.06.2017. Hence, the Committee decided to refuse the recognition of four years integrated B.A. B.Ed. programme under Section 14(3)(b) of the NCTE Act, 1993.”

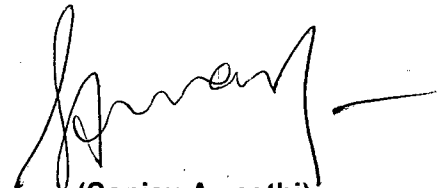
AND WHEREAS Dr. Ram Krishna, Treasurer, Ram Krishna College, Vill. – Institution Area Soujana, PO – Tighra, Tehsil & City – Gwalior, Madhya Pradesh presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that they have appointed new staff members, mentioned in the staff list at S. Nos. 14, 15 and 16 as per the amendment Regulations dt. 09/06/2017 with the approval of the university. The appellant enclosed the faculty list approved by Jiwaji University, Gwalior, containing the names of three new faculty members at S. Nos. 14, 15 and 16.

AND WHEREAS in view of the position stated above, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the fresh list of faculty, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The WRC, while taking further action in the matter,

should keep in view the provisions of para 1.1 of the Norms and Standards for 4 year Integrated programme of B.Sc. B.Ed./B.A. B.Ed. contained in Appendix 13 to the NCTE Regulations, 2014, which envisage integration of general studies comprising science (B.Sc. B.Ed.) and social sciences or humanities (B.A. B.Ed.) and professional studies. The appellant is directed to forward to the WRC the faculty list submitted in appeal and other relevant papers within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the fresh list of faculty, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The WRC, while taking further action in the matter, should keep in view the provisions of para 1.1 of the Norms and Standards for 4 year Integrated programme of B.Sc. B.Ed./B.A. B.Ed. contained in Appendix 13 to the NCTE Regulations, 2014, which envisage integration of general studies comprising science (B.Sc. B.Ed.) and social sciences or humanities (B.A. B.Ed.) and professional studies. The appellant is directed to forward to the WRC the faculty list submitted in appeal and other relevant papers within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Ram Krishna College, Vill. – Institution Area Soujana, PO – Tighra, Tehsil & City – Gwalior, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Ram Krishna College, Plot No. 27, Street No. Sector C, Vill. – Institution Area Soujana, PO – Tighra, Tehsil & City – Gwalior – 474010, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-85/E-109580/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Ram Krishna College, Vill. – Institution Area Soujana, PO – Tighra, Tehsil & City – Gwalior, Madhya Pradesh dated 05/03/2019 is against the Order No. WRC/APP2666/223/302nd/2019/201546-201552 dated 20.02.2019 of the Western Regional Committee, refusing recognition for conducting for B.Ed. (Co-Ed) Course on the grounds that “the Show Cause Notice dated 19.02.2018 was issued to the institution as per decision of 288th WRC meeting. Compliance / Clarification was also sought vide WRC letter dated 06.07.2018 as per decision of 294th WRC meeting. On perusal of reply dated 14.08.2018 received on 20.08.2018 and reply dated 08.01.2019 received in 16.01.2019 of the institution, the committee observed that the institution has submitted staff list, conditionally approved for 90 days only by Registrar of affiliating body which is not admissible as per NCTE Regulation 2014. Experience certificate of 15 years, as claimed, is not submitted. Hence, the Committee decided to refuse the recognition of B.Ed. programme under Section 14(3)(b) of the NCTE Act, 1993.”

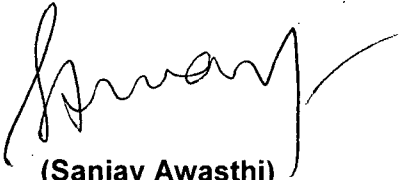
AND WHEREAS Dr. Ram Krishna, Treasurer, Ram Krishna College, Vill. – Institution Area Soujana, PO – Tighra, Tehsil & City – Gwalior, Madhya Pradesh presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that they have again got their staff list approved by the Registrar of the affiliating university on 26/02/2019. The appellant enclosed a copy of that list to their appeal. The appellant, stating that they had already sent the experience certificate in respect of the principal, enclosed copies of two certificates to the appeal.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the WRC with the direction to consider the staff list

approved by the Registrar on 26/02/2019 along with their specific observations thereon regarding grant of approval for 90 days and the experience certificates of the principal, all to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC the latest approved staff list and experience certificates of the principal, submitted in appeal and other relevant papers within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to the WRC with the direction to consider the staff list approved by the Registrar on 26/02/2019 along with their specific observations thereon regarding grant of approval for 90 days and the experience certificates of the principal, all to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC the latest approved staff list and experience certificates of the principal, submitted in appeal and other relevant papers within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Ram Krishna College, Vill. – Institution Area Soujana, PO – Tighra, Tehsil & City – Gwalior, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Ram Krishna College, Plot No. 27, Street No. Sector C, Vill. – Institution Area Soujana, PO – Tighra, Tehsil & City – Gwalior – 474010, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-86/E-109560/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Shri Ramnath Singh Shiksha Mahavidhyalaya, Sitholi, Gwalior, Madhya Pradesh dated 05/03/2019 is against the Order No. WRC/APW01572/223255/284th/2017/193565 dated 04.12.2017 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "In response to the Show Cause Notice dated 18.04.2017, the institution has not submitted the required staff profile in the NCTE format duly approved by the Registrar, Building Completion Certificate in the format and countersigned by a Govt. Engineer in original and the required FDRs for 12.00 lakhs. Hence, Recognition is withdrawn from the academic session 2018-19. FDRs, if any be returned."

AND WHEREAS the appellant, aggrieved by the order of the WRC, filed a W.P. 3781 – 2018 before the Hon'ble High Court of Madhya Pradesh, Gwalior Bench. The Hon'ble High Court, in their order dt. 16/02/2018, disposed of the petition relegating the petitioner to avail the remedy of appeal under Section 18 of the NCTE Act, 1993. The Hon'ble High Court also observed that in case, Appeal is preferred within a period of seven days from today, the Appellate Authority shall consider the same on merit, rather throw it overboard on the ground of limitation and take a decision thereon expeditiously.

AND WHEREAS Sh. A. Singh, Chairman/Joint Secretary, Shri Ramnath Singh Shiksha Mahavidhyalaya, Sitholi, Gwalior, Madhya Pradesh presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that the Regional Director, National Council For Teacher Education, Bhopal has wrongly rejected the case of the appellant for grant of recognition and has passed the order under section 17 of the National Council for Teacher Education Act,

1993 that de-recognition of the institution especially in the facts and circumstances of the case that by the impugned order of withdrawal dated 04.12.2017 Annexure A.1 an allegation has been levelled that the appellant has failed to furnish the documents in respect of Survey No.524.2. whereas the fact remains that the appellant has submitted all the documents along with the reply to the show cause notice dated 12.05.2016 and therefore, the allegation is unfounded. Once the institute is running since 2009 i.e. about 10 years the withdrawal of the same by the impugned order is nothing but arbitrary in nature. It is submitted that allegation is unfounded, and it is stated that the institution is running on the same place right from the beginning where it was started. Thus, the action impugned is absolutely bad in law.

AND WHEREAS the Committee noted that, contrary to the directions of the Hon'ble High Court of Madhya Pradesh dt. 16/02/2018 to file an appeal within seven days (from 16/02/2018), the appellant preferred the appeal on 05/03/2019 i.e. after one year and 9 days.

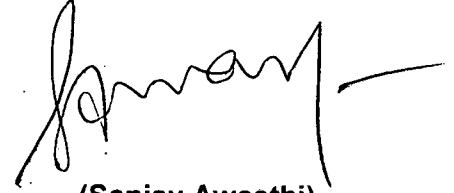
AND WHEREAS the appellant, with their letter dt. 24/04/2019, submitted a copy of the building completion certificate signed by Assistant Engineer, Gram Panchayat, Badori, Morar, Gwalior and copies of two F.D.Rs for Rs. 10,98,780/- and Rs. 6,59,266/-. The appellant has not submitted a faculty list approved by the Registrar of the affiliating university and therefore, this deficiency still exists.

AND WHEREAS the Committee, in the above circumstances, concluded that the WRC was justified in withdrawing recognition on the ground of non-submission of a faculty list approved by the Registrar of the affiliating university and therefore, the appeal deserved to be rejected and the order of the WRC confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the WRC was justified in withdrawing recognition on the ground of non-submission of faculty list approved by the Registrar of

the affiliating University 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 Principal, Shri Ramnath Singh Shiksha Mahavidhyalaya, Sitholi, Jhansi Road, Gwalior – 474001, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-88/E-109717/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Friends Primary Teacher Training Institute, Khatushyamji Dantaramgarh, Rajasthan dated 04/03/2019 is against the Letter No. New Appl./RF/Raj./NRCAPP-7781/2013-14/49932 dated 10.06.2013 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. Course on the grounds that "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulation 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it clear that the general recommendations of the State Government were

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

AND WHEREAS the appellant, aggrieved by the Letter of the N.R.C., filed a S.B. Civil Writs No. 1451/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 19/01/2019, closed writ proceedings with liberty reserved to the petitioner to avail remedy of appeal. The Hon'ble High Court also observed that in case, an appeal is instituted by the petitioner; the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS Sh. Narendra Kumar, Member, Friends Primary Teacher Training Institute, Khatushyamji Dantaramgarh, Rajasthan presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that (i) they submitted an online application for grant of recognition for D.El.Ed. course on 29/12/2012 and the same was returned without giving a reasonable opportunity of hearing; (ii) the NRC erred in deciding the matter and did not make any effort to even look on the application in consonance of NCTE's Regulation under which the application was submitted offline; further it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was submitted offline; (iii) If the institution were provided opportunity to move an application before the NRC as per the directions of Hon'ble Court given in another identical matters it would been done but due to the virtual impossibility online submission was totally impossible; (iv) the appellant institution submitted his application along with in reference to another identical / similar matters but the respondent Committee not considered the matter as

per reference; (v) further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993 the Appellate Authority of NCTE vide order No. 89-534/E-8922/2017 Appeal 15th Meeting-2017 dt. 16.10.2017 titled 'St. Meera T.T. College directed the NRC to process further the application on process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application online within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month which is a virtual impossibility due to closure of NCTE Portal. A copy of order dated 16.10.2017 is annexed; (vi) the respondent already granted recognition to several institutions ignoring the above said shortcomings vide order dt. 26/08/2016 copy enclosed; (vii) the act of respondent giving recognition to various institutions and rejecting their application is faulty and discriminatory in nature; (viii) because in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993 the appellate authority in its 6th meeting. The controversy settled by the Appellate Authority vide orders dt. 05/06/2018; (ix) the respondent committee did not issue a Show Cause Notice to the appellant institution before passing an adverse/rejection order, providing a reasonable opportunity to the institution for making a written representation under Section 14 (3) (b) of the NCTE Act, 1993; and (x) they made necessary arrangement with regard to physical infrastructure and other facilities, but their application has been returned in a most arbitrary manner, thereby making the rejection order bad in the eye of law and liable to be quashed and set aside.

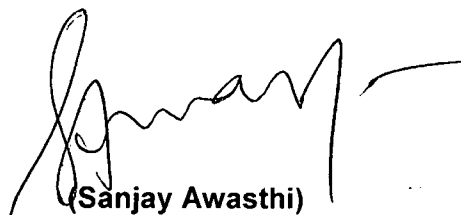
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018,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

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

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

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

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Friends Primary Teacher Training Institute, Khatushyamji Dantaramgarh – 332602, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-90/E-109983/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Kuchaman College of Education (U.G. Course), Sikar Road, Kuchaman City, Rajasthan dated 27/02/2019 is against the Order No. NCTE/NRC/NRCAPP201615537/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 19.04.2017 of the Northern Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “the applicant institution has not submitted the reply of the SCN issued by the NRC on 30.01.2017 within the stipulated time. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

AND WHEREAS the appellant filed a S.B. Civil Writs No. 3591/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur, praying that the respondents be directed to decide the representation of the petitioner, within a time frame, which the petitioner is ready and willing to address within a week thereafter. The Hon'ble High Court, in their order dt. 19/02/2019, closed the writ proceedings with a direction to the petitioner to address a comprehensive representation to the respondents. The Hon'ble High Court also observed that in case, a representation is so addressed within the aforesaid period, the respondents are directed to consider and decide the same by a reasoned and speaking order, in accordance with law, as expeditiously as possible; however in no case later than two weeks from the date of receipt of the representation along with a certified copy of this order.

AND WHEREAS Sh. Pawan Karwa, Member, Kuchaman College of Education (U.G. Course), Sikar Road, Kuchaman City, Rajasthan presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it

was submitted that they have not received any rejection letter till date. After filing application, they waited for any communication from the regional office. After long time, when had not received any letter, they went to the regional office and very much regret to write that after many follow-ups they came to know that their application has been rejected long back. They asked them to give them a copy of the same but unfortunately, they have not been provided any letter. Ultimately being aggrieved with the unsatisfactory reply from your office, they went to the court and are attaching herewith a copy of the court order for consideration and further necessary action. The appellant, in the documents enclosed with their letter dt. 27/04/2019, stated that the respondent had not sent any e-mail or letters or show cause notice till date after status in the portal showed that they had received hard copies of the application. One of the concerned officer told them that their application has been rejected due to non-submission of reply to the show cause notice.

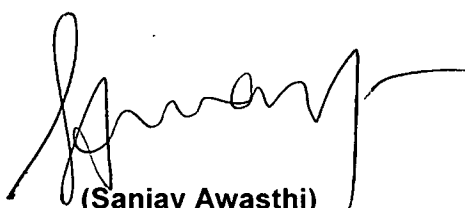
AND WHEREAS the Committee noted that the submission of the appeal has been delayed by one year, eight months and 11 days beyond the prescribed period of sixty days.

AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 16 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, 1993 and the Proviso thereunder, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor, provided that an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the Committee noted that the appellant, in their appeal and other documents, has submitted that after filing their application, they have not received any email or letters or show cause notice till date and only a concerned officer told them that their application has been rejected. The Committee noted that the N.R.C. sent their show cause notice dt. 30/01/2017 and refusal order dt. 19/04/2017 to the appellant to their e-mail address given by them in their online application. Therefore, the submission of the appellant about non-receipt of these communications is not acceptable. On the other hand, the appellant also did not give any specific details of the efforts made by them, such as writing letters/reminders to the N.R.C. to find out the action taken on their application. The appellant has not stated how and when he got a copy of the refusal order dt. 19/04/2017, a copy of which has been enclosed to the appeal.

AND WHEREAS in the above circumstances, the Committee is not satisfied that the explanation given by the appellant is a sufficient cause for not preferring the appeal within the prescribed period. The Committee, therefore, decided not to condone the delay. Hence, the appeal is not admitted.

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 not to admit the appeal on ground of delay. Hence the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Kuchaman College of Education (U.G. Course), Sikar Road, Kuchaman City – 341508, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-91/E-109981/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

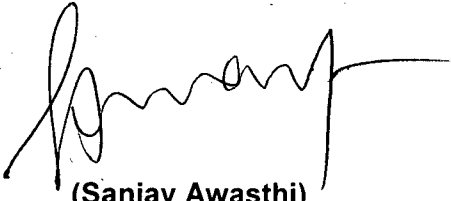
WHEREAS the appeal of Suvidha Mahila Education College, Heduva (Rajgar)-Post-Sametra, Mehsana, Gujarat dated 29/01/2019 is against the Letter No. WRC/APW0148/323028/200149 dt. 19/09/2018 (not the order no. WRC/5-6/40/2002/05847 dt. 24/09/2002 as mentioned in the online appeal) refusing to issue a revised recognition order on the ground that the institution has not submitted the affidavit as an acceptance of NCTE Regulations, 2014 and also did not reply to the Show Cause Notice dt. 08/08/2016.

AND WHEREAS Sh. Gajendra Patel, Trustee and Sh. Vishal Patel, Trustee, Suvidha Mahila Education College, Heduva (Rajgar)-Post-Sametra, Mehsana, Gujarat presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that they have already answered regarding NCTE compliance on 13/03/2018. The appellant enclosed a copy of their undated letter with which they are reported to have sent an affidavit on Rs. 100/- stamp paper and staff profile, but did not attach those documents to this copy. The copy of that letter bears a receipt stamp of WRC dated 03/03/2018.

AND WHEREAS the Committee did not find the letter of the appellant referred to in para 2 above in the file of the WRC. Further the file does not contain any reply to the WRC's letter dt. 12/01/2015 calling for a notarised affidavit or to the show cause notice dt. 08/08/2016 issued in this regard. In these circumstances, the Committee concluded that the WRC was justified in not issuing a revised recognition order and therefore, the appeal deserved to be rejected and the order of the WRC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Director, Suvidha Mahila Education College, Heduva (Rajgar)-Post-Sametra, Bypass Road, Mehsana – 384002, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-95/E-110799/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of C. Gangi Reddy Integrated Degree College, Mannuru, Thallapaka Cross Road, Rajampet, Andhra Pradesh dated 11/03/2019 is against the Order No. SRO/NCTE/SRCAPP14936/B.Sc.B.Ed/AP/2019-101583 dated 27.02.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "the institution was issued a Show Cause Notice and subsequently a reminder was issued. They have not cared to respond till date. Taking adverse notice of their gross recalcitrance in a serious matter like this, the SRC in its 370th meeting held on 8th February, 2019 decided to withdraw the recognition granted to them for running a B.A. B.Ed./B.Sc. B.Ed. programme. The FDRs may be returned only after completing the usual formalities."

AND WHEREAS Sh. G. Ramesh Kumar Reddy, Principal and Sh. N. Mallikharjuna Rao, Administrative Officer, C. Gangi Reddy Integrated Degree College, Mannuru, Thallapaka Cross Road, Rajampet, Andhra Pradesh presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that due to delay in postal delivery, unfortunately they failed to submit the required documents to NCTE on time. Anyway, they have submitted the required documents on 15th February, 2019 with the following courier details Professional courier with docket no PRO8423930. Now they are ready with the following documents: All the documents regarding creation of infrastructural facilities by the institution to run the Teacher Education Programme as per provisions of the NCTE Regulations, 2014. Approved faculty/staff list as per provisions of the NCTE Regulations, 2014. Proofs of FDRs etc., as per provisions of the NCTE Regulations, 2014. The appellant, in their written explanation submitted in the course of presentation, stating that they did not receive the show cause notice dt. 13/11/2018,

enclosed a copy of the delivery details of their documents sent through Professional Couriers, which shows that they were delivered in Dwarka on 19/02/2019.

AND WHEREAS the Committee noted that the documents, are not in the file of the SRC. In these circumstances, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents in reply to their show cause notice dt. 13/11/2018, to be sent again to them by the appellant, and take further action as per NCTE Regulation, 2014. The appellant is directed to forward to the SRC all the documents stated to have been sent by them on 15/02/2019 within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents in reply to their show cause notice dt. 13/11/2018, to be sent again to them by the appellant, and take further action as per NCTE Regulation, 2014. The appellant is directed to forward to the SRC all the documents stated to have been sent by them on 15/02/2019 within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of C. Gangi Reddy Integrated Degree College, Mannuru, Thallapaka Cross Road, Rajampet, Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Principal, C. Gangi Reddy Integrated Degree College, Mannuru, Thallapaka Cross Road, Rajampet – 516126, Andhra Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.



F.No.89-98/E-110770/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

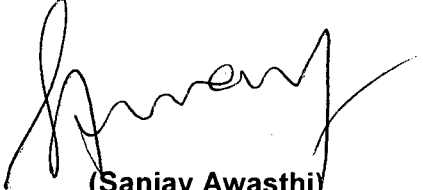
WHEREAS the appeal of Akar Adhyapan Mandir, Ognaj, Daskoi, Ahmedabad, Gujarat dated 20/07/2018, hard copy of which was received on 19/03/2019 is against the Letter No. WRC/APW00522/323141/B.Ed./294th /Guj/2018/199253 dated 11/07/2018 of the Western Regional Committee, confirming their order of withdrawing of recognition for B.Ed. course vide no. WRC/APW00522/323141/GJ/279th /2017/188582-588 dt. 18/08/2017 on the ground that show cause notice was issued to the institution on 23/05/2018 and the institution replied vide letter dated 19/05/2018. The institution has submitted a staff profile of 1 + 18 faculty members. However, most of the staff members are not qualified for want of NET requirement as per NCTE notification published on 09/06/2017.

AND WHEREAS Sh. Akash Patel, Trustee and Dr. Bhavesh Shah, Principal, Akar Adhyapan Mandir, Ognaj, Daskoi, Ahmedabad, Gujarat presented the case of the appellant institution on 29/04/2019. The appellant, with their appeal, submitted a copy of new updated staff profile, approved by the Registrar, Gujarat University.

AND WHEREAS the Committee noted from the copy of the staff list submitted that 13 faculty members for pedagogic courses, other than principal, who is Ph.D., are NET/GSET qualified. In view of this position, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the updated faculty list, to be submitted to them by the appellant, and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to the WRC, the updated faculty list submitted in appeal, within 15 days of receipt of orders on the appeal.

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

NOW THEREFORE, the Council hereby remands back the case of Akar Adhyapan Mandir, Ognaj, Daskoi, Ahmedabad, Gujarat to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Managing Trustee, Akar Adhyapan Mandir, Ognaj, Daskoi, Ahmedabad – 380060, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-99/E-110816/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Saraswati Mahila Teacher Training School, Kustala, Sawai Madhopur, Rajasthan dated 14/03/2019 is against the Letter No. New Appl./RF/Raj/NRCAPP-5999/2013-14/48398 dated 11.06.2013 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. Course on the grounds that "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulation 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the

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

AND WHEREAS the appellant, aggrieved by the letter of the N.R.C, filed a S.B. Civil Writs No. 4618/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 05/03/2019, closed writ proceedings with liberty reserved to the petitioner to avail remedy of appeal. The Hon'ble High Court also observed that in case, an appeal is instituted by the petitioner; the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS Sh. T. Sharma, Trustee, Saraswati Mahila Teacher Training School, Kustala, Sawai Madhopur, Rajasthan presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that (i) they submitted an online application for grant of recognition of D.El.Ed. course on 29/12/2012 and the respondent returned their application in absence of recommendations of State Government of Rajasthan with their letter dt. 11/06/2013 on the grounds mentioned therein; (ii) the controversy settled by the Appellate Authority, in the similar matter while disposing of the Appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order no. 89-488/E-9740/2017 - Appeal 17th Meeting/2017 dt. 27.11.2017 titled J.B.M. College of Education directed the NRC to process further the application on the ground that Appeal Committee noted that when the appellant applied in 2012 there was no ban by the State Government. Further the Appeal Committee is of the view that the blanket general ban imposed by the State Government can be taken into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular State for the prospective academic years. Once applications are invited, the Regional Committee has right to reject it on grounds of ban imposed subsequently by the State Government. A copy of Appeal order dated 27.11.2017 is annexed herewith for

reference; (iii) Because in the similar matter while disposing of the appeals u/s 18 of NCTE Act, 1993, the appellate authority in its 15th Meeting. The controversy settled by the Appellate Authority vide orders dt. 24/09/2018 titled Sardar Bhagat Singh Shikshan Sansthan & Order dt. 04/12/2018 titled Shree Balaji Teachers Training Institute are annexed herewith; (iv) the respondent had already granted recognition to several institutions ignoring the above said shortcomings vide order dt. 26/08/2016, copy enclosed; (v) the act of the respondent giving recognition to various institutions and rejecting their application is faulty and discriminatory in nature; (vi) because in similar matter while disposing of the appeals u/s 18 of NCTE Act, 1993, the appellate authority. The controversy settled by the Appellate Authority various orders. As per direction given by the Appellate Authority the Respondent Committee (NRC) decide to process the same in our 295th & 297th Meetings. A photocopy of extract part of the minutes are enclosed; (vii) the respondent Committee, did not issue a Show Cause Notice to the appellant institution before passing an adverse / rejection order, providing a reasonable opportunity to the institution for making a written representation under Section 14 (3) (b) of the NCTE Act, 1993; and (viii) the appellant made necessary arrangements with regard to physical infrastructure and other facilities, but their application for grant of recognition has been returned in a most arbitrary manner, thereby making the rejection order bad in the eye of law and thus liable to be quashed and set aside.

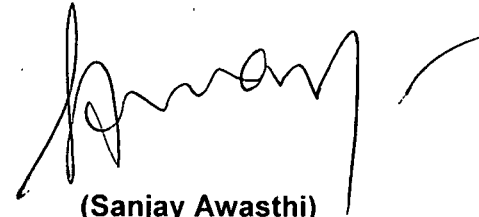
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018,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

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

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

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

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



(Sanjay Awasthi)
Member Secretary

- 1. The Principal, Saraswati Mahila Teacher Training School, Kustala, Sawai Madhopur – 322001, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-101/E-110931/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Sukdev Brahmachari Institute of Education, Krishnapur, West Bengal dated 14/03/2019 is against the Order No. ER-268.6.15/ERCAPP4172/D.El.Ed./2019/59587 dated 28.02.2019 of the Eastern Regional Committee, granting recognition for conducting D.El.Ed. Course of two years duration with an intake of 50 (one basic unit). The appellant wants recognition for an intake of 100 (two basic units).

AND WHEREAS Prof. Nikunja B. Biswas, President, Sukdev Brahmachari Institute of Education, Krishnapur, West Bengal presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that in the original plan, there was sufficient built-up area more than 4100 sq. mtr. ERC, NCTE without giving any opportunity to clarify our position and to submit our document they have issued the letter of intent, where they have given only one unit. Therefore, our preference for one more additional unit may be considered. The appellant, in a further communication (affidavit) dt. 26/04/2019 submitted that the total built up area in the building plan is 4191.50 sq. mt; whereas the academic construction area in the building completion certificate was 3351.42 sq. mts. which consists of G + 3, but it did not show built up area constructed for septic tank, underground reservoir, canteen, parking, internal road, additional toilets and washrooms etc; without which the building cannot be considered complete. The built up area for these facilities totalling 840.08 sq. mts. was in the second page of the building plan. Therefore, the total built up area is more than 4191 sq. mts. which is entitled for two units of D.El.Ed. Deficiency in built up area was not served for compliance during consideration of application. Before issue of L.O.I. for 50 intake ERC did not give an opportunity to explain and clarify. Even after issue of L.O.I. the institution preferred a

representation along with building plan and building completion certificate to explain about built up area which was not accepted by the ERC.

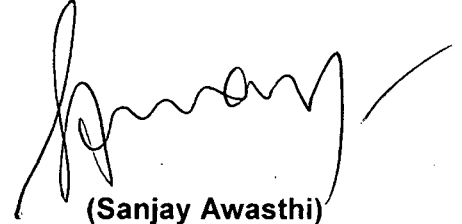
AND WHEREAS the Committee noted that the appellant, in the affidavit enclosed to their application for grant of recognition for D.El.Ed. course, indicated that the intake sought was 50 (one unit). The Visiting Team who conducted their inspection on 23 – 24 November, 2018, in their report, while recording that the built up was 3351.42 sq. mts. recommended grant of recognition for an intake of 100 (two units). The ERC in their Letter of Intent dt. 17/12/2018 asked the appellant institution to intimate in an affidavit their willingness for one basic unit of 50 intake. The appellant in their letter dt. 03/01/2019 enclosing a building completion certificate dt. 31/12/2018 issued by Assistant Engineer, Kalyani, Sub Division, Social Sector P.W. Dte requested consideration of two units of D.El.Ed. course. The building completion certificate showed 4191.50 sq. mts. of which 840.08 sq. mts. was for parking, septic tank, toilet, wash room, canteen etc. without any indication of the type of roofing. The ERC in their letter dt. 22/01/2019 did not accept the request and stood by the L.O.I. previously issued. Thereafter, the appellant with their letter dt. 28/01/2019 forwarded various documents required as per the L.O.I., which inter-alia included an affidavit accepting the decision of the ERC to give recognition for one unit of 50 intake and a list of 1 + 8 member faculty. Thereafter ERC issued recognition for one unit.

AND WHEREAS in view of the above position the Committee concluded that the ERC, who have taken into consideration the submission of the appellant regarding details of built up area, are justified in granting recognition for an intake of 50 (one basic unit) and therefore, the appeal deserved to be rejected and the order of the ERC confirmed.

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

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

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Sukdev Brahmachari Institute of Education, Krishnapur – 741245, West Bengal.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-102/E-110935/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

ORDER

WHEREAS the appeal of Sukdev Brahmachari Institute of Education, Krishnapur, West Bengal dated 13/03/2019 is against the Order No. ER-268.6.14/ERCAPP4174/B.Ed./2019/59585 dated 28.02.2019 of the Eastern Regional Committee, granting recognition for conducting B.Ed. Course of two years duration with an intake of 50 (one basic unit). The appellant wants recognition for an intake of 100 (two basic units).

AND WHEREAS Prof. Nikunja B. Biswas, President, Sukdev Brahmachari Institute of Education, Krishnapur, West Bengal presented the case of the appellant institution on 29/04/2019. In the appeal and during personal presentation it was submitted that in the original plan, there was sufficient built-up area more than 4100 sq. mtr. ERC, NCTE without giving any opportunity to clarify our position and to submit our document they have issued the letter of intent where they have given only one unit. Therefore, our preference for one more additional unit may be considered. The appellant, in a further communication (affidavit) dt. 26/04/2019 submitted that the total built up area in the building plan is 4191.50 sq. mt; whereas the academic construction area in the building completion certificate was 3351.42 sq. mts. which consists of G + 3, but it did not show built up area constructed for septic tank, underground reservoir, canteen, parking, internal road, additional toilets and washrooms etc; without which the building cannot be considered complete. The built up area for these facilities totalling 840.08 sq. mts. was in the second page of the building plan. Therefore, the total built up area is more than 4191 sq. mts. which is entitled for two units of D.El.Ed. Deficiency in built up area was not served for compliance during consideration of application. Before issue of L.O.I. for 50 intake ERC did not give an opportunity to explain and clarify. Even after issue of L.O.I. the institution preferred a

representation along with building plan and building completion certificate to explain about built up area which was not accepted by the ERC.

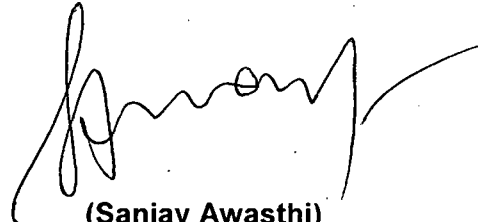
AND WHEREAS the Committee noted that the appellant, in the affidavit enclosed to their application for grant of recognition for B.Ed. course, indicated that the intake sought was 50 (one unit). The Visiting Team who conducted their Inspection on 23 – 24 November, 2018, in their report, while recording that the built up was 3351.42 sq. mts. recommended grant of recognition for an intake of 100 (two units). The ERC in their Letter of Intent dt. 17/12/2018 asked the appellant institution to intimate in an affidavit their willingness for one basic unit of 50 intake. The appellant in their letter dt. 03/01/2019 enclosing a building completion certificate dt. 31/12/2018 issued by Assistant Engineer, Kalyani, Sub Division, Social Sector P.W. Dte requested consideration of two units of D.El.Ed. course. The building completion certificate showed 4191.50 sq. mts. of which 840.08 sq. mts. was for parking, septic tank, toilet, washroom, canteen etc. without any indication of the type of roofing. The ERC in their letter dt. 22/01/2019 did not accept the request and stood by the L.O.I. previously issued. Thereafter, the appellant, with their letter dt. 15/02/2019, forwarded various documents required as per the L.O.I., which inter-alia included an affidavit accepting the decision of the ERC to give recognition for one unit of 50 intake and a list of 1 + 10 faculty. Thereafter, ERC issued recognition for one unit.

AND WHEREAS in view of the above position the Committee concluded that the ERC, who have taken into consideration the submission of the appellant regarding details of built up area, are justified in granting recognition for an intake of 50 (one basic unit) and therefore, the appeal deserved to be rejected and the order of the ERC confirmed.

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

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

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Sukdev Brahmachari Institute of Education, Krishnapur – 741245, West Bengal.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-93/E-109909/2019 Appeal/12th Mtg.-2019/29th April, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 03/06/2019

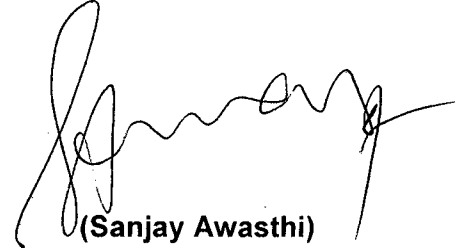
ORDER

WHEREAS the appeal of Sanskar Shikshan Sansthan, Doomroli, Behror, Rajasthan dated 05/03/2019 is against the Order No. NRCAPP-7141 dated 26.11.2018 of the Northern Regional Committee, returning their file for grant of recognition for D.El.Ed. course.

AND WHEREAS the appellant filed a S.B. Civil Writs No. 25780/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 26/11/2018, closed writ proceedings with liberty reserved to the petitioner to avail remedy of appeal. The Hon'ble High Court also observed that in case, an appeal is instituted by the petitioner; the Appellate Authority would deal with the same as expeditiously as possible, in accordance with law.

AND WHEREAS Sh. Rajender Prasad, President, Sanskar Shikshan Sansthan, Doomroli, Behror, Rajasthan presented the case of the appellant institution on 29/04/2019. In the appeal or during personal presentation the appellant has neither submitted a copy of the order of the N.R.C. against which the appeal has been preferred nor any explanation.

AND WHEREAS since a copy of the order appealed against has not been enclosed and no explanation has been furnished, the Committee concluded that no valid appeal existed and therefore, no action is called for.



(Sanjay Awasthi)
Member Secretary

1. **The President, Sanskar Shikshan Sansthan, Doomroli, 1, Behror – 301703, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.