



F.No.89-250/E-122288/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Ravindra Nath Tagore College, Banswara, Rajasthan dated 19/06/2019 is against the Order No. NRC/NCTE/NRCAPP201615538/299th Meeting/2019/202426 dated 29.04.2019 of the Northern Regional Committee, granting recognition for conducting for B.A. B.Ed. Course with an intake of 50 seats from the academic session 2020-21.

AND WHEREAS Sh. Deepak Pandya, Lecturer and Sh. Dignpal Singh, Computer Operator, Ravindra Nath Tagore College, Banswara, Rajasthan presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that "Institution is running B.A. Degree Course already and had applied for B.Sc. long back whose NOC is awaited and to be received at any moment. We had established all the labs for B.A. B.Ed. and B.Sc. B.Ed. which includes Geography, Curriculum, Physics, Chemistry, Biology, Mathematics, Computer, Music, Arts and Crafts and all the labs required for the course which you can be verified from the Inspection report and the Videography taken during inspection. Being satisfied with the Inspection report, Video and all the relevant papers, the NRC NCTE had issued 7/13 vide their letter no. F. No. NCTE / NRCAAPP201615538 / B.A.B.Ed.B.Sc.B.Ed / 4 Year Integrated / SCN / 20172018 / 4 Dated 09.01.2019 for 2 Units i.e., 100 Students. Initially we got the approval of the required staffs for B.A. B.Ed. and B.Sc. B.Ed. total 16 Staffs for the course and went for the submission to your NRC, NCTE office along with other required documents. However, we were told that we need to submit the approval of all the staffs for B.A. B.Ed. only for 2 Units since NOC for B.Sc. degree was awaited. We again got the approval for 16 staffs for B.A.

B.Ed. including the 4 staffs for Prescriptive courses and submitted to your NRC, NCTE office along with other required documents. However, we regret to write that in spite of submitting approval of 16 staffs, we have been allotted only 1 Units i.e., 50 seats vide your Recognition order no. F.No. NRC/NCTE/NRCAPP201615538/299th Meeting/2019/202426 dt. 29th April 2019. We would like to inform you that we have already received NOC of B.A. B.Ed./B.Sc. B.Ed. from the Affiliating body. We may inform that all the staffs required for 2 units of B.A. B.Ed. and the staffs required for B.A. B.Ed./B.Sc. B.Ed./2 Units were submitted to your NRC, NCTE office. You are therefore request to kindly look into the matter and arrange to issue recognition orders for 2 Units i.e., 100 seats from your NRC, NCTE."

AND WHEREAS Appeal Committee noted appellant institution was granted recognition for B.A. /B.Ed. course with an approved intake of 50 seats (one unit) from academic year 2020-2021 by issue of Recognition order dated 29/04/2019. Appeal filed by appellant institution is for seeking:

- (i) Recognition from academic session 2019-20 instead of 2020-21.
- (ii) Recognition for 2 units (100 seats) including one unit for B.Sc./B.Ed.

AND WHEREAS Appeal Committee noted that Letter of Intent (L.O.I.) dated 09/01/2019 approved in 293rd Meeting of NRC for an intake of 100 seats was issued to appellant institution. Appeal Committee further noted that appellant institution submitted a compliance report to NRC on 15/02/2019 which was considered in 297th Meeting of NRC held from 1st March to 3rd March, 2019. NRC after considering the compliance submitted by appellant institution had decided to issue a S.C.N. for the deficiencies observed relating to faculty and N.O.C. of affiliating body to regulate B.Sc. /B.Ed. programme. Reply to S.C.N. was submitted by appellant institution on 28/03/2019 and consequently, in its 299th Meeting, NRC after considering the reply submitted by appellant institutin, decided to grant recognition for only one unit (50 students) of B.A. / B.Ed. Course.

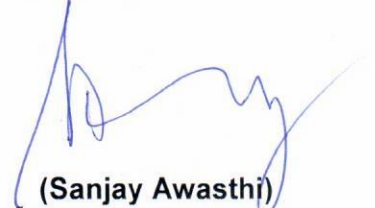
AND WHEREAS Appeal Committee after analysing the relevant records available on regulatory file observed that appellant institution had submitted with its online application dated 31/05/2016 a N.O.C. dated 27/05/2016 issued by Mohan Lal Sukhedia University for B.A. / B.Ed. course only. Appellant with its appeal memoranda had submitted another N.O.C. dated 05/03/2019 issued by Govind Guru Janjatiya University, Banswada (Rajasthan) conveying approval of State Government to the conduct of B.A. B.Ed./B.Sc. B.Ed. 4 year integrated programme. N.O.C. dated 05/03/2019 was not made available to N.R.C. before it decided to grant recognition for only one unit of B.A. B.Ed. course.

AND WHEREAS Appeal Committee also had an opportunity to go through the videography recorded at the time of Inspection conducted on 17/11/2018. The videography is indicative of a lot of area on 1st floor which was not fully constructed and lacked proper infrastructure contrary to what was reported by the Visiting Team. The B.C.C. enclosed with the V.T. report is all printed except the built up area filled in hand written figures.

AND WHEREAS keeping the sequence of events in processing of file, Appeal Committee is of the view there was no abnormal delay in issuing the recognition order and the NRC was justified in granting recognition for only B.A. B.Ed. course from academic year 2020-21. Appellant institution had obtained N.O.C. for B.Sc. B.Ed. programme after the issue of L.O.I. and recognition granted was on the basis of documents submitted before issue of L.O.I. The decision made by NRC was in accordance with the laid down norms of NCTE. Appeal Committee accordingly confirms the recognition order dated 29/04/2019.

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 recognition order dated 29/04/2019.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Manager, Ravindra Nath Tagore College, Banswara – 233456, 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.89-251/E-122549/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Choudhary Teachers Training College, Sangteda, Kotputli, Jaipur, Rajasthan dated 23/06/2019 is against the Order No. NRC/NCTE/NRCAPP-10749/300th Meeting/2019/202374 dated 26.04.2019 of the Northern Northern Regional Committee, granting recognition for two unit for conducting B.A. B.Ed. course from academic session 2020-21.

AND WHEREAS Dr. Sher Singh Choudhary, Member Society, Choudhary Teachers Training College, Sangteda, Kotputli, Jaipur, Rajasthan presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that "NRC has grossly erred by granting recognition only for B.A. B.Ed. (4 Years Integrated) Course in its 300th Meeting held on 15th and 16th April, 2019 by amending its earlier decision taken in 299th meeting held from 1st to 5th April, 2019 in which Recognition was decided to grant both B.A. B.Ed./B.Sc. B.Ed. (4 Years Integrated) Course with annual intake of 100 (2 units) seats, without mentioning any grounds. NOC of the affiliating body was granted for both B.A. B.Ed./B.Sc. B.Ed. to this institute. Inspection of this Institute was carried out by the VTR on 29.04.2016 for B.A. B.Ed./B.Sc. B.Ed. Course and the institute has created and developed all infrastructure, labs and building for both B.A. B.Ed./B.Sc. B.Ed. Course and the VT has also recommended for both B.A. B.Ed./B.Sc. B.Ed. Course. Hon'ble High Court of Rajasthan, Jaipur Bench had also directed NRC to grant of recognition for B.Ed. B.Ed./B.Sc. B.Ed. Course in S.B. CW No. 537/2018. NRC had Issued letter of Intent (LOI) under Cl. 7(13) of NCTE Regulations, 2014 for Course in its 281st Meeting held from to 21st Feb, 2018 and vide its letter No. F.NRC/NCTE/NRCAPP-10749/281st Meeting/2018/189673 dated 26.02.2019. Affiliating body has constituted the panel of Subject Experts and Educationists for both B.A. B.Ed./B.Sc. B.Ed. Course. That the

approval of Principal and Teaching Staff has been carried out by the University of Rajasthan for both B.A. B.Ed./B.Sc. B.Ed. Course. Letter of staff approval was submitted to NRC on 02.03.2019 vide our letter No. CTTC/2019/197 for the issue of final recognition order under Cl. 7(16) of NCTE Regulations, 2014 for both B.A. B.Ed./B.Sc. B.Ed. Course. That the NRC in its 299th Meeting (at Sl. No. 43 held on 0110 April, 2019 Considered the matter and the committee decided to issue final recognition order under Cl. 7(16) of NCTE Regulations, 2014 for B.A. B.Ed./B.Sc. B.Ed. for 2 Units of 100 Students. NRC in its 30th Meeting (at Sl. No. 2) held on 15th and April, 2019 has amended its earlier decision taken in 299th meeting and granted Recognition for only B.A. B.Ed. Course for 2 Units (100 Students) without stating any grounds and issued final recognition order accordingly vide its letter No. F. No. NRC/NCTE/NRCAPP-10749/300^t Meeting/2019/ 202374 dated 26.04.2019. That this institute has submitted a request to NRC for reconsider the matter for the grant of Recognition for both B.A. B.Ed./B.Sc. B.Ed. Course for 2 Units (100 seats) for the Session 2019-20 vide our letter No. CTTC/2019/210 dated 25.04.2019, but the NRC has not taken any action and no intimation has been sent to this institution regarding this."

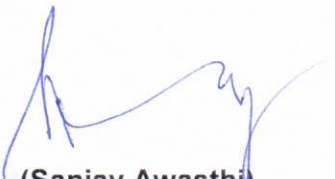
AND WHEREAS Appeal Committee noted that appellant institution was granted recognition for conducting B.A. B.Ed. course by issue of a recognition order dated 26/04/2019. Recognition granted is for 2 units (100 seats) of B.A. B.Ed. programme. Appellant's contention is to seek recognition for one unit each of B.A. B.Ed. and B.Sc. B.Ed. Appeal Committee also noted that request made by appellant institution for preponing the academic year from which recognition was granted has already been decided by NRC by issue of an order dated 23/07/2019 and no appeal is registered against the fresh order of NRC.

AND WHEREAS Appeal Committee noted that appellant institution had submitted its application dated 27/05/2015 seeking recognition for B.A. B.Ed./B.Sc. B.Ed. programme. N.O.C. dated 2/03/2016 of affiliating university was also for B.A. B.Ed./B.Sc. B.Ed. programme. The Visiting Team inspected the appellant institution

on 29/04/2016 and recommended grant of recognition for both the components. Letter of Intent (L.O.I.) dated 26/02/2018 was also for B.A. B.Ed. /B.Sc. B.Ed. Appeal Committee further observed that faculty approved by affiliating university by its letter dated 02/03/2019 included the names of three faculty qualified to teach subjects like Math, Chemistry and Botany. The impugned recognition order dated 26/04/2018 granting recognition for 100 seats of only one component i.e. B.A. B.Ed. without mentioning any reason for denial of the other component i.e. B.Sc. B.Ed. is therefore, not justified. Appeal Committee, therefore, decided to remand back the case to NRC for revisiting its decision and correcting its recognition order dated 29/04/2018 accordingly.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for revisiting its decision and correcting its recognition order dated 29/04/2018 accordingly.

NOW THEREFORE, the Council hereby remands back the case of Choudhary Teachers Training College, Sangteda, Kotputli, Jaipur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Choudhary Teachers Training College, NH-8, Sangteda, Kotputli, Jaipur - 303108 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.89-253/E-122745/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Suleman Memorial College of Education, Sedam Road, Gulbarga, Karnataka dated 20/06/2019 is against the Order No. SRO/NCTE/SRCAPP2337/B.Ed/KA/2016-17/80609 dated 22.01.2016 of the Southern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "no reply to Show Cause Notice for non-submission of NOC has been received. Reject."


AND WHEREAS Md. Yousuf Khan, Secretary and Sh. Sameer Khan, Representative, Suleman Memorial College of Education, Sedam Road, Gulbarga, Karnataka presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that SRC decision to reject the application of the institution without giving any reasonable opportunity to the institution is against the principle of Natural Justice. Appellant had never been served any Show Cause Notice dated 05.12.2015 and the appellant was never served upon the refusal/rejection order dated. 22.01.2016. Institution had submitted the NOC along with all the requisite documents and the SRC, NCTE has not informed any other deficiency in the Appellant application for the grant of recognition for the B.Ed. course. Under Regulations, 2014 the "Council" has "powers to relax" any condition/regulation which causes undue hardship. This is a fit case for relaxation and giving benefit to appellant who substantially satisfies norms and standards under Regulations, 2014."

AND WHEREAS Appeal Committee noted that appeal dated 20/06/2019 is against the impugned refusal order dated 22/01/2016. Impugned refusal order dated 22/01/2016 in its last and concluding para referred to the provision of making appeal within 60 days.

AND WHEREAS Appeal Committee noted that appellant in its appeal memoranda referring to the reasons for delay of more than 40 months in preferring appeal has stated that institution had not received the refusal order till January, 2019. Contrary to the submission made by appellant in its appeal memoranda, Appeal Committee observed that appellant institution itself by its letter dated 23/12/2016 addressed to SRC, Bangalore had enclosed a copy of refusal order and requested SRC to re-examine the case.

AND WHEREAS Appeal Committee is therefore, of the opinion that appellant institution misrepresenting the fact that it received the refusal order only in January, 2019 and hence delay occurred in preferring appeal shall be condoned. Appeal Committee noting that delay of more than 3 years and 4 months in preferring appeal, for the reasons which have been found to false and unsustainable is not condonable. Appeal Committee concluded not to accept the appeal on grounds of delay.

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 accept the appeal on ground of delay. Hence the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Suleman Memorial College of Education, Plot No. 126/A, Sedam Road, Gulbarga – 585105, Karnataka.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.



F.No.89-254/E-122739/2019 Appeal/23rd Mtg.-2019/1st August, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 27/08/2019

ORDER

WHEREAS the appeal of D.K. Shivakumar B.Ed. College, Shankarmutt Road, Bhadravathi, Shimoga, Karnataka dated 22/06/2019 is against the Order No. SRO/NCTE/APSO4737/B.Ed/KA/2019/104611 dated 21.05.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "As per decision of the SRC taken in its 369th meeting, the institution was sent a SCN dated 12.02.2019 asking therein to submit the required document such as land documents, staff list etc. for considering the issue of continuation of recognition. The institution instead of making compliance they expressed their inability in providing the documents asked for. It shows that the institution is not interested to provide the documents as required by the NCTE. In absence of required documents, the Committee decided to withdraw the recognition. The Committee decided to withdraw the recognition granted to D.K. Shiva Kumar B.Ed. College, Shakar Mutta Road, Old Town, Bhadravathi – 577301, Shimoga District, Karnataka for B.Ed. course."

AND WHEREAS Sh. Pramod Kumar, Administrator, D.K. Shivakumar B.Ed. College, Shankarmutt Road, Bhadravathi, Shimoga, Karnataka presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that "According to the revised corrigendum order, there were only two conditions to be fulfilled by our one basic unit of fifty students' institution. a. FDR's were revalidated by the SRC-NCTE through the letter no: F.NO.SRO/NCTE/APSO4737/B.Ed./ KA/2015/69694 dated 10 July 2015. b. For FDR's enhancement in values from 8 lakhs to 12 lakhs, for one basic unit of fifty students' institutions, which has already maintained 8 lakhs FDR's shall not be required to

deposit the balance of 4 lakhs with the bank in the form of FDR's. Enhancement in values of FDR's is applicable to the institutions which have opted for two basic units/ second programme as per the correspondence and explanatory note by SRC-NCTE wide letter no: SRO/NCTE/RD/Regulations.2014/2015/60878 dated 31 December 2014. The institution submits that it had fulfilled the first condition in the corrigendum order as per explanatory note issued by SRC-NCTE. The institution has always obliged to the directions of SRC-NCTE, but there was no communication received regarding the inspection by SRC-NCTE till date. Within the given period of time the institution made a reply along with explanation and furnishing necessary documents stating that it had fulfilled the conditions in the revised corrigendum order and the conditions mentioned in the showcase notice were applicable only to institutions having two basic units of 100 students but not applicable for one basic unit institutions as ours as per corrigendum order issued to institution and explanatory note by SRC-NCTE and NCTE letter to all Regional Directors dated 17 May 2016. There was a misunderstanding of the correspondence by SRC-NCTE and they made decision to withdraw recognition order dated 21 May 2019 stating that inability of the institution to provide documents. Whereas nowhere in the showcase notice it has mentioned to produce or submit the documents. There was a clear instruction to give a written representation for non-compliance of conditions mentioned in revised corrigendum order, but the submission of document as stated in withdrawal order is not stipulated. There is a difference of grounds mentioned in showcase notice and withdrawal order. If the SRC-NCTE directed to furnish or to submit essential applicable documents, the institution would have and is ready to submit as per orders."

AND WHEREAS Appeal Committee noted that appellant institution has filed a Writ Petition No. 23089 of 2019 in the Hon'ble High Court of Karnataka at Bangalore and the Hon'ble Court vide order dated 18/06/2019 has directed that appeal filed by petitioner shall be considered by the Appellate Forum within 2 weeks from the date of appeal filing.

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 12/02/2019 was issued to appellant institution seeking:-

- (i) Staff profile for session 2015-16, 2016-17, 2017-18 duly approved by affiliating body.
- (ii) Building Completion Certificate (B.C.C.) issued by Government Engineer.
- (iii) FDRs of Rs. 5 lakhs and 7 lakhs.
- (iv) Original notarised CLU, NEC and approved Building Plan.

AND WHEREAS Appeal Committee noted that appellant institution submitted reply dated 01/03/2019 to the SCN. The appellant in its reply stated that it had not contravened any regulation and S.C.N. issued by S.R.C. should be withdrawn. From the above reply of the appellant institution, SRC construed that appellant institution is not interested to submit required documents and decided to withdraw the recognition.

AND WHEREAS appellant during appeal hearing on 01/08/2019 submitted (i) copy of staff profile approved by affiliating body (ii) B.C.C., (iii) FDRs, (iv) C.L.U. and (v) approved Building Plan. The documents submitted by appellant prima-facie appear to be as per demand made by SRC in the S.C.N. dated 12/02/2019. Appeal Committee therefore, decided that appellant institution should submit authenticated copies of all these documents to SRC within 15 days of the issue of appeal order. The case is remanded back to SRC for revisiting the matter on receipt of documents which are required to be submitted by appellant institution within 15 days of the issue of appeal order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record & oral arguments advanced during the hearing, Appeal Committee concluded to remanded back to SRC for revisiting the matter on receipt of documents which are required to be submitted by appellant institution within 15 days of the issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of D.K. Shivakumar B.Ed. College, Shankarmutt Road, Bhadravathi, Shimoga, Karnataka to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Chairman, D.K. Shivakumar B.Ed. College, 34/2, Old Town, Shankarmutt Road, Bhadravathi, Shimoga – 577301, Karnataka.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.



F.No.89-255/E-122825/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Shree Gram Sarvajanik Education Trust Janada Sanchalit Shree B.Ed. College, Amarapur, Jasdan Amdavad Highway, Vinchhiya, Rajkot, Gujarat dated 26/06/2019 is against the Order No. WRC/APW00587/323186/B.Ed./292nd/GUJ/2018/197813 dated 19.05.2018 of the Western Regional Committee, continuing recognition for one unit for B.Ed. course.

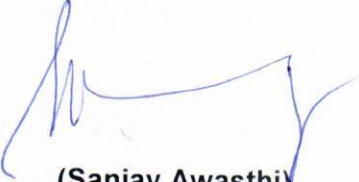
AND WHEREAS Sh. Deepak Kumar, Director, Shree Gram Sarvajanik Education Trust Janada Sanchalit Shree B.Ed. College, Amarapur, Jasdan Amdavad Highway, Vinchhiya, Rajkot, Gujarat presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation appellant requested to restore recognition for 100 seats instead of 50 seats.

AND WHEREAS Appeal Committee noted that appellant institution was granted recognition by an order dated 27/06/2005 for conducting B.Ed. course with an intake of 100 seats. Subsequently after NCTE Regulations, 2014 came into force a revised recognition order dated 31/05/2015 was issued which was subject to certain conditions being observed and complied to by the appellant institution. Non compliance of the terms and conditions by the appellant institution resulted in issue of a Show Cause Notice (SCN) dated 24/08/2016 and a withdrawal order dated 18/08/2017. Further appellant preferred appeal against the withdrawal order and Appellate Authority by issue of order dated 13/02/2018 remanded back the case to WRC keeping in abeyance the impugned refusal order.

AND WHEREAS WRC considering the appellate order and the submissions made by appellant institution issued another S.C.N. dated 07/05/2018. Appellant

institution by its letter dated 09/05/2018 submitted to WRC a staff profile which was adequate for continuing recognition for one unit of 50 seats. Appellant also formally requested by its letter dated 09/05/2018 to allot one unit. WRC by issue of letter dated 19/05/2018 informed the appellant institution that it is permitted to continue the existing B.Ed. course with an intake of 50 seats from session 2018-19.

AND WHEREAS the appeal dated 26/06/2019 of the appellant institution is to restore recognition for 100 seats from 2019-20. Appeal Committee considered the case and held that once intake is reduced at the request of appellant institution it cannot be restored in subsequent academic years and for the purpose appellant institution has to apply afresh as and when NCTE issues Notification inviting fresh applications. As there is no order issued by WRC against which the appellant is specifically aggrieved, the request of the institution cannot be considered as appeal under Section 18 of the NCTE Act.



(Sanjay Awasthi)
Member Secretary

1. The Managing Trustee, Shree Gram Sarvajanik Education Trust Janada Sanchalit Shree B.Ed. College, Amarapur, Jasdan Amdavad Highway, Vinchhiya, Rajkot – 360055, 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.89-257/E-123005/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Smt. Manbhari Devi Teachers Training College, VPO-Chanana, Chirawa, Jhunjhunu, Rajasthan dated 25/06/2019 is against the Order No. Old/App/RJ-----/2017/169516 dated 23.03.2017 of the Northern Regional Committee, thereby returning the application for conducting for D.El.Ed. Course on the grounds that "in cases where the institution have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Appeal Committee noted that appellant institution has filed a Civil Writ Petition No. 10585 of 2019 in the High Court of Judicature for Rajasthan Bench at Jaipur and Hon'ble High Court vide order dated 21/06/2019 has granted liberty to the petitioner to file an appeal before NCTE which is required to be decided on merits ignoring the limitation period.

AND WHEREAS Sh. Sumer Singh, Member of Society and Dr. Vidhadhar, Member of Society, Smt. Manbhari Devi Teachers Training College, VPO-Chanana, Chirawa, Jhunjhunu, Rajasthan presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that "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 direction of Hon'ble Court narrated above the application was submitted offline. Had the institution been were provided opportunity to move application before the NRC as per the directions of Hon'ble Court given in other identical matters, it would have been done. The appellant institution submitted application with reference to other identical/similar matters but the

respondent Committee did not consider the matter as per reference. 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 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."

AND WHEREAS the relevant regulatory file of the N.R.C. is not available. It has been brought to the notice of the Committee in the 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 the 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.

AND WHEREAS it has also been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.


AND WHEREAS Appeal Committee also noted that while returning the application made by appellant institution, NCTE had also refunded the application fee. After return of application in original and refund of application fee by NCTE virtually no application had existed for several years. In the present scenario even if the applicant has now become eligible to apply afresh with necessary approvals from the affiliating body and the State Government, the already returned application cannot be revived in view of the direction of Supreme Court to decide all applications in conformity of NCTE Regulations, 2014. In many similar cases where applicants had filed Writ Petitions in the High Court of Judicature for Rajasthan, Bench at Jaipur, the direction given by the Hon'ble High Court to N.R.C. was to consider the applications of petitioners provided they apply afresh in accordance with the NCTE Regulations, 2014. Appeal Committee noted that in a few cases where appellants resubmitted their old returned applications, the N.R.C. without ensuring that the applicant submits a fresh application as and when NCTE invites applications, had mistakenly considered such applications, conducted inspections and issued L.O.s. On reconsideration of the whole matter Appeal Committee has now decided that appellant is free to submit application afresh

as and when NCTE invites application by issuing a public notification. Appeal Committee has also decided to make a deviation from its earlier decision where a few appeal matters were remanded back which subsequently resulted in technical and procedural difficulties in view of the general guidelines given by the Hon'ble Supreme Court of India.

AND WHEREAS 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. The appellant institution is free to submit a fresh application as and when NCTE issue notification inviting application for the desired courses.

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 above 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.

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



(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Smt. Manbhari Devi Teachers Training College, VPO-Chanana, Chirawa Road, Chirawa, Jhunjhunu – 333026, 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.89-258/E-123001/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of S.M.D. (Smt. Manbhari Devi) Teachers Training College, VPO-Chanana, Chirawa, Jhunjhunu, Rajasthan dated 25/06/2019 is against the Order No. Old/App/RJ-----/2017/169193 dated 14.03.2017 of the Northern Regional Committee, thereby returning the application for conducting for B.Ed. Course on the grounds that "in cases where the institution have submitted the applications by offline mode along with Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5, of NCTE Regulations, 2014."

AND WHEREAS Appeal Committee noted that appellant institution had filed a Civil Writ Petition no. 10584 of 2019 in the High Court of Judicature for Rajasthan Bench at Jaipur and Hon'ble High Court vide order dated 21/06/2019 has granted liberty to the petitioner to file an appeal before NCTE which is required to be decided on merits ignoring the limitation period.

AND WHEREAS Sh. Sumer Singh, Member of Society and Dr. Vidhadhar, Member of Society, S.M.D. (Smt. Manbhari Devi) Teachers Training College, VPO-Chanana, Chirawa, Jhunjhunu, Rajasthan presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that 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 direction of Hon'ble

Court narrated above the application was submitted offline. Had the institution been provided opportunity to move application before the NRC as per the directions of Hon'ble Court given in other identical matters, it would have been done. The appellant institution submitted application with reference to other identical/similar matters but the respondent Committee did not consider the matter as per reference. 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 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."

AND WHEREAS the relevant regulatory file of the N.R.C. is not available. It has been brought to the notice of the Committee in the 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 the 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.

AND WHEREAS it has also been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter NO. F. 67/19/2018 – US (Legal) – HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5 (3), 7(4), 7 (5) and 7 (6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.

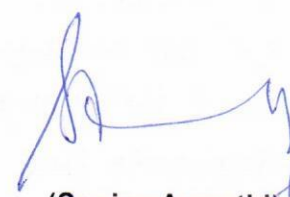
AND WHEREAS Appeal Committee also noted that while returning the application made by appellant institution, NCTE had also refunded the application fee. After return of application in original and refund of application fee by NCTE virtually no application had existed for several years. In the present scenario even if the applicant has now become eligible to apply afresh with necessary approvals from the affiliating body and the State Government, the already returned application cannot be revived in view of the direction of Supreme Court to decide all applications in conformity of NCTE Regulations, 2014. In many similar cases where applicants had filed Writ Petitions in the High Court of Judicature for Rajasthan, Bench at Jaipur, the direction given by the Hon'ble High Court to N.R.C. was to consider the applications of petitioners provided they apply afresh in accordance with the NCTE Regulations, 2014. Appeal Committee noted that in a few cases where appellants resubmitted their old returned applications, the N.R.C. without ensuring that the applicant submits a fresh application

as and when NCTE invites applications, had mistakenly considered such applications, conducted inspections and issued L.O.s. On reconsideration of the whole matter Appeal Committee has now decided that appellant is free to submit application afresh as and when NCTE invites application by issuing a public notification. Appeal Committee has also decided to make a deviation from its earlier decision where a few appeal matters were remanded back which subsequently resulted in technical and procedural difficulties in view of the general guidelines given by the Hon'ble Supreme Court of India.

AND WHEREAS 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. The appellant institution is free to submit a fresh application as and when NCTE issue notification inviting application for the desired courses.

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 above 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.

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, S.M.D. (Smt. Manbhari Devi) Teachers Training College, VPO-Chanana, Chirawa Road, Chirawa, Jhunjhunu – 333026, 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.89-260/E-123324/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Trimurti M.Ed. College, Trimurtinagar, Newasa Phata, Murme-Khadka, Newasa, Ahmednagar, Maharashtra dated 24/06/2019 is against the Order No. WRC/APW06561/125134/M.Ed./306th/2019/203208 dated 07.05.2019 of the Western Regional Committee, withdrawing recognition for conducting M.Ed. Course on the following grounds that "A Show Cause Notice was issued to the institution on 10.11.2014. The institution has submitted reply of Show Cause Notice on 02.12.2014 and lastly on 04.01.2019. On perusal of the reply of the institution it is observed that the institution has not submitted the following documents: The Institution has not submitted NAAC Accreditation Certificate. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for M.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

AND WHEREAS Sh. S. Ghadge Patil, C.E.O., Trimurti M.Ed. College, Trimurtinagar, Newasa Phata, Murme-Khadka, Newasa, Ahmednagar, Maharashtra presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that "WRC-NCTE granted permission to M.Ed. course U/S 15 of NCTE act initially for 25 intake vide order dated 15/06/2009 from the A.Y. - 2009-10 and further intake was enhanced from 25 to 35 from the session 2010-2011 vide order dated 12/02/2011. Copies of both orders are annexed. As per regulation 2009, under provisions of clause 8(5), our institute had to be accredited from NAAC on or before 01/04/2012. Therefore, institute applied for NAAC at first time on 30/10/2011. The NAAC communicated vide letter dated 16/11/2011 that- the eligibility/qualifying criteria to apply for NAAC is as " any institution offering programs in education recognized by NCTE and having a standing of at least three years since

establishment and with a record of two batches having graduated - are eligible for undergoing the process of Assessment and Accreditation by NAAC". Further, due to directions of Hon'ble high court, bench at Nagpur dated 03/12/2008 as same order came to be squashed on 28/03/2011 by the Hon'ble apex court, forced our M.Ed. course to have started from A.Y.2011-12, thus, it clarifies that institute was even not eligible to apply for NAAC on OR before 01/04/2012. For qualifying to become eligible, the Institute was to complete A.Y.2011-12, 2012-13 and 3rd year 2013-14 on 15/06/2014. Accordingly, even for applying for NAAC after 01/04/2012, anticipating the time consumed for completion of NAAC process- as a caution, the institute had applied again second time on 28/12/2013 before completing the date of eligibility. The 2nd application to NAAC dated 28/12/2013 was to be survived only if the institute continued as permitted/recognized by NCTE and affiliations granted by Pune University too at least for A.Y.2013-14, 2014-15 or up to 15/06/2014 and thereafter. It is solemnly submitted that, due to above facts, as to get the same difficulty and hardship to be removed/relaxed that of getting NAAC accreditation on OR before 01/04/2012 - was just impossible. Institute represented in advance to NCTE under clause 12 of regulation, praying for relaxation up to 01/04/2015 vide applications dated 28/12/2011, 20/03/2012 and 16/06/2013. All these three applications are on records of WRC/NCTE. It is fact that the Institute was not at all eligible to apply for NAAC on 01/04/2012- the fixed datum line as per regulation 2009. Suddenly, without appreciating the above facts, that institute was not eligible to apply for NAAC on 01/04/2012, WRC-NCTE issued a letter dated 03/11/2013 intimating that "since your institution does not fulfil the provisions as laid down in the clause 8(5) of NCTE regulation 2009, the name of your institution no more figures in the list of recognized institution of M.Ed. course."thus our M.Ed. course was de-recognized by WRC on 03/11/2013 itself. After receipt of said letter dated 03/11/2013, de-recognizing of our M.Ed. course, we appealed U/S 18 vide Appeal No APPL 1993 of 14/04/2014 submitting above facts with prayer –“The impugned order appealed against may be set aside and appropriate relief be granted to the appellant. Council directed the WRC that “the matter deserved to be remanded to the WRC with the directions to issue a show cause notice to the appellant institution as per the proviso to section 17(1) of the

NCTE act and take further action as per the regulations. In the meantime, the decision of the WRC as contained in their letter dated 03/11/2013 addressed to the appellant institution- shall remain in abeyance". In compliance of said order of Hon'ble Council dated 15/10/2014, the WRC issued show cause notice to the institution dated 10/11/2014. The said show cause notice in it's para 4 manifests the details of the order of Hon'ble Council dated 15/10/2014. However, the WRC had partly complied the said order of Hon'ble Council by issuing the said show cause notice dated 10/11/2014 promptly but remained silent to initiate further appropriate action to declare the institute as duly recognized/permitted U/S 15, OR to issue the revised recognition order OR to intimate the same to Pune University to grant/continue the Affiliation as per provisions of section 16 of NCTE Act. It is not understood why the WRC did not react on this part of declaring the institute as recognized till date for last 5 years- on orders of Hon'ble Council, despite, the institute had duly filed an affidavit regarding acceptance & compliance of NCTE regulations, 2014 vide letter dated 14.01.2015 within the time limit. It is humbly clarified that the said show cause notice dated 10/11/2014 contained as giving an opportunity to show-cause/to explain as to why recognition/permission granted to your institute should not be withdrawn for violation of norms and standards of NCTE on the following grounds:- "As per Clause 8 (5) of NCTE regulations, 2009, Similarly, all institutions having a master of Education and Master of physical Education courses shall have to get NAAC Accreditation with at least a letter Grade B on or before the 1st day of April, 2012, failing which Master of Education or Master of Physical Education Recognition granted to the institutions shall stand withdrawn w.e.f. the academic session 2012-13"..... It is submitted that, our institute was not at all eligible OR qualified to apply for NAAC on 01/04/2012 for the reasons duly enlisted by the Hon'ble Council in para 4 of it's order dated 15/10/2014, therefore, WRC ought to have perused these vital reasons before passing final order dated 07/05/2019. The institute replied the said show cause notice vide a detailed representation dated 02/12/2014 which was received by the WRC on 09/12/2014. It is repeatedly reflected the fact that our institute was never and not at all eligible OR qualified to apply for NAAC on OR before 01/04/2012, even Institute did not qualify to apply for NAAC after 01/04/2012, therefore, no violation of any norms and standards-

was ever committed and the show cause notice required to be withdrawn. The institute has none at this stage to pursue the NAAC....., institute further in sub para (e) under PRAYERS, also clarified that "institute had applied for accreditation to NAAC on 28/12/2013 that second time, with payment of requisite fees of Rs.28090/- vide DD No-350877 dated 26/12/2013 and institute is initiating further steps as seeking continuation of affiliation from Pune University for A.Y.2014-15, A.Y.2015-16 and A.Y. 2016-17 in continuation at least for Two years for fulfilling the NAAC requirements. In sub para (g) it is clarified that application dated 28/12/2013 is pending before NAAC as such the Pune University has discontinued/refused to grant affiliation to the institute for A.Y.2014-15 causing closer of institute from A.Y.2014-15. The committee of Pune University had clarified vide report dated 01/04/2014 that college not be affiliated for A.Y.2014-15 for the reasons that the institute failed to obtain NAAC approval on 01/04/2012 as per intimation of WRC. Since knowing the stand of the University, it was necessary on part of WRC to clarify the matter to the University, as per orders of Hon'ble Council dated 15/10/2014 for continuation of affiliation. Since institute was de-recognized by WRC vide letter dated 03/11/2013 i.e. from A.Y. 2014-15, the appeal of institute was decided by the Council on 15/10/2014, the Pune University discontinued the affiliation from A.Y.2014-15 and for want of "Revised letter of Recognition" the institute remained closed/non-functional from A.Y.2014-15 till date for last 5 years causing irreversible financial losses. The WRC took drastic measure by issuing it's letter dated 03/11/2013 without following due process of law which resulted dislocation of students, dis-reputation and financial losses to the institute. WRC did not issue the revised recognition order to the institute, did not consider it's reply for last 5 years till date. It is on records of WRC that an affidavit dated 14/01/2015 along with forwarding letter bearing No TPP/M.Ed./2015/sal-104 dated 14/01/2015 and same was received by WRC as duly confirmed as enlisted at Sr. No 2 in the withdrawal order dated 07/05/2019. As per directions of Hon'ble Council, WRC was obliged to continue the recognition of the institute till reply to the show cause notice was finally decided. It's for kind considerations that the show cause dated 10/11/2014 was replied by institution on 02/12/2014. For want of letter of recognition/revised recognition-the institute remained closed for A.Y. 2014-15 despite Institution having requested the WRC for issuance of

Revised order of permission/Recognition with intake of 50 students (one basic unit) w.e.f. A.Y.2015-16 vide letter 14/01/2015 and again institute re-requested for the same- vide letter dated 06/04/2015. Institute pursued the WRC on telephone/in person- requesting to issue the revised recognition order further for 5 months and lastly served a letter bearing No TPP/M.Ed-125134/15/c-254 dated 17/09/2015 by hand explaining the situation and requested to issue the copy of revised recognition order by hand on urgent basis for getting allotment of students for A.Y.2015-16 through association, however, WRC did not issue the copy of revised recognition order nor replied giving reasons for not issuing it, even did not dispose off the reply of institute to show cause notice for last 5 years for reasons best known to WRC. Further institute sent reminder –I on 09/10/2015 and submitted representation dated 09/12/2015 against the non-compliance of order of Hon'ble Council that by hand to the Member Secretary- NCTE on 10/12/2015 who was kind to phone to the Regional Director of WRC as to look in to the matter and issue the revised recognition order to the institute at earliest. In fact on behalf of the Institute-myself pursued the WRC office personally for next 7 months and when found that WRC was reluctant in issuing the revised recognition order for no reasons, therefore, the directions of the Council passed in appeal. Further, I personally met the then RD number of times and further, institute represented in details vide representations dated 26/04/2018, 26/05/2018, 15/06/2018, 16/07/2018, 26/10/2018 and 04/01/2019. The above representations dated 14/01/2015, 21/02/2015, 06/04/2015, 17/09/2015, 09/10/2015, 09/12/2015, 11/08/2016, 26/04/2018, 26/05/2018, 15/06/2018, 16/07/2018, 26/10/2018 and 04/01/2019. Each representation contained all details and copies were sent to all concerned higher officials. As there was no response of WRC for last 5 years, the institute was compelled to file Writ Petition No. 5024/2019 before Hon'ble High Court Bench at Aurangabd on 28/03/2019. The copy of said Writ Petition was sent to the WRC vide letter dated 04/04/2019 and only thereafter, the WRC reacted - came in action and disposed of the said pending reply of institute after a period of 5 years to the show cause notice dated 10/11/2014 by considering the same in it's 306th meeting held on April 29-30th, 2019 of WRC and without going through the reply of institute to the show cause, without application of mind, observed that "the institute has not

submitted NAAC accreditation certificate" and withdrawn the recognition w.e.f. the end of the academic session next following the date of communication. Thus, finally WRC reacted on order of Hon'ble Council after a period of 5 years when matter was filed before Hon'ble High Court. The letter of advocate S.S. Rathi dated 04/04/2019 and copy of order of Hon'ble High Court dated 26/04/2019 – are at "Exhibit A-11". The M.Ed. course was not eligible to apply for NAAC on 01/04/2012, even after 01/04/2012, it was not qualified to apply for NAAC as Recognition was withdrawn on 03/11/2013 and which was never restored as such it was beyond control to get NAAC certificate, therefore, no wilful violation of provision U/S 08 (5) of regulation and show cause notice deserved to be withdrawn. B) It is solemnly submitted that the recognition was earlier withdrawn by WRC vide it's order dated 03/11/2013 and same was never restored nor revised order of recognition was issued till date for last 5 years that in violation of directions of Hon'ble Council dated 15/10/2014 passed in appeal. When recognition was not restored nor revised recognition order was issued till date for last 5 years, the institute remained without recognition and therefore, it is surprising and shocking to read that the WRC again has withdrawn the recognition twice. The institute is closed w.e.f. A.Y. 2014-15 till A.Y.2019-20 for last 6 academic years for want of copy of revised recognition order. C) It is on record that the institute was not eligible nor qualified even to apply for NAAC on OR before 01/04/2012, institute had requested the NCTE thrice for removal of said hardship/difficulty by requesting in advance to relax the condition up to 15/06/2015, therefore, no contravention OR violation of regulation has ever occurred. D) The institute lost it's recognition vide order dated 03/11/2013, University continued it's Affiliation up to A.Y.2013-14 and discontinued further for want of copy of revised recognition order, therefore, it was not at all possible to apply and process for getting NAAC certificate after 01/04/2012. E) Second application of institute to NAAC dated 28/12/2013 got itself automatically cancelled for want of revised recognition order and affiliation. F) WRC before passing the order of withdrawal dated 07/05/2019, ought to have perused the findings of Hon'ble Council as enlisted in para 4 of it's order dated 15/10/2014 passed in the Appeal, which vide para (ii) and (vi) confirmed that the institute was not eligible to apply for NAAC on OR before 01/04/2012. G) The Hon'ble Council in it's order dated 15/10/2014 in para 5 concluded

that the communication of WRC dated 03/11/2013, tantamount withdrawal of recognition of our M.Ed. course without following due process of law U/S 17(1) of NCTE Act. H) The Hon'ble Council vide order dated 15/10/2014, declared the decision of WRC in their letter dated 03/11/2013 to be remained in abeyance till due process U/S 17(1) proviso-was completed, therefore, it was mandatory for WRC to continue the recognition/permission of M.Ed. Course up to 07/05/2019. I) The WRC is aware of the fact that the NAAC has resolved to discontinue the Assessment & Accreditation of Teacher Education institutions from 10/08/2017 as same is notified by NAAC vide notification No 4/2017 dated 01/09/2017 and copy of the same is at "Exhibit A-12". When recognition of institute stands discontinued from 03/11/2013 and when NAAC is not applicable to M.Ed. Course from 10/08/2017, how, WRC can demand the submission of NAAC accreditation certificate that on 30/04/2019 J) WRC itself did not comply the directions of the Hon'ble Council as contained in it's order dated 15/10/2014 for last 5 years that after repeated representations. The WRC never restored nor issued the copy of revised recognition order till date. K) As a effect of letter of WRC dated 03/11/2013, the institute is closed from A.Y.2014-15 till date, therefore, it is difficult to understand the conclusion of WRC in it's meeting dated 29-30th April 2019 that institute not submitted NAAC certificate may be before 04/01/2019. L) In the withdrawal order dated 07/05/2019, the WRC confirmed that the show cause notice was issued on 10/11/2014. The institution has submitted reply of show cause notice on 02/12/2014 and lastly on 04/01/2019, therefore, it is evident to mention that the institute was not at all eligible nor qualified to apply for NAAC on 01/04/2012, and thereafter too. WRC has not appreciated the effort of institute - applying second time to NAAC on 28/12/2013 anticipating that institute would get revised recognition up to 15/06/2015. How, the WRC expected that the institute should have produced the NAAC accreditation certificate on OR before 01/04/2012 OR 04/01/2019 when WRC itself withdrawn the recognition on 03/11/2013 before institute became eligible to apply for NAAC. M) It is fact that the institute would have fallen eligible after completion of A.Y.2013-14 but from 03/11/2013, there after till date - the institute did not have recognition. Show cause was issued on 10/11/2014, however, WRC did not restore the recognition till date nor disposed off the reply. Had the WRC

complied the orders of Council dated 15/10/2014 faithfully and issued the revised recognition order enabling the institute to seek affiliation of University from A.Y. 2014-15 onwards, then it was proper for the WRC to expect the institute to submit NAAC Accreditation certificate on OR before 04/01/2019, as such obtaining NAAC certificate was beyond the control of Institute. I assure that had revised recognition issued as per directions of Hon'ble Council, institute would have obtained the said NAAC certificate. The conclusion drawn by WRC while issuing the withdrawal order dated 07/05/2019 that the institution has not submitted NAAC Accreditation certificate on OR before 01/04/2012 as per show cause notice even on 04/01/2019- is erroneous, perverse, improper and same is neither logical nor lawful.

AND WHEREAS Appeal Committee noted that appellant institution is aggrieved by the following action of WRC:-

- (i) Withdrawing recognition for M.Ed. course by issue of withdrawal order dated 03/11/2013 without giving opportunity to submit written representation i.e. without Show Cause Notice.
- (ii) Not implementing in letter and spirit the decision taken by Appellate Authority by its order dated 15/10/2014.
- (iii) WRC did not take cognizance of the above Appellate order dated 15/10/2014 in so far as it kept in abeyance the decision of WRC. contained in letter dated 03/11/2013.
- (iv) WRC did not take timely cognizance of written representation submitted by appellant institution by its letter dated 02/12/2014 and repeated reminders for getting allotment of students by the affiliating body.
- (v) WRC neither decided the matter by confirming the withdrawal order nor did issue revised recognition order as per NCTE Regulations, 2014.

AND WHEREAS Appeal Committee noted that letter of WRC dated 05/11/2013 informing the appellant institution that on the grounds of nonfulfillment of Clause 8 (5) of NCTE Regulation, 2009 the name of institution no more figures in the list of recognised institutions of M.Ed. course was considered by Appellate Authority to be tantamount to a withdrawal order. Appeal order dated 15/10/2014 was accordingly issued.

AND WHEREAS Appeal Committee on perusal of the relevant regulatory file and the impugned withdrawal order dated 07/05/2019 observed that WRC has neglected issuing revised recognition order under NCTE Regulations, 2014 and also facilitating the appellant institution the benefits of keeping in abeyance the withdrawal order dated 03/11/2013. The present impugned withdrawal order dated 07/05/2019 speaks of S.C.N. dated 10/11/2014 and its reply dated 02/12/2014 and 04/01/2019. For the intervening period between the impugned letters dated 03/11/2013 and withdrawal order dated 07/05/2019, the status of the institution has been of a recognised one for M.Ed. course as the present withdrawal order is made effective from the end of academic session next following the date of communication of the said order. But correspondingly WRC did not issue revised recognition order under the NCTE Regulations, 2014. NRC has also failed to respond to various communications addressed to it by appellant institution from time to time which are found available on the regulatory file.

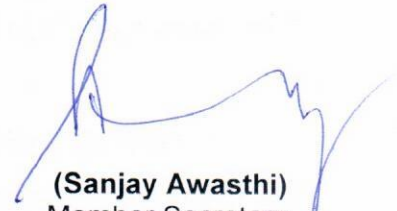
AND WHEREAS Appeal Committee, without going into other merits of the case, is of the opinion that withdrawal of recognition by order dated 07/05/2019 on the grounds of non-submission of NAAC accreditation certificate cannot be substantiated particularly in view of the present scenario when NCTE and NAAC do not have a valid bilateral agreement for accreditation of the teacher education institutes.

AND WHEREAS Appeal Committee keeping in view the circumstances of the case decided to set aside the withdrawal order dated 07/05/2019 and remand back the case to WRC to restore the recognition for M.Ed. course after verifying that the appellant institution possesses requisite number of faculty selected and approved by the affiliating body as per NCTE Regulations, 2014. Affiliating University should also be kept informed of the decision of Appellate Authority and requested to facilitate selection of qualified faculty in case the appellant institution has a deficiency on this account currently.

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

to set aside the withdrawal order dated 07/05/2019 and remand back the case to WRC to restore the recognition for M.Ed. course after verifying that the appellant institution possesses requisite number of faculty selected and approved by the affiliating body as per NCTE Regulations, 2014. Affiliating University should also be kept informed of the decision of Appellate Authority and requested to facilitate selection of qualified faculty in case the appellant institution has a deficiency on this account currently.

NOW THEREFORE, the Council hereby remands back the case of Trimurti M.Ed. College, Trimurtinagar, Newasa Phata, Murme-Khadka, Newasa, Ahmednagar, Maharashtra to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Trimurti M.Ed. College, Trimurtinagar, Newasa Phata, Murme-Khadka, Newasa, Ahmednagar – 414603, Maharashtra.**
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 Maharashtra, Mumbai.



F.No.89-262/E-123271/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Satya Sadhna Mahavidyalaya, Nandipur, Todabhim, Karauli, Rajasthan dated 27/06/2019 is against the Order No. NRC/NCTE/NRCAPP-201616248/ID:9265/299th Meeting/2019/202419 dated 29.04.2019 of the Northern Regional Committee, granting recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course of one unit (50 students). The appellant wants recognition for two units in place of one unit.

AND WHEREAS Sh. Bhoop Singh Yogi, Lecturer, Satya Sadhna Mahavidyalaya, Nandipur, Todabhim, Karauli, Rajasthan presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that this college is running B.A. course and the University of Kota, Kota had issued N.O.C. for B.A. B.Ed. course to this institution on 25.05.2016. Copy of N.O.C. is annexed. This institution had applied for recognition of 02 units of B.A. B.Ed. course online on 29.05.2016 and hard copy of application was submitted to NRC, NCTE. On the basis of scrutiny of the documents submitted by this institution, input received from Visiting Team Report and video-graph C.D., NRC, NCTE issued Letter of Intent under clause 7(13) of NCTE Regulations 2014 to this institution on 12.09.2018. Copy of Letter of Intent is annexed. This institution had submitted reply of L.O.I. to NRC, NCTE on 01.03.2019 along with all required documents. This institution had appointed 01 HOD, 04 Lecturers in perspectives in Education, 09 Lecturers in Arts, 04 Lecturers in science, 01 Lecturer for Physical Education, 01 Lecturer for Fine Arts and 01 Lecturer for Music for proposed course through duly constituted selection committee as per norms of NCTE and University. University of Kota, Kota had issued approval letter for 01 H.O.D. and 20 Lecturers for proposed course. Copy of approval letter and list of Teaching Staff approved by University of Kota, Kota is annexed. The matter of this

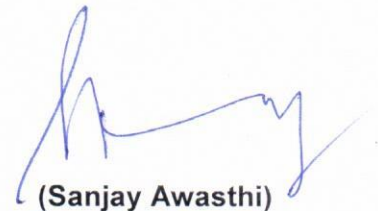
institution for issuance of formal recognition order for proposed course was considered in 297th Meeting of NRC, NCTE held from 1-3 March, 2019 vide item no. 9 and NRC, NCTE had decided to issue Show Cause Notice on certain grounds. Copy of minutes is annexed. This institution had submitted a detailed explanation to NRC, NCTE on 27.03.2019 on the basis of minutes of 297th meeting. Copy of reply letter is annexed. This institution had already appointed Teaching Staff for 02 units of B.A. B.Ed. course. The approval letter, approved list of faculty and explanation letter after show cause notice had been already submitted to NRC, NCTE. But NRC, NCTE had issued formal recognition order to this institution on 29.04.2019 for only 01 unit of B.A. B.Ed. Course without giving any reason. After getting recognition order for 01 unit of B.A. B.Ed. course from NRC, NCTE, this institution had submitted a representation for issuance of recognition order for 02 units of B.A. B.Ed. course in place of 01 unit to NRC, NCTE on 14.05.2019. Copy of representation letter dated 14.05.2019 is annexed. NRC, NCTE had not considered the representation and facts submitted by this institution and the request of this institution has been turned down by the NRC, NCTE vide letter dated 04.06.2019. copy of letter dated 04.06.2019 is annexed. This institution had applied for recognition of 02 units of B.A. B.Ed. course. After getting L.O.I. from NRC, NCTE this institution had appointed teaching staff for 02 units of B.A. B.Ed. course. NRC, NCTE had issued recognition order for 01 unit of B.A. B.Ed. course without giving any reason. The action of NRC, NCTE is totally wrong, unjustified, illegal, unconstitutional and against the principles of natural justice. It is also against the provisions of NCTE Act and Regulations. So, it is prayed that directions may be issued to NRC, NCTE to issue formal recognition order under clause 7(16) for 02 units of B.A. B.Ed. course to this institution in place of 01 unit.

AND WHEREAS the Committee noted that the NRC, in response to the representation of the appellant for grant of recognition for two units of B.A. B.Ed., in place of one unit, in their letter dt. 04/06/2019, while admitting the submission of the faculty list of one HOD and 20 lecturers, informed the appellant that recognition for only one unit of B.A. B.Ed. was granted on the ground that the institution is running only B.A. course.

AND WHEREAS the Committee noted that according to the provisions of Clause 3.1 of the Norms and Standards for B.A. B.Ed./B.Sc. B.Ed. course contained in Appendix – 13 to the NCTE Regulations, 2014, while there shall be a basic unit of fifty (50) students, initially two units may be permitted. These Norms and Standards do not bar grant of recognition for two units for conducting either of the two courses. In these circumstances, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the request of the appellant and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded to remand back the case to the NRC with a direction to consider the request of the appellant and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Satya Sadhna Mahavidyalaya, Nandipur, Todabhim, Karauli, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary/Principal, Satya Sadhna Mahavidyalaya, 359-360, Nandipur, Todabhim, Karauli – 321611, 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.89-263/E-123649/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Leelawati College, Rasulpur, Kamla Gopalpur, Maner, Patna, Bihar dated 02/07/2019 is against the Order No. ERC/269.6.23/ERCAPP201646063/9969/B.Ed.&D.El.Ed./2019/59668 dated 03.03.2019 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the following grounds that "LOI u/c 7(13) was issued on 01.01.2019. Reply dated 01.03.2019 received from the institution on 03.03.2019. As per submitted building completion certificate, total built up area mentioned is 43040 sq. ft. i.e. 3998.51 sq. mts., which is less than the required 4000 sq. mts. stipulated for proposed B.Ed. (100 intake) + D.El.Ed. (100 intake) under NCTE Regulations, 2014. In view of the above, the Committee decided as under:- The Committee is of the opinion that application bearing application No. ERCAPP201646063 of the institution regarding recognition to B.Ed. and D.El.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS the appellant, aggrieved by the order dt. 03/03/2019, filed a W.P. (C) 6629/2019 & C.M. Nos. 28011-13/2019 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 31/05/2019, as prayed by the petitioner, dismissed the petition as withdrawn with liberty to move the appropriate court.

AND WHEREAS Sh. Dipu Kumar, Secretary, Leelawati College, Rasulpur, Kamla Gopalpur, Maner, Patna, Bihar presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation and in a letter dt. 29/07/2019 it was submitted that the Society, namely, Samajik Pragati Mahila Vikas Manch, Village-Makhdumpur, Gate No. 87, Digha Ghat, Patna had applied through

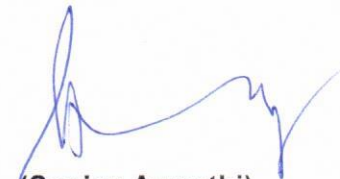
online application dated 31.05.2016 for grant of recognition for B.Ed. & D.El.Ed. Programme under the institution viz, Leelawati College, Village-Rasulpur Kamla Vijay Gopalpur, Patna (File No. ERCAPP201646063) u/s 14 of NCTE Act 1993. As per decision of ERC in its 264th Meeting held on 5-6 December 2018. The LOI was issued to the Institution on 01.01.2019. The Institution has submitted reply of LOI in ERC on 03.03.2019. The matter was considered in ERC in its 269th meeting held on 2-3/03/19 and Committee decided to refuse the recognition on the following grounds: (i) As per submitted BCC total built-up area mentioned is 43040 s.q. ft. i.e. 3998.51 sqm which is less than the required 4000 sqm stipulated for proposed B.Ed. 100 Intake + D.El.Ed. 100 intake under NCTE regulation 2014. Accordingly, refusal order was issued on 03.03.2019. The institution has filed writ petition Civil Case No. 473/2019 in Hon'ble Supreme Court of India. The Supreme Court of India passed the order dated 21.05.2019 and the details of the order are as under:- We are not inclined to entertain this petition filed under Article 32 of the Constitution of India. The petitioners, if so advised, may approach the High Court with the aforesaid liberty, the writ petition is dismissed. The Hon'ble High Court of Delhi ordered to transfer the case to proper forum. According to NCTE Act 1993 section 14(3) (b) before refusing the recognition one opportunity must be given to the institution. But ERC Bhubaneshwar without giving any opportunity has refused the recognition for B.Ed. and D.El.Ed. Programme which is against the NCTE Act 1993 section 14(3)(b). The ERC, Bhubaneshwar has never issued show cause notice to the institution against built up area before LOI. Further, recognition was refused on hyper-technical ground of deficiency of 15 sq. mts. in the built up area.

AND WHEREAS the appellant, in their letter dt. 29/07/2019, submitted that additional built up area, which was part of their existing building has also been completed. The appellant enclosed revised building plan and Building Completion Certificate issued by a Government Engineer indicating that total built up area is 43,322 sq. ft. or 4024.745 sq. mts.

AND WHEREAS the Committee, noting that the appellant has removed the deficiency in the built up area, concluded that the matter deserved to be remanded to the ERC to consider the revised building plan and building completion certificate to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward these documents to the ERC within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded to remand back the case to the ERC to consider the revised building plan and building completion certificate to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward these documents to the ERC within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Leelawati College, Rasulpur, Kamla Gopalpur, Maner, Patna, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Leelawati College, Khata No. 1309, 1310, 1312 Plot No. 13, 67, 142, 56 Rasulpur, Kamla Gopalpur, Maner, Patna – 800111, Bihar.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.



F.No.89-264/E-123650/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Leelawati College, Rasulpur, Kamla Gopalpur, Maner, Patna, Bihar dated 27/06/2019 is against the Order No. ERC/269.6.23/ERCAPP201646063/9969/B.Ed.&D.El.Ed./2019/59668 dated 03.03.2019 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Course on the following grounds that "LOI u/c 7(13) was issued on 01.01.2019. Reply dated 01.03.2019 received from the institution on 03.03.2019. As per submitted building completion certificate, total built up area mentioned is 43040 sq. ft. i.e. 3998.51 sq. mts., which is less than the required 4000 sq. mts. stipulated for proposed B.Ed. (100 intake) + D.El.Ed. (100 intake) under NCTE Regulations, 2014. In view of the above, the Committee decided as under:- The Committee is of the opinion that application bearing application No. ERCAPP201646063 of the institution regarding recognition to B.Ed. and D.El.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS the appellant aggrieved by the order dt. 03/03/2019 filed a W.P. (C) 6629/2019 & C.M. Nos. 28011-13/2019 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 31/05/2019, as prayed by the petitioner dismissed the petition as withdrawn with liberty to move the appropriate court.

AND WHEREAS Sh. Dipu Kumar, Secretary, Leelawati College, Rasulpur, Kamla Gopalpur, Maner, Patna, Bihar presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation and in a letter dt. 29/07/2019 it was submitted that the Society namely Samajik Pragati Mahila Vikas Manch, Village-Makhdumpur, Gate No. 87, Digha Ghat, Patna had applied through

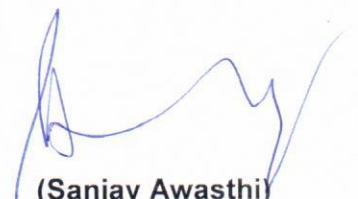
online application dated 31.05.2016 for grant of recognition for B.Ed. & D.El.Ed. Programme under the institution viz, Leelawati College, Village-Rasulpur Kamla Vijay Gopalpur, Patna (File No. ERCAPP201646063) u/s 14 of NCTE Act 1993. As per decision of ERC in its 264th Meeting held on 5-6 December 2018, the LOI was issued to the Institution on 01.01.2019. The Institution has submitted reply of LOI in ERC on 03.03.2019. The matter was considered in ERC in its 269th meeting held on 2-3/03/19 and Committee decided to refuse the recognition on the following grounds: (i) As per submitted BCC total built-up area mentioned is 43040 s.q. ft. i.e. 3998.51 sqm which is less than the required 4000 sqm stipulated for proposed B.Ed. 100 Intake + D.El.Ed. 100 intake under NCTE regulation 2014. Accordingly, refusal order was issued on 03.03.2019. The institution has filed writ petition Civil Case No. 473/2019 in Hon'ble Supreme Court of India. The Supreme Court of India passed the order dated 21.05.2019 the details of the order are as under:- We are not inclined to entertain this petition filed under Article 32 of the Constitution of India. The petitioners, if so advised, may approach the High Court with the aforesaid liberty, the writ petition is dismissed. The Hon'ble High Court of Delhi ordered to transfer the case to proper forum. According to NCTE Act 1993 Section 14(3) (b) before refusing the recognition one opportunity must be given to the institution. But ERC Bhubaneshwar without giving any opportunity has refused the recognition for B.Ed. and D.El.Ed. Programme which is against the NCTE Act 1993 section 14(3)(b). The ERC, Bhubaneshwar has never issued show cause notice to the institutions against built up area before LOI. Further, recognition was refused on hyper-technical ground of deficiency of 15 sq. mts. in the built up area.

AND WHEREAS the appellant, in their letter dt. 29/07/2019, submitted that additional built up area, which was part of their existing building has also been completed. The appellant enclosed revised building plan and Building Completion Certificate issued by a Government Engineer indicating that total built up area is 43,322 sq. ft. or 4024.745 sq. mts.

AND WHEREAS the Committee, noting that the appellant has removed the deficiency in the built up area, concluded that the matter deserved to be remanded to the ERC to consider the revised building plan and building completion certificate to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward these documents to the ERC within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded to remand back the case to the ERC to consider the revised building plan and building completion certificate to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward these documents to the ERC within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Leelawati College, Rasulpur, Kamla Gopalpur, Maner, Patna, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Leelawati College, Khata No. 1309, 1310, 1312 Plot No. 13, 67, 142, 56 Rasulpur, Kamla Gopalpur, Maner, Patna – 800111, Bihar.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.



F.No.89-266/E-123722/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Renu Mahesh Seva Sanstha, Ilasya Grant PO-Sitapur, Uttar Pradesh dated 29/06/2019 is against the Order No. NRC/NCTE/NRCAPP-12705/299th Meeting/2019/202597 dated 30.04.2019 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the following grounds that "the institution has not submitted any reply to LOI issued on 03.03.2016 and SCN issued on 15.02.2017. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 15(3)(b) of the NCTE Act, 193. FDRs, if any, be returned to the institution."

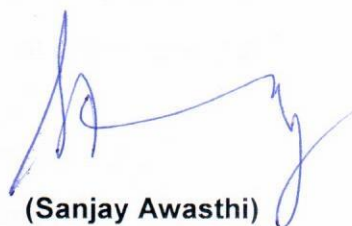
AND WHEREAS Dr. Santosh Kumar Saxena, Principal, Renu Mahesh Seva Sanstha, Ilasya Grant PO-Sitapur, Uttar Pradesh presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that institution did not receive any letter of intent issued by the NRC, NCTE and therefore it was not possible to comply with the conditions of LOI and submit its compliance. Accordingly, institution vide its letter dated 15.03.2017, also in response of Show Cause Notice date 15.02.2017, requested the NRC to issue the LOI enabling the institution to comply with the conditions of LOI. However, the NRC instead of issuing the LOI, rejected the application. It is submitted that the compliance of LOI cannot be done in absence of the original letter as the affiliating bodies and the bank ask for the original letter of intent. Institution submitted reply of show cause notice on dated 15.03.2017 copy enclosed.

AND WHEREAS the Committee noted that the reply of the appellant dt. 15/03/2017 is not available in the file. There is no indication that the appellant, after sending a reply dt. 15/03/2017, pursued the matter with the NRC to obtain a copy of

the Letter of Intent. In these Circumstances, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Renu Mahesh Seva Sanstha, Ilaya Grant PO-Sitapur – 261001, 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.89-267/E-123824/2019 Appeal/23rd Mtg.-2019/1st August, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 27/08/2019

ORDER

WHEREAS the appeal of Pratap T.T. College, Dayal Bag, Shayampur Buhariya, Sanganer, Jaipur, Rajasthan dated 21/06/2019 is against the Order No. NCTE/NRC/NRCAPP201616247/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/SCN/RJ/2017-18/4; dated 01.05.2019 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the following grounds that “NRC considered the reply dated 03.03.2019 in response to SCN dated 27.09.2017 and observed that the institution has not submitted the reply 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. Suresh Sharma, President and Sh. Ram Prashad Sharma, Secretary, Pratap T.T. College, Dayal Bag, Shayampur Buhariya, Sanganer, Jaipur, Rajasthan presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that the NRC after completing all formalities issued letter of Intent (LOI) to the institution in its 269th Meeting held from 26th April to 2nd May 2017 vide letter dated 28.4.2017. Copy of LOI is Enclosed. As, the appellant could not submit faculty approval from the University on time, the appellant received a Show cause notice dated 27/9/2017 on the ground that the institution has not submitted reply to the LOI. The appellant on 3rd March 2019 submitted faculty list duly approved by the Rajasthan University in reply to letter of Intent issued by the NRC. Copy of faculty approval submitted with NRC is enclosed. The NRC in its 300th meeting held on 15th and 16th April 2019 rejected the file of the

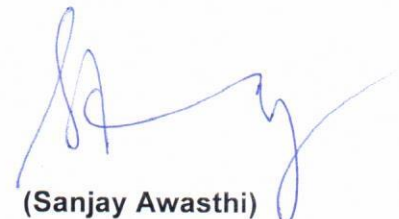
institution vide refusal order dated 1/5/2019, on the ground: "considered the reply dated 3.3.2019 in response to SCN dated 27.09.2017 and that the institution has not submitted the reply within the stipulated time. 7. Despite of the fact that the appellant have submitted the faculty approval before it is rejected, the NRC still did not considered the faculty approval of the institution and rejected the application, resulting in loss of entire session. Therefore, it is humbly prayed and requested that that instant appeal be considered and decided on merits, and the refusal order dated 1/5/2019 be quashed and set aside. The appellate authority itself or it may direct NRC to accept the reply of LOI and process the application of appellant for recognition of 4 years Integrated B.A. B.Ed./ B.Sc. B.Ed. Course. Any other order or direction be fit and proper in the facts and circumstance of the case be passed in favour of appellant.

AND WHEREAS the Committee noted from the file that the appellant, in response to the Show Cause Notice dt. 27/09/2017, sent a reply dt. 31/10/2017 stating that they are awaiting approval of staff by Rajasthan University. Further the appellant's letter dt. 03/03/2019, with which copies of FDRs, affidavit, and details of selected staff and a copy of Rajasthan University's letter dt. 02/03/2019 were forwarded was received in the NRC on 03/03/2019 and is available in the file. This letter was received before the NRC took a decision on 15-16, April, 2019 to refuse recognition.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the appellant's letter dt. 03/03/2019 and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to NRC with a direction to consider the appellant's letter dt. 03/03/2019 and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Pratap T.T. College, Dayal Bag, Shayampur Buhariya, Sanganer, Jaipur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Pratap T.T. College, Dayal Bag, Shayampur Buhariya, Sanganer, Jaipur – 303905, 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.89-268/E-124524/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Sidra B.Ed. College, Moregram, Madhaipur, Sidra More, Malda, West Bengal dated 05/07/2019 is against the Order No. ERC/269.6.20(Part-II)/ERCAPP4277/D.El.Ed./2019/59665 dated 03.03.2019 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the following grounds that "show cause notice u/s 15(a)(b) decided on 02.03.2019 and issued on 03.03.2019 on the ground mentioned therein. Reply dated 02.03.2019 (on the basis of proceedings uploaded on ERC website) received from the institution enclosing copy of letter of recommendation relating to fire safety issued by the West Bengal Fire & Emergency Service, Darjeeling Division on 22.02.2019 instead of fire safety certificate issued from the competent Govt. Authority. The Committee has not accepted the document submitted by the institution. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP4277 of the institution regarding permission to D.El.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993."

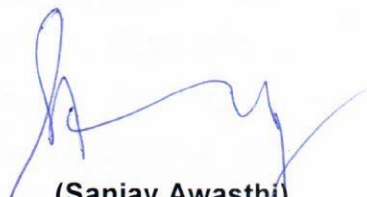
AND WHEREAS Sh. Md. Mazed Ali, Secretary and Sh. Mohd. Naseeb Ahmad, Assistant Professor, Sidra B.Ed. College, Moregram, Madhaipur, Sidra More, Malda, West Bengal presented the case of the appellant institution on 01/08/2019. The appellant, with their appeal enclosed a copy of the fire safety certificate dt. 15/05/2019 issued by the Divisional Fire Officer, West Bengal Fire Emergency Services, Malda Division, Malda.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the Fire Safety Certificate, to be submitted to them by the appellant, and take further action as

per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC, the Fire Safety Certificate, within 15 days of receipt of 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 matter deserved to be remanded to the ERC with a direction to consider the Fire Safety Certificate, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC, the Fire Safety Certificate, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Sidra B.Ed. College, Moregram, Madhaipur, Sidra More, Malda, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sidra B.Ed. College, Moregram, 520, Madhaipur, Sidra More, Malda - 732124, 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.89-270/E-124843/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Shree Ranjeet Singh Shikshan Sansthan, Village Jhab, Chitalwana, Jalore, Rajasthan dated 08/07/2019 is against the Order No. NRC/NCTE/NRCAPP-201616472/Id. No. 9209/301st Meeting/2019/203431 dated 27.05.2019 of the Northern Regional Committee, granting recognition for one unit for conducting B.A. B.Ed. course. The appellant wants revised recognition for one unit of B.A. B.Ed. course and one unit of B.Sc. B.Ed. course.

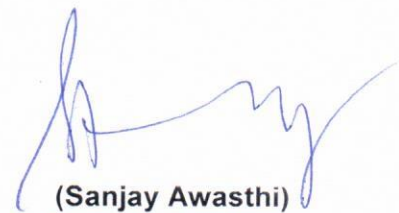
AND WHEREAS Sh. Gajendra Singh, Secretary, Shree Ranjeet Singh Shikshan Sansthan, Village Jhab, Chitalwana, Jalore, Rajasthan presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that this college is running B.A. and B.Sc. course which is affiliated with Jai Narayan Vyas University, Jodhpur. Copy of Affiliation Letter is annexed. Jai Narayan Vyas University, Jodhpur had issued N.O.C. for B.A. B.Ed. and B.Sc. B.Ed. course to this institution on 28.05.2016. Copy of N.O.C. is annexed. This institution had applied for recognition of 02 units of B.A. B.Ed. and B.Sc. B.Ed. course online on 29.06.2016 and hard copy of application was submitted to NRC, NCTE on 15.07.2016. Copy of online application and receipt letter from NRC, NCTE are annexed. On the basis of scrutiny of the documents submitted by this institution, input received from Visiting Team Report and video-graph C.D., NRC, NCTE had observed that this institution has adequate financial resources, accommodation, library and laboratory as prescribe in the norms and standards and that this institution fulfils all such other conditions relating to infrastructural and instructional facilities as required for proper functioning of the institution for B.A. B.Ed. and B.Sc. B.Ed. course, and decided to issue Letter of Intent under clause 7(13) of NCTE Regulations 2014 to this institution on 21.02.2019. Copy of Letter of Intent is annexed. This institution had submitted reply

of L.O.I. to NRC, NCTE on 28.02.2019 along with all required documents. Copy of receipt letter is annexed. This institution had appointed 01 HOD, 04 Lecturers in perspectives in Education, 04 Lecturers in Arts, 04 Lecturers in science, 01 Lecturer for Physical Education, 01 Lecturer for Fine Arts and 01 Lecturer for Music for proposed course through duly constituted selection committee as per norms of NCTE and University. List of Teaching Staff was duly approved by Jai Narayan Vyas University, Jodhpur. List of Teaching Staff duly approved by Jai Narayan Vyas University, Jodhpur is annexed. The matter of this institution for issuance of formal recognition order for proposed course was considered in 301th Meeting of NRC, NCTE held from 9-11 May, 2019 vide item no. 88 and NRC, NCTE had decided to issue Formal Recognition Letter for 01 unit (50 seats) of B.A. B.Ed. course only without giving any reason. Copy of minutes is annexed. This institution had submitted a representation to NRC, NCTE on 20.05.2019 on the basis of minutes of 301th meeting for issuance of Formal Recognition Order for 01 unit of B.A. B.Ed. and 01 unit of B.Sc. B.Ed. course to this institution under clause 7(16) of NCTE Regulations 2014. Copy of reply letter is annexed. NRC, NCTE had not considered the request of this institution for issuance of Formal Recognition Order for 01 unit of B.A. B.Ed. course and 01 unit for B.Sc. B.Ed. although this institution had applied for 02 unit of proposed course. This institution had submitted approved list of faculty for 02 units of proposed course. This college is running B.A. and B.Sc. course. All required infrastructural and instructional facilities for B.A. B.Ed. and B.Sc. B.Ed. are available in the college campus. But NRC, NCTE had issued formal recognition order to this institution on 27.05.2019 for only 01 unit of B.A. B.Ed. Course without giving any reason. Copy of recognition letter dated 27.05.2019 is annexed.

AND WHEREAS the Committee did not find any reasons recorded in the file for granting recognition for one unit of B.A. B.Ed. only. In these circumstances, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the submissions of the appellant and intimate them the reasons for granting recognition for one unit of B.A. B.Ed. only and not granting recognition for B.Sc. B.Ed. Course.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record & oral arguments advanced during the hearing, the Committee concluded to remand back to the NRC with a direction to consider the submissions of the appellant and intimate them the reasons for granting recognition for one unit of B.A. B.Ed. only and not granting recognition for B.Sc. B.Ed. Course.

NOW THEREFORE, the Council hereby remands back the case of Shree Ranjeet Singh Shikshan Sansthan, Village Jhab, Chitalwana, Jalore, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shree Ranjeet Singh Shikshan Sansthan, Khasra No. 817 & 817/853, Village Jhab, Gausala Road, Chitalwana, Jalore – 343040, 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.89-271/E-124829/2019 Appeal/23rd Mtg.-2019/1st August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 27/08/2019

ORDER

WHEREAS the appeal of Nirmal Teacher Training School, Bayana Road, Hindaun City, Karauli, Rajasthan dated 08/07/2019 is against the Letter No. New Appl./RF/Raj./NRCAPP-4479/2013-14/50063 dated 19.06.2013 of the Northern Regional Committee, returning their application for grant of recognition for conducting for 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 filed a S.B. Civil Writ Petition No. 11130/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 05/07/2019, closed writ proceedings with liberty 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. Yishnu Kumar Sharma, Management Representative, Nirmal Teacher Training School, Bayana Road, Hindaun City, Karauli, Rajasthan presented the case of the appellant institution on 01/08/2019. In the appeal and during personal presentation it was submitted that the NRC decision to return the file of the institution without processing are bad, perverse and illegal and thus same cannot be sustained in the eyes of law. The decision for returning of file are liable to be quashed and set aside. The return of the application of the petitioners without any reference to the subsequent ban imposed by the state of Rajasthan in relation to granting permission/recognition for running the D.El.Ed. course. The Hon'ble Supreme Court in SLP No. 4247-4248/2009 Rashtasant TMS and SBVMCA.VID and others had passed an interim order dated 10.09.2013 wherein the Hon'ble Supreme Court, while granting time to NCTE for notifying the new Regulations to 30.11.2013, had held "Those who are desirous of establishing teacher education colleges/institutions shall be free to make applications in accordance with the new regulations. Their applications shall be decided by the competent authority keeping in view the relevant statutory provisions. All the pending applications shall also be decided in accordance with the new regulations." The petitioner has invested huge amount of capital and manpower for development of infrastructure and facilities at its institution and it has been continuously litigating for securing its rights and for running teacher education course

but respondent is illegally blocking it from running the course which is clearly unwarranted and unlawful. The appellant has available with it all the infrastructure and facilities for running D.El.Ed. course as per applicable norms but it has been unlawfully deprived from running the course.

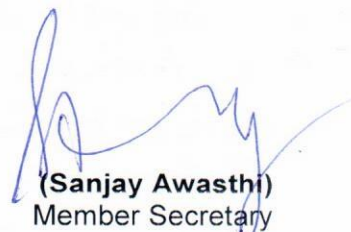
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018,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

AND WHEREAS the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition

for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. The Committee also noted that in view of the N.R.C. returning the application in original to the appellant, with a request to the NCTE to refund the processing fee also, virtually no application exists as of now. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the position stated in paras 4 & 5 above 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.

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, Nirmal Teacher Training School, Bayana Road, Hindaun City, Karauli – 322230, 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.