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F.No.89-100/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/4/17

ORDER

WHEREAS the appeal of Shri Babu Singh Vidyalaya, Mahmudpur, Post – Kuanwarpur Banwari Chhibramu, Kannauj, Uttar Pradesh dated 20/02/2017 is against the Order No. NRC/NCTE/NRCAPP-14035/261st Meeting/2016/163714 dated 27/12/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that “the institution has not submitted the reply of show cause notice dt. 17/10/2016 issued by the NRC, NCTE in stipulated time period.”

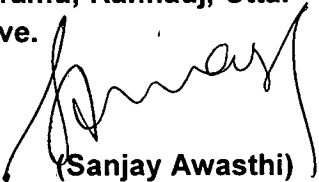
AND WHEREAS Sh. Anil Kumar, Lecturer, Shri Babu Singh Vidyalaya, Mahmudpur, Post – Kuanwarpur Banwari Chhibramu, Kannauj, Uttar Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that a written reply to the Show Cause Notice dt. 17/10/2016 was submitted accompanying therewith all the relevant documents supporting evidence in person vide diary No. 154050 on 03/11/2016. A copy of the reply submitted in person is attached with the hard copy of the appeal.

AND WHEREAS the Committee noted from the documents forwarded by the NRC in connection with this appeal, that the appellant's reply dated 02.11.2016, which is in response to the decision taken by the NRC in their 258th Meeting held from 4th to 6th October, 2016 to issue a show cause notice, was received in the NRC on 03.11.2016 and is available in a separate folder kept below the main file. The Committee also noted that another letter dated 02.11.2016 written by the appellant about constitution of a Visiting Team to conduct inspection of their institution was also received in the NRC on 03.11.2016 and is available. Both the letters bear NRC Dy.nos.154050 and 154051 dated 03.11.2016. In these circumstances, the Committee concluded that the matters deserved to be remanded to the NRC with a

direction to consider the two letters dated 02.11.2016 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 appeal deserves to be remanded to the NRC with a direction to consider the two letters dated 02.11.2016 and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Shri Babu Singh Vidyalaya, Mahmudpur, Post – Kuanwarpur Banwari Chhibramu, Kannauj, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Manager, Shri Babu Singh Vidyalaya, Mahimudpur, Post – Kuanwarpur Banwari Chhibramu, Kannauj, Uttar Pradesh – 209721.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

3



F.No.89-101/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Bhagwan Das Maurya Mahila Mahavidyalaya, Tanda Distt. – Ambedkar Nagar, Uttar Pradesh dated 18/02/2017 is against the Order No. NRC/NCTE/NRCAPP-11741/263rd Meeting/2016/168251-57 dated 07.03.2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that “VT visited institution on 02/02/2016. Institution refused for inspection. Accordingly, institution was issued SCN dated 28/06/2016. Reply of institution dt. 09/11/2016 is not acceptable as institution failed to justify refusal of inspection. Further, institution has not submitted proof of being composite.”

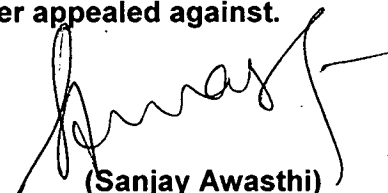
AND WHEREAS Shri Prakash, Manager, Bhagwan Das Maurya Mahila Mahavidyalaya, Tanda Distt. – Ambedkar Nagar, Uttar Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that at the time NCTE VT (spot inspection) team came to college, his wife's health was unwell due to poor treatment and was out of the District, and therefore they could not get spot inspection done. The institution is willing to pay re-inspection fees.

AND WHEREAS the Committee noted that Visiting Team, on their visit to the appellant institution on 02.02.2016, recorded that the institution has refused inspection for the D.El.Ed. course despite the Team having tried to contact the Manager of the institution many times. The Committee also noted that the appellant in their reply dated 19.07.2016 to the Show Cause Notice and affidavit enclosed merely stated that the reason was his wife's illness, the building and other requirements are complete and requested sending a Visiting Team for inspection. At the time of presentation, the appellant enclosed a copy of medical certificate in respect of his wife to the effect that she was under treatment for fever from 27.01.2016 to 06.02.2016.

AND WHEREAS the Committee noted that according to the provisions of clause 7(7) of the NCTE Regulations, 2014 inspection shall not be subject to the consent of the institution. In the 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 Manager, Bhagwan Das Maurya Mahila Mahavidyalaya, Plot No. 140, Village – Ramdeeh Sarai PO – Shukul Bazar Tehsil – Tanda Distt. – Ambedkar Nagar, Ambedkar Nagar, Uttar Pradesh - 224129.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-102/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Darjeeling Universal Campus, Global India Educational Trust, Takdah, Darjeeling, West Bengal dated 13/02/2017 is against the Order No. ERC/226.6.31/ERCAPP1792/B.Ed./2016/50477 dated 19/12/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that SCN was issued on 15.10.2016 on the following grounds: The institution has not submitted the original FDRs of Rs. 5.00 lakhs and Rs. 7.00 lakhs towards endowment fund and reserve fund in the joint name of RD, ERC, NCTE and institution/society/trust. No valid documents have been submitted regarding status of Ph.D degree issued from CMJ University. No reply received from the institution till date and time limit is over. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP1792 of the institution recognition of B.Ed. Programme is refused under section 14(3) (b) of NCTE Act 1993".

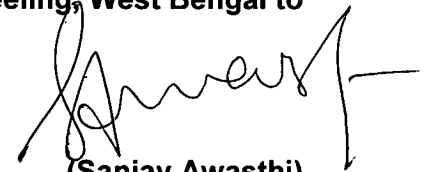
AND WHEREAS Sh. Nibir Saha, Chairman, Darjeeling Universal Campus, Global India Educational Trust, Takdah, Darjeeling, West Bengal presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that they have approached the concerned bank for converting the above-mentioned FDR in joint name, however they were asked by the bank official to present a covering letter issued by ERC, NCTE to give their mandate to issue the same. They have requested the ERC, NCTE office several times to provide the same letter but unfortunately, they haven't received the same yet. Therefore, they again request to issue a covering letter to the concerned Bank advising them to convert the same in Joint Operation Mode. On 01.08.2013, Expert Committee consisting of nominees from UGC, AICTE and NCTE visited CMJ University. The report of the UGC Expert Committee was placed before the Commission at its 495th meeting held on 01.10.2013. The Commission considered the report and approved the same. Extract of the UGC Report is "That only those

degrees can be termed as valid for which courses were conducted by CMJ University in regular mode at its main campus at Shillong. Two replies were sent to the Regional Director, ERC, NCTE. The replies were dated 1) 25.06.2016 (Speed Post No RW805749676IN dated 09.07.2016) and 2) 04.11.2016 (Speed Post No EW213038053IN dated 08.11.2016) Another reply was sent to NCTE on 14.12.2016 (Speed Post No. EW161975281IN dated 15.12.2016)".

AND WHEREAS the Committee noted that all the three letters dated 25.06.2016, 04.11.2016 and 14.12.2016 stated to have been sent by the appellant are available in the file of the ERC. The Committee noted that the appellant brought to the notice of the ERC the difficulty faced by them in converting the FDRs into joint names for want of a communication from the ERC to the concerned bank. The appellant has also stated their position with regard to the qualification of the principal and sought ERC's help in resolving the matter. In the circumstances, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the letters of the appellant referred to above 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 appeal deserves to be remanded to the ERC with a direction to consider the letters of the appellant referred to above and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Darjeeling Universal Campus, Global India Educational Trust, Takdah, Darjeeling, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Darjeeling Universal Campus, Plot No. 639, 631, 632, 633 & 636, Global India Educational Trust, Takdah, Darjeeling, West Bengal – 734222.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-104/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Kalindi Singh Balika Mahavidyalaya, Knowledge Park-III, Saidpur, Ghazipur, Uttar Pradesh dated 22/02/2017 is against the Order No. NRC/NCTE/NRCAPP-3046/261st Meeting/2016/164238 dated 30/12/2016 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "the institution submitted lists of faculty dated 10.03.2015 claimed to have been approved by the affiliating university on the basis of which it was granted recognition by NCTE to run the B.Ed. course. The affiliating university i.e. Veer Bahadur Singh Purvanchal University, Jaunpur made a complaint vide its letter dt. 28.07.2016 received in NRC office on 07.08.2016 against some institutions including the present one that the list of faculty claimed to have been approved by the affiliating university on 10.03.2015 has not been issued by the university and the university approved the list only on 25.04.2016. The institution has thus submitted a fake list of faculties for seeking grant of recognition. The reply submitted by the institution vide its letter received in NRC office on 03.10.2016 in response to SCN dt. 17.09.2016 cannot be accepted now since institution was granted recognition for B.Ed. course by NRC on 23.04.2015 for which institution submitted the fake list of faculty. NRC decided to withdraw the recognition for B.Ed. course under section 17 of the NCTE Act, 1993 from the end of the academic session next following the date of order of withdrawal."

AND WHEREAS Sh. Ambrish Pathak, Society Member and Rajeev Kumar Singh, Society Member, Kalindi Singh Balika Mahavidyalaya, Knowledge Park-III, Saidpur, Ghazipur, Uttar Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that the recognition has been erroneously and wrongly withdrawn as the registrar committed an error in informing that the recognition was obtained on fake faculty list and the

registrar corrected the error committed by their office. Hence withdrawal of recognition is unwarranted and recognition was erroneously withdrawn.

AND WHEREAS the Committee noted that the appellant, after the NRC in their 232nd Meeting held from 9th and 14th and 16th and 17th February, 2015 decided to issue the Letter of Intent, with their letter dated 12.03.2015 and before the issue of the formal Letter of Intent on 17.03.2015, forwarded a number of documents, including a copy of the letter dated 10.03.2015 from the Registrar, Veer Bahadur Singh Purvanchal University, Jaunpur approving teaching faculty of the appellant institution consisting of one HOD and seven Lecturers. The NRC, considering all the relevant documents submitted issued a combined formal order of recognition on 23.04.2015 covering 13 institutions, including the appellant institution, which figured at Sl.No. 10.

AND WHEREAS the Committee also noted that the Registrar, Veer Bahadur Singh Purvanchal University, Jaunpur sent a letter dated 28.07.2016 to the Regional Director, NRC requesting them to verify the correctness of the orders issued granting Letter of Intent 7(9)/ 7(13) and formal recognition 7(11)/ 7(16) in respect of institutions in different districts of UP given in a list enclosed list and inform them. In the list enclosed to that letter it has been indicated that the appellant institution was issued LOI under 7(13) on 17.03.2015, the University approved (their faculty) on 25.04.2016 and the NRC issued recognition order under 7(16) on 29.03.2016 resulting in the issue of recognition order before approval of the faculty. On receipt of this letter from the University, the NRC issued a show cause notice to the appellant on 17.09.2016 pointing out that the list of the approved faculty submitted by the institution was fake. A copy of this show cause notice was endorsed to the Registrar, Veer Bahadur Singh Purvanchal University, Jaunpur. The appellant in their reply dated 29.09.2016 submitted that after completing the selection of faculty and getting approval of the University they had submitted all the papers. In an affidavit enclosed to the reply, the appellant also submitted that the approval letter and other papers submitted are correct and true and any legal action taken by NCTE/ University is acceptable to him. Thereafter, the NRC, in their letter dated 11.11.2016 requested the University to verify the authenticity of the content of their approval letter dated 10.03.2015 (wrongly mentioned as 10.03.2014), submitted by the appellant while seeking grant of

recognition under clause 7(16) of the NCTE Regulations, 2014. The NRC, in their 261st meeting held from 14th and 19th December, 2016 not accepting the reply of the institution to the show cause notice and holding that they have submitted a fake list of faculty, decided to withdraw recognition and issued the order on 30.12.2016.

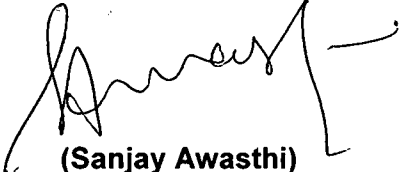
AND WHEREAS the appellant, in the course of presentation submitted a copy the letter dated 09.12.2016 sent to the Regional Director, NRC by the Registrar, VBS Purvanchal University. In this letter, which does not contain a reference to the NRCs letter dated 11.11.2016 in which verification of the authenticity of the University letter dated 10.03.2015 was sought but contains the application number and name of the institution, the University confirmed that as per their records the faculty approved in their letter dated 10.03.2015, are working in the appellant institution. The University letter contains the names of all faculty members mentioned in their earlier letter dated 10.03.2015. This letter which bears a date prior to the dates on which the 261st meeting of the NRC was held is not available in the file of the NRC.

AND WHEREAS the above position indicates that the date of approval of faculty by the University mentioned in the list enclosed to the University letter dated 28.07.2016 i.e. 25.04.2016 is different from what is mentioned in the University's letter dated 09.12.2016 while confirming the approval of faculty i.e. 10.03.2015. Further the date of issue of recognition order mentioned in the list enclosed to their letter dated 28.07.2016 i.e. 29.03.2016 does not tally with that in the records of NRC i.e. 23.04.2015.

AND WHEREAS the Committee taking into consideration all aspects of the matter as mentioned in the previous paras concluded that the matter deserved to be remanded to the NRC with a direction to consider the letter of the University dated 09.12.2016, a copy of which to be submitted by the appellant, if necessary by further verification of its authenticity, and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit a copy of the university's letter referred to above to the NRC within 15 days of receipt of the order on the appeal. In the meantime, the withdrawal order shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the NRC with a direction to consider the letter of the University dated 09.12.2016, a copy of which to be submitted by the appellant, if necessary by further verification of its authenticity, and take further action as per the NCTE Regulations. The appellant is directed to submit a copy of the university's letter referred to above to the NRC within 15 days of receipt of the order on the appeal. In the meantime, the withdrawal order shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Kalindi Singh Balika Mahavidyalaya, Knowledge Park-III, Saidpur, Ghazipur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Manager, Kalindi Singh Balika Mahavidyalaya, Plot No. 47, 66, Street No. – Ishapur, Village – Knowledge Part-III, PO – Mahpur, Saidpur, Ghazipur, Uttar Pradesh - 233304.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**



F.No.89-121/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Mahadev BTC College, Bariyasanpur, Varanasi, Uttar Pradesh dated 21/02/2017 is against the Order No. NRC/NCTE/NRCAPP-13815/261st Meeting/2016/163896 dated 28/12/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the institution has not submitted the certified copy of the land documents in the possession of Mahadev BTC College, Plot/Khasra No. 357 & 394, Sadar, Varanasi duly certified by the Registrar/Sub-Registrar of the District. The building completion certificate attached with the VTR shows that the building has already been constructed in the year 2013 and the total built-up area is 2747.012 sq. mts. another building completion certificate attached with the reply dt. 16/10/2016 shows that the building has been constructed in the year 2015 and the total built-up area is 3314.76 sq. mts. It is unthinkable to believe that the building construction work which has already been completed in the year 2013 has again been completed in the year 2015. Moreover, the inspection of the institution was done on 15/05/2016 by the VT and the institution has an opportunity to submit the Building Completion Certificate of the year 2015 in place of the previous Building Completion Certificate of the year 2013. It is thus clear that the institution is trying to mislead the NRC. B.Ed. course is being run by "Mahadev Mahavidyalaya" and the application for D.El.Ed. course has been submitted by "Mahadev BTC College". Thus, the applicant institution is not a composite institution. The reply of the institution dt. 16/10/2016 clearly shows that land pertaining to Gata Nos. 357 and 394 is registered in the name of "Mahadev Mahavidyalaya. Thus, it is clear that the land is not registered in the name of the applicant institution i.e. "Mahadev BTC College." The NOC submitted by the applicant institution has been issued in the name of "Mahadev Snatkottar Mahavidyalaya" and it is not in the name of "Mahadev BTC College."

AND WHEREAS Shri Ajay Kumar Singh, Manager and Shri Piyush Kumar Ralil, Office Supt., Mahadev BTC College, Bariyasanpur, Varanasi, Uttar Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that because the appellant Trust while applying for D.El.Ed. course in the name of Mahadev BTC College is/was already running B.Ed. course in the name of Mahadev Mahavidyalaya which are duly recognized by the NCTE. The appellant being already running multiple teacher Education courses viz B.Ed. and other Educational programmes such as B.A. & B.Sc. under one parent body i.e. Mahadev Ram Autar Singh Education, A Charitable Trust addressed at Plot/Khasara No. 357,394, street/road – Ghazipur Road, Village/Town/City & P.O. – Bariyasanpur, Tehsil/Taluka-Sadar, Ghazipur Road, Town/City – Varanasi, District – Varanasi, State – Uttar Pradesh, therefore, all the infrastructure & instructional facilities of our institutions belongs to Trust which is running Mahadev Mahavidyalaya including P.G. and D.El.Ed. programme. There are 7 Gatas 357, 358, 360, 361, 362, 375 Kha and 394 and all are covered under 229B in the name of institution. The applicant had already submitted certified copy of the same to the NRC, NCTE. The appellant changed the name of institution to match the nomenclature of D.El.Ed. programme only. Further, it is reiterated that our institution was upgraded from the status of Mahavidyalaya to P.G. College and therefore, the State Govt. authority i.e. Secretary, Examination Regulatory Authority, U.P. Allahabad issued in the name of Mahadev Snatkottar Mahavidyalaya i.e. Mahadev P.G. College. However, the land documents etc. remained in the name of Mahadev Mahavidyalaya being run under our Trust. The name change was only due to upgradation of our institution to PG College and our applying to the NCTE for D.El.Ed. programme. The NCTE appellate authority had in similar facts and circumstances held the decision of Committee to be not proper. In a similar instance relating with Ram Nagina Kisan P.G. College, Ghazipur, Uttar Pradesh, the Appeal Authority vide order dt. 11/09/2009 had accepted the same and remanded back the case to the NRC, NCTE. Similarly, in other cases the same was also accepted by the Appellate Authority. The Humble appellant craves indulgence of appellate body to prefer and rely said decision (s) at the time of arguments of present appeal. Because the appellant institution had submitted the BCC at the initial stage are correct and meant for running D.El.Ed. programme. For this programme our institution has constructed a built-up area of 3314.76 sq. meter. This aspect satisfies the regulatory requirement

and eligibility of being a composite institution. This very aspect has been overlooked by the NRC that it is/was the very same parent trust which was sponsoring all the teacher education programmes. Further, said programmers are being run and conducted in the same premises though the area is well demarcated and properly earmarked for each course in accordance with the NCTE Regulations, 2014. Thus, the decision of the NRC in its 261st meeting is not sustainable and it is liable to be set aside. Because the NRC had already considered and processed application submitted by appellant and decision in terms of Regulation 7(13) of NCTE Regulations, 2014 had also been taken. Thus, principal of promissory estoppels would operate in favour of appellant who has acted in conformity with NCTE Regulations, 2014 and has made full compliance of NCTE Regulations, 2014. However, the NRC has raised objection after grant of conditional recognition whereby reviewing its own decision that too after passage and completion of the stage and verification of documents which is unjust, improper and untenable. The A. Authority vide order dated 08/10/2009 in a similar instance in case of Millat Teacher's Training, Bihar had specifically pointed out that "...once the letter of intent prior to recognition was issued, it was not open to the regional committee to raise the issue of inadequacy in infrastructure facility as a ground for rejection of recognition." The humble appellant craves indulgence of appellate body to prefer and rely said decision (s) at the time of arguments of present appeal. Because reply to Show Cause Notice submitted by appellant has not been considered by NRC wherein humble appellant had clarified from time to time to the NRC. The NRC after duly verifying the VT Report viz a viz provisions of the NCTE Rules & Regulations alongwith Norms and Standards there under in 253rd meeting of the NRC held from 30th May to 3rd June, 2016 (Part-1) decided to issue letter of intent under clause 7(13) of the NCTE Regulations, 2014. Accordingly, 7(13) was issued to the institution on 12/06/2016. The institution has submitted reply of letter of intent under clause 7(13) dated 08/08/2016 & 12/09/2016. The reply of 7(13) was considered in its NRC in 257th (Part-3) meeting held from 5th to 11th September 2016 and the NRC decided that show cause notice under section 14/15 (3)(b) of NCTE Act, 1993 be issued to the institution. Accordingly, a show cause notice and thereafter in NRC in 261st meeting held from 14th to 19th December 2016, the NRC decided to refuse the recognition which is impermissible in law. It is stated that in the NCTE Act, 1993 as well as Rules and Regulations made there under NRC does not have power or authority to review/recall its own decision. The action on the

part of NRC is clearly unauthorized and same is also without jurisdiction as it is well settled that it is only when the statute confers power to an authority to review its decision, review of decision can be done. Further, it is also stated that the decision taken by the NRC to refuse recognition to applicant after deciding to issue conditional recognition under section 7(13) is having substantial legal implication and it cannot be said to be a mere typographical or mechanical error. Thus, NRC has exceeded its jurisdiction while taking decision in its 261st meeting qua appellant. Because the appellant had submitted all the requisite documents during the course of processing the application and the NRC suitably responded by the appellant and it was only thereafter that final decision with regard to issuance of LOI under Regulation 7(13) of the NCTE Regulation, 2014 was taken. Further, appellant had also made needful compliance of NCTE Regulation 7(13). Thus, humble appellant having already satisfied/clarified NRC that the appellant has all the requisite infrastructure & instructional facilities as per NCTE norms. Because humble appellant is fully eligible and entitled to run D.El.Ed. course in accordance with NCTE Regulations, 2014. It is stated that appellant fulfilled all the requirements and conditions for running integrated course and the refusal/rejection order passed by NRC is thus not sustainable in the eyes of law and the same is liable to set aside. Because the action on the part of NRC is clearly unauthorized and same is also without jurisdiction as it is well settled that it is only when the statute confers power to an authority to review its decision, review of decision can be done. Thus, NRC has exceeded its jurisdiction while taking decision in its meeting dated 28/12/2016 qua appellant. Because the appellant authority had similar facts and circumstances held the decision of Committee to be not proper. The humble appellant craves indulgence of appellate body to prefer and rely said decision (s) at the time of arguments of present appeal.

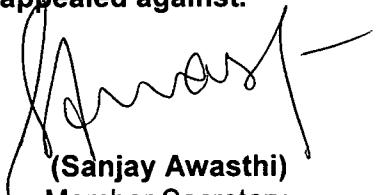
AND WHEREAS the appellant in their appeal submitted that they had submitted all the requisite documents during the course of processing of their application. According to the provisions of clause 8(5) of the NCTE Regulations, 2014, the appellant has inter alia to submit a certified copy of the land ownership or lease documents by the land registering authority like a Registrar or Sub- Registrar along with the affidavit at the time of application. The Committee noted that the appellant furnished only a Khatauni, which is not a land ownership document like sale deed / gift deed / lease deed. Even in response to the show cause notice, the appellant

furnished only a Khatauni and not a copy of registered land documents as mentioned above. The building completion certificate submitted by the appellant at the time of inspection was issued by a private architect and not approved by any Govt. Engineer but by Gram Pradhan and showed a built up area of 29547 sq ft, the building having been completed in 2013. The building completion certificate submitted by the appellant in reply to the show cause notice, which was also issued by a private architect and not approve by any Govt. Engineer but by Gram Pradhan showed a built-up area of 3314.76 sq. mts., the building having been completed in 2015. The details of built up area floor-wise given in this certificate total up to 3269.84 sq. mts. and not 3314.76 sq. mts. If the appellant wanted to run one more teacher education course like D.El.Ed. in addition to B.Ed. course being run, there was no justification to propose creation of new institution called Mahadev BTC College to run the D.El.Ed course, leading to Mahadev Mahavidyalaya and BTC College being two different institutions and not a composite one.

AND WHEREAS the Committee noted that as per the provisions Clause 7(10) of the NCTE Regulations, 2014, the Regional Committee shall grant recognition / permission only after satisfying itself that the institution fulfils all the conditions prescribed by the NCTE under the Act, Rules or Regulations including the norms and standards laid down for the relevant teacher education course. There is no exception to the mandate of this clause. The applicant has to fulfil all the requirements whenever they are brought to his notice. The appellant has not only met the requirements of submitting a certified copy of the registered land documents and being a composite institution as per the Regulations, but submitted two different building completion certificates with varying details. 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 Manager, Mahadev BTC College, 357-394, Bariyasanpur, Varanasi, Uttar Pradesh – 221112 .**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**



8

F.No.89-125/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Faculty of Education, Harpur Govindpur Arilo, Cuttack, Khordha, Orissa dated 16/02/2017 is against the Order No. ERC/7-225.8.8/B.Ed./ERCAPP2466/2016/50494 dated 19/12/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "a. SCN was issued on 22/02/2016 on the following grounds: (i) By law and Certificate of Registration of Society/Trust not submitted. (ii) As per online application, trust name is Sri Sri University whereas land document is in the name of Sri Sri Ravishankar Vidya Mandir Trust. (iii) The total demarcated land area and built area for teacher education programme as well as multipurpose, resource centers and library etc. is not indicated in the submitted building plan. b. In response to SCN, the University submitted its replies dt. 04/03/2016, 10/05/2016 and 08/06/2016. The ERC considered the representation of the University and found that the University is still deficient on the following grounds:- (i) As per online application, trust name is Sri Sri University whereas land document is in the name of Sri Sri Ravishankar Vidya Mandir Trust. (ii) The total demarcated land area and built area for teacher education programme as well as multipurpose, resource centers and library etc. is not indicated in the submitted building plan and also not approved by the competent Govt. Civil authority. (iii) The Joint Secretary to Govt. School and Mass Education Deptt. Govt. of Orissa vide letter dt. 30/09/2015 has not recommended the B.Ed. programme to Sri Sri University. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP2466 of the institution for grant of recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Shri Rishabh Gupta, Assistant Registrar and Dr. Nand Lal, Vice-Chancellor, Faculty of Education, Harpur Govindpur Arilo, Cuttack, Khordha, Orissa presented the case of the appellant institution on 03/05/2017. In the appeal

and during personal presentation it was submitted that Sri Sri Ravishankar Vidya Mandir (SSRVM) Trust is an Educational & Charitable Trust established under the Indian Trust Act. Its head office is at 21st Kanakpura Road, Art of Living International Ashram, Bangalore-560069. SSRVM is the sponsor of the Sri Sri University (SSU) as per Clause 2(J) – (page 02) & (k) – (page-21) of the SSU Act 2009 duly approved by Orissa Govt. as Orissa Act 18 of 2009. These clauses as reproduced from the SSU Act are 2 (j) (page-02) “Sponsoring Body” means the Trust; (k) (Page-02) “Trust” means Sri Sri Ravi Shakar Vidya Mandir Trust registered under the Indian Trust Act, 1882. A copy of SSU Act is attached for ready reference. Sri Sri University is included in the list of Universities maintained by University Grants Commission Under section 2(f) with the right to confer degree as per Section 22(1) of UGC Act, 1956. As per UGC document of 1st Jan. 2016. Sri Sri University is listed at serial no. 126 Under State Private Universities List SSRVM as sponsor of the Sri Sri University has arranged for the land and required infrastructure for the University as a result of which Govt. of Orissa issued a notification dt. 22nd Feb. 2012, thereby giving birth to the University. the copy of Agreement between SSRVM & SSU is attached for ready reference. This is how the land document is in the name of SSRVM Trust while the application for the B.Ed. programme is Sri Sri University. Sri Sri University has been allocated 185.97 acres of land on lease by Orissa Govt. University has developed various buildings to facilitate teaching and research activities in different streams. An area of approximately 4000 square meters is allocated specifically to run B.Ed. course in the University where the allocated building with built up area of 2293.4 sq. meters for immediate use with provision of further growth and expansion is situated. I am attaching the approved building plan with proper labelling along with the plan of shared facilities. The details and dimension of the room in the building vis – a – vis requirement cited in the NCTE Regulations, 2014 for the intake of 50 students are also given in the table attached. The State Govt. imposed ban on Private Teacher Training institution in Orissa. SCN dt. 06/11/2015 to the Universities Namely Centurion University, KIIT University & Sri Sri University were issued. It is pertinent to mention here that earlier Centurion University has challenged the order of refusal to grant permission before the Hon'ble Court of Orissa, in W.P. (C) No. 7409 of 2015, where ERC were the respondent along with the Govt. of Orissa. In that case, the Hon'ble High Court of Orissa has disposed of the Writ Petition directing ERC as well as the Secretary, School and Mass Education, Govt. of Orissa, for granting

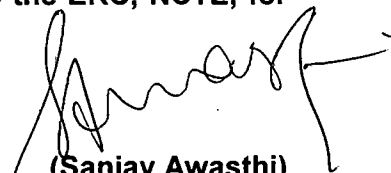
permission/recognition to Centurion University to commence, B.Ed., M.Ed. or any other Teacher Training course applied for within a period of 4 weeks taking in to account the provision of NCTE Act. In that case, the Hon'ble High Court of Orissa has also held that State Govt. has no role after the commencement of NCTE Act 1993. The State Govt. Legislature cannot exercise power of making enactment in this field in as much as State Legislature cannot encroach upon the field occupied by the Parliament for which refusal or granting permission by the State Govt. is out of bound. In that judgment, it has been clarified that it is the NCTE Act which could be followed for considering application of the applicant for such B.Ed., D.El.Ed. and any other teachers training course. So, the plea taken that the State Govt. has not recommended and ban imposed on teachers training programme in Private (Un-Added) educational institutional in Orissa cannot be sustainable. As our University is similarly placed as that of Centurion University and there is no slightest difference among us hence the law laid down by the Hon'ble High Court of Orissa in W.P. (C) No. 7409 of 2015 disposed upon 05/10/2015 and subsequent order the Hon'ble High Court of Orissa passed in Misc. case no. 18997 of 2015 disposed on 18/11/2015 is squarely applicable to our University. It is clarified here that, after disposing of the case of Centurion University, identical SCN was issued on 06/11/2015 to Centurion University, KIIT University & Sri Sri University. The said SCN dt. 06/11/2015 was challenged by the Centurion University in Misc. case no. 18997 of 2015 before the Hon'ble High Court of Orissa. The Hon'ble Court expressed displeasure over the matter and quashed the SCN dt. 06/11/2015. As our University is similar to that of the Centurion University, so I request you to consider the case of our University in the light of the case of Centurion University. Attached judgement order copy.

AND WHEREAS in the course of presentation, the appellant submitted an approved plan with letter from Cuttack Development Authority and stated that the first floor of this building will be used for B.Ed. programme.

AND WHEREAS the Committee, noting the detailed submissions of the appellant, concluded that the matter deserved to be remanded to the ERC with a direction to consider the same afresh as per the provisions of NCTE Regulations, 2014 and take a decision. The appellant is directed to submit all the relevant documents again to the ERC within 15 days of receipt of the order on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to E.R.C. with a direction to consider the same afresh as per the provisions of NCTE Regulations, 2014 and take a decision. The appellant is directed to submit all the relevant documents again to the ERC within 15 days of receipt of the order on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Faculty of Education, Harpur Govindpur Arilo, Cuttack, Khordha, Orissa to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Appellant, Faculty of Education, 330/110/248, Lease, 1484/2392/139/115/298/21/23/22, Bidyad Harpur Govindpur Arilo, Cuttack, Khordha, Orissa – 754006.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Orissa, Bhubaneswar

9



F.No.89-126/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Disha Institute of Science and Technology, Dhampur, Bijnor, U.P. dated 19/02/2017 is against the Order No. NRC/NCTE/NRCAPP-13409/261st Meeting/2016/163869 dated 28/12/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the institution has not submitted the reply of show cause notice dt. 10/06/2016 issued by the NRC, NCTE in stipulated time period."

AND WHEREAS Shri Mukesh Kumar Agarwal, Gen. Secretary and Shri Achal Kumar Bishoni, Office Suppr., Disha Institute of Science and Technology, Dhampur, Bijnor, U.P. presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that the institution already submitted the reply of SCN on dated 3rd July 2016. The institution has also submitted all the documents with building plan for existing B.Ed. course. We require 500 sq. mts. built-up area for B.Ed. IInd unit. But institute provided the complete IInd Floor having the built-up area 1527.95 sq. mts. total built-up area of the institution 4583.85 on 7th June, 2016.

AND WHEREAS the Committed noted that the NRC issued a combined order of recognition on 02.05.2016 covering 868 institutions, including the appellant (at S.no. 461). The appellant was granted recognition for conducting D.El.Ed. course with an intake of 100(two units). The NRC, in a corrigendum dated 09.06.2016 deleted five institutions, including the appellant from the list of institutions granted recognition on 02.05.2016 on the ground that the NRC decided to issue show cause notice to them. The NRC thereafter issued a show cause notice to the appellant on 10.06.2016 on the ground that the institutions is already running B.Ed. course for two units and the total built up area is only 3400 Sq. mts, which is just sufficient to run the existing B.Ed. course of two units. As no reply to the show cause notice was

received within the stipulated time (30 days). NRC in their order dated 28.12.2016 refused recognition.

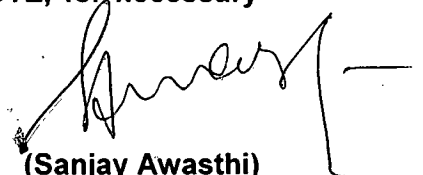
AND WHEREAS the Committee noted that the file of the NRC in which the appellant's case is dealt does not contain any notes prior to the decision taken to issue show cause notice. The appellant enclosed a copy of their reply dated 03.07.2016 to the show cause notice. This letter is not available in the file of the NRC. In this letter the appellant explained the details of the built up area available for their institutions. The appellant has not enclosed any documents such as approved building plan, building completion certificate issued by a competent authority in support of their claim that they have 4583.85 Sq. mts. which is adequate as per NCTE Regulations, 2014.

AND WHEREAS the Committee also noted that the Visiting Team in their report dated 22.01.2016 inter alia observed that the building completion certificate was not countersigned by competent Govt. authority and details of the other programmes (B.Ed. course) being run in the same building were not provided. Without supporting documents like approved building plan and approved building completion certificate, the reply of the appellant dated 03.07.2016, even if it had been received in the NRC, could not have provided a satisfactory answer. Since the NRC once granted recognition and thereafter deleted the name of the appellant from the list of recognised institutions and the objection relates to adequacy of built up area, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to conduct a re-inspection of the institution, on payment of the prescribed fee by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit his reply dated 02.07.2016 to the show cause notice to the NRC 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 appeal deserves to be remanded to the NRC with a direction to conduct a re-inspection of the institution, on payment of the prescribed fee by the appellant and take further action as per the

NCTE Regulations, 2014. The appellant is directed to submit his reply dated 02.07.2016 to the show cause notice to the NRC within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Disha Institute of Science and Technology, Dhampur, Bijnor, U.P. to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Gen. Secretary, Disha Institute of Science & Technology, Vill. – Mojjampur Jaitra, PO – Dhampur, Tehsil – Dhampur, Dist. – Bijnor, Uttar Pradesh – 246761.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**



F.No.89-127/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

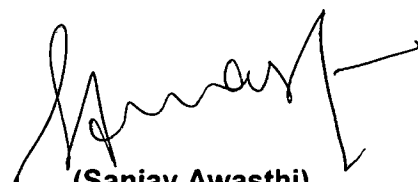
WHEREAS the appeal of Vidya College of Professional Studies, Patna, Bihar dated 14/02/2017 is against the Order No. ER-207.6.28/ERCAPP-3171/D.El.Ed.(Addl. Course)/2016/44316 dated 03/03/2016 of the Eastern Regional Committee, granting recognition for conducting D.El.Ed. Course with an intake of 50 (one basic unit). The appellant wants recognition for an intake of 100 (two units).

AND WHEREAS Vidya College of Professional Studies, Patna, Bihar was asked to present the case of the appellant institution on 03/05/2017 but nobody from the institution appeared.

AND WHEREAS from the file of the ERC it is noted that the appellant, aggrieved by the order of the ERC, filed a writ petition WP(c) no. 9124 of 2016 before the Hon'ble High Court of Orissa at Cuttack. The ERC, after considering the representation submitted by the appellant on 20.10.2016, following the order of the Hon'ble High Court dated 05.10.2016 in the above petition, rejected their request on 02.12.2016 as the cut off date for the academic session 2016-17 is over. The appellant again filed another writ petition WP (c) no. 22418/2016 before the same Hon'ble High Court. The Hon'ble High Court in their order dated 17.04.2017 directed that even though time for filing of application for the academic session 2017-18 has already expired but in case the said application, along with requisite fee and necessary documents is filed by the petitioner with the opposite party, along with a certified copy of this order on or before 25.04.2017, the same shall be treated as a fresh application filed within the time and be decided on its own merit and necessary orders for intake of students in the institution of the petitioner for the academic session 2017-18 shall be passed in accordance with law. The appellant submitted a representation on 25.04.2017 to ERC along with a copy of the order of the Hon'ble High Court and a D.D. for Rs. 1,50,000/-. The ERC, after considering the matter,

issued an order on 02.05.2017 granting recognition for another unit (50) thus making the total intake in D.El.Ed. course 100 (two units) for the academic session 2017-18.

AND WHEREAS perhaps in the above circumstances, the appellant did not appear on 03.05.2017 as his demand for another unit of 50 D.El.Ed. course has been met, which happened after filing the appeal. The appellant could be informed that their appeal has now become infructuous after the issue of the recognition order for one more unit by ERC on 02.05.2017.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vidya College of Professional Studies, 410, 411, own, Rasulpur Varuna, Patna, Bihar - 804453.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

(11)



F.No.89-128/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Shri Krishna Mahavidyalaya, Harpalpur, Chhatarpur, Madhya Pradesh dated 15/02/2017 is against the Order No. WRC/APW05510/223591/265th/2017/177687 dated 02/01/2017 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that Show Cause Notice was issued to the institution on 19/10/2016 on the points raised in the deficiency letter to which reply was not sent. The institution replied on 11/11/2016. The institution has not submitted any documentary evidence regarding payment of salary of the staff according to approved pay scales and extension of benefits like off CPF, institutional plan, academic activities and proof regarding pass percentage in the final exams. Enough opportunities have been provided to the institution to submit the above evidence but the institution has not submitted the same. Hence, Recognition is withdrawn."

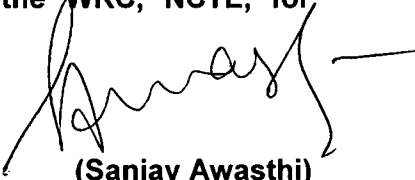
AND WHEREAS Vimal Kumar Rawat, Chairman, Shri Krishna Mahavidyalaya, Harpalpur, Chhatarpur, Madhya Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation and in a letter dated 16.02.2017 it was submitted that the salaries of institution staff have been increased according to approved pay scale and they are given all necessary facilities like EPF etc. The academic environment of institution is very well and the institution already conducted conference /seminar /extension lecturers according to the educational calendar. The result of final examination was 81.44%, after revaluation it has increased 5% and the result of a students was 86% in final exam for session 2014-15.

AND WHEREAS the Committee noted that the appellant in response to the show cause notice submitted a reply dt. 02.11.2016 to the WRC which was received on 11.11.2016 covering all the points The WRC, if they were not satisfied with any

aspects of the reply such as grant of approved scale of pay, extension of benefits of CPF, academic plan and pass percentage, they could have sought further information or clarification from the appellant instead of resorting to the extreme step of withdrawal of recognition. The Committee also noted from the letter of the appellant dt. 16.02.2017, a copy of which has been sent to the WRC along with the appeal for furnishing comments, does provide clarification regarding the points mentioned in the withdrawal order. In this circumstance, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the appellant letter dt. 16.02.2017 and seek any further clarification / documents from the appellant and take further action as per the NCTE Regulations, 2014. In the meantime the withdrawal order shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to W.R.C. with a direction to consider the appellant letter dt. 16.02.2017 and seek any further clarification / documents from the appellant and take further action as per the NCTE Regulations, 2014. In the meantime the withdrawal order shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Shri Krishna Mahavidyalaya, Harpalpur, Chhatarpur, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Shri Krishna Mahavidyalaya, Behind Old Degree College, Nowgong Road, Harpalpur, Dist. Chhatarpur, Madhya Pradesh – 471111.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

12



F.No.89-130/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Rajiv Gandhi Education Society, College of Education, Ron, Gadag Dist. Karnataka dated 15/02/2017 is against the Order No. SRO/NCTE/APS01914/B.P.Ed/KA/2016-17/90760 dated 17/12/2016 of the Southern Regional Committee, withdrawing recognition for conducting B.P.Ed. Course on the grounds that "1. Land is mortgaged. 2. As per the Building Completion Certificate the built-up area is not adequate even for B.Ed. (2 unit) and D.El.Ed. (1 unit)."

AND WHEREAS Shri Y.N. Papannavar, Principal, Rajiv Gandhi Education, Society, College of Education, Ron, Gadag Dist. Karnataka presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that the land was mortgaged for the purpose of construction of B.Ed. and D.Ed. college building. Since theirs is a backward and remote area no other sources are available to raise the fund. Hence, they mortgaged the land for the sole purpose of construction of college building. Now the said land is free from mortgage as they cleared all the dues and debts. Now the said land is in favour of education society without any encumbrances. As a proof, we herewith enclose EC, which may kindly be verified. We would like to inform you that we have submitted two building completion certificates at the time of submission of reply to the show cause notice dt. 31/08/2016. One for B.Ed. and D.Ed. and another for B.P.Ed. course which was not properly verified by SRC. We would like to inform you that, the B.P.Ed. course is functioning in other building which consists of the built-up area of 2393.33 sq. mts. which is very much sufficient as per NCTE norms and standards. As a documentary evidence, we are herewith once again submitting the building completion certificate which was already submitted to SRC at the time of submission of reply to the show cause notice. You are requested to kindly consider the matter and reverse the order of SRC. In the course of presentation, the appellant

submitted a No Dues Certificate dt. 13.02.2017 issued by the Raddi Sahakara Bank Niyamita, Dhanward and a EC dt. 15.02.2017 issued by Sub. Registrar, Ron, Gadag Distt.

AND WHEREAS the Committee noted that the appellant was granted recognition for conducting B.P.Ed. course with an annual intake of 50 students from the academic session 2005-06 vide SRCs order dt. 21.02.2005. One of the conditions for the grant of recognition was that the institution shall shift to its own premises / building within three years from the date of recognition (in case the course is started in rented premises). While no action appears to have been taken to fulfil this condition, on the basis of an affidavit submitted by the appellant with their letter dt. 24.01.2015, the SRC issued a revised recognition order in pursuance of the NCTE Regulations, 2014 on 20.05.2015 for conducting B.P.Ed. course with an annual intake of one basic unit of 100 (two sections of 50 students each) from the academic session 2015-16 subject to the fulfilment of the conditions (4(i) and 4 (ii) mentioned in that order, namely, submission of land related documents, approved staff list and inspection of the proposed premises for shifting by the SRC and appointment of additional staff. In pursuance of this order the appellant submitted certain documents with their letter dt. 29.07.2015. After examining the documents, issuing a show cause notice and receipt of reply thereto, the SRC withdrew recognition on the grounds mentioned in their order.

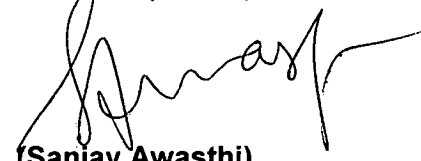
AND WHEREAS the Committee noted that according to the recognition order dt. 21.02.2005, the appellant should have shifted to their own premises with proper permission by 21.02.2008, which has not happened. With their letter dt. 29.07.2015, the appellant has not forwarded a certified copy of the registered land document in respect of the land on which the building has been constructed. If the building has been constructed some years back and inspection of the premises has not yet taken place, the fact that no encumbrance exists as of now, as per the EC dt. 15.02.2017 and Bank's certificate dt. 13.02.2017 certifying that no loan is outstanding on the property of survey no. 681/2 deserves to be taken into account. The Committee also noted that the appellant in reply to the show cause notice submitted two building completion certificates for constructions that took place in the years 2001-02 and

2004-05 and submitted that B.P.Ed. and B.Ed. & D.Ed. Courses have shifted to their own buildings.

AND WHEREAS in view of the position stated above, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to conduct an inspection of the institution for shifting on payment of prescribed free by the appellant, and after obtaining all the requisite registered land document mentioned above, from the appellant and take further action as per the NCTE Regulation, 2014. In the meantime, the withdrawal order shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to S.R.C. with a direction to conduct an inspection of the institution for shifting on payment of prescribed free by the appellant, and after obtaining all the requisite registered land document mentioned above, from the appellant and take further action as per the NCTE Regulation, 2014. In the meantime, the withdrawal order shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Rajiv Gandhi Education Society, College of Education, Ron, Gadag Dist. Karnataka to the SRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Rajiv Gandhi Education Society, College of Education, Ron, Gadag District Karnataka – 582209.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.



F.No.89-131/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Shri Shiv Mahavidyalaya, Saidpur, Ghazipur, Uttar Pradesh dated 20/02/2017 is against the Order No. NRC/NCTE/NRCAPP-3658/262nd (Part-8) Meeting/2017/166757 dated 06/02/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "the institution was granted recognition under clause 7(16) vide order 23/04/2015. After recognition, NRC received letter from the Registrar, Veer Bahadur Singh Purvanchal University, Jaunpur. In the letter, the Registrar mentioned that the institution has been given recognition on fake faculty list. Hence, institution was given show cause notice. The reply submitted by the institution is not acceptable. The institution misled the NRC by submitting a fake list of teachers. Hence, the Committee decided to withdraw the recognition granted to the institution for B.Ed. course under section 17 of the NCTE Act, 1993 from the end of the academic session next following the date of order of withdrawal."

AND WHEREAS Shri Bhullan Yadav, President and Parashuram Yadav, Member, Shri Shiv Mahavidyalaya, Saidpur, Ghazipur, Uttar Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that the recognition has been erroneously and wrongly withdrawn. The Registrar committed an error in informing that the recognition was obtained on fake faculty list and the Registrar corrected the error committed by their office. Hence, withdrawal of recognition is unwarranted and recognition was erroneously withdrawn.

AND WHEREAS the Committee noted that the appellant after the NRC in their 232nd meeting held from 9th to 14th February 2015 decided to issue the letter of intent, with their letter dt. 12.03.2015 and before the issue of the letter of intent on 17.03.2015 forwarded a number of documents, including a copy of the letter dt.

09.03.2015 from the Registrar Veer Bahadur Singh Purvanchal University, Jaunpur approving teaching faculty of the appellant institution, consisting of one HOD and seven lectures. The NRC in their 235th meeting held from 15th 18th April, 2015, after considering all the documents submitted, issued a combined formal recognition order on 23.04.2015 covering 13 institutions, including the appellant, which figured at S.No. 8.

AND WHEREAS the Committee also noted that the Registrar VBS Puvanchal University, Jaunpur sent a letter dt. 28.07.2016 to the Regional Direction, NRC, requesting them to verify the correctness of the orders issued granting letters of intent 7(9) / 7(13) and formal recognition 7 (11)/ 7(16) in respect of institutions in different districts of UP given in a list enclosed to that letter and inform them. In the list enclosed it has been indicated that the appellant institution was issued LOI under 7 (13) on 17.03.2015, the University approved their faculty on 06.11.2015 and the NRC issued recognition order on 23.04.2015, resulting in the issue of recognition order before approval of the faculty. On receipt of this letter, NRC issued a show cause notice to the appellant on 17.09.2016 pointing out that the list of approved faculty submitted by the institution was fake. A copy of the show cause notice was endorsed to the Registrar, VBS Purvanchal University. The appellant in their reply dt. 03.10.2016 submitted that after completing the selection of the faculty and getting approval of the university they had submitted all the papers. In an affidavit enclosed to the reply, the appellant also submitted that the approval letter and other papers submitted are correct and true and any legal action taken by the NCTE/ University is acceptable to him. Thereafter, NRC in their letter dt. 07.12.2016 requested the University to verify the authenticity of the contents of the approval order submitted by the institution. The NRC, in their 262nd Meeting held from 16th to 24th January, 2017 not accepting the reply of the institution to the show cause notice and holding that they have submitted a fake list of faculty, decided to withdraw recognition and issued the order on 06.02.2017.

AND WHEREAS the appellant enclosed to the appeal a copy of the letter dt. 22.12.2016 from the Registrar, VBS Purvanchal University addressed to the Regional Director, NRC, which is in reply to the NRC's letter dt. 07.12.2016. In this letter, the University confirmed that as per their records the faculty approved in their

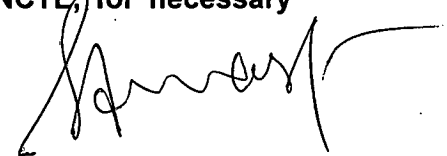
letter dt. 09.03.2015 are working in the appellant institution. The University's letter contains the names of all faculty members mentioned in their earlier letter dt. 09.03.2015. This letter, which bears a date prior to that of the date on which the 262nd meeting of the NRC was held, is not available in the file of the NRC. The appellant in the course of presentation submitted a copy of the affiliating university's letter dt. 6.2.2016, in which the university approved another person for the post of HOD.

AND WHEREAS the above position indicates that the date of approval of faculty mentioned in the list enclosed to the University's letter dt. 28.07.2016 i.e. 06.11.2015 is different from what is mentioned in their letter dt. 22.12.2016 i.e. 09.03.2015. Further the date of issue of recognition order mentioned in the list enclosed to their letter dt. 28.07.2016 i.e. 23.04.2015 does not tally with that in the records of the NRC i.e. 23.04.2015.

AND WHEREAS the Committee, taking into consideration all aspects of the matter as mentioned in the previous paras concluded that the matter deserved to be remanded to the NRC with a direction to consider the letters of the university dt. 22.12.2016 and 06.02.2016, copies of which are to be submitted by the appellant, if necessary by further verification of their authentication by the university and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit copies of the University's letters referred to above to the NRC within 15 days of receipt of the orders on the appeal. In the meantime, the withdrawal shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to consider the letters of the university dt. 22.12.2016 and 06.02.2016, copies of which are to be submitted by the appellant, if necessary by further verification of their authentication by the university and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit copies of the University's letters referred to above to the NRC within 15 days of receipt of the orders on the appeal. In the meantime, the withdrawal shall be kept in abeyance

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



(Sanjay Awasthi)
Member Secretary

- 1. The Manager, Shri Shiv Mahavidhayalaya, Plot Kh No. 316, 739, 820, 71, 871, 972, 873, 875, Saidpur, Ghazipur, Uttar Pradesh – 233223.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-132/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Berhampore B.Ed. College, Berhampore, Murshidabad, West Bengal dated 15/02/2017 is against the Order No. ERC/227.7.2/ERCAPP2976/D.El.Ed/2016/50676 dated 27/12/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "SCN was issued on 03/09/2016 on the following grounds: As per VT Report and CD, the annexure building not yet completed. In response to SCN, the institution vide representation dt. 08/09/2016 informed that due to unavoidable circumstances, they were now opting for the course to be opened in the next session 2017-18. The ERC considered the representation of the institution and found that the institution is still deficient on the following ground: As per VT Report and CD, the annexure building not yet completed. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code no. ERCAPP2976 of the institution regarding permission of D.El.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993."

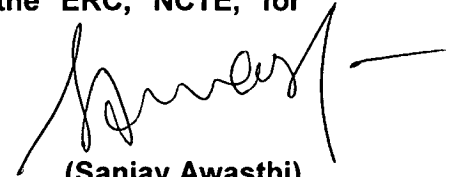
AND WHEREAS Shri Sanjib Roy, Secretary and Smt. Sudipta Mukherjee, Treasurer, Berhampore B.Ed. College, Berhampore, Murshidabad, West Bengal presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that the building is complete. Books are as per norms. More books were purchased. Language lab is as per specification.

AND WHEREAS the Committee noted that the Visiting Team that inspected the institution on 18.02.2016 observed that the organisers hope to construct the third floor of the existing building soon and proposed annexe building shortly. The Visiting Team, in their report, also recorded that the building required for D.El.Ed. programme be completed before the commencement of the programme. The

Committee considering the option of the appellant for starting the course in a subsequent session and the submission in the appeal that the building is complete concluded that the matter deserved to be remanded to the ERC with a direction to conduct a fresh inspection of the institution, on payment of the prescribed fee by the appellant, and take further action as per 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 appeal deserves to be remanded to E.R.C. with a direction to conduct a fresh inspection of the institution, on payment of the prescribed fee by the appellant, and take further action as per NCTE Regulations, 2014.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Berhampore B.Ed. College, 13397, Viti, 1410, 1412, Girija Para Lane, Berhampore, Murshidabad, West Bengal – 742103.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



15

F.No.89-133/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Rajiv Gandhi Education Society, College of Education, Ron, Gadag Dist. Karnataka dated 15/02/2017 is against the Order No. SRO/NCTE/APS01668/D.El.Ed./KA/2016-17/90765 dated 19/12/2016 of the Southern Regional Committee, withdrawing recognition for conducting D.Ed. Course on the grounds that "1. Land is mortgaged. 2. As per the Building Completion Certificate the built-up area is not adequate even for B.Ed. (2 unit) and D.El.Ed. (1 unit)."

AND WHEREAS Shri Y.N. Papannavar, Principal, Rajiv Gandhi Education Society, College of Education, Ron, Gadag Dist. Karnataka presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that the land was mortgaged for the purpose of construction of B.Ed. and D.Ed. college building. Since theirs is a backward and remote area no other sources is available to raise the fund. Hence, they mortgaged the land for the sole purpose of construction of college building. Now the said land is free from mortgage as they cleared all the dues and debts. Now the said land is in favour of education society without any encumbrances. As a proof we herewith enclose EC which may kindly be verified. No show cause notice has not been served by SRC, NCTE Bangalore for their D.Ed. course instead of that, the SRC, NCTE authorities straight away withdrew the recognition of their D.Ed. course without giving any chances for their written representation. They are herewith enclosing the building completion certificate obtained for B.Ed. & D.Ed. courses which consists of 3738.47 sq. mts. of built-up area, which fulfils the Norms & Standards of NCTE. In the course of presentation, the appellant submitted a No Dues Certificate dt. 13.02.2017 issued by Raddi Sahakara Bank Niyamita, Dharwad and a EC dt. 15/02/2017 issued by the Sub-Registrar, Ron, Gadag Distt.

AND WHEREAS the Committee noted that the appellant was granted recognition for conducting D.Ed. course with an annual intake of 50 students from the academic session 2005-06 vide SRC's order dt. 21.12.2005. One of the conditions for the grant of recognition was that the institution shall shift to its own premises/building within three years from the date of recognition (in case the course is started in rented premises). While no action appears to have been taken to fulfil this condition, on the basis of an affidavit submitted by the appellant with their letter dt. 24.01.2015, the S.R.C. issued a revised recognition order in pursuance of the NCTE Regulations, 2014 on 16.05.2015 for two units of 50 student each (copy not available in the file). The appellant with their letter dt. 29.07.2015 submitted certain documents with reference to the revised recognition issued for B.P.Ed. course' and in response to the Show Cause Notice issued for that course i.e. B.P.Ed. submitted a reply with their letter dt. 24.08.2016. The S.R.C. considering these letters withdrew recognition on the grounds mentioned in the order.

AND WHEREAS the Committee noted that the two letters dt. 29.07.2015 and 24.08.2016 sent by the appellant are in reference to the revised recognition order and show cause notice issued in respect of B.P.Ed. Course. As mentioned by the appellant, no show cause notice has been issued in respect of D.Ed. Course before withdrawal, which is a requirement as per the proviso to Section 17(I) of the NCTE Act, 1993.

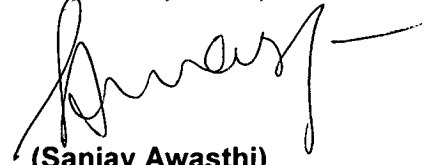
AND WHEREAS the Committee also noted that the building completion certificate for the D.Ed. and B.Ed. courses submitted by the appellant indicated that it was constructed in the year 2001-02. If the building has been constructed many years back and if no inspection of the premises has taken place, the fact that no encumbrance exists as of now as per EC dt. 15.02.2017 and Bank's certificate dt. 13.02.2017, certifying that no loan is outstanding on the property of Survey No. 681/2 deserves to be taken into account.

AND WHEREAS in view of the position stated above the Committee concluded that the matter deserved to be remanded to the SRC with a direction to issue a show cause notice to the appellant and take necessary action to conduct an inspection of premises on payment of fee by the appellant and submission of all relevant

documents, if it is established that the appellant has shifted to new premises from the premises at which recognition was granted, and take further action as per the NCTE Regulations, 2014. In the meanwhile, the order of withdrawal shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to S.R.C. with a direction to issue a show cause notice to the appellant and take necessary action to conduct an inspection of premises on payment of fee by the appellant and submission of all relevant documents, if it is established that the appellant has shifted to new premises from the premises at which recognition was granted, and take further action as per the NCTE Regulations, 2014. In the meanwhile, the order of withdrawal shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of **Rajiv Gandhi Education Society, College of Education, Ron, Gadag Dist. Karnataka to the SRC, NCTE, for necessary action as indicated above.**


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Rajiv Gandhi Education Society D.Ed. College, Ron, Gadag District – Ron, Gadag District Karnataka – 582209.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.



F.No.89-135/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Rajiv Gandhi Education Society, College of Education, Ron, Gadag Dist. Karnataka dated 15/02/2017 is against the Order No. SRO/NCTE/APSO1839/B.Ed/KA/2016-17/90759 dated 17/12/2016 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "1. Land is mortgaged. 2. As per the Building Completion Certificate the built-up area is not adequate even for B.Ed. (2 unit) and D.El.Ed. (1 unit)."

AND WHEREAS Shri Y.N. Papannavar, Principal, Rajiv Gandhi Education Society, College of Education, Ron, Gadag Dist. Karnataka presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that the land was mortgaged for the purpose of construction of B.Ed. and D.Ed. college building. Since theirs is a backward and remote area no other sources is available to raise the fund. Hence, they mortgaged the land for the sole purpose of construction of college building. Now the said land is free from mortgage as they cleared all the dues and debts. Now the said land is in favour of education society without any encumbrances. As a proof, we herewith enclose EC which may kindly be verified. We would like to inform you that we have submitted two building completion certificates at the time of submission of reply to the show cause notice dt. 05/08/2016. One for B.Ed. and D.Ed. and another for B.P.Ed. course which was not properly verified by SRC. It is further explained that built-up area mentioned in the building completion certificate pertaining to B.Ed. and D.Ed. has excluded toilet, corridor and stair case areas, where as in the building plan which was submitted at the time of submission of reply to the show cause notice, the built-up area is clearly mentioned as 3738.47 sq. mts. which can be verified. Now we have obtained a revised building completion certificate for B.Ed. and D.Ed. including entire built-up area which tallies with building plan. You are requested to kindly consider the matter and reverse the order of SRC. It the course

presentation the appellant submitted a No Dues Certificate dt. 13.02.2017 issued by Raddi Sahakara Bank Niyamata, Dharwad and a EC dt. 15.02.2017 issued by the Sub – Registrar, Ron, Gadag Distt.

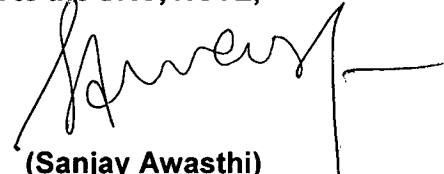
AND WHEREAS the Committee noted that the appellant was granted recognition for conducting B.Ed. course with an annual intake of 100 students from the academic session 2004-05 vide SRC order dt. 30.11.2004. One of the conditions for grant of recognition was that the institutions shall shift to its own premises / building within three year from the date of recognition (in case the course is started in rented premises). While no action appears to have been taken to fulfil this condition, on the basis of an affidavit submitted by the appellant with thire letter dt. 27.01.2015, SRC issued a revised recognition order on 16.05.2015 in pursuance of the NCTE Regulations, 2014 for conducting B.Ed. course with an annual intake of 100 for two basic units of 50 each from the academic session 2015-16 subject to creation of additional facilities of built up area, infrastructure and staff and other conditions mentioned in that order. In pursuance of this order, the appellant, with their letters dt. 21.10.2015, 07.12.2015 and 05.02.2016 submitted various documents. After considering these documents (for shifting of premises) SRC issued a show cause notice on 27.06.2016. The appellant replied on 28.07.2016. SRC considering the reply decided to withdraw recognition and issued the order on 17.12.2016 on the grounds mentioned therein.

AND WHEREAS the Committee noted that according to the recognition order dt. 30.11.2004, the appellant should have shifted to their own premises with proper permission by 30.11.2007, which has not happened. The appellant with their letter dt. 21.10.2015 has not forwarded a certified copy of the registered land documents in respect of the land on which the building has been constructed. If the building has been constructed some years back (as per the building completion certificate submitted) and inspection of premises has not yet taken place, the fact that no encumbrance exists as of now, as per the EC dt. 15.02.2017 and the Bank's certificate dt. 13.02.2017, certifying that no loan is outstanding on the property of survey No. 681/2, deserves to be taken into account.

AND WHEREAS in view of the position stated above, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to conduct an inspection of the institution for shifting on payment of prescribed fee by the appellant, and after obtaining all the requisite documents, including certified copy of registered land documents mentioned above, from the appellant and take further action as per the NCTE Regulations, 2014. In the meantime, the withdrawal order shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to S.R.C. with a direction to conduct an inspection of the institution for shifting on payment of prescribed fee by the appellant, and after obtaining all the requisite documents, including certified copy of registered land documents mentioned above, from the appellant and take further action as per the NCTE Regulations, 2014. In the meantime, the withdrawal order shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Rajiv Gandhi Education Society, College of Education, Ron, Gadag Dist. Karnataka to the SRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Chairman, Rajiv Gandhi Education Society D.Ed. College, Ron, Gadag District – Ron, Gadag District Karnataka – 582209.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.



18

F.No.89-136/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Mahamaya B.Ed. College, Village – Gathewara, Chhatarpur, Madhya Pradesh dated 15/02/2017 is against the Order No. WRC/APW 06240/223690/265th/2017/177692-698 dated 02/01/2017 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “Show Cause Notice was issued to the institution on 19/10/2016 on the points raised in the deficiency letter to which reply was not sent. The institution replied on 16/11/2016. The institution has not complied with the Show Cause Notice points regarding Building Plan, recruitment of staff, the reasons for low pass percentage, improvement of service conditions of staff and schemes for improvement of academic environment. Enough opportunities have been provided to the institution to submit the above evidences but the institution has not submitted the same. Hence, in exercise of the powers conferred u/s 17 of the NCTE Act, 1993, the recognition of the institution is hereby withdrawn from the end of the academic session next following the date of order of withdrawal.”

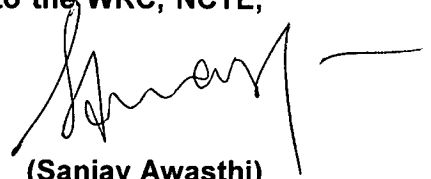
AND WHEREAS Sh. Mithlesh Kumar Singh, Secretary and Manoj Kumar Shrivastav, Representative, Mahamaya B.Ed. College, Village – Gathewara, Chhatarpur, Madhya Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation and in a letter dt. 02.05.2017 it was submitted that the institution already submitted approved building map which clearly mentioned total built-up area, survey number and location. The institution has earlier appointed teaching staff as per NCTE norms and approved by Dr Hari Singh Gaur University, Sagar. When the institution started getting approved staff as per NCTE Regulations, 2014, a new university, namely, Maharaja Chhatrasal Bundelkhand University, Chhatarpur came into existence in the place of Dr Hari Singh Gaur University, Sagar. The institution got the approval of the new

University to the faculty in November, 2016. In these circumstance, the Institution again appointed staff as per NCTE Regulations 2014 and approved by Maharaja Chhatrasal Bundelkhand University, Chhatarpur (copy enclosed). The result of final examination was increased after revaluation and result of final examination of the session 2014-15 was 92.7 percent (result sheet is enclosed). The salary of institution staff has been increased according to approved pay scale and they are given all necessary facilities like EPF etc. (EPF Certificate and documents enclosed). The academic environment of the institution is very well and the institution already conducted conference, seminar, extension lectures according to the education calendar.

AND WHEREAS the Committee noted that the appellant has furnished replies to all the remaining points mentioned in the withdrawal order and submitted supporting documents also. In particular he has explained the steps taken by them in getting the approval of faculty by the new University. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the replies to be furnished by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit their replies to all these points duly supported by all relevant documents to the WRC within 15 days of receipt of the orders on the appeal. In the meanwhile, the withdrawal order shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to W.R.C. with a direction to consider the replies to be furnished by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit their replies to all these points duly supported by all relevant documents to the WRC within 15 days of receipt of the orders on the appeal. In the meanwhile, the withdrawal order shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Mahamaya B.Ed. College, Village – Gathewara, Chhatarpur, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Mahamaya B.Ed. College, Khasra No. 671 to 674 and 726 to 729 Village – Gathewara Chhatarpur, Madhya Pradesh - 471001.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.**

20



F.No.89-138/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Dr. P. Ranjan Babu D.Ed. College, Phirangipuram, Ameenabad, Guntur, Andhra Pradesh dated 17/02/2017 is against the Order No. SRO/NCTE/SRCAPP3303/D.El.Ed./AP/2016-17/91232 dated 19/01/2017 of the Southern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "1. They have not replied to the LOI issued on February, 2016 for D.El.Ed. A.I. (1 Unit). 2. We cannot wait indefinitely. 3. Reject the application. 4. Return FDR's, if any. 5. Close the file."

AND WHEREAS Sh. V. Satyam Babu, Deputy Registrar and Viswanth, Coordinator, Dr. P. Ranjan Babu D.Ed. College, Phirangipuram, Ameenabad, Guntur, Andhra Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that as far as the reply to the LOI issued in February 2016 is concerned, they have not received any such letter at their end. As far as the query regarding the same is concerned there is no mention of the Letter No and date. The rejection order issued vide letter no. F.No. SRO/NCTE/SRCAPP3303/D.El.Ed./AP/2016-17/91232 dt. 19/01/2017 is not acceptable. Waiting indefinitely for their reply does not arise since the said letter (February 2016) in question has not been received at their end. Keeping the above facts the appellate authority is requested to examine and consider in their favour. In view of the reasons mentioned above the appellate authority is requested to consider their D.El.Ed. course with the name of Dr. P. Ranjanbabu, D.Ed. College Plot No. 491/A, Ameenabad Village – Phirangipuram Post and Taluk, Guntur, District – 522529, Andhra Pradesh.

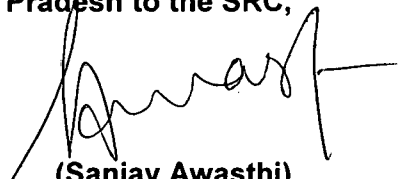
AND WHEREAS the Committee noted from the file of the SRC that an inspection of the appellant institution for the proposed D.El.Ed. course was conducted on 14.10.2016 and the SRC, after considering the Inspection Report in their 323rd

meeting held on 16-18 November, 2016 decided to issue a show cause notice and issued the same on 05.12.2016 mentioning the grounds therein. The Committee further noted that the SRC on receipt of a response from the institution, in their 326th meeting held on 4-5 January, 2017 decided to reject the application for D.El.Ed. course on three grounds mentioned in the minutes of that meeting. But somehow in the rejection order issued on 19.01.2017 non-receipt of a reply to the LOI issued on February 2016 has been mentioned as the ground. The file does not contain any letter of intent issued for D.El.Ed. course in February 2016. The file contains a show cause notice issued on 15.02.2016.

AND WHEREAS the Committee noting that no Letter of Intent for D.El.Ed. course has been issued and the appellant has correctly submitted that they have not received any such letter and also wrote a letter to the SRC on 14.02.2017 bringing this fact to their notice, concluded that the matter deserved to be remanded to the SRC with a direction to issue a correct order in supersession of their order dt. 19.01.2017

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 deserves to be remanded to S.R.C. with a direction to issue a correct order in supersession of their order dt. 19.01.2017.

NOW THEREFORE, the Council hereby remands back the case of Dr. P. Ranjan Babu D.Ed. College, Phirangipuram, Ameenabad, Guntur, Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Gen. Secretary, Dr. P. Ranjan Babu D.Ed. College, D.No. 491/A & B, Deenamma Sadan, Ameenabad, Guntur, Andhra Pradesh – 522529.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

22(A)



F.No.89-221/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Dr. P. Ranjan Babu College of Education for Women, Phirangipuram, Ameenabad, Guntur, Andhra Pradesh dated 20/02/2017 is against the Order No. SRO/NCTE/SRCAPP2834/B.Ed/AP/2016-17/91228 dated 19/01/2017 of the Southern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "1. BCC cannot be certified by a 'licensed' engineer; and Panchayat Secretary cannot authenticate it. 2. The building should be fully in position before we can consider issue of FR. We cannot act on assurances. 3. Built-up area again should be available in full before we can consider the issue of FR. The SRC has no discretion to Act on assurances. 4. Reject the application. 5. Return the FDR's, if any. 6. Close the file."

AND WHEREAS Dr. P. Ranjan Babu College of Education for Women, Phirangipuram, Ameenabad, Guntur, Andhra Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that as desired Building Completion Certificate in the prescribed Performa signed by the competent authority i.e. Deputy Executive Engineer, Sub-Division, Sattenapalli, Guntur has already been sent to SRC, Bangalore on 24/01/2010 and the same is herewith enclosed. The Multipurpose hall with seating capacity of 200 and a dias with total required area of 2000 sq. ft. has already been constructed separately which is at final stages. As such building is fully in position with the Multipurpose hall occupying an area of 2500 sq. ft. At present the built-up area is fully completed after the construction of the Multipurpose hall. Photos of the same are herewith enclosed. This is in conformity with the verification team who visited the institution on 14/10/2016. In view of the reasons mentioned in the explanation for the rejection grounds: 1) to 3), the matter is put forth before the appellate authority for consideration of reopening of the file. In view of the reasons mentioned above we put forth before the appellate authority a request to consider

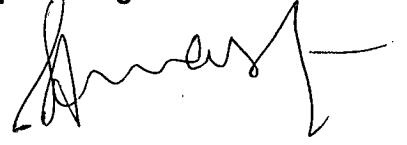
our B.Ed. college with the name of Dr. P. Ranjan Babu B.Ed. College, Plot No. 491/A, Ammenabad Village, Phirangipuram Post and Taluka, Guntur District – 522529, Andhra Pradesh. As per terms and conditions of NCTE Public Notice dt. 27/02/2015, we have applied for both D.El.Ed. and B.Ed. with the name of Dr. P. Ranjan Babu College of Education.

AND WHEREAS the Committee noted that the appellant, with the appeal, has submitted two building completion certificates signed by the Deputy Executive Engineer, PIU (PR) Sub- Division, Peadkurapadu & Sathenapalli on 12.01.2017 and 20.03.2017. While the certificate dt. 12.01.2017 shows a built-up area of 1375.14 sq. mtrs, year of construction being 2010 (same as in the certificate submitted at the time of inspection which was signed by a private engineer), the certificate dt. 20.03.2017 showed an addition of 2500 sq. ft. in the form of a multipurpose hall in the ground floor. The Committee noted that the Visiting Team in the report dt. 13/14.10.2016 also recorded that the built up area was 1375.14 sq. mtrs. The appellant in their response dt. 03.12.2016 to the show cause notice stated that the multipurpose hall will be completed within three months.

AND WHEREAS the Committee noted that according to the provisions of clause 8(7) of the NCTE Regulations 2014, at the time of inspection, the building of the institution shall be complete in the form of a permanent structure, equipped with all amenities and fulfilling all such requirements as prescribed in the norms and standards. At the time of inspection, the built up area was only 1375.14 sq. mtrs, which is less than 1500 sq. mtrs. required for B.Ed. course alone, as per the norms. The appellant has in fact applied for two courses, namely, B.Ed. and D.El.Ed. even though the built up area was only 1375.14 sq. mtrs. In these circumstances, the Committee concluded that the SRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the SRC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Dr. P. Ranjan Babu College of Education for Women D.No. 491/A & B, Deenamma Sadan, Ameenabad, Guntur, Andhra Pradesh - 500039.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.**



F.No.89-139/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Tathagat Teachers Training College, Dhanbad, Jharkhand dated 21/02/2017 is against the Order No. ERC/7-226.8.9/D.El.Ed./ERCAPP3225/2016/50599 dated 26/12/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. (Addl.) Course on the ground that NOC issued from Directorate of Primary Education on 23.07.2015 is after the stipulated date of 15th July 2015.

AND WHEREAS Shri Alok Verma, Member and Shri Uday Kumar Sharma, Asstt. Professor, Tathagat Teachers Training College, Dhanbad, Jharkhand presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that (i) during the 5th Appeal Committee meeting of 2016, they explained the reasons for delay in obtaining the NOC from Primary Education and the Committee directed ERC to process their application vide appeal order dt. 02.06.2016, (ii) They submitted application for NOC to the Director, Primary Education, Govt. of Jharkhand on 09.05.2015, but due to procedural delay on the part of the Govt, which is beyond their control, NOC was issued on 23.07.2015; and (iii) In response to show cause notice, they requested ERC to consider their application for the academic session 2017-18 as the last date of recognition for the academic session 2016-17 is over. They requested processing of their application for the academic session 2017-18.

AND WHEREAS the Committee noted that according to the provisions of clause 5(3) of the NCTE Regulations 2014, No Objection Certificate issued by the concerned affiliating body shall be submitted along with the application. The Committee also noted that the Council issued instructions to the Regional Committees informing that, for the year 2016-17, 15th July 2015 will be the last date for receipt of hard copies of the application together with NOC, irrespective of the

date of submission of online applications. The appellant obtained the NOC from the affiliating body only on 23.07.2015 i.e. after the extended date of 15.07.2015 for receipt of applications for academic session 2016-17 for which they applied on 30.05.2015. The Committee also noted that in the appellate order dt. 02.06.2016 referred to by the appellant, the Council remanded the case to the ERC only on the ground that the hard copy was submitted on 25.06.2015 i.e. before the cut-off date as the earlier refusal was on the ground that the print out of application was despatched after 15 days of submission of on-line application. The Committee, noting that the refusal order dt. 26.12.2016 is on a valid ground, concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order to the ERC confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Tathagat Teachers Training College, 500, 498, 500, 498, Dhanbad, Jharkhand – 826004.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

F.No.89-140/2017 Appeal/9th Meeting-2017**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Baba Mohan Das College of Education, Rewari, Haryana dated 14/02/2017 is against the Order No. NRC/NCTE/NRCAPP-13101/261st Meeting/2016/164125-32 dated 29.12.2016 of the Northern Regional Committee, refusing recognition for conducting M.Ed. Course on the grounds that "the institution was issued SCN on 14/10/2016 as it had not submitted the list of faculty approved by the affiliating body in response to the LOI issued by NRC. The reply of the SCN submitted by the institution (dated 15/11/2016) was considered by the Committee. The institution has failed to submit the list of approved faculties within the stipulated period. 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. FDR's if any, be returned to the institution."

AND WHEREAS Shri Swan Yadav, Staff co-ordinator and Superintendent, Baba Mohan Das College of Education, Rewari, Haryana presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that they have complied with the LOI and submitted a reply on 02.05.2016 and they also replied to the show cause notice dt. 14.10.2016 on 12.11.2016. The NRC without considering their reply has issued the refusal order.

AND WHEREAS the Committee noted that the appellant in response to the Letter of Intent dt. 28.04.2016, sent a reply on 02.05.2016. With this letter, the appellant inter alia sent a list of faculty members along with copy of minutes and other documents. As the staff list was not approved, NRC issued a show cause notice on 14.10.2016, pointing out that the institution has not submitted the list of faculty for M.Ed. programme approved by competent authority. The appellant submitted their reply dt. 12.11.2016 (and not 12.11.2015 as mentioned in the letter) stating that Haryana Govt. in their Memo dt. 25.04.2016 issued a circular to affiliate

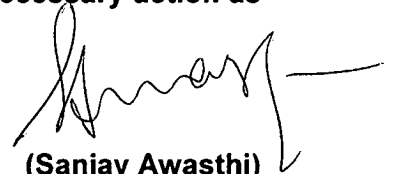
all B.Ed. college of Haryana to Choudhary Ranbir Singh University with immediate effect and the process of approval of staff was withheld due to shortage of staff at the University. The appellant also submitted in that letter that the Govt. of Haryana declared orally in October, 2016 through various newspapers that all B.Ed. and other Colleges of Rewari and Mahendergarh districts shall be affiliated to Indira Gandhi University, Meerpur from the current session. The appellant further submitted in that letter that the process of verification of documents of the candidates selected for appointment is under process and the same shall be submitted immediately thereafter. NRC after considering this reply refused recognition on account of non-submission of the list of approved faculty within the stipulated period.

AND WHEREAS the appellant in the course of presentation submitted a letter dt. 03.05.2017. He has enclosed the minutes of a selection committee meeting held on 01.01.2017 for selection of faculty for their institution and also a copy of the letter dt. 21.04.2017 from Chaudhary Ranbir Singh University, Jind approving the names of two professors, two associate professors and six assistant professors for the M.Ed. course. In their letter dt. 03.05.2017, the appellant requested for 45 days time to complete the process of appointment after verification of the documents.

AND WHEREAS the Committee, in view of the position stated in the above paras, concluded that the matter deserved to be remanded to the NRC with a direction to consider the approved staff list and other related documents to be submitted by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to send the approved staff list and all the related documents to the NRC within 15 days of receipt of the order on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to N.R.C. with a direction to consider the approved staff list and other related documents to be submitted by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to send the approved staff list and all the related documents to the NRC within 15 days of receipt of the order on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Baba Mohan Das College of Education, Rewari, Haryana to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Principal, Baba Mohan Das College of Education, 102, 103, Motla Kalan, Rewari, Haryana – 123411.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.**



F.No.89-141/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Viveka Nand Girls Vidhyapith, Ballia, Uttar Pradesh dated 18/02/2017 is against the Order No. NRC/NCTE/NRCAPP-11998/261st Meeting/2016/166636-42 dated 06/02/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "after perusal of reply of applicant institution received vide diary no. 132719 dt. 25/02/2016 in response to decision of NRC taken in its 248th meeting refusing recognition for D.El.Ed. programme as the additional land purchased by the institution is not in accordance with the provision of section 5(4) of NCTE Regulations, 2014 i.e. on the date of submitting the application, the Committee decided to refuse recognition."

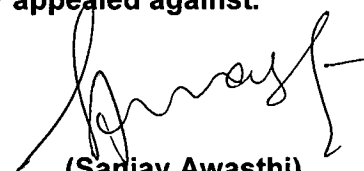
AND WHEREAS Sh. Satyanaryan, Manager and Aswasthama Pandey, Staff, Viveka Nand Girls Vidhyapith, Ballia, Uttar Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that according to NCTE Regulations 2014, for the B.Ed. & D.El.Ed. composite institution the total land area is 3665 sq. mts. so, their institution is eligible for D.El.Ed. course.

AND WHEREAS the Committee noted that at the time of on-line application dt. 30.05.2015, the appellant indicated that the total land area was 2747 sq mts. and enclosed a land document. In reply to NRC's decision to issue a show cause notice, the appellant in their letter dt. Nil and received in NRC's office on 25.02.2016 intimated that they have a land area of 3665 sq. mts. In an affidavit enclosed to this letter, the appellant stated they have again purchased 918 sq. mts. of land, making the total land available 3665 sq. mts. (i.e. 2747 sq mts + 918 sq. mts.) and also enclosed a supporting land document bearing the date of 07.09.2015.

AND WHEREAS the Committee noted that according to the provisions of clause 8 (4) (i) of the NCTE Regulations 2014, on the date of application, the required land should be in the possession of the society / institution. Since the appellant has acquired the additional land after the date of submission of the application, 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 Manager, Viveka Nand Girls Vidyapith, Vill.+Post, Semari, Distt. – Ballia, Belthara Road, Ballia, Uttar Pradesh – 221716.**
2. **The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
3. **Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
4. **The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**



F.No.89-143/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Laxmipati College, Khajuri Kalan, Bhopal, Madhya Pradesh dated 20/02/2017 is against the Order No. WRC/APP2808/224/268th{M.P.}/2016/180110 dated 14/02/2017 of the Western Regional Committee, refusing recognition for conducting B.P.Ed. Course on the grounds that in the 251st meeting and the 264th meeting, the WRC has asked the institution to submit the required staff for the B.P.Ed. course i.e. one Principal/HOD, 2 Associate Professors and six Assistant Professors (Appendix-7 of NCTE Regulations, 2014). In spite of repeated Show Cause Notices, the institution has not appointed staff as per NCTE requirement. Hence, Recognition is refused."

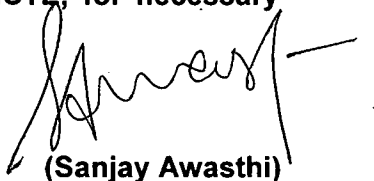
AND WHEREAS Sh. Shiv Kumar Bansal, Secretary, Laxmipati College, Khajuri Kalan, Bhopal, Madhya Pradesh presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that the institution has appointed the faculties as per the NCTE requirement and appointed the head of department (HOD) having Ph.D. Degree and 8 years' experience as asked under the show cause notice issued vide order no. WRC/APP2808/224/SCN/264/MP/2016/177008, dt. 19/12/2016. The intimation regarding the appointment of HOD for B.P.Ed. course has been submitted on dt. 06/02/2017. In a letter dt. 03.05.2017 given in the course of presentation, the appellant submitted that in response to the show cause notice they submitted with their letter dt. 09.06.2016 a staff list of 13 person inter alia including four Trainers. On being pointed out that the HOD does not have Ph.D Degree and 8 years experience in physical education institution, they have submitted the compliance through their letter dt. 03.02.2017 stating that they had appointed a HOD under College Code 28.

AND WHEREAS the Committee noted that the appellant with their letter dt. 09.06.2016 has sent the list of two Associate Professors and seven Assistant

Professor and with their letter dt. 03.02.2017, the particulars of the HOD approved by Barkatullah University, Bhopal. In the circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the list of faculty submitted by the appellant as mentioned above and take further action as per the NCTE Regulations, 2017.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to W.R.C with a direction to consider the list of faculty submitted by the appellant as mentioned above and take further action as per the NCTE Regulations, 2017.

NOW THEREFORE, the Council hereby remands back the case of Laxmipati College, Khajuri Kalan, Bhopal, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Laxmipati College, 725, 726, 727, 728, 767/1K, Own, Khajuri Kalan, Bhopal, Madhya Pradesh – 462021.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

26



F.No.89-144/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Asian College of Education, Udaipur, Rajasthan dated 22/02/2017 is against the Order No. NRC/NCTE/NRCAPP-14659/257th (Part-3) Meeting/2016/160077 dated 13/10/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "the institution was given show cause notice vide letter dt. 04/12/2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice within stipulated time."

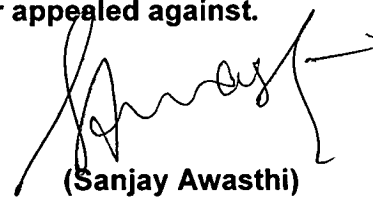
AND WHEREAS Sh. Pritam Kumar Mehrta, Executive and Mame Mehta, Executive, Asian College of Education, Udaipur, Rajasthan presented the case of the appellant institution on 03/05/2017. In the appeal and during personal presentation it was submitted that they received NOC from MLSU, Udaipur on dt. 17/06/2016 and submitted hard copy to NRC, NCTE, Jaipur office on dt. 20/06/2016. Whereas the refusal order was passed in the 257th Part-3 Meeting held on 5th to 11th September 2016. Their NOC was not properly taken on record by NRC, NCTE, Jaipur office and therefore, wrongly refusal order was passed.

AND WHEREAS the Committee noted that according to the provisions of clause 5(3) of the NCTE Regulations, 2014 a No Objection Certificate issued by the concerned affiliating body shall be submitted along with on-line application. The Committee also noted that the Council issued instructions to the Regional Committee informing that, for 2016-17, 15th July 2015 will be the last date for submission of hard copies of the applications, together with the NOC, irrespective of the date of on-line submission of the applications. The appellant applied on-line on 29.06.2015 and could not obtain the NOC in time and got it only on 17.06.2016 and therefore, could not fulfil the requirement of the NCTE Regulations. In a letter dt. 02.05.2017, the appellant submitted that they submitted the NOC dt. 17.06.2016 in the office of the

NRC in person and no acknowledgement was deemed necessary. Since the appellant did not fulfil the requirement of submission of NOC in time as mentioned above, 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 Executive Member, Asian College of Education, 2800/156, Ownership, Badi, Udaipur, Rajasthan – 313004.**
2. **The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
3. **Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
4. **The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.**

30



F.No.89-148/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of SBD Jain College Kurukshetra, Haryana dated 22/02/2017 is against the Order No. NRC/NCTE/NRCAPP-8169/261st Meeting/2016/164223 dated 30/12/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the original file of the Institution alongwith other related documents, NCTE Act, 1993, Regulations were carefully considered by NRC and following observation was made. Reply of SCN (101336 dated 20.05.2015) of NRC, NCTE is not acceptable. Hence, application No. NRCAPP-8169 to start D.El.Ed. course be refused."

AND WHEREAS Sh. Roshan Lal Gupta and Sh. Varun Gupta, representative, SBD Jain College Kurukshetra, Haryana presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that the appellant never received any intimation for inspection for grant of approval for new D.Ed. College, except intimation on 22.03.2014 through phone from Convener, Visiting Team. The appellant duly informed to postpone inspection for 1 month. NCTE Jaipur was informed too vide letter dated 27.03.14. That the impugned rejection order dated 20.08.2015 is a non-speaking order and as such is void ab-initio. That no opportunity of personal hearing has ever been granted to the Appellant Institution before passing of the impugned rejection order dated 20.08.2015. That the Appellant has even, vide affidavit dated 08.01.2015, fully complied with the norms laid down under the new NCTE Regulation, 2014. Thus, the rejection order is non-est illegal being arbitrary and non-speaking. That vide letter dated 12.06.2015 Letter Ref. No. 15/SBDJ/20158, the Appellant had duly replied to the show cause notice dated 20.05.2015 U/s. 14/15 (3)(b) of NCTE Act as per 235th NRC meeting. The same was never considered with judicious application of mind and the impugned order has been passed on no ground at all thus leaving the said order dated 20.08.2015 unsustainable in the eyes of law. The

copy of reply dated 12.06.2015 is appended as Annexure A-4. That no inspection has ever been conducted of the appellant-institution, which is a pre-requisite to the consideration of the application. Thus, the said rejection order is illegal being unjust and an outcome of non-application of judicious mind. That the impugned Rejection order is passed in gross violation to the principles of Natural Justice, and have evaded the basic principle of audi-altrem-partem and is non-speaking. That the appellant craves for kind indulgence of your good self to alter, add or amend the grounds as deem fit and necessary under the facts and circumstances of the present case. It is therefore, respectfully, prayed that in the light of averments made above, the impugned rejection order dated 20.08.2015 U/S. 14/15(3)(b) of the NCTE Act 1993 may kindly be quashed and the NRC may kindly be directed to initiate Recognition Process for the grant of Approval."

AND WHEREAS Appeal Committee noted that this is second appeal filed by appellant. In the case of first appeal, the matter was remanded back to NRC vide order dated 04.07.2016 with directions to process the application. The impugned order dated 20.08.2015 at that time was issued primarily on the ground that appellant had refused to get the institution inspected on 24.03.2014 and the institution's reply to the SCN dated 20.05.2015 was not found acceptable to NRC.

AND WHEREAS the instant 2nd Appeal filed by the appellant is against an order dated 30.12.2016 of NRC made on the ground that Govt. of Haryana has not recommended opening of new B.Ed. and D.El.Ed. college in the state for the year 2017-18 (including minority institutions).

AND WHEREAS Appeal Committee observed that State Government of Haryana has not replied to the communication addressed by NRC on 24.08.2016, 16.09.2016 and 06.01.2016. The appellant institution is an institution established under article 30 (1) of the constitution and has certain privileges as a Minority institution.

AND WHEREAS Appeal Committee further noted that a decision was made by the Hon'ble High Court of Punjab & Haryana in the CWP No. 12482 of 2015 wherein it was said that *"the High Court held that the NCTE is the appropriate authority to take a decision for the opening of new colleges and the State of Government or the University cannot act contrary to the decision of the NCTE. It was also observed that the contention of the State Government is only to supply data and material to the NCTE to enable it to take a decision, but the State had no power to decide, by way of a policy decision, not to grant permission to open new B.Ed. college for a particular period."*

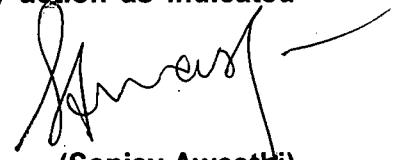
AND WHEREAS the point under consideration of the Appeal Committee is therefore whether the general negative recommendations of the State Government are applicable to the minority institution established under Article 30 (1) of the Constitution of India. Appeal Committee is of the opinion that wherever the State Government makes a specific recommendation based on merits of an individual case in terms of Clause 7 (1) (4, 5, 6), the recommendations of the State Government, being an important stake holder, should invariably be honoured. Appeal Committee further decided that the general negative recommendations of the State Government without assessing the merits of a particular minority institution shall not be held against an institution established under Article 30(1) of the Constitution of India for refusal of the recognition.

AND WHEREAS the appellant institutions had registered its online application on 31.12.2012 when the negative recommendations of the State Government were not in place. Moreover, the public notices issued by NCTE inviting applications contain a special exemption clause for the minority institutions. Keeping in view the circumstances of the case, Appeal Committee decided to set aside the impugned refusal order dated 30.12.2016 and remand back the case to NRC with a direction to process the case further.

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

-4-

NOW THEREFORE, the Council hereby remands back the case of SBD Jain College Kurukshetra, Haryana to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Gen. Secretary, SBD Jain College, Khasra No. 374, 378, 377/2, Ownership, Salpani Khurd, Kurukshetra, Haryana – 136118.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.**

33



F.No.89-150/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Punjab College of Commerce and Agriculture, Fatehgarh Sahib, Punjab dated 26/02/2017 is against the Order No. NRC/NCTE/NRCAPP-13120/260th Meeting/2016/166429 dated 04/02/2016 of the Northern Regional Committee, withdrawing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "the institution was given show cause notice with respect to the decision taken by the NRC in its Emergency meeting held from March 15-17, 2016 at Sr. No. 14. The reply of the institution dated 25.03.2016 was considered by the NRC. It was found that applicant institution is not a composite institution as per clause 2(b) of the NCTE Regulations, 2014. NRC decided to withdraw the recognition for B.A.B.Ed./ B.Sc.B.Ed. course under section 17 of the NCTE Act, 1993 from the end the academic session next following the date of order of withdrawal."

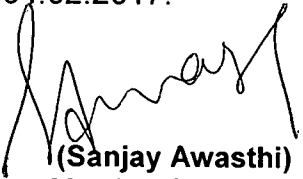
AND WHEREAS Sh. Nirmal Singh, Chairman, Punjab College of Commerce and Agriculture, Fatehgarh Sahib, Punjab presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that the institution is a composite institution as per Clause 2(b) of NCTE Regulations 2014. It is already running Undergraduate courses in Arts, Commerce and Science Stream (B.A., BBA, B.Com., B.Sc.) duly approved by the Punjabi University, Patiala. This proof of Composite Institution had been duly submitted vide our reply dated 25.03.2016.

AND WHEREAS Appeal Committee noted that appellant institution was granted recognition for conducting B.A., B.Ed./B.Sc. B.Ed. programme by an order dated 03/03/2016 issued by N.R.C. The above order was issued by N.R.C. after getting clarification from the appellant institution regarding its status as a composite institution. Looking at the documents available on regulatory file, Appeal Committee noticed that a Show Cause Notice (SCN) dated 03.03.2016 was issued to appellant institution on grounds of approval of affiliating body to the appointment of Dr. Amita

Soni as principal. Prior to the above S.C.N., the appellant institution was issued a Letter of Intent (L.O.I.) dated 23.02.2016 after ascertaining the status of appellant institution as a composite institution. Appellant during the course of appeal presentation on 04.05.2017 submitted copy of letter dated 25/03/2016 which was received in the office of N.R.C. on 08/04/2016 (Diary no. 138326) declaring that institution is affiliated for running B. Com & B.Sc. courses (with Economics, Commerce, Hindi, Punjabi, English and Botony Subjects). Apart from the above programmes, the appellant institution as per details furnished in the application performa is also conducting B.Ed. and M.Ed. programmes. Appeal Committee noted that recognition order dated 03/03/2016 was issued by N.R.C., in haste without proper analysing of the facts leading to eligibility or non eligibility of the appellant institution to conduct 4 year integrated programme.

AND WHEREAS the impugned order of withdrawal dated 04.02.2017 is again issued without giving proper consideration to the fact that withdrawal of recognition is a fresh activity and a Show Cause Notice giving opportunity to the appellant to submit written representation is a must. Moreover, if the appellant has admitted students in the integrated B.A. B.Ed. or B.Sc. B.Ed. programme of 4 year duration, the recognition cannot be withdrawn simply from the academic session next following the date of withdrawal because students once admitted will pass out after completing the full tenure of 4 years. Appeal Committee, therefore, decided to set aside the impugned order of withdrawal.

AND WHEREAS on perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned order of withdrawal dated 04.02.2017.


(Sanjay Awasthi)
Member Secretary

1. The President, Punjab College of Commerce and Agriculture, 10/3/1 (2-4) 3/2/1 (2-5)4/1/1 Ownership, N.A. Sarkapra, Chunni Kalan, Fatehgarh, Punjab – 140407.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Punjab, Chandigarh.

35



F.No.89-152/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Smt. Dhapubai BSTC College, Pali, Rajasthan dated 22/02/2017 is against the Order No. NRC/NCTE/NRCAPP-13797/256th (Part-2) Meeting/2016/164559 dated 04/01/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "reply of the institution submitted after show cause notice is not acceptable as per Regulation. Name of the institution with the affiliating body is different than name in the application. Land documents do not match with name of the institution and society. CLU is in the name of school. BCC is not an prescribed format duly certified by the Competent Authority."

AND WHEREAS Sh. Gunesh Rawal, Seceretary, Smt. Dhapubai BSTC College, Pali, Rajasthan presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that "Reply to show cause notice had been submitted timely. Thus, the ground is unsound and untenable, it is baseless. In the application from, applicant had mentioned name of the institution "SMT. Dhapu Bai BSTC College" and even in the affiliation order name of the institution has been mentioned as SMT. Dhapu Bai BSTC College. Thus, there is no mismatch in the name of the institution and the ground of rejection on this aspect is completely erroneous. It is stated that the name of appellant Trust is "Smt. Dhapubai Vikas Aevam Shiksha Sansthan, Pali", however, in the sale Agreement it was mentioned/denoted as "Smt. Dhapubai Shiksha Sansthan, Pali" meaning thereby that the word "Vikash Aevam" had been inadvertently omitted. This was a bona fide typographical error. Nevertheless, the appellant subsequently got the needful correction in the title document (vide Correction Deed dated 09.01.2017.) Further, based on the Show Cause Notice, there is no mention about inadequacy of CLU and this observation is beyond the SCN issued to appellant. So far as the objection/deficiency regarding CLU being in

the name of school in concerned, it is submitted that in the order of conversion (land) dated 30.01.2008 under Clause 3 has been clearly mentioned that the conversion had been made for "Educational Purposes". Thus, the land of applicant had been duly converted for educational purposes, Building Completion Certificate (BCC) not being in prescribed format is concerned, it is stated that the appellant with the reply had submitted the blue print of building plan and had furnished BCC dated 21.06.2016 was authenticated by competent authority (i.e. the concerning Engineer of Panchayat Samiti) and same was in correct format. Further, in the building plan, the khasara no. as well as total land area and total built up area had been clearly indicated along with the details and time."

AND WHEREAS Appeal Committee noted that impugned refusal order dated 04.01.2017 was issued on following grounds:

- (i) Name of institution with affiliating body is different from the name in application.
- (ii) Land documents do not match with the name of institution.
- (iii) C.L.U. is in the name of school.
- (iv) B.C.C. is not in prescribed performa.

AND WHEREAS Appeal Committee noted that name of institution as mentioned in the application form is 'Smt. Dhapubai BSTC College' and the N.O.C. letter dated 29.06.2015 issued by Director, Primary Education, Rajasthan, Bikaner also mentions the name of institution as 'Smt. Dhapubai BSTC College'. So there is no difference of name with the affiliating body.

AND WHEREAS although there was no material difference of name of society as mentioned in the land documents, yet the appellant has submitted a correction deed. Moreover, if the Regional Committee was not satisfied with the land documents, it should not have processed the case and conducted inspection of the appellant institution.

AND WHEREAS Change of Land Use Certificate is obtained to ascertain the broad purpose for which land is proposed to be used. The Visiting Team in its report dated 01.05.2016 has not indicated existence of any school on the proposed site

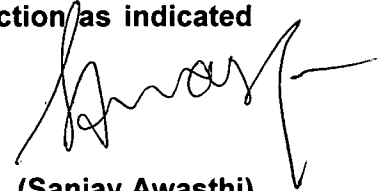
but CLU is in the name of school. It indicates that land use is broadly for education purpose.

AND WHEREAS appellant has been able to submit copy of Building Completion Certificate (BCC) for a built-up area of 3379.18 sq. meters signed by Asstt. Engineer, Panchayat Samiti, Pali whereas built up area verified by the Inspection Team is even much more i.e. 4242 sq. meters.

AND WHEREAS taking into account the submissions made by the appellant, Appeal Committee decided to remand back the case to N.R.C. Jaipur for further processing of the application.

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

NOW THEREFORE, the Council hereby remands back the case of Smt. Dhapubai BSTC College, Pali, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Smt. Dhapubai BSTC College, Plot No. 696, Vikram Nagar, Bomadara, Utwan, Tehsil – Pali, Dist. – Pali, City – Pali, Rajasthan – 306401.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-153/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Modern D.Ed. College, Rohtak, Haryana dated 27/02/2017 is against the Order No. NRC/NCTE/NRCAPP-8141/261st Meeting/2016/164230 dated 30/12/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the institution was issued show cause notice on 30.08.2016 with regard to the ban on D.El.Ed. Course imposed by the State Govt. The reply of the institution to the show cause notice received on 20.09.2016 by NRC was considered and it was not found satisfactory". Further "As directed by the NCTE Hqrs. vide its letter no. F. No. 49-01/2015/NCTE/N&S/40229 dated 24.08.2016, NRC decided to take up the matter with the Haryana Govt. to sort out impasse of application received prior to the promulgation of the Regulations, 2014 by allowing restricted exception to their current stand i.e. ban in respect of applications pertaining to the years 2013-14". A copy of this letter be forwarded to the Haryana Govt. for their comments so that adequate decision may be taken by the NRC. The NRC sent letter to the Chief Secretary Secretariat: Higher Educational Haryana, Chandigarh on 16.09.2016 stating that to kindly revisit its policy decision of imposing ban in respect of applications for grant of recognition for B.Ed./ D.El.Ed. course categorically for the applications received by NRC prior to the promulgation of the Regulations, 2014. The NRC sent 1st reminder to chief Secretary Secretariat, Higher Educational Haryana, Chandigarh on 06th October 2016, following by 2nd reminder on 27th October, 2016. However, the State Govt. has not responded in the matter so far." Hence, the Committee decided that the application is rejected and recognition permission is refused u/s 14/15 (3) (b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Vijay Kumar, Manager, Modern D.Ed. College, Rohtak, Haryana presented the case of the appellant institution on 04/05/2017. In the appeal

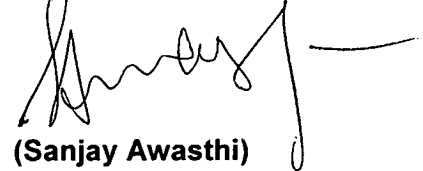
and during personal presentation it was submitted that reply to show cause notice had been submitted timely and same is a detailed reply. Thus, it is submitted that large number of institution falling within the jurisdiction of the Northern Regional Committee (NRC) had submitted applications in response to public notice dated Nov.2012 issued by the NCTE. As per the said notice there was no ban on certain courses in certain states. However, while processing the applications the State Govts gave negative recommendations on the ground of policy decision of not letting new institution to be opened."

AND WHEREAS Appeal Committee noted that recognition was earlier refused to appellant institution by issue of a refusal order dated 29.12.2015. One of the ground of refusal was 'Negative recommendation of the State Government.' Appeal Committee in its 6th Meeting/2016 had decided to remand back the case to N.R.C. for further processing of the application and appeal order dated 09/06/2016 was issued. Appeal Committee observed that N.R.C. while processing the application further sought the recommendations of State Government which was followed up by issue of reminders also. State Government of Haryana, it is understood, after imposing a blanket moratorium on recommending new teacher education programmes for the academic year 2015-16, 2016-17 is keeping silent and not responding to the letter addressed by N.R.C. in this regard.

AND WHEREAS Appeal Committee further noted that although the powers to grant or refuse recognition for any teacher education are vested with NCTE, the recommendations made by State Government cannot be ignored without adequate reasons. In the instant case affiliating body i.e. SCERT is a State Government authority and ignoring the negative recommendations of State Government does not seem justified as institution itself will face difficulty in counselling and conduct of examination due to non cooperation of the affiliating body and prospective takers of the programme will suffer. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 30.12.2016.

AND WHEREAS on perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 30.12.2016.

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



(Sanjay Awasthi)
Member Secretary

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



F.No.89-155/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Mahant Darshan Das Mahila College, Bihar dated 26/02/2017 is against the Order No. ERC/227.9.17/10082/B.Ed. (New Proposal)/ERCAPP201646001/2016/51345 dated 16/02/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "a. Show Cause Notice was issued on 07.11.2016 on the following grounds: (i) the applicant submitted demand draft of Rs. 1,50,000/- as processing fee. As per the online NCTE portal, payment through online only is accepted. (ii) the applicant mentioned in the online application that the type of management is Govt. but proof being a Govt. institution is not submitted. b. In response to SCN, the institution submitted its reply dated 09.11.2016 through E-mail informing that the institution is constituent College. The ERC considered the representation of the institution and found that the institution is still deficient on the following grounds: (i) The applicant submitted demand draft of Rs.1,50,000/- as processing fee. As per the online NCTE portal, payment through online only is accepted. (ii) The applicant mentioned in the online application that the type or management is Govt. but proof for being a Govt. institution is not submitted. In view the above, the committee decided as under: The committee is of the opinion that application bearing Code No. ERCAPP21646001 of the institution regarding of B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Dr. Mamta Rani, Principal, and Mr. Ajeet Kumar Computer Analyst, Mahant Darshan Das Mahila College, Bihar presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that "the College is fully funded by the State Government. The online payment mode was not available as it is a Govt. Institution. In this regard, the clarification and the direction were sought from the NCTE, Delhi as well as ERC-NCTE, Bhubaneshwar by the e-mail dated 31.05.2016. In absence of the clear

directive from NCTE, Delhi and ERC-NCTE, Bhubaneswar, the processing fee of Rs. 150000/- in the form of DD was submitted for safe side through registered post. 2 (a) It is necessary to mention here that, a certificate issued by the Registrar, B.R.A. Bihar University, Muzaffarpur dated 26.05.2016 regarding the management of the college has already been submitted as the enclosure of main application in which the Registrar of the parent university has certified that, the college is fully funded by the State Govt. and is a constituent unit of B.R.A. Bihar University, Muzaffarpur. With reference to the Show Cause Notice of the ERC, Bhubaneshwar dated 07.11.2016, the institution had submitted its reply dated 09.11.2016 through email as well as its hard copy with required enclosures through speed post bearing tracking number EF680921355IN dated 15.11.2016, in which the following documents have been submitted along with its hard copy. 2 (c) A certificate issued by the Registrar, B.R.A. Bihar University, Muzaffarpur stating that the college is fully funded by State Govt. of Bihar and is permitted for PG teaching vide letter no. B/301 dated 06.10.2016. A letter of State Govt. of Bihar about conversion of the institution as constituent unit of the university vide letter no. I/G1023/62E1671 dated 15.06.1932. 2 (d) Despite the submission of all required and mandatory documents alongwith our main application and also in reply of 224th meeting held on 24th October 2016 our application has been refused vide letter no. ERC/227.9.17/10082/B.Ed. (New Proposal)/ERCAPP201646001/2016/51345 dated 16.02.2017 and without any fault of ours we are going to lag behind as the last date of granting the recognition to the institution is 3rd March 2017".

AND WHEREAS Appeal Committee noted that impugned refusal order dated 16.02.2017 is on two grounds namely:-

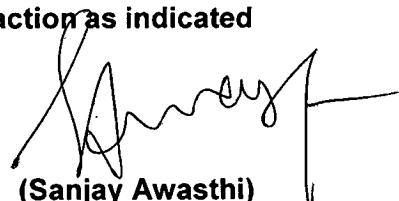
- (i) The applicant submitted demand draft of Rs. 1,50,000/- as processing fee. As per NCTE portal payment through online only is accepted.
- (ii) No proof of being a Government institution is submitted.

AND WHEREAS Appeal Committee noted that appellant institution had submitted letter dated 14-15 November, 2016 addressed to E.R.C. enclosing therewith certificates issued by Registrar, Babasaheb Bhimrao Ambedkar Bihar University certifying that appellant institution is a constituent unit of University fully funded by the State Government. Appellant further stated that though Government

institutions are exempted from payment of processing fee, yet a demand draft of Rs. 1,50,000/- was enclosed with the application to be on safe side as online payment mode was not available with Government institution. Appeal Committee further noted that NCTE Regulation nowhere define a Government institution. Appeal Committee noted that had the exemption from payment of processing fee to Government institution not been available, the application code number would not have been generated by the system and application also would not have appeared on the dash board. Appeal Committee, therefore, decided to remand back the case to E.R.C. for further processing of the application.

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

NOW THEREFORE, the Council hereby remands back the case of Mahant Darshan Das Mahila College, Bihar to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Principal, Mahant Darshan Das Mahila College, Club Road, Mithanpura, PO – Ramna, Muzaffarpur, Bihar – 842002.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

F.No.89-156/2017 Appeal/9th Meeting-2017**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Sri Mahanth Ramashraya Das Post Graduate College, Bhurkura, Ghaziabad, Uttar Pradesh dated 16/02/2017 is against the Order No. NRC/NCTE/NRCAPP-14161/255th Meeting/2016/156033 dated 22/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the institution was given show cause notice letter dt. 03/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Sh. D.P. Srivastava, Teacher, Sri Mahanth Ramashraya Das Post Graduate College, Bhurkura, Ghaziabad, Uttar Pradesh presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that "the certified copies of the Registered Land documents were enclosed in previous file as the enclosure no. 32-47. Now we have again enclosed the Registered copies of the land documents issued by the competent authority Tahsildar Jakhania, Ghazipur. We have enclosed a new building completion certificate in which all the required fields have been filled like floor wise built up area. The CD submitted through the VT members was in M2P format by which it was not opened in NRC office. Now we have enclosed a new CD in MP4 format which is open able anywhere."

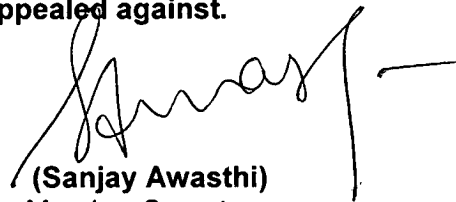
AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 03.06.2016 was issued to appellant institution on ground of non submission of certified copy of land documents and non mentioning of floor wise built up area in the Building Completion Certificate. The S.C.N. was required to be replied within 30 days.

AND WHEREAS appellant during the course of Appeal hearing on 04.05.2017 admitted that no reply to Show Cause Notice was given. Appeal Committee further noted that appeal in the case was not filed within the stipulated period of 60 days from the date of issue of impugned order. Filing of appeal was delayed by more than 3 months and 15 days and appellant did not state any reason for the delay.

AND WHEREAS Appeal Committee noting that appellant institution has not submitted any reply to S.C.N., decided to confirm the impugned refusal order dated 22.08.2016.

AND WHEREAS on perusal of the Memoranda of Appeal, affidavit documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 22.08.2016.

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


(Sanjay Awasthi)
Member Secretary

1. The Manager, Sri Mahanth Ramashraya Das Post Graduate College, 1112, 1113, 1114, 1115, 1122, 1129, Ownership, Bhurkura, Ghazipur, Uttar Pradesh – 275203.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-158/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Gayatri Devi Institute of Education, West Bengal dated 30/11/2016 is against the Order No. ERC/220.7.17/ERCAPP2946/D.El.Ed./2016/49045 dated 28/08/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "a. SCN was issued on 30/06/2016 on the following grounds: (i) As seen in the CD, no permanent signboard in front of the gate and building. (ii) Entry of the VT members to the institution is not found in the CD, so it lacks evidence that the building belongs to the institution. b. In response to show cause notice, the institution submitted its reply dt. 14/06/2016 on the basis of proceedings uploaded in the ERC, NCTE website along with a fresh CD. The committee considered the reply of the institution and observed that the institution is still deficient on the following grounds: (i) As per fresh CD submitted by the institution in response to show cause notice, the committee found that the same building is used for Beta College of Education as well as Gayatri Devi Institute of Education which is forged and violation of NCTE Act, Rules and Regulations. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP2946 of the institution regarding recognition for D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. S.S. Ray, representative, Gayatri Devi Institute of Education, West Bengal presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that "that the construction of building of the institution is totally different from Beta College of Education. The land area is registered by ADSR, Hooghly & building plan has been approved by the Govt. Engineer. Unfortunately, the building of Gayatri Devi Institute of Education and Beta College of Education, looking same because the

architecture and mason are same. The Planner and architecture construct the two-college building with same design."

AND WHEREAS the Committed noted that the refusal of recognition is on the ground that as per fresh C.D. submitted in response to the Show Cause Notice (SCN), the ERC found that the same building is used for Beta College of Education as well as Gayatri Devi Institution of Education. In the appeal, the appellant submitted that both the Colleges are different and the building of Gayatri Devi institute of Education and Beta College of Education look alike because the architecture and mason are same. The Planner and Architect constructed two college buildings with same design.

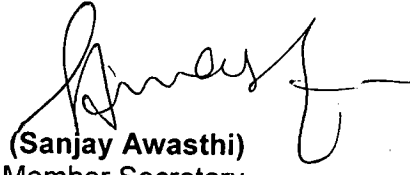
AND WHEREAS Appeal Committee decided that matter deserved to be remanded back to ERC with a direction to conduct another inspection of the institution on payment of inspection fee by the appellant so as to obtain a correct picture of the building of appellant institutions as well as the building of Beta College of Education which is anticipated to located in near vicinity as architect and mason of the building are stated to be same ERC should provide to the inspection Team the correct and complete address of Beta College of Education also and V.T. should be instructed to compare at least the elevation of both the building if these are found to be separate.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on records and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to ERC, Bhubaneswar to conduct re-inspection of the appellant institutions with a comparison to Beta College of Education.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to E.R.C. with a direction to re-examine the request of the appellant for permission for four units as per the provisions of the NCTE Regulations and take further necessary action.

- 2 -

NOW THEREFORE, the Council hereby remands back the case of Gayatri Devi Institute of Education, West Bengal to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Gayatri Devi Institute of Education, 427/300, Ownership, 427, Radhanagar, Dhaniakhali, Hooghly, West Bengal – 712402.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-159/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Adarsh D.Ed. College, Rohtak, Haryana dated 27/02/2017 is against the Order No. NRC/NCTE/NRCAPP-8097/261st Meeting/2016/164158 dated 29/12/2016 of the Northern Regional Committee, refusing recognition for conducting D.Ed. Course on the grounds that "the institution was issued show cause notice on 30.08.2016 with regard to the ban on D.El.Ed. course imposed by the State Govt. The reply of the institution to the show cause notice received on 20.09.2016 by NRC was considered and it was not found satisfactory". Further "As directed by the NCTE Hqrs. vide its letter no. F. No. 49-01/2015/NCTE/N&S/40229 dt. 24.08.2016, NRC decided to take up the matter with the Haryana Govt. to sort out impasse of application received prior to the promulgation of the Regulations, 2014 by allowing restricted exception to their current stand i.e. ban in respect of applications pertaining to the years 2013-14." A copy of this letter be forwarded to the Haryana Govt. for their comments so time adequate decision may be taken by the NRC. The NRC sent a letter to the Chief Secretary Secretariat Higher Education, Haryana, Chandigarh on 16.09.2016 stating that to kindly revisit its policy decision of imposing ban in respect of application for grant of recognition for B.Ed./D.El.Ed. Course categorically for the applications received by NRC prior to the promulgation of the Regulations, 2014. The NRC sent 1st reminder to Chief Secretary Secretariat, Higher Education Haryana, Chandigarh on 6th October 2016, following by 2nd reminder on 27th October 2016. However, the State Govt. has not responded in the matter so far." 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 Shri Sukhbir Singh, Manager, Adarsh D.Ed. College, Rohtak, Haryana presented the case of the appellant institution on 04/05/2017. In the appeal

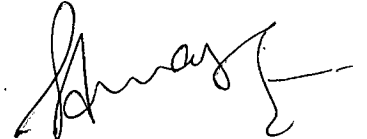
and during personal presentation it was submitted that "large number of institutions falling within the jurisdiction of the Northern Regional Committee NRC had submitted applications in response to public notice dated November 2012. Issued by the NCTE. As per the said notice there was no ban on certain courses in certain states. However, while processing the applications the State Govts gave negative recommendations on the ground of policy decision of not letting new institutions to be opened. These recommendations were considered.

AND WHEREAS Appeal Committee noted that recognition was earlier refused to appellant institution by issue of a refusal order dated 29.12.2015. One of the ground of refusal was 'Negative recommendation of the State Government.' Appeal Committee in its 6th Meeting/2016 had decided to remand back the case to N.R.C. for further processing of the application and appeal order dated 09/06/2016 was issued. Appeal Committee observed that N.R.C. while processing the application further sought the recommendations of State Government which was followed up by issue of reminders also. State Government of Haryana, it is understood, after imposing a blanket moratorium on recommending new teacher education programmes for the academic year 2015-16, 2016-17 is keeping silent and not responding to the letter addressed by N.R.C. in this regard.

AND WHEREAS Appeal Committee further noted that although the powers to grant or refuse recognition for any teacher education are vested with NCTE, the recommendations made by State Government cannot be ignored without adequate reasons. In the instant case affiliating body i.e. SCERT is a State Government authority and ignoring the negative recommendations of State Government does not seem justified as institution itself will face difficulty in counselling and conduct of examination due to non cooperation of the affiliating body and prospective takers of the programme will suffer. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 30.12.2016.

AND WHEREAS on perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 30.12.2016.

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



(Sanjay Awasthi)
Member Secretary

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



47

F.No.89-166/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of R.S.D. (Ram Sukh Das) College, Firozpur, Punjab dated 27/02/2017 is against the Order No. NRC/NCTE/NRCAPP-9929/253rd Meeting/2016/165158 dated 11/01/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. B.Ed./B.Sc. B.Ed. Course on the grounds that "the College has submitted the letter of approval (Dt. 23.05.2016) of the affiliating university only with regard to six persons as Assistant Professors for the proposed B.A.B.Ed./ B.Sc.B.Ed. Programme against requirement of 08 full time faculty members for one basic unit of 50 students as per NCTE norms."

AND WHEREAS Sh. Dinesh Sharma, Principal, R.S.D. (Ram Sukh Das) College, Firozpur, Punjab presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that "The College has submitted the letter of approval (dt. 23.05.2016) of the affiliating university only with regard to six persons as Assistant Professor for the proposed B.A.B.Ed./ B.Sc.B.Ed. programme against requirement of 08 full time faculty members for one basic unit of 50 students as per NCTE. The College had applied for fresh panel to the to the affiliating University on 07.07.2016".


AND WHEREAS Appeal Committed noted that inspection of the appellant institutions was conducted on 13.02.2016 for a proposed intake of 50 students (one unit) each of B.A. B.Ed. and B.Sc. B.Ed. programme. The Letter of Intent (LOI) dated 26.02.2016 issued to appellant institution did not contain the number of units for which LOI was issued and instead it was mentioned in para 4 that institutions can be given maximum two units for D.El.Ed. and B.Ed. programme whereas LOI was combined letter for programmes like M.Ed., M.P.Ed., B.P.Ed. and BA B.Ed./ B.Sc. B.Ed. The appellant institutions submitted to NRC a list of six faculty members approved by affiliating university on 23.05.2016 which was not considered adequate

even for grant of one basic unit of the programme. NRC in its 253rd meeting held from 10th to 14th June, 2016 decided to refuse recognition but the impugned refusal order was issued on 11.01.2017. Appellant institution maintained that but for the decision taken in June 2016 by NRC to reject the application of appellant institution, the affiliating University had not given them a fresh panel of expert to select the remaining two faculty.

AND WHEREAS appellant during the course of appeal presentation requested that it should be given some time to make appointment of remaining two faculty members by suspending the operation of refusal order dt. 11.01.2017.

AND WHEREAS Appeal Committee after noting that appellant institutions is an institution affiliated to conduct B.A., B.Sc., B.Com., and post graduate programmes, decided to set aside the impugned refusal order dated 11.01.2017 and allow the appellant institution to submit supplementary compliance by appointing more faculty as per NCTE norms within a period of 45 days.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned refusal order dated 11.01.2017 and allow the appellant institution to submit supplementary compliance by appointing more faculty as required under NCTE norms and standards. Appellant is required to submit compliance within 45 days of the issue of Appeal orders.



(Sanjay Awasthi)
Member Secretary

1. The Manager, R.S.D. (Ram Sukh Das) College, 127/2 – 1280-128/2, Ram Sukh Das College, 000, Ferozepur, Ferozpur, Punjab - 152002.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Punjab, Chandigarh.

48



F.No.89-167/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of St. Michels School, Ballia, Uttar Pradesh dated 27/02/2017 is against the Order No. NRC/NCTE/NRCAPP-14012/258th Meeting/2016/160945 dated 18/10/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "as per CLU, the total land area for existing one unit in D.El.Ed. and proposed B.Ed. is 2920 sq. mts. which is not sufficient as per NCTE Regulation, 2014."

AND WHEREAS Sh. Ajay Singh, Deputy Registrar, St. Michels School, Ballia, Uttar Pradesh presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that "institute submitted certified land copy for area 4920 sq. mts. on dt. 09/09/2016 with receipt No. 151425."

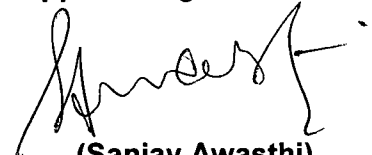
AND WHEREAS Appeal Committee noted that applicant institution submitted online application dated 25.06.2015 seeking recognition for B.Ed. programme. Land identification i.e. khasra number mentioned at page 3 of the application form was 83 and 84 and land documents enclosed also pertained to khasra no. 83 & 84. The appellant during the course of appeal presentation submitted notarised copies of two CLUs one of which is for khasra no. 88 measuring 0.200 Hec. As the khasra no. 88 is not mentioned in the application form, there is no relevance of C.L.U. for this part of the land being submitted by the appellant. Applicant in its affidavit submitted alongwith application had declared that total area of land is 3000 sq. meters. If the land area mentioned in both C.L.U.s is added (0.292 Hec + 0.200 Hec) it comes to 0.492 Hec. which definitely is more than the land area declared in the affidavit submitted alongwith application .

AND WHEREAS Appeal Committee while examining the regulatory file also observed that B.C.C. furnished by applicant institution was not issued by any

government authority and affidavit containing the names of faculty selected and appointed is not signed by deponent at correct place but N.R.C. did not make comment on these deficiencies in the impugned refusal order. The appellant appearing on behalf of the applicant institution could not explain these points. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 18.10.2016.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 18.10.2016.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Manager, St. Michels School 83, 84, own, Karihara, Ballia, Uttar Pradesh – 277304.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(2)



F.No.89-169/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Kabiguru Primary Teacher Training Institution, Murshidabad, West Bengal dated 26/02/2017 is against the Order No. ER/7-ER-227.7.7/NCTE/ERCAPP3764/B.Ed./2016/50727 dated 29/12/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "Show cause notice was decided in 210th ERC Meeting held on 7th – 9th April 2016 on the following grounds:- As per VT report, total built up area is 2039.99 Sq. Mts. which less than the requirement for D.El.Ed.(Existing)+ D.El.Ed.- Additional Intake(proposed) as per NCTE Regulation 2014. In response to show cause notice, the institution submitted its reply dated 27.04.2016 on the basis of proceeding uploaded in ERC website. Further, the VT Member Dr. Nirmala Sharma and Dr. S.A. Khan vide letter dated 27.04.2016 informed that the built-up area of the institution is 2039.97 Sq. Mts. only. The ERC considered the representation dated 27.04.2016 received from the institution and VT experts letter dated 27.04.2016 and found that the institution is still deficient on the following grounds: The Institution does not possess the required built up area for running D.El.Ed.(Existing)+ B.Ed.(proposed)+ D.El.Ed.- Additional Intake(proposed) as per NCTE Regulation 2014."

AND WHEREAS Shri Ali Murtuza, Secretary and Shri Md. Samim Ali, Member, Kabiguru Primary Teacher Training Institution, Murshidabad, West Bengal presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that in our earlier show cause notice dated 27.04.2016 we have enlightened the Regional Director ERC NCTE that before submitting the application for the composite courses of D.El.Ed.(existing)+ B.Ed. (proposed)+ D.El.Ed. Addl. Intake (Proposed) we are running D.El.Ed. course since 2014 having a built-up area 2002.2 Sq. mts which have been earlier approved by the ERC NCTE. At the time of submission for new application for composite course

we have submitted proposed annexed building plan. We have categorically mentioned explaining the facts and circumstances for which we are facing such inconvenient situation we have uploaded in official website of ERC NCTE. It is true that Dr. Nirmala Sharma and S.A. Khan inspected our premises and took videography but we are in dark about the report. But practically they visited the existing building and annexed building comprising of an area ($2002.2 + 2039.97 = 4042.17$ Sq. mts.) for which I have submitted two separate building completion certificates but inadvertently they have submitted only one measurement in their report which is a bonafide mistake in their part. The Applicant Trust, applied for B.Ed. programme (ERCAPP3764) along with the existing D.El.Ed. programme (ERCAPP19/2012) as a composite institute as per NCTE Regulation 2014. The Application Trust "Murshidabad Educational & Welfare Trust" has already been granted recognition for D.El.Ed. programme (ERCAPP19/2012) for the academic session 2014-15 with an annual intake of 50 by ERC NCTE, (Recognition order NO. ERC/7-168.6.52/NCTE/D.El.Ed./2014/24116 dated 20/02/2014 in the name of "Kabiguru Primary Teachers Training Institute". The Appellant Trust has clearly mentioned in details about the existing course of D.El.Ed. programme (ERCAPP19/20/2012) in the online application form of B.Ed. programme (ERCAPP3764), at page no. 4 under Details of Existing Teacher Education Programmes run by the same applicant Society/ Trust/ Organisation/ company. The Applicant Trust has satisfied all the norms for B.Ed. Application as laid down by NCTE Regulation 2014 and is running its 3rd year of D.El.Ed. programme academic session 2014-15 onward (2014-15, 2015-16 & 2016-17). The ERC NCTE after proper verification/ scrutinizing of all the essential documents submitted by the Applicant Trust got fully satisfied and constituted an inspection team (VT Inspection) for physical verification to the institution which was inspected by the Visiting Members on 02/03/2016. The Applicant Trust, however, did not find any instruction or proper guidance neither in VT Inspection Letter nor in NCTE Regulation 2014 relating to Building Completion Certificate (BCC) submitted at the time of Visiting Team Inspection, thus such an unintentional technical error cannot be a ground of rejection. The Applicant Trust prepared the Building Completion Certificates as follows: Only on Proposed Build Up-Area (Measuring 2039.97 Sq. Mts.) on Proposed and Existing Build Up Area (Measuring 4042.17 Sq. Mts.) The Applicant Trust, in its reply dated 22/04/2016 submitted the requisite documents to avoid the

dispute as per show cause notice by ERC NCTE and prayed for consideration of B.Ed. application (ERCAPP3764) since the same land and infrastructure is being used for the present application. The Applicant Trust affirms that the existing D.El.Ed. (ERCAPP19/2012) and proposed B.Ed. (ERCAPP3764) Programme are run by the same trust with same address, at the same place and in the same building as a composite institute as per NCTE Regulation 2014. However, the fact was not considered by ERC-NCTE Probably on misunderstanding of facts and/ or documents. ERC NCTE without consideration of the documentation including affidavit/ undertaken rejected the application of B.Ed. Programme (ERCAPP3764) applied for the Academic session 2016-17 (Vide Order no. ER/7-ER-227.7.7/NCTE/ERCAPP3764/B.Ed./2016/50727, dated 29/12/2016). The Application Trust at present has all the necessary documents including a blue print of the Building Plan indicating plot no. total land area, total built up area along with building completion certificate, etc and duly approved by the Govt. Engineer in accordance with the requirements set-up by the ERC-NCTE, to establish its position and may satisfy the appeal Committee in favour of the institution against such refusal".

AND WHEREAS the Appeal Committee noted that impugned order dated 29.12.2016 refusing recognition for conducting B.Ed. programme is on the ground that appellant institution possesses a built up area of 2039 Sq.Mtrs. which is not adequate for the proposed programme keeping in view that institution has an existing D.El.Ed. programme and has also applied for additional intake of D.El.Ed. Appeal Committee further noted that visiting team in its inspection report dated 2.3.2016 and 3.3.2016 has confirmed that land area of institution is 4040 Sq.Mtrs. and built up area is 2039.99 Sq.Mtrs. Building Completion Certificate dated 27.12.2015 issued by Asstt. Engineer (PWD), Berhampore Sub. Div. also confirmed the existence of built up area of 2039.99 Sq.Mtrs.

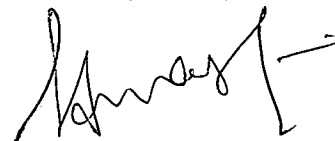
AND WHEREAS Appeal Committee noted the submission made by appellant stating that inspection team took into consideration only the built-up area earmarked for B.Ed. programme whereas the institution had separate built-up area for D.El.Ed. programme in the annexed building, the built up area of which is 2002 Sq.Mtrs. Appellant during the course of appeal presentation submitted copy of a B.C.C.

showing combined built-up area of $(2039.97 + 2002.2) = 4042.17$ Sq.Mtrs. signed and issued by Asstt. Engineer (PWD) Berhampore Sub.Div.

AND WHEREAS Appeal Committee, noting the contention of the appellant, decided to get another inspection of the institution conducted on payment of fee by the institution. The re-inspection should focus on the total land and built-up area for all existing and applied for programmes as per norms and standards for a composite institution.

AND WHEREAS after perusal of the Memorandum of Appeal, affidavit, documents on records and oral submission made during the appeal hearing, Appeal Committee concluded to remand back the case to ERC, Bhubaneswar for conducting re-inspection of the institution on payment of fee by institution. The re-inspection should focus on the total land and built-up area for all existing and applied for programmes as per norms and standards for a composite institution.

NOW THEREFORE, the Council hereby remands back the case of Kabiguru Primary Teacher Training Institution, Murshidabad, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Kabiguru Primary Teachers Training Institute, 1119, Vita, Kaladanga Ghoshpara, Berhampore, Murshidabad, West Bengal - 742304.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



52

F.No.89-194/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of H.H.A. Good Life Mahavidyalaya, Farrukhabad, Uttar Pradesh dated 23/02/2017 is against the Order No. NRC/NCTE/NRCAPP-11856/260th Meeting/2016/165630 dated 25/01/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the reply of the institution received in the NRC office on 12.08.2016 in response to the show cause notice was considered by the committee. The video CD sent by the institution reveals that building is unfinished in certain rooms even window panes have not been fixed, some walls are without white wash/ paint, flooring in some rooms is still not complete. The Committee therefore decided to refuse the recognition for D.El.Ed. course."


AND WHEREAS Shamsul Qamar, Manager, H.H.A. Good Life Mahavidyalaya, Farrukhabad, Uttar Pradesh presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that "the institution submitted of reply dated 14.07.2016 the following points Approved building plan signed by competent authority indicating the total land area and the multipurpose hall and lab class room are complete 2- Building Completion Certificate issued by the competent authority 3-complete building picture CD and building completion certificate for RES 4-Evidence of proof of composite institution 5-Non-Ecumbrances certificate issued by registrar".

AND WHEREAS Appeal Committee noted that appellant institution in this case has also filed a Writ Petition in the Hon'ble High Court of Allahabad and a certified copy of the order dated 10.4.2017 in Writ Petition No. 14602 of 2017 has been made available. Hon'ble High Court has issued order for respondent no. 1 i.e. Member Secretary, NCTE to decide the appeal filed by petitioner preferably within a period of two months from the date a certified copy of this order is filed before him.

AND WHEREAS Appeal Committee noted that the case of appellant institution was refused by NRC and the decision taken was mainly based on the observations of NRC on viewing the CD. The appellant on the other hand submitted Building Completion Certificate alongwith its reply dated nil, to SCN; which was received in the office of NRC on 12.8.2016. Appeal Committee decided that to crosscheck the submission made by appellant, another inspection of the appellant should be conducted.

AND WHEREAS on 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 conducting another inspection of the institution on payment of fee and process the case further as per regulations.

NOW THEREFORE, the Council hereby remands back the case of H.H.A. Good Life Mahavidyalaya, Farrukhabad, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, H. H. A. Good Life Mahavidyalaya, 402/2, Owaner, Nijjamuddenpur, Kampil, Farrukhabad, Uttar Pradesh – 207505.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

53



F.No.89-194/2017 Appeal/9th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 21/6/17

ORDER

WHEREAS the appeal of Sainath Institutions, Village – Murawal, PO – Ghughara Vaya Katni, Rithi, Katni, Madhya Pradesh dated 31/03/2017 is against the Order No. WRC/APP3219/222/263rd/{M.P.}/2016/176322 dated 30/11/2016 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that “AND WHEREAS, reply received from the institution and the aforesaid court order were placed in the 263rd WRC Meeting held on November 25-27, 2016 and the Committee observed that “...After the issue of Show Cause Notice, a clarification letter was issued on 15/06/2016 and the reply was received. The clarification was regarding change of land ownership and diversion. The institution had not submitted any proof from the University regarding running of BBA and BCA courses. The institution vide its reply has stated that it is not running BBA and BCA courses. Since, the institution is a standalone institution which is not permitted under Clause 2(b) of the NCTE Regulations, 2014, the Recognition is refused.”

AND WHEREAS Deepak Mathur, Joint Director, Sainath Institutions, Village – Murawal, PO – Ghughara Vaya Katni, Rithi, Katni, Madhya Pradesh presented the case of the appellant institution on 04/05/2017. In the appeal and during personal presentation it was submitted that “Our institution (Sainath Institutions) is not standalone because we have applied for B.A. B.Ed. & B.Sc. B.Ed. courses in NCTE for the academic year 2017-18. Application no. of B.Sc. B.Ed. WRCAPP201660108 & B.A. B.Ed. WRCAPP201660107 for your kind perusal. We have applied D.El.Ed. course for 2016-17 academic year but after Hon’ble Madhya Pradesh High Court Order No. 4321/2016 dt. 12/05/2016, our grant of recognition will be for academic year 2017-18 therefore our institution should not be considered standalone for the academic session”.

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 30.6.2015 seeking recognition for D.El.Ed. programme. In its application, the appellant institution did not submit any information relating to such programmes/courses existing or applied for which may help proving that applied for programme will be offered in composite institution as defined in para 2(b) and required in para 3(a) of the NCTE Regulation, 2014.

AND WHEREAS Appeal Committee noted that Hon'ble High Court of Madhya Pradesh at Jabalpur in its order dated 12.5.2016 has directed WRC to conduct inspection of the appellant institution and take a decision with regard to grant of recognition or otherwise for the academic session 2017-18. There is no evidence on record to prove that inspection of the appellant institution was conducted which may be due to the reason that institution was fulfilling the criteria of a composite institution.

AND WHEREAS Appeal Committee further noted that appellant institution had submitted an application dated 31.5.2016 seeking recognition for BA, B.Ed./B.Sc. B.Ed. programme. The contention of the appellant is that with submission of an application seeking recognition for BA, B.Ed./B.Sc. B.Ed. its earlier application submitted on 30.6.2015, both the applications should be clubbed together to fix the criteria of "Composite". Appeal Committee referring to the clarifications furnished by NCTE to its regional offices from time to time is of the opinion that if an institution already offering a single teacher education programme applies for another teacher education programme, its application shall be considered, as it would be treated as an attempt to convert a stand alone teacher education institution to a composite institution. Also if an institution applies for two or more than two teacher education programmes simultaneously, it will be covered under the definition of composite. In the instant case, the appellant institution has submitted application for D.El.Ed. programme in June, 2015 as a stand alone institution and submitted the second application in May, 2016. Both the application cannot be said to have been made simultaneously, therefore, the institution has to be considered as a standalone institution.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated. 30.11.2016

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, Sainath Institutions, Plot/Khasra No. 258, 264, Village – Murawal, PO-Ghughara Vaya Katni, Rithi, Katni, Madhya Pradesh – 483501.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.