



F.No.89-473/2016 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of Arihant College of Education, Roorkee, Haridwar, Uttarakhand dated 12/08/2016 against the Order No. NRC/NCTE/NRCAPP-10919/252nd (Part-6) Meeting/2016/151089 dated 17/06/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The reply of the institution to the SCN dated 14.10.2015 was considered by the Committee and the institution has not yet submitted the NOC from the affiliating body, was rejected and the order of the N.R.C. confirmed by the Council on the ground that the appellant institution failed to submit either the N.O.C. or any evidence of the affiliating body not taking any decision in respect of the Minority institution to issue N.O.C. vide Appellate order F.No. 89-473/2016 Appeal/2nd Meeting – 2017 dt. 06.03.2017.

AND WHEREAS Sh. Deepak Jain, Secretary, Arihant College of Education, Roorkee, Haridwar, Uttarakhand presented the case of the appellant institution on 03.02.2018. The appellant earlier submitted a letter dt. 06.01.2018. In this letter the appellant submitted that, while the SCERT, Dehradun had not given the NOC applied for, they obtained the same from the National Commission for Minority Educational Institutions, which was made available to the SCERT. Even then the SCERT had not taken any action in favour of the appellant. The appellant submitted that they filed a Writ Petition before the Hon'ble High Court of Delhi and obtained their directions. Enclosing a copy of the Hon'ble High Court's order, the appellant requested that an Inspection Team may be constituted as it is essential to get recognition for the session 2018-19 before 3rd May, 2018.

AND WHEREAS the Committee noted that the Hon'ble High Court of Delhi in their order dt. 16.08.2017 in the W.P. (C) No. 4463/2017 filed by the appellant noted the contention of the petitioner that a similar issue has been decided by the

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Judgement delivered on 03.02.2017 (the correct date is 23.02.2017) by the same Hon'ble Court in W.P. (C) 3231/2016 Rambha College of Education Vs. NCTE and Others and his submission that their case is required to be considered afresh in the light of the aforesaid judgement. In the Hon'ble High Court's order it is also recorded that the Counsel for respondent submitted that an appeal has been filed against the aforesaid judgement Rambha College (Supra), which has been dismissed on 09.08.2017. It is also recorded therein that the Counsel has instructions that the case of the petitioner shall be re-examined in accordance with law within an outer-limit of four weeks and the same shall be conveyed to him and it would be for the next academic session 2018-19.

AND WHEREAS the Committee noted that an S.L.P. (Civil) Dy. No. 42238/2017 filed by the Council before the Hon'ble Supreme Court of India against the order of the Hon'ble High Court of Delhi dt. 09.08.2017 in LPA 535/2017 has been dismissed and therefore the order of the Hon'ble High Court of Delhi has become final.

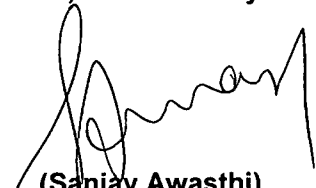
AND WHEREAS the Committee noted that the appellant had obtained a N.O.C. (deemed to have been granted by the Competent Authority of the Government of Uttarakhand) dated 27.06.2016 from the National Commission for Minority Educational Institutions, which has been forwarded by the Commission to the SCERT and School Education Deptt., Government of Uttarakhand on the same date. The Hon'ble National Commission, in their order dt. 24.06.2016, while deciding to issue a N.O.C., relied on the affidavit of the appellant that even after expiry of the statutory period of 90 days from the date of application, the Competent Authority did not pass any order thereon. Therefore, there is no question of the appellant submitting evidence that the affiliating body did not take any decision on their application for NOC.

AND WHEREAS the Committee, in view of the position stated in paras 3, 4 and 5 above concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the N.O.C. dt. 27.06.2016 issued by the Hon'ble National Commission and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward a copy of the order dt. 24.06.2016 and the certificate

dt. 27.06.2016 issued by the Hon'ble National Commission to the N.R.C. within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to N.R.C. with a direction to consider the N.O.C. dt. 27.06.2016 issued by the Hon'ble National Commission and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward a copy of the order dt. 24.06.2016 and the certificate dt. 27.06.2016 issued by the Hon'ble National Commission to the N.R.C. within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Arihant College of Education, Roorkee, Haridwar, Uttarakhand to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

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



(5)

F.No.89-635/E-41468/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date:

16/2/18

ORDER

WHEREAS the appeal of Sri Sai Mahavidhyalaya, Niwari Bhata, Madhya Pradesh dated 17/10/2017 is against the Order No. WRC/APP3156/223/251st /2016/166796 dated 02/05/2016 of the Western Regional Committee, granting recognition for conducting one unit (50 students) of B.Ed. course "The appellant wants recognition for two units (100 students).

AND WHEREAS the appellant, aggrieved by the order of the W.R.C., filed a W.P. 6538/2017 before the Hon'ble High Court of Madhya Pradesh, Jabalpur. The Hon'ble High Court in their order dt. 27.09.2017 permitted the petitioner to withdraw the petition with liberty to approach the appellate authority of the NCTE by filing an appeal. The Hon'ble High Court in their order directed that in case the petitioner does so within two weeks (from 27.09.2017), the Appellate authority shall look into the same and decide the appeal as expeditiously as possible. The appellant filed an appeal on 17.10.2017.

AND WHEREAS Dr. P. S. Gautam, Director, Sri Sai Mahavidhyalaya, Niwari Bhata, Madhya Pradesh presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation it was submitted that "This is with reference to the subject cited above that Sri Sai Mahavidhyalaya Niwari run by Late Shrimati Ladkunwar Smriti Shiksha Avam Kalyan Samiti Niwari has filed composite application for the recognition of 02 units 100 seats of B.Ed. and 02 units 100 seats of B.Sc. B.Ed. for the year 2016/2017. Mahavidhyalaya invested huge finance to build building infrastructure and procure all teaching and non-teaching staff and other facilities for 02 units of above mentioned dual courses under Regulations, 2014 of NCTE. WRC on the basis of report submitted by visiting team issued LOI 02 units 100 seats of B.Ed. and 02 units 100 seats of B.Sc. B.Ed. But W.R.C. issued recognition

for one unit (50 students) only which caused heavy financial loss to Sri Sai Mahavidhyalaya, Niwari and therefore, they filed petition at High Court Jabalpur. A copy of the order no. WP.no. 6538/2017 dated 27/09/2017 stating petitioner to move the appellate authority with an application is filed."

AND WHEREAS the Committee noted that the appellant submitted an application on 29.06.2015 for grant of recognition for B.Ed. course and in the affidavit enclosed to the application and in their forwarding letter dt. 09.07.2015, the intake sought for was indicated as two units (100 seats). The Visiting Team that conducted an inspection of the institution on 26.02.2016 noted that the proposed intake was 100 and recommended grant of recognition as per the demand of the institution. However, the WRC in their Letter of Intent dt. 26.04.2016 mentioned the intake as 50 students (one basic unit). In the reply dt. 29.04.2016 to the Letter of Intent, the appellant submitted an affidavit stating that they applied for two units of B.Ed. and also selected 16 faculty members for two units. However, W.R.C. in their 251st meeting held on April 30 – May 2, 2016, noting that the appellant submitted a list of a Principal and 15 faculty members who are qualified and approved by the affiliating body, decided to grant recognition for one unit of B.Ed. only.

AND WHEREAS the Committee, noting that no reasons have been recorded for granting recognition for one unit only, concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider the request of the appellant for grant of recognition for two units of B.Ed., in accordance with the provisions of NCTE Regulations, 2014 and issue a speaking communication/order to the appellant.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to W.R.C. with a direction to consider the request of the appellant for grant of recognition for two units of B.Ed., in accordance with the provisions of NCTE Regulations, 2014 and issue a speaking communication/order to the appellant.

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NOW THEREFORE, the Council hereby remands back the case of Sri Sai Mahavidhyalaya, Niwari Bhata, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Sri Sai Mahavidhyalaya, Niwari Bhata, Main Road, Niwari – 472442, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-682/E-42820/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Shri Ram Dular Pahalawan Mahavidyalaya, Semari, Village Semari, P.O. Shahpur, Sadar, Distt. – Jaunpur, U.P. dated 30/10/2017 is against the Order No. NRC/NCTE/NRCAPP-3798/241st Meeting/2015/121232 dated 17/08/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not submitted the list of teachers duly approved by the affiliating University."

AND WHEREAS the appellant, aggrieved by the order of the N.R.C., filed a Writ (C) No. 44034 of 2017 before the Hon'ble High Court of Allahabad. The Hon'ble High Court in their order dt. 03.10.2017 noted the submission of the Counsel for the petitioner that due to lack of knowledge by the petitioner institution, he could not file appeal against the impugned order within the time stipulated in the NCTE Act, 1993. The Hon'ble High Court also noted that the Counsel for respondent does not dispute that in case appeal is filed, the same may be entertained and decided on merits. The Hon'ble High Court in their order directed that the respondent will pass appropriate order on appeal of the petitioner filed under Section 18 of the NCTE Act, 1993 and dispose of the same within a period of one month from the date of service of the order of the Hon'ble Court. The Hon'ble High Court made it clear that the delay, if any, will not come into the way in deciding the appeal on merit.

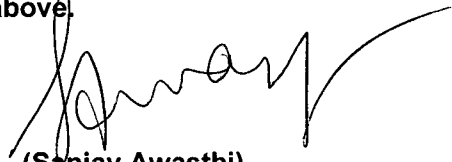
AND WHEREAS Sh. Keshav, Manager and Sh. Vinod Kumar, Clerk, Shri Ram Dular Pahalawan Mahavidyalaya, Semari, Village Semari, P.O. Shahpur, Sadar, Distt. – Jaunpur, U.P. presented the case of the appellant institution on 03/02/2018. In the course of presentation, the appellant submitted a letter dt. 03.02.2018. To this letter, the appellant, enclosed various documents relating to the selection of faculty, including a copy of the selected staff list and a copy of the letter dt. 18.01.2018 issued

by the Registrar, Veer Bahadur Singh Purvanchal University, Jaunpur approving the faculty list (of 15 persons) of the appellant institution for B.Ed. course.

AND WHEREAS the Committee noted that the ground of refusal is that the appellant has not submitted the list of teachers duly approved by the affiliating university. The Committee, noting that the appellant has submitted in appeal, the approved faculty list, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the approved staff list to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the N.R.C., the approved staff list and all other connected papers submitted in appeal, within 15 days of receipt of the orders on the appeal.

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

NOW THEREFORE, the Council hereby remands back the case of Shri Ram Dular Pahalawan Mahavidyalaya, Semari, Village Semari, P.O. Shahpur, Sadar, Distt. – Jaunpur, U.P. to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Shri Ram Dular Pahalawan Mahavidyalaya, Plot/Khasara Street No. Semari, Village – Semari, Post Office – Shahpur, The/Taluk – Sadar, Town/City – Jaunpur, Distt. – Jaunpur, Uttar Pradesh - 222131.
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.89-709/E-46245/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/2/18

ORDER

WHEREAS the appeal of St. Xavier's College, Konka, Dr. Camil Bulcke Path, Sadar, Ranchi, Jharkhand dated 07/11/2017 is against the Order No. ER-244.17.1/APE00244/B.Ed./2017/54741 dated 18/10/2017 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "The ERC in its 171st meeting held on 3rd – 4th June, 2014 considered the matter and as decided a Notice dated 18.06.2014 was issued to the institution on following grounds: The institution is required to appoint one more lecturer and submit a fresh faculty list duly approved by the Registrar of the concerned University adding the name of newly appointed lecturer. Psychology Resource Centre is not available in the institution. Original FDRs of Rs. 5.00 lakh and Rs. 3.00 lakh is to be submitted towards endowment fund and reserve fund respectively into joint account in the name of institution and RD, ERC, NCTE, Bhubaneswar. Reply in response to ERC's Notice dated 18.06.2014 has not been received till date and the institution is still deficient on the above grounds. In view of the above, the Committee decided as under: The Committee is of the opinion that recognition granted to B.Ed. course of the application bearing code No. APE00244 is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session."

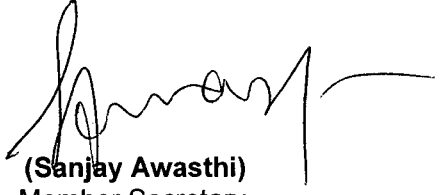
AND WHEREAS Sh. Anand Kumar, H.O.D. and Sh. Vikram Bahadur Nag, Asst. Professor, St. Xavier's College, Konka, Dr. Camil Bulcke Path, Sadar, Ranchi, Jharkhand presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation it was submitted that they have already sent the appointment list duly signed by the Registrar. Ref. SX/CP/135/NCTE/2014 dated August 19, 2014 and SX/CP/128/NCTE/2015 dated October 27, 2015 copy enclosed. They have established a Psychology Lab in their institution and

concerned documents have been already sent. Ref. SX/CP/135/NCTE/2014 dated August 19, 2014 copy enclosed. They have submitted the Xerox copy of FDRs of Rs.5.00 lakh and Rs. 3.00 lakh Ref. SX/CP/128/NCTE/2015 dated October 27, 2015 copy enclosed. They are extremely sorry for not submitting the original of the FDRs and endowment fund."

AND WHEREAS the Committee noted that after issue of a clarificatory letter dt. 18/06/2014, pointing out three deficiencies, the appellant submitted a reply dt. 19.08.2014 explaining the position about recruitment of one more faculty and setting up of a separate psychology lab. This letter is available in the file. After the E.R.C., in their 244th meeting held on 8-9 October, 2017, decided to withdraw recognition, on the ground that no reply has been received to their letter dt. 18.06.2014 (termed as Notice by the E.R.C.), the appellant submitted a letter dt. 16.10.2017 explaining the position in respect of the three grounds of withdrawal. This letter was received in the E.R.C. on 18.10.2017 and on the same date the withdrawal order was issued. The appellant, in their appeal, re-iterated the position submitted to the E.R.C. in their letter of 16.10.2017. Since the appellant has submitted (i) a faculty list with the addition of one more lecturer and which has been countersigned by the Registrar, Ranchi University; (ii) a list of psychological tests and apparatus; and (iii) copies of FDRs, originals of which are reported to be with E.R.C., the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to consider the documents submitted by the appellant with their letter dt. 16.10.2017 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 matter deserves to be remanded to the E.R.C. with a direction to consider the documents submitted by the appellant with their letter dt. 16.10.2017 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 St. Xavier's College, Konka, Dr. Camil Bulcke Path, Sadar, Ranchi, Jharkhand to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Principal, St. Xavier's College, Konka, Dr. Camil Bulcke Path, Purulia Road, Sadar, Ranchi – 834001, Jharkhand.**
- 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 Jharkhand, Ranchi.**



F.No.89-710/E-46249/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of Rajeev Gandhi Memorial Teachers Training College, Digwadih, Dhanbad, Jharkhand dated 08/11/2017 is against the Order No. ER-244.17.5/APE00858/B.Ed./2017/54713 dated 18/10/2017 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that a show cause notice was issued on 11/11/2014 on the grounds that "(i) The institution does not have built-up area of 1500 sq. mts. The psychology and science resource centers need improvement. (ii) A qualified and eligible Principal needs to be appointed. (iii) The institution has managed academic affairs efficiently but the number of working days needs to be increased. The institution is not maintaining the FDRs towards endowment fund and reserve fund in the manner prescribed by the NCTE. In response, the institution submitted reply vide letter dated 27.11.2014 with some documents. However, the institution is still deficient on the following grounds: As per special visiting team report, the total built-up area of the institution was 13400 sq. ft. i.e. 1244.89 sq. mts. only which is less than required built-up area of 1500 sq. mts. In view of the above, the Committee decided as under: The Committee is of the opinion that recognition granted to B.Ed. course of the application bearing Code No. APE00858 is withdrawn under section 17(1) of NCTE Act, 1993 from next academic session."

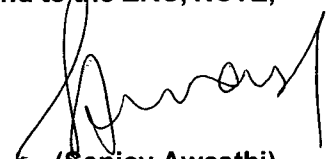
AND WHEREAS Dr. R.N. Chaubey, Secretary, Rajeev Gandhi Memorial Teachers Training College, Digwadih, Dhanbad, Jharkhand presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation it was submitted that "on receipt of their reply dt. 27.11.2014 to the Show Cause Notice, the E.R.C. decided to seek further directions from the NCTE (Hqrs.). While there was no reply from the HQs, the institution applied for grant of recognition for M.Ed. course and after conducting an inspection, including the existing B.Ed. course and after being satisfied about the infrastructure a Letter of Intent was issued on 18.07.2017. It is therefore clear that the second Visiting Team constituted for M.Ed. course has conducted inspection for M.Ed. and B.Ed. Regarding the built up

area mentioned in the Inspection Report on the basis of which the Show Cause Notice dt. 11.11.2014 was issued, the appellant has drawn attention to their reply dt. 27.11.2014 which is in the file. In that reply the appellant submitted that the inspection on 22/23-10-2013 was conducted in the evening in dim light and the built up area was roughly assessed without actually measuring the area and concluded that it was 1300 sq. mts. only, whereas the actual area is 2000.48 sq. mts. The appellant to their reply dt. 27.11.2014 enclosed a building completion certificate issued by the Asstt. Engineer, Zilla Parishad, Dhanbad indicating that the built up area is 2000.48 sq. mts.

AND WHEREAS the Committee, taking into account (i) the submissions of the appellant about issue of a Letter of Intent to the appellant institution for M.Ed. course after conduct of a subsequent inspection, which covered the existing B.Ed. course and the proposed M.Ed. course, and (ii) the building completion certificate showing 2000.48 sq. mts. submitted alongwith the reply to the Show Cause notice, concluded that the matter deserved to be remanded to the ERC with a direction to re-examine the matter 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 the ERC with a direction to re-examine the matter 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 Rajeev Gandhi Memorial Teachers Training College, Digwadih, Dhanbad, Jharkhand to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Appellant, Rajeev Gandhi Memorial Teachers Training College, Digwadih No. 12, Digwadih, Dhanbad – 828119, Jharkhand.**
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 Jharkhand, Ranchi.

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F.No.89-711/E-46250/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Mirza Ghalib Teacher's Training College, Gajachak, Janipur, Mohammadpur, Bihar dated 06/11/2017 is against the Order No. ERC/240.12.9/8699/D.El.Ed.(Addl.Intake)/ERCAPP201646358/2017/54755 dated 20/10/2017 of the Eastern Regional Committee, refusing recognition for Additional Intake in D.El.Ed. course on the grounds that "i. VT was constituted online with the schedule from 13.04.2017 to 03.05.2017. ii. The institution vide letter dated 12.04.2017 informed that they are not ready for inspection and requested to postpone the scheduled date of inspection and fix the next date of inspection in the month of July-August, 2017 citing personal reason, which is not acceptable. iii. As per Clause 7(7) of NCTE Regulation 2014, the inspection shall not be conducted as per the consent of the institution. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP201646358 of the institution regarding permission of applied additional intake in D.El.Ed. Programme is refused under section 15(3)(b) of NCTE Act, 1993."

AND WHEREAS Sh. Tarique Haider, Deputy Director, Mirza Ghalib Teacher's Training College, Gajachak, Janipur, Mohammadpur, Bihar presented the case of the appellant institution on 03/02/2018. The appellant, without making any submissions in the appeal against the grounds of refusal, enclosed to the appeal, a copy of their letter dt. 13/10/2017, reported to have been written to the NCTE HQs stating therein that they are now ready for inspection.

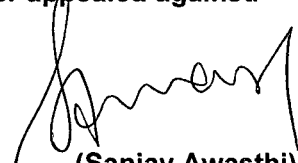
AND WHEREAS the Committee noted that the appellant, in their letter dt. 12.04.2017 sent in response to the inspection schedule communicated by the ERC, stated that they were not ready to get their institution inspected on the scheduled dates. The appellant also stated that as the principal and staff will be involved in

the marriage season development of instructional facilities would further be delayed.

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 these circumstances, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the E.R.C. confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Appellant, Mirza Ghalib Teacher's Training College, Gajachak, Janipur, Mohammadpur – 801505, Bihar.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.



F.No.89-712/E-46256/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 16/3/18

ORDER

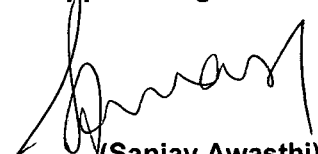
WHEREAS the appeal of Jagriti College of Education, Bahuri Bandh, Rewa, Madhya Pradesh dated 28/10/2017 is against the Order No. WRC/APP3469/222/266th/{M.P.}/2016/178636 dated 17/01/2017 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "AND WHEREAS, the original file, visiting team report and other relevant documents were considered by WRC in its 249th meeting held on April 21-23, 2016 and the Committee observed that "VT was constituted and the VT visited the institution on 14/04/2016. However, the inspection could not be conducted as there was no response from the management. Further, the VT found that there was no building or any construction in the specified khasra numbers. A Panchnama to this effect was submitted to the WRC. Hence, Show Cause Notice be issued on the above ground." Accordingly, Show Cause Notice was issued on 04.07.2016. The institution has not submitted a reply. The matter was placed before WRC in its 266th meeting held on January 10-12, 2016 and the Committee decided that "...Clarification letter/show cause notice dt. 04.07.2016 was issued to the institution. Reply has not been received till date. Hence, Recognition is refused."

AND WHEREAS Smt. Maneesha Pathak, Manager and Sh. Sateesh Mishra, Administrator, Jagriti College of Education, Bahuri Bandh, Rewa, Madhya Pradesh presented the case of the appellant institution on 03/02/2018. The appellant has not made any submission in the appeal. The appellant, in a letter dt. 03.02.2018 given during the presentation, stated that on account of marriage programme in their home, at the time for inspection, they could not get their institution inspected. The appellant requested that their institution may be inspected again, and they will pay the fee.

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

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

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



(Sanjay Awasthi)
Member Secretary

1. The Appellant, Jagriti College of Education, Bahuri Bandh, Huzur, Rewa, Madhya Pradesh – 486446.
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.



F.No.89-713/E-46258/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Jagriti College of Education, Bahuri Banndh, Rewa, Madhya Pradesh dated 28/10/2017 is against the Order No. WRC/APP3443/223/266th/2016/178954 dated 27/01/2017 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the matter was placed before the WRC in its 266th Meeting held on January 10-12, 2017 and the Committee observed that "...Clarification letter/Show Cause Notice dt. 29/04/2016 was issued to the institution. Reply has not been received till date. Hence, Recognition is refused."

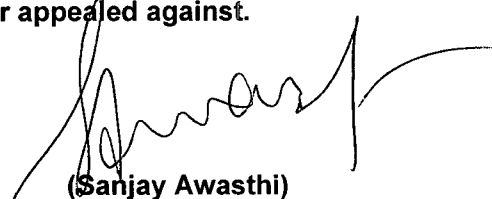
AND WHEREAS Smt. Maneesha Pathak, Manager and Sh. Sateesh Mishra, Administrator, Jagriti College of Education, Bahuri Banndh, Rewa, Madhya Pradesh presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation it was submitted that Show Cause Notice was not uploaded and not communicated.

AND WHEREAS the Committee noted from the file that the W.R.C. issued a Show Cause Notice dt. 16.02.2016 on the grounds that a notarised copy of the building completion certificate was not submitted, and the institution does not fulfil the condition of being a composite institution as per Clauses 2 (b) and 3 (a) of the NCTE Regulations, 2014, by speed post but it was returned undelivered. The W.R.C. constituted a Visiting Team that visited the institution on 14.04.2016 but could not conduct inspection as there was no response from the management. Further, the Visiting Team found that there was no building or any construction in the specified Khasra numbers. The W.R.C. issued a Show Cause Notice on 29.04.2016 on these grounds by speed post and this letter was also returned undelivered. Therefore, the submission of the appellant that the show cause notice was not uploaded and not communicated is not acceptable.

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

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

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



(Sanjay Awasthi)
Member Secretary

- 1. The Appellant, Jagriti College of Education, Bahuri Banndh, Huzur, Rewa – 486446, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-714/E-46343/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Fakirchand Vidyapeeth Educational Institute, Mohd. Muradpur URF Shoulda Garh Road, Mawana, Meerut, Uttar Pradesh dated 12/11/2017 is against the Order No. NRC/NCTE/NRCAPP-13045/Recognition/B.Ed./260th Meeting/2016/162977 dated 05/12/2016 of the Northern Regional Committee, granting recognition for conducting one unit (50 seats) of B.Ed. course. The appellant wants recognition for two units (100 seats) as applied for.

AND WHEREAS the appellant, aggrieved by the order of the N.R.C., filed a Writ (C) No. 18327 of 2017 before the Hon'ble Allahabad High Court. The Hon'ble High Court in their order dt. 28.04.2017 dismissed the petition on the ground of availability of a statutory alternative remedy of an appeal.

AND WHEREAS Sh. Amit Garg, Secretary, Fakirchand Vidyapeeth Educational Institute, Mohd. Muradpur URF Shoulda Garh Road, Mawana, Meerut, Uttar Pradesh presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation it was submitted that "they applied for B.Ed. Course in May 2015 for session 2016-17 for 100 seats i.e. 02 units. College was also inspected by VT members for 100 seats. In their college the covered area is 4038 sq. mts. Books available in their institute for 100 seats of B.Ed. is more than 3000. All lab equipment, library seating capacity, class rooms, furniture and all other required material for 100 seats are available. College has got, 16 faculties, approved for 100 students, but NRC, NCTE's recognition was only for 50 seats."

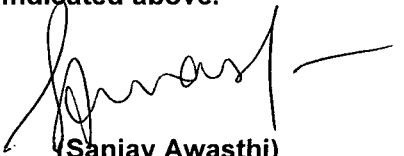
AND WHEREAS the Committee noted that in the affidavit enclosed to the online application dt. 01.06.2015 for grant of recognition for B.Ed. course, the appellant indicated that they are seeking recognition with an intake of 100. The

Visiting Team which inspected the institution on 07.03.2016 recorded the proposed intake as 100 and recommended grant of recognition for two units (100 seats). The N.R.C. in their Letter of Intent dt. 27.06.2016 did not mention the intake. The appellant, with their reply dt. 16.10.2016 to the Letter of Intent, furnished various documents, including a letter dt. 30.07.2016 issued by CCS University, Meerut approving 16 faculty members for the B.Ed. course in the appellant institution. The N.R.C., after considering the matter, granted recognition for one unit (50 intake) vide their order dt. 05.12.2016.

AND WHEREAS the Committee, noting that no reasons have been recorded or communicated to the appellant for granting recognition for one unit only, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider request of the appellant for grant of recognition for two units of B.Ed. course as per the NCTE Regulations, 2014 and send a speaking order/communication to the appellant.

AND WHEREAS after perusal of the memorandum of appeal, affidavit and documents available on records, the Committee concluded that the matter deserves to be remanded to N.R.C. with a direction to consider request of the appellant for grant of recognition for two units of B.Ed. course as per the NCTE Regulations, 2014 and send a speaking order/communication to the appellant.

NOW THEREFORE, the Council hereby remands back the case of Fakirchand Vidyapeeth Educational Institute, Mohd. Muradpur URF Shoulada Garh Road, Mawana, Meerut, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Fakirchand Vidyapeeth Educational Institute, Mohd. Muradpur URF Shoulada Garh Road, Mawana, Meerut – 250106, U.P..
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-715/E-46338/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 16/3/18

ORDER

WHEREAS the appeal of Sunrise College of Higher Education, Salarpur, Mawana Road, Mawana, Uttar Pradesh dated 12/11/2017 is against the Order No. NRC / NCTE / NRCAPP-13076 / Recognition /B.Ed. /260th Meeting /2016 /163039-44 dated 06/12/2016 of the Northern Regional Committee, granting recognition for conducting one unit (50 seats) of B.Ed. course. The appellant wants recognition for two units (100 seats) as applied for.

AND WHEREAS Sh. Ankit, Representative, Sunrise College of Higher Education, Salarpur, Mawana Road, Mawana, Uttar Pradesh presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation it was submitted that "they applied for B.Ed. Course in May 2015 for session 2016-17 for 100 seats i.e. 02 units. College was also inspected by VT members for 100 seats. In their college the covered area is 4038 sq. mts. Books available in their institute for 100 seats of B.Ed. is more than 3000. All lab equipment, library seating capacity, class rooms, furniture and all required material for 100 seats are available. College has got, 16 faculties, approved for 100 students, but NRC, NCTE's recognition was for only 50 seats."

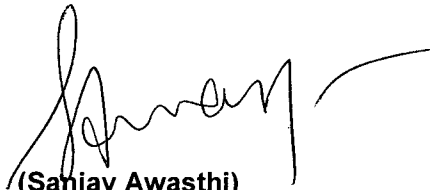
AND WHEREAS the Committee noted that in the affidavit enclosed to the online application dt. 01.06.2015 for grant of recognition for B.Ed. course, the appellant indicated that they are seeking recognition with an intake of 100. The Visiting Team, which inspected the institution on 27.04.2016, recorded the proposed intake as 100 and recommended grant of recognition for two units. The N.R.C., in their Letter of Intent dt. 27.06.2016 did not mention the intake. The appellant, with their reply dt. 07.10.2016 to the Letter of Intent, furnished various documents, including a letter dt. 30.07.2016 issued by CCS University, Meerut approving 16 faculty members for the B.Ed. course in the appellant institution. The

N.R.C., after considering the matter, granted recognition for one unit (50 intake) vide their order dt. 06.12.2016.

AND WHEREAS the Committee, noting that no reasons have been recorded or communicated to the appellant institution for granting recognition for one unit only, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the request of the appellant for grant of recognition for two units of B.Ed. course as per the NCTE Regulations, 2014 and send a speaking order/communication to the appellant.

AND WHEREAS after perusal of the memorandum of appeal, affidavit and documents available on records, the Committee concluded that the matter deserves to be remanded to N.R.C. with a direction to consider the request of the appellant for grant of recognition for two units of B.Ed. course as per the NCTE Regulations, 2014 and send a speaking order/communication to the appellant.

NOW THEREFORE, the Council hereby remands back the case of Sunrise College of Higher Education, Salarpur, Mawana Road, Mawana, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sunrise College of Higher Education, Salarpur, Mawana Road, Mawana – 250104, U.P..
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.89-718/E-46794/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

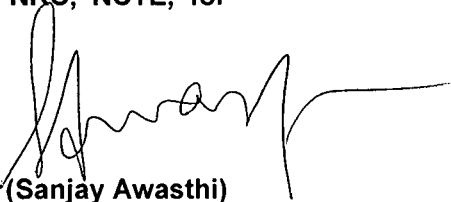
WHEREAS the appeal of Shreenath College, Dungarpur, Industrial Area, Dungarpur, Rajasthan dated 10/11/2017 is against the Order No. NCTE/NRC/NRCAPP201615515/B.A. B.Ed./B.Sc. B.Ed. – 4-year Integrated/RJ/2017-2018/(LSG-S.No.) dated 27/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The institution has not submitted the reply of SCN issued by the NRC within the stipulated time. The show cause notice available in the file is dated 23.03.2017."

AND WHEREAS Sh. Sanjay Dutta, Principal, Shreenath College, Dungarpur, Industrial Area, Dungarpur, Rajasthan presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation it was submitted that they have not received any show cause notice and hence they are not aware of any show cause notice issued by the N.R.C. Since no Show Cause Notice has been received they could not send any reply of the same.

AND WHEREAS the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to re-issue their Show Cause Notice dt. 23.03.2017 to the appellant and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to N.R.C. with a direction to re-issue their Show Cause Notice dt. 23.03.2017 to the appellant and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Shreenath College, Dungarpur, Industrial Area, Dungarpur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Shreenath College, Dungarpur, Industrial Area, Dungarpur – 314001, Rajasthan.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.**



F.No.89-725/E-47075/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Shri Rajendra Singh Yadav Mahavidyalaya, Vill. – Sargaon, Matsena Road, Firozabad, Uttar Pradesh dated 08/11/2017 is against the Order No. NRC/NCTE/NRCAPP-13773/273rd (Part-2) Meeting/2017/181873 dated 09/09/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "NRC issued LOI to the institution on 07.02.2017. The institution did not submit the reply of the LOI within the stipulated time. NRC issued a SCN dated 07.06.2017. The Institution did not submit the reply of the SCN within the stipulated time. The request of the institution through its reply dated 12.07.2017 to extend the time for another two months is not acceptable as there is no provision to this effect in the NCTE Regulations, 2014."

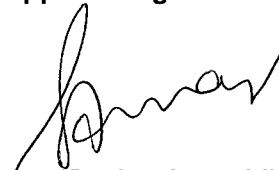
AND WHEREAS Sh. Bijendra Singh, Secretary and Sh. Jogendra Singh, Representative, Shri Rajendra Singh Yadav Mahavidyalaya, Vill. – Sargaon, Matsena Road, Firozabad, Uttar Pradesh presented the case of the appellant institution on 03/02/2018. In the appeal no explanation has been given. The appellant, in the course of presentation, submitted a letter dt. 03.02.2018. In this letter the appellant stated that after the issue of the Letter of Intent dt. 07.02.2017, the management had to face financial problems on account of demonetisation and in the circumstances further action on the proposed D.El.Ed. programme had to be stopped. The appellant further stated that if permission is given to run the D.El.Ed. programme, the management will complete the requirement in time.

AND WHEREAS the Committee noted that according to the Letter of Intent dt. 07.02.2017, the appellant was required to send a compliance report within two months. The appellant, in their reply dt. 12.07.2017 to the Show Cause Notice requested for extension of two months. The letter submitted in the appeal reveals that they stopped further action thereafter and as on date also no progress has been

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

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

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, Shri Rajendra Singh Yadav Mahavidyalaya, Vill. – Sargaon, Matsena Road, Firozabad – 283203, U.P..
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-726/E-47539/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/2/18

ORDER

WHEREAS the appeal of Gopalak Vikas Mandal Aniyad, Mahila B.Ed. College, Shahera, Gujarat dated 16/11/2017 is against the Order No. WRC/APW02085/323241/Guj./282nd/2017/192492 dated 02/11/2017 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 29.08.2016. The institution replied on 22.09.2016. It is seen from the file that the institution has still not submitted the following:- Latest staff profile in original approved by the Registrar; Building Completion Certificate countersigned by the Govt. Engineer; and FDRs for Rs. 12.00 lakhs in joint operation with Regional Director. Hence, Recognition is withdrawn from the session 2018-19."

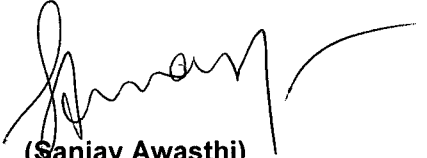
AND WHEREAS Dr. Mahipal V. Rathod, Member and Dr. J.K. Talati, Member, Gopalak Vikas Mandal Aniyad, Mahila B.Ed. College, Shahera, Gujarat presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation and in a letter dt. 02.02.2018 it was submitted that they have already submitted original FDRs of Rs. 12 lakhs in joint operation to the Regional Director, Bhopal and received copy with signature and stamp. The appellant, with their letter, submitted a copy of the Building Completion Certificate countersigned by Gram Panchayat and a copy of permission letter issued by the Deputy Executive Engineer, Road and Building Department, Godhra. The appellant also enclosed a copy of the staff list countersigned by the Registrar, Shri Govind Guru University, Godhra.

AND WHEREAS the Committee, noting that the appellant has furnished the requisite documents, concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider the documents submitted in the appeal, to be sent to them by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward all the documents submitted in the appeal

to the W.R.C. within 15 days of receipt of the orders on the appeal. 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 matter deserves to be remanded to the W.R.C. with a direction to consider the documents submitted in the appeal, to be sent to them by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward all the documents submitted in the appeal to the W.R.C. within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Gopalak Vikas Mandal Aniyad, Mahila B.Ed. College, Shahera, Gujarat to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Gopalak Vikas Mandal Aniyad, Mahila B.Ed. College, At and Post Aniyad, Main Road, Shahera – 389210, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-727/E-47583/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Tathagat Teachers Training College, Vill. – Jorapipal, PO – Kalyanpur, Dhanbad, Jharkhand, Kalyanpur dated 08/11/2017 is against the Order No. ER-244.17.4/APE00508/B.Ed./2017/54728 dated 18/10/2017 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that “a Notice dated 13.08.2014 was issued to the institution on the following grounds: Faculty list in original signed by the Registrar of the concerned university is to be submitted. The institution has not submitted the renewed/converted FDRs of Rs. 5 lakh and Rs. 3 lakh in the joint name of institution ERC RD, ERC, NCTE, Bhubaneswar. As per NCTE norms, the academic staff of the institution (including part time staff) shall be paid such salary in such scale of pay as may be prescribed by the UGC/University from time to time, through account payee cheque or as per advice into the bank account of employee specifically opened for the purpose. The supporting staff shall be paid as per the UGC/State Government/Central Government pay scale structure. The institution is required to submit the 3 months Bank statement clearly stating that amount has been deposited in the bank account of the staff. Reply in response to ERC’s Notice dated 13.08.2014 has not been received till date and the institution is still deficient on the above grounds. In view of the above, the Committee decided as under: The Committee is of the opinion that recognition granted to B.Ed. course of the application bearing Code No. APE00508 is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session.”

AND WHEREAS Sh. Alok Verma, Representative and Sh. Uday Kumar Verma, Professor, Tathagat Teachers Training College, Vill. – Jorapipal, PO – Kalyanpur, Dhanbad, Jharkhand, Kalyanpur presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation it was submitted that

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the reply to SCN dated 13.08.2014 was sent to ERC through Registered Post on 20.08.2014. copy of receipt attached. In this context it is to submit that recognition was granted by ERC to their college in 2005 vide its Order dated 08th September 2005. The institution was functioning peacefully while adhering to the NCTE Regulations. Thereafter, an inspection of the institution was caused by the NCTE Hqrs. under section 13 of the NCTE Act on 27.09.2013. The outcome of the inspection was communicated to their institution vide letter dated 30.04.2014. The point wise reply was submitted by the appellant institution to the ERC, NCTE in their letter dated 26.05.2014. The ERC, again sought clarification of the appellant institution vide letter dated 26.06.2014. The appellant again responded to the ERC letter while providing all the supporting documents vide letter dated 23.07.2014. However, the ERC neither made any application of mind nor analysed the reply submitted by the appellant and reproduced its letter dated 26.06.2014 again and sought clarification vide ERC letter dated 13.08.2014. The appellant again replied to this letter of ERC and furnished point wise clarification alongwith all the supporting documents. However, the ERC ignored all the facts of the matter and withdrew the recognition of the appellant vide its order dated 18.10.2017. The appellant submitted that the revised recognition order was issued by the ERC on 31.05.2015 after promulgation of the NCTE Regulations 2014 notified on 24th November, 2014. The ERC has ascertained that the institution is in adherence of all the requisite conditions stipulated therein. Thereafter, NCTE issued a Public Notice for GIS and Mandatory Affidavit System, and their institution submitted the GIS and Mandatory Affidavit in 2016 as well as in 2017 Regn No. 47616. In 2017, the ERC issued a letter to their institution demanding the list of approved teaching and non-teaching staff, for which the detailed list approved by the Competent Authority of Vinoba Bhave University, Jharkhand was sent to ERC vide letter dated 14.02.2017. Copy of reply enclosed. The ERC office decided to take cognisance of its clarification letter issued in 2014 after lapse of three years. The ERC did not bother to take note that the Institution has sent the compliance report for adherence of the NCTE Regulations, 2014 time and again to it. As on date, their institution is having 1 Principal and 16 staff duly approved by the Vinobha Bhave University, Jharkhand. The copy of approved staff list is enclosed. The original FDRs in joint account towards Endowment and Reserve Fund are already submitted to RD ERC and are available in ERC only. The FDRs are being automatically renewed and at

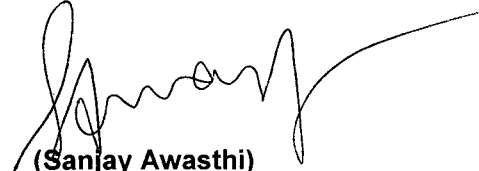
present the Principal amount of FDRs is Endowment Fund Rs. 11,77,421.00 and Reserve Fund Rs. 4,95,856.00 thereby making the total of Rs. 16.73 lakhs as against the requirement of 12 lakhs. The salary to the staff is being paid through account payee cheque regularly. The copy of Bank statement for the last three months is attached. The copy of the Bank Statement for the last year is attached for the perusal of Appellate authority. The appellant has time and again responded each and every communication of ERC, NCTE with all supporting documents. The fact that the Appellant has not replied to the SCN of ERC is false, baseless and misleading. The Appellant has enclosed all the evidences in this regard. The Appellate Authority is prayed to quash the withdrawal order erroneously and arbitrarily passed by the RD ERC and restore the recognition of the Appellant Institution.

AND WHEREAS the Committee, noting the reply sent by the appellant to the clarificatory letter of the ERC dated 13.08.2014 and the documents enclosed thereto, concluded that the impugned order deserved to be set aside and the matter is remanded to ERC with a direction to consider the reply of the appellant, to be sent again to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward all the documents submitted in the appeal to the ERC within 15 days of receipt of the orders on the appeal. 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 impugned order deserved to be set aside and the matter is remanded to ERC with a direction to consider the reply of the appellant, to be sent again to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward all the documents submitted in the appeal to the ERC within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

- 4 -

NOW THEREFORE, the Council hereby remands back the case of Tathagat Teachers Training College, Vill. – Jorapipal, PO – Kalyanpur, Dhanbad, Jharkhand, Kalyanpur to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Tathagat Teachers Training College, Plot No. 498, 500, Vill. – Jorapipal, PO – Kalyanpur, Dhanbad, Jharkhand, Kalyanpur – 826004, Jharkhand.**
- 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 Jharkhand, Ranchi.**



F.No.89-729/E-48052/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of R.B. Sagar College of Education, Devbhoominagar, D-Cabin, Sabarmati, Ahmedabad, Gujarat dated 19/11/2017 is against the Order No. WRC/313019/281st/Guj./2017/190039 dated 23/09/2017 of the Western Regional Committee, refusing permission for shifting of premises and withdrawing recognition for conducting B.Ed. course on the grounds that "This is a case of shifting. The Appeal Authority vide order dt. 29.05.2017 remanded the case to WRC with the directions to process shifting of the premises. The WRC in its 279th meeting decided to issue a show cause notice to the institution on 18.08.2017 regarding the ownership of land which is on private lease. The institution vide its reply dt. 13.09.2017 has confirmed that the land is on lease from a company, namely, Dharmam Enterprises, registered under Company Act which is also a private party. Therefore, institute does not possess land on ownership basis or on lease from Govt. / Govt. body as required under NCTE Regulations. Hence, shifting is refused and Recognition is withdrawn from the session 2018-19. FDR, if any, be returned. Now, therefore, the permission to shift the premises is refused and the recognition of R.B. Sagar College of Education, Fatehpur, Ahmedabad, Gujarat, for one unit (50 students) of the B.Ed. course is hereby withdrawn from the academic session 2018-19 in terms of Section 17(1) of the NCTE Act, 1993."

AND WHEREAS Sh. Krishender P. Singh, Representative and Sh. Tarunender P. Singh, Member, R.B. Sagar College of Education, Devbhoominagar, D-Cabin, Sabarmati, Ahmedabad, Gujarat presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation the appellant submitted in detail the correspondence exchanged between the appellant and the W.R.C. with regard to their proposal for shifting of premises for conducting the B.Ed. course, over a period of some years. In their explanation the appellant claimed that the decision taken by the W.R.C. to refuse permission for shifting of premises through their letter

dt. 24.07.2008 was never communicated to them. Regarding the ground on which the W.R.C. has refused permission for shifting and withdrew recognition, namely, that the land is on private lease basis, the appellant, in their letter dt. 31.01.2018, submitted that the Board of Directors of Dharma Enterprises Private Company (Registered) unanimously resolved to lease the building to R.B. Sagar College of Education for 98 years and the Lease Deed was registered on 30.10.2013. The appellant enclosed a copy of the registered Lease Deed and a copy of property tax bill.

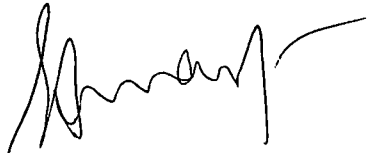
AND WHEREAS the Committee noted that the W.R.C. after having refused permission for shifting of premises earlier in their letter dt. 24.07.2008, started processing another application submitted on 09.10.2010. After a series correspondence and a direction by the Council in their appellate order dt. 29.05.2017 to take urgent action on the pending application for shifting of premises, the W.R.C. issued a clarificatory letter to the appellant on 06.07.2017 calling for information on land related matters. The W.R.C., after finding from the appellant's reply dt. 13.07.2017 that the land was on lease from a private party, which is not permissible under the NCTE Regulations, 2014, issued a Show Cause Notice to the appellant on 18.08.2017. The appellant in their reply dt. 08.09.2017 denying that the land and premises are on lease from a private party claimed that they were taken on lease from a Registered Company. Since the Company is also a private party, the W.R.C. refused permission for shifting of premises and withdrew the recognition.

AND WHEREAS the Committee noted that according to the provisions of Clause 8 (4) (i) of the NCTE Regulations, 2014, no institution shall be granted recognition unless the institution or society sponsoring the institution is in possession of required land on the date of application, free from all encumbrances, either on ownership basis or on lease from Government or Government institutions for a period of not less than thirty years. Further, in any case, no building shall be taken on lease for running any teacher training programme. The Committee noted that in the case under consideration, the Lessor, even if he is a registered company, is still only a private party. The Committee further noted that the building alongwith land is also on lease. The Ahmedabad Municipal Corporation's property tax receipt, a copy of which has been enclosed to the appellant's letter dt. 31.01.2018, describes Dharma

Enterprises as owner and the institution as occupier. In these circumstances, the Committee concluded that the W.R.C. was justified in refusing permission for shifting of premises and withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the W.R.C. confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, R.B. Sagar College of Education, Devbhoominagar, D-Cabin, Sabarmati, D-Cabin, Sabarmati, Ahmedabad – 380019, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-730/E-48126/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Matrushree Santokba Shankarbhai Govinda B.Ed. College, Karnavat School Campus, Palanpur, Gujarat dated 15/11/2017 is against the Order No. WRC/APW00536/323152/Guj./282nd/2017/192437-45 dated 02/11/2017 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "a Show Cause Notice was issued on 01.08.2017 pointing out that the institute should submit a list of one principal and 15 qualified faculty members approved by the Competent Authority and B.C.C. from a Government Engineer. The institution replied on 22.08.2017 and the Committee concluded that the institution has not complied with the requirements till date".


AND WHEREAS Sh. M. Ishverbhai A. Karanavt, President and Sh. Patel Ramesh Kumara, Clerk, Matrushree Santokba Shankarbhai Govinda B.Ed. College, Karnavat School Campus, Palanpur, Gujarat presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation and in a letter dt. 01.02.2018, it is submitted that for selecting qualified faculty members, the H.N.G. University, Patan, on behalf of the institution, conducted interview on 22.07.2017 but failed to get qualified faculty. However, considering the on going studies of the students, university appointed poor qualified faculty on conditional basis and the list of appointed faculty members was submitted to NCTE duly approved by the Registrar of the university. After receiving the withdrawal order, the Trust again conducted an open interview on 17.12.2017 to appoint qualified faculty members as per norms of the university. A fresh staff profile prepared and duly signed by the Registrar of the affiliating body, namely, Hemchandracharya North Gujarat University, Patan is enclosed. The appellant submitted that the faculty member at S.No. 16 in the list shown as not approved by the university has been appointed on-ad-hoc basis who will be replaced

immediately after new appointment. The appellant enclosed the original building completion certificate issued by Chief Officer, Palanpur Municipality.

AND WHEREAS the Committee, noting the submissions made and the documents furnished vis a vis the grounds mentioned in the show cause notice, concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider the documents submitted in appeal, to be forwarded to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the W.R.C. all the documents submitted in appeal, within 15 days of receipt of the orders on the appeal. 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 matter deserves to be remanded to the W.R.C. with a direction to consider the documents submitted in appeal, to be forwarded to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the W.R.C. all the documents submitted in appeal, within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of **Matrushree Santokba Shankarbhai Govinda B.Ed. College, Karnavat School Campus, Palanpur, Gujarat** to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The President, **Matrushree Santokba Shankarbhai Govinda B.Ed. College, Gobri Road, Karnavat School Campus, Palanpur – 385001, Gujarat.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-731/E-48129/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/2/18

ORDER

WHEREAS the appeal of Vivekananda College of Education, Mavala Duraganaga, Adilabad, Telangana dated 20/11/2017 is against the Order No. SRO/NCTE/SRCAPP2702/B.Ed-AI/AP/2016-17/95308 dated 12/10/2017 of the Southern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "1. According to the Supreme Court order, no case (pending or new) can be considered / processed decided under any Regulation other than the 2014 Regulations. 2. When even Regulations will have such retrospective, clarifications cannot be dealt with differently. 3. Under the new Regulations no institution can be given more than 2 units of B.Ed. 4. Reject their application. 5. Return FDRs if any. 6. Close the file."

AND WHEREAS Sh. D. Kishtu, Member and Dr. T. Lingaiah, Adm. Incharge, Vivekananda College of Education, Mavala Duraganaga, Adilabad, Telangana presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation and in a letter dt. 20/11/2017 enclosed to the appeal, the appellant submitted that the SRC earlier refused recognition for the additional unit of B.Ed. on the ground of not having sufficient lecturers in perspectives of education and on appeal, the Council set aside the refusal order with instructions to process the matter further. The S.R.C. has now rejected their applicant on other than the grounds of previous rejection i.e. as per entry 3 (3.1) under NCTE new Regulations, the request for additional unit of B.Ed. cannot be considered. The appellant submitted that they appeal for additional section, in May, 2015, when the new Regulations were already in force. They have appointed lecturers for additional section as per the instructions of the S.R.C. and invested a lot of money and time to fulfil the requirements of the third section. The appellant further submitted that the following colleges have been given more than two units by the S.R.C.:-

- (i) Andhra Luthern College Boadipet Guntur No. AOS0005.

- (ii) JVRRM College of Education NANDYAL 518502 No. AOS00282.
- (iii) Osmania College of Education Kurnul 518001 No. AOS00383.
- (iv) Rayapati Venkata Rangarao College of Education Guntur No. AOS00402.
- (v) SBVR C.O.E. Cuddapha 516227 No. AOS00418.

Moreover the following have been given sanction of additional section i.e. two units (100 seats) in the 283rd Meeting of the S.R.C. held on 02.03.2015:-

- (i) Mass College of Education Thanjavuru, Tamilnadu No. SRCAPP1901.
- (ii) PSNL College of Education Virudnagar District, Tamilnadu No. SRCAPP2063.
- (iii) As College of Education Kannamu Village, Madhurai, Tamilnadu No. SRCAPP19.
- (iv) Balaji College of Education, No. SRCAPP1844.

The appellant also submitted that their application was subjected to many hurdles such as missing of original application alongwith original DDs/FDRs and original staff lists even after submitting many a time. Even in rejection order, it is mentioned that their reply was sent by E-mail, though they sent it by speed post. The appellant requested that the rejection order be set aside and further necessary action taken.

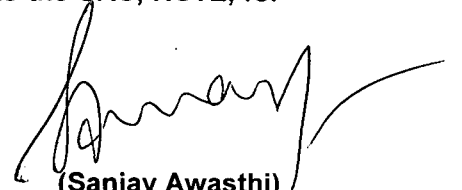
AND WHEREAS the Committee noted that according to Clause 3.1 of the Norms and Standards for B.Ed. course as contained in Appendix -4 to the NCTE Regulations, 2014, there shall be a basic unit of 50 students, with a maximum of two units. The Committee noted that the Council issued a clarificatory letter to the Regional Committees on 08.12.2016 regarding vertical expansion of teacher education institutions. This clarification was issued in the context of the provisions of Clause (8) of the Regulations according to which new teacher education institutions shall be located in composite institutions and existing teacher education institutions shall continue to function as standalone institutions and gradually move towards becoming composite institutions. According to this clarificatory letter any attempt of teacher education institutions to expand vertically cannot be accepted unless it offers two or more than two courses and become a composite institution.

AND WHEREAS the Committee noted that the appellant, when they applied for an additional unit in B.Ed. course on 29.05.2015, was already running B.Ed. course of two units and D.El.Ed. course of two units (100 seats). Therefore, the appellant, even at that time qualified as a composite institution by virtue of offering multiple teacher educations programmes, as required in Clause 2 (b) of the NCTE Regulations, 2014. While Clause 3.1 of the Norms and Standards permit a maximum of two units, the clarification furnished by the Council in their letter dt. 08.12.2016 exempts the composite institution from the prohibition of vertical expansion in B.Ed. course. Further the appellant has submitted that a number of institutions have been granted recognition by the S.R.C. for more than two units /additional units.

AND WHEREAS in view of the position stated above, namely interpretation of the provision relating to vertical expansion and the precedents cited by the appellant, the Committee concluded that the matter deserved to be remanded to the S.R.C. with a direction to 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 S.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Vivekananda College of Education, Mavala Duraganaga, Adilabad, Telangana to the SRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vivekananda College of Education, Mavala Duraganaga, Adilabad – 504001, Telangana.
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 Telangana, Hyderabad.



F.No.89-732/E-48544/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Murti Devi Memorial College, Village – Pilana, Baghpat – Meerut Road, Baghpat, Uttar Pradesh dated 18/11/2017 is against the Order No. NRC/NCTE/NRCAPP-201616339/Recognition/269th Meeting (Part-9)/2017 dated 02/05/2017 of the Northern Regional Committee, granting recognition for conducting D.El.Ed. course of one unit (50 intake). The appellant wants recognition for two units (100 intake).

AND WHEREAS Sh. Sushil Kumar, Secretary, Murti Devi Memorial College, Village – Pilana, Baghpat – Meerut Road, Baghpat, Uttar Pradesh presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation it was submitted that “after obtaining recognition letter, Institution had appointed additional faculty required for additional intake of Two Units i.e. 100 seats and the same had been approved by SCERT Lucknow on 9th September, 2017 and NCTE was requested through a letter on 18/09/2017 alongwith all requisite documents. But no reply is received from NCTE till date. It is therefore most humbly requested kindly to consider their appeal and grant recognition of additional Intake of 2 units instead of one unit in existing D.El.Ed. Course from forthcoming session.”

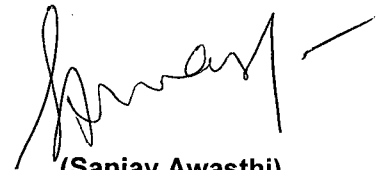
AND WHEREAS the Committee noted that the appellant, in the affidavit enclosed to their online application dt. 13.06.2016, for additional intake in D.El.Ed. course, mentioned that they are seeking recognition for an additional intake of 100. The Visiting Team in their report, noting that the additional intake proposed is two units, recorded that the institute fulfils the conditions for increase. The N.R.C. thereafter issued a Letter of Intent on 27.04.2017 stating that the appellant applied for an intake of 50. In reply to the Letter of Intent, the appellant with their letter dt. 01.05.2017 forwarded various documents, which included a copy of the letter dt. 02.05.2017 from the Examination Regulatory Authority, U.P., Allahabad approving nine faculty members for one unit of D.El.Ed. course in the appellant institution. N.R.C. considered the matter and issued recognition order for one unit (50 intake)

on 02.05.2017. The appellant, thereafter sent a letter dt. 18/09/2017 to the N.R.C. stating therein that (i) they applied for additional intake of 100 and the Visiting Team inspected their institution for two units; (ii) due to shortage of time the college appointed faculty for one unit only at that time, and (iii) now the college has appointed additional faculty required for additional 100 seats, which has been approved by SCERT, Lucknow. The appellant enclosed to their letter a copy of the letter dt. 09.09.2017 from the Examination Regulatory Authority, Uttar Pradesh, Allahabad approving eight faculty members for two units of D.El.Ed. course in place of those who have resigned. The appellant in that letter requested for grant of recognition for additional intake of two units.

AND WHEREAS the Committee noted that the N.R.C. rightly granted recognition for one unit (50 intake) on the basis of the teaching faculty approved for one unit. Recognition orders have to be issued only within the time limit set by the Hon'ble Supreme Court of India. There is no provision for issue of recognition orders piece-meal as and when the additional faculty is appointed. In these circumstances, the Committee concluded that the appeal deserved to be rejected.

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, Murti Devi Memorial College, Khasra No. 248, Village – Pilana, Baghpat – Meerut Road, Baghpat – 250615, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-494/E-10138/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Lakshmibai National College of Physical Education, Kazhakuttom, Kurishadi Kariavattom, Thiruvananthapuram, Kerala dated 28/06/2017 is against the Order No. SRO/NCTE/SRCAPP2241/B.P.Ed/KL/2017-18/93101 dated 01/05/2017 of the Southern Regional Committee, refusing recognition for conducting B.P.Ed. Course on the grounds that "1. The decision to issue FR for B.P.Ed. (1 unit) w.e.f. 2017-18, declared on 24.03.2017, was patently wrong. 2. Recognising an NOC, issued by the affiliating University of Kerala on 28.12.2016 i.e., long after the last date for submission of NOCs, was an error apparent on the face of the record. 3. We acknowledge this error. Review the case for correction of the error. We cancel the said decision to issue FR for B.P.Ed. (1 unit). 4. The application is rejected for non-submission of NOC (of the affiliating body) in time. 5. Inform accordingly, with our regrets for the inconvenience caused by this change. 6. Close the file."

AND WHEREAS Lakshmibai National College of Physical Education, Kazhakuttom, Kurishadi Kariavattom, Thiruvananthapuram, Kerala was asked to present the case of the appellant institution on 28/09/2017 but nobody appeared. In the appeal Memoranda it is submitted that the objection raised by SRC for rejecting LNCPIE application dated 28.04.2015 is non-submission of NOC from affiliating body in time. Here the NOC from University of Kerala for starting 2 year BPIEd Course was not submitted with the application dated 28.04.2015 because LNCPE had submitted that application for NCTE approval for starting the 4 Year B.P.Ed. Integrated Course and not for the 2 Year B.P.Ed. Course. The circumstances under which this happened is explained in detail in the statement of facts. If the SRC had detected the deficiency of NOC before 03.03.2016 and rejected the application at that stage LNCPE could have successfully applied for 2 year B.P.Ed. course in 2016. SRC detected the deficiency of NOC for 2 Year

B.P.Ed. course only in its 323 meeting and called for the same from LNCPE only on 29.11.2016. LNCPE submitted the NOC dated 28.12.2016 on 29.12.2016 and SRC had accepted it and issued LOI dated 09.02.17. The 333 meeting of SRC also decided to issue the Formal Order of Recognition to LNCPE for starting one unit of 2 Year B.P.Ed. Course with effect from 2017. SRC had decided to issue FR only after being fully convinced of the admissibility of the NOC dated 28.12.2016 produced by LNCPE. NOC from affiliating body is insisted to ensure that the affiliating body has no objection in NCTE granting recognition to the applicant for starting a course. In this case SRC had considered the application of LNCPE for the academic year 2017 only and the NOC dated 28.12.2016 produced by LNCPE is well ahead of commencement of the academic year 2017. In the above circumstances, the decision of SRC to reject LNCPE application dated 28.04.2015 at this stage cancelling its previous decision to issue FR is against natural justice. Hence the appellant prays for setting aside of SRC order dated 01.05.2017."

AND WHEREAS as per extant appeal rules, three opportunities can be provided to appellant for making presentation of its case before Appeal Committee. Appeal Committee, therefore, decided to grant second opportunity to the appellant for making personal presentation of its case before Appeal Committee.

AND WHEREAS Dr. Joselet Charles, Associate Professor and Sh. B. Sreekumar, Representative, Lakshmi Bai National College of Physical Education, Kazhakuttom, Kurishadi Kariavattom, Thiruvananthapuram, Kerala presented the case of the appellant institution on 01.02.2018 i.e. the second opportunity granted to them. The appellant reiterated the submissions made in the appeal which are recorded in para 2 above.

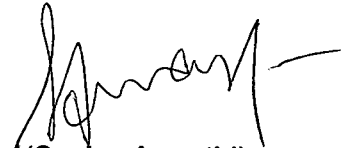
AND WHEREAS the Committee was informed that following the dismissal of the S.L.P. filed by the NCTE in the matter relating to acceptance of the belated NOC, by the Hon'ble Supreme Court of India, the NCTE is preparing certain guidelines to deal with the pending appeals against refusal of recognition on account of non-submission of NOC in time. In these circumstances, the Committee decided to keep this appeal pending receipt of the guidelines.

-3-

AND WHEREAS the Committee, in their meeting held on 12.03.2018, to finalise the minutes of the 2nd Meeting of 2018 held on 3rd & 5th Feb., 2018, on being informed by the NCTE that, with the dismissal of the S.L.P. by the Hon'ble Supreme Court of India, the order of the Hon'ble High Court of Delhi in the case of Rambha College, has become final, decided that depending on the circumstances leading to delay in submission of the N.O.C., the cases will be remanded back by condoning the delay. In the appeal under consideration, the appellant has explained in detail the reasons for the delay in the issue of the N.O.C. on 28.12.2016 for the B.P.Ed. course of two year duration by the University of Kerala. In these circumstances, the Committee conclude that the delay in submission of the N.O.C. deserved to be condoned and the matter remanded to the S.R.C. with a direction to 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 delay in submission of the N.O.C. deserved to be condoned and the matter remanded to the S.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Lakshmibai National College of Physical Education, Kazhakuttom, Kurishadi Kariavattom, Thiruvananthapuram, Kerala to the SRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Principal, Lakshmibai National College of Physical Education, Kazhakuttom, Kurishadi Kariavattom, Thiruvananthapuram – 695581, Kerala.
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 Kerala, Thiruvananthapuram.



F.No.89-733/E-48289/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date:

16/3/18

ORDER

WHEREAS the appeal of Simanta Manbhum Teachers Training College, Chelyama, Raghunathpur-2, Chelyama, West Bengal dated 16/11/2017 is against the Order No. ERC/7-215.8.25/D.El.Ed./ERCAPP2767/2016/48377 dated 22/07/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "1) Show cause notice was decided in 31/10/2015 on the following grounds. a) NOC from the affiliating body/examining body issued on or before 15th July 2015 not submitted. b) The land document is submitted in Bengali. The institution be asked to submit the land document in Hindi or English version. 2) In response to show cause notice, the institution submitted its reply dated 01/04/2016, which is not satisfactory. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP2767 of the institution regarding permission for D.El.Ed. programme is refused 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Samir Mukherjee, Vice President and Sh. Subimal Chattaraj, Treasurer, Simanta Manbhum Teachers Training College, Chelyama, Raghunathpur-2, Chelyama, West Bengal presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "The Applicant Society Manbhum Nritattwik Gobesana Kendra submitted its online applications in the name of Simanta Manbhum Teachers Training College for grant of recognition for B.Ed Programme ERCAPP2673 on 28/05/2015 with an annual intake of 100 students and D.El.Ed Programme ERCAPP2767 on 29/05/2015 with an annual intake of 50 students for the academic session 2016 to 2017. The Applicant Society has received its No Objection Certificates, (NOCs) from the Sidho Kanho Birsha University, Purulia, West Bengal,

Vide Letter Ref. No. R/637/NOC/Ctg.B.Ed/SKBU, dated 23/06/2015, and from the West Bengal Board of Primary Education, Vide Ref. No. 606/BPE/2015/NOC/COMP.NEW/PUR, dated 14/07/2015, which is one of the basic criteria of B.Ed. and D.El.Ed. application. The Applicant Society dispatched both the hard copy printout of the online applications for B.Ed. Programme ERCAPP2673 and D.El.Ed. Programme ERCAPP2767 along with all relevant documents and an application fee of Rs. 1, 50,000 each on 12/06/2015 via EMS Speed Post EW878116241IN and EW878116238IN, which was received by the ERC NCTE office on 15/06/2015. The Application for B.Ed. Programme ERCAPP2673 and D.El.Ed. Programme ERCAPP2767 was complete in all respect as per NCTE Regulation 2014, where as in all the affidavits/undertakings/documents it was clearly mentioned that the proposed B.Ed. application was under the Society Manbhum Nitattwik Gobesana Kendra in the name of Simanta Manbhum Teachers Training College. The Applicant Society, Vide its Letter Ref. No. 157, dated 01/04/2016 and Letter Ref. No. 07, dated 15/09/2017 submitted all the necessary documents with a prayer to consider the application for D.El.Ed. Programme ERCAPP2767 and issued composite VT Inspection of the Institution as per NCTE Regulation 2014, which was not considered by ERC NCTE. ERC NCTE without consideration of the facts and documentation has forwarded the Refusal Order for D.El.Ed. Programme ERCAPP2767 to the institution Vide F.No. ERCAPP2767/NCTE/ERC/Regulation/2017/54857, dated 03/11/2017. The Applicant Society at present has all the necessary documents related to Land and NOC from the Affiliating Body in accordance with the requirements setup by the ERC NCTE, to establish its position and may satisfy the Hon'ble Appeal Committee in favour of the institution against such refusal."

AND WHEREAS Appeal Committee noted that there is delay of more than 11 months in filing appeal. Appellant during the appeal hearing stated that institution did not receive the impugned refusal order dated 22.07.2016. The impugned order was later on obtained by filing an application under R.T.I. The date of letter forwarding the impugned refusal order is 03.11.2017. Appeal Committee, therefore, decided to condone delay and consider the appeal matter on its merits.

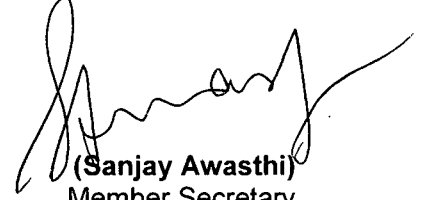
AND WHEREAS Appeal Committee further noted that a Show Cause Notice (S.C.N.) dated 31.10.2015 was issued to appellant institution pointing out following deficiencies:-

- (i) Non-submission of N.O.C. issued on or before 15.07.2015.
- (ii) Land documents submitted are in Bengali.

AND WHEREAS Committee noted that appellant institution submitted reply dated 01.04.2016 to the S.C.N. and enclosed a copy of English version of the sale deed documents. As regards N.O.C., the appellant stated that due to announcement of Assembly elections – 2016 in West Bengal, he is unable to collect the N.O.C. from West Bengal Board of Primary Education. The appellant further sought extension of time to submit N.O.C. E.R.C., Bhubaneswar finding that reply of appellant was not satisfactory, decided to refuse recognition and accordingly impugned order dated 22.07.2016 was issued. As appellant did not receive the impugned order dated 22.07.2016, it forwarded copy of N.O.C. to E.R.C. by its letter dated 15.09.2017, Committee noted that said N.O.C. was issued by West Bengal Board of Primary Education on 14.07.2015. Considering that the N.O.C. was issued by affiliating body well within the time limit, Appeal Committee accepted the plea of appellant that had it received the impugned order, it was possible for him to furnish the N.O.C. Appeal Committee, therefore, decided to remand back the case to E.R.C. for further processing of the application as English translation of sale deed and N.O.C. dated 14.07.2015 are already available on regulatory file.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for further processing of the application as English translation of sale deed and N.O.C. dated 14.07.2015 are already available on regulatory file.

NOW THEREFORE, the Council hereby remands back the case of Simanta Manbhum Teachers Training College, Chelyama, Raghunathpur-2, Chelyama, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Simanta Manbhum Teachers Training College, Chelyama, Plot No. 4031, Raghunathpur-2, Chelyama – 723146, W.B. .**
- 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.89-734/E-48827/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of Veerayatan B.Ed. College, Pawapuri Ghosrawan Road, Giriyak, Bihar dated 18/11/2017 is against the Order No. ERCAPPOLD201846401 dated 20/10/2017 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "The ERC in its 165th meeting held on 5th - 6th December, 2013 considered the matter and as decided, a Notice dated 17.12.2013 was issued to the institution on the following grounds 1. The NCTE has no objection to allow the change of affiliating body subject to the condition that both the Universities i.e. Magadh University and Aryabhatta Knowledge University issue NOC or Acceptance. 2. The institution has not submitted the faculty list duly countersigned by the Registrar of the concerned university on each page. Reply in response to ERC Notice dated 17.12.2013 has not been received till date and the institution is still deficient on the above ground. In view of the above, the Committee decided as under: The Committee is of the opinion that recognition granted to B.Ed. course of the application bearing Code No. APE00798 is withdrawn under section 17 of NCTE Act, 1993 from the next academic session."

AND WHEREAS Sh. Anjani Kumar, Secretary and Dr. Annat Jha, Advisor, Veerayatan B.Ed. College, Pawapuri Ghosrawan Road, Giriyak, Bihar presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "We have already submitted the NOC issued by the previous affiliating university i.e, Magadh University, Bodh Gaya and the acceptance letter from the present affiliating university i.e. Aryabhatta Knowledge University as well as fresh faculty list countersigned by the Registrar, Aryabhatta Knowledge University to ERC NCTE vide letter no. 460/16 dated 24.02.2016 and speed post no EF063805999IN dated 24/02/2016. This too has been acknowledged on their official website wherein they have noted the change in

the column affiliating body in their portal of list of colleges recognized by them. However, we are once again prepared to submit all these documents to ERC NCTE. Due to the resignation of some teachers, fresh appointments were made on the basis of interview conducted on 04/04/2017. The fresh faculty list has been uploaded in mandatory affidavit report whose hardcopy was sent to ERC NCTE vide letter no 489/17 dated 25/04/2017 and speed post no EF270636267IN dated 29/04/2017. The fresh faculty list was submitted to the Registrar, Aryabhata Knowledge University for countersigning vide letter no 485/17 dated 19/04/2017, which was done on 16/08/2017. It was also uploaded in Mandatory Affidavit System, QCI."

AND WHEREAS Appeal Committee noted that a Letter dated 17/12/2013 was issued by E.R.C. addressed to the appellant institution seeking clarification on the points:-


- (i) Change in affiliating body from Magadha University to Aryabhata knowledge university.
- (ii) Non-submission of faculty list duly countersigned by Registrar of concerned university.

AND WHEREAS Appeal Committee finds it very strange and astonishing that impugned order of withdrawal dated 20.10.2017 was issued to appellant institution after almost 4 years after the letter dated 17.12.2013 seeking clarifications was issued. Moreover, the above letter seeking clarifications cannot be termed as a Show Cause Notice (SCN) giving appellant institution to make written representation against proposed order of withdrawal. Appellant during the course of appeal presentation on 05.02.2018 submitted evidence of having submitted by speed post a list of faculty countersigned by Registrar, Aryabhata Knowledge University, Patna to E.R.C. on 24.02.2016. Subsequently, the appellant had also submitted mandatory affidavit to E.R.C. by speed post on 29.04.2017. A list containing the names of 15 faculty members countersigned by the Registrar of affiliating university was uploaded on the Website and sent to E.R.C. on 06.11.2017 by Speed Post. Appeal Committee finds that in between 2013 to 2017, on the basis of appellant's willingness to adhere to the NCTE Regulations, 2014 it was decided by E.R.C. to issue revised recognition

although for the shabby maintenance of regulatory files in E.R.C., Committee could not trace copy of revised recognition order.

AND WHEREAS considering the facts that appellant institution was able to submit evidence of having sent to E.R.C. list of faculty approved by affiliating body much before the issue of impugned order of withdrawal, Appeal Committee decided to set aside the withdrawal order. Appellant Institution is required to again submit to E.R.C. copy of faculty lists approved by affiliating body within 15 days of the issue of Appeal orders.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the withdrawal order. Appellant Institution is required to submit to E.R.C. copy of faculty lists approved by affiliating body within 15 days of the issue of Appeal orders.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Veerayatan B.Ed. College, Pawapuri Ghosrawan Road, Giriyak - 803115, Bihar.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-735/E-49072/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Al Momin College of Education, Bishunpura, Via Chirki Bazar, Bihar Sarkar Anchal Sherghati, Bihar dated 17/11/2017 is against the Order No. ER-244.17.12/APE00395/B.Ed./2017/54740 dated 18/10/2017 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "A complaint dated 28.05.2013 received against the institution making serious allegations that a CBSE school is also running in the same building of the institution. The matter was considered by ERC in its 159th meeting held on 6th August, 2013 and accordingly, letter dated 12.09.2013 was issued to the Secretary, Deptt. of Higher Education, Govt. of Bihar for conduct of inspection and initiating inquiry on the complaint, endorsing a copy to the institution for comments. Reply dated 01.10.2013 submitted by the institution in the matter of complaint is not satisfactory. In view of the above, the Committee decided as under: The Committee is of the opinion that recognition granted to B.Ed. course of the application bearing Code No. APE00395 is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session."

AND WHEREAS Sh. Syed Hunawwer Nezami, Assistant Professor and Prof. Ashutosh Kumar, Trustee, Al Momin College of Education, Bishunpura, Via Chirki Bazar, Bihar Sarkar Anchal Sherghati, Bihar presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "Al Momin College of Education, Gaya was granted recognition by ERC, NCTE vide letter No ERC/7 67.5.2 /2006/2303 dated August 02, 2006 having code No. APE00395 for running B.Ed. programme. Accordingly, it is affiliated to Magadh University. Since then, the college has been running as per the norms and Standards prescribed by NCTE/ University/State Govt. The complaint dated 28/05/2013 that CBSE School is running in the College Building is false and baseless. District Education Officer, Gaya vide letter No 883 dated 08/05/2013 has

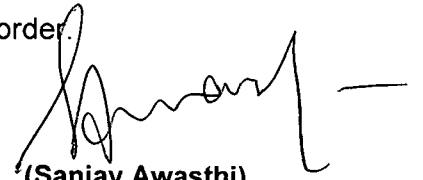
already clarified that apart from B.Ed., no other educational programme is running in the College Building. The same has been again stated recently by District Education Officer, Gaya vide letter No 1089 dated 28/10/2017. Hence the Complaint is false and baseless. I pray that it is a fit case for acceptance of my appeal and restoration of my recognition by ERC, NCTE.”

AND WHEREAS Appeal Committee noted that impugned order dated 18.10.2017 withdrawing recognition for conducting B.Ed. programme is on the basis of an allegation that a C.B.S.C. affiliated school is running in the same building of the institution. The appellant on being asked by E.R.C. has denied the allegation and in support has also submitted two copies of Letters dated 18.05.2013 and 28.10.2017 issued by District Education Officer (D.E.O.). The letters of the DEO are observed to be carefully worded and say that except B.Ed. no other educational course is conducted by the college. The allegations regarding existence of a C.B.S.E. affiliated school emerged from a complaint dated 28.05.2013 against the appellant institution. Appeal Committee on going through the records available on the regulatory file observed that an inspection of the appellant institution was conducted on 05.04.2013 and the V.T. remarks on the website page of the institution are indicative that though it could not prove yet existence of Al Momin International school may be checked with C.B.S.E. Appeal Committee further noted that the V.T. in its report dated 06.04.2013 had made several other adverse remarks against the appellant institution which were not communicated to the appellant institution when a notice dated 15.05.2013 was issued to appellant institution by the E.R.C. The appellant vide its letter dated 17/05/2013 denied running of Al Momin Intermediate School in the same building.

AND WHEREAS Appeal Committee further noted that E.R.C. without settling the pending issue of existence of a school in the institution's building issued revised recognition order dated 31.05.2015 under the NCTE Regulations, 2014. It is surprising to note that E.R.C., after a lapse of 4 years suddenly in its 244th Meeting held on 8-9 August, 2017 decided to withdraw recognition without issuing a Show Cause Notice or independently verifying the existing of C.B.S.E. affiliated school in the building of institution where B.Ed. is being conducted.

AND WHEREAS Appeal Committee thus observed that the office of E.R.C. is first responsible for the negligence in ignoring the process arising out of observation made in V.T. report and then issuing impugned order of withdrawal in a haste without issuing a proper Show Cause Notice (S.C.N). Appeal Committee, therefore, decided to set aside the impugned order of withdrawal dated 18.10.2017 with directions to E.R.C. to examine all the adverse points mentioned in the V.T. report dated 05.04.2013, seek clarifications from the appellant institution by issuing a formal S.C.N. and then issue appropriate reasoned order.

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 order of withdrawal dated 18.10.2017 with directions to E.R.C. to examine all the adverse points mentioned in the V.T. report dated 05.04.2013, seek clarifications from the appellant institution by issuing a formal S.C.N. and then issue appropriate reasoned order.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Al Momin College of Education, Bishunpura, Via Chirki Bazar, Bihar Sarkar Anchal Sherghati – 824237, Bihar.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-743/E-34136/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS Appeal Committee noted that the appellant institution had preferred an appeal against the impugned order dt. 09/07/2016 for D.El.Ed. course which was decided in 16th Meeting of the Appeal Committee held on 02/12/2016. The Impugned order was decided to be confirmed vide appellate order dt. 18/01/2017. Appellant has now again made a 2nd Appeal for which there is no provision in the NCTE Act. Appeal is not admitted.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Raja Rammohan Roy Teacher Training Institute, Krishnanagar, Natunpara, Krishnanagar, Sadar – 741101, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-744/E-34141/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

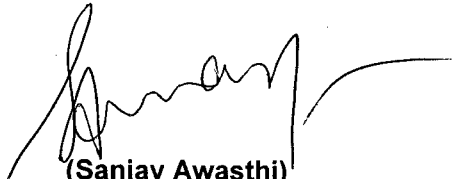
WHEREAS the appeal of Raja Rammohan Roy Teacher Training Institute, Natunpara, Krishnanagar, Sadar, West Bengal dated 11/09/2017 is against the Order No. ERC/214.9.14/ERCAPP3777/B.Ed./2016/48172 dated 18/07/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a. Show cause notice was issued on 21.10.2015 for non-submission of NOC. b. No reply received from the institution till date and time limit is over. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3777 of the institution regarding recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Anirudhya Mazumdar, Member, Raja Rammohan Roy Teacher Training Institute, Natunpara, Krishnanagar, Sadar, West Bengal presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "We would like to bring to you kind notice that when ERC, NCTE sent the show cause notice, I was seriously ill. After got fit and then I replied the show cause notice answer and when I submit necessary document than the date is over. For all these we would like to express our heartfelt sorry. So we plead and appeal you good self to kindly grant us an opportunity against the order issued by the ERC, NCTE."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 21/10/2015 was issued to appellant institution seeking written representation for not submitting N.O.C. issued by affiliating body. The appellant did not submit any reply to the S.C.N. The Regional Committee after waiting for the reply of institution for about 9 months issued impugned refusal order dated 18/07/2016. In para 5 of

the impugned refusal order it is clearly stated that the institution can prefer an appeal within 60 days of the issue of refusal order.

AND WHEREAS appellant has preferred an appeal dated 11/09/2017 against the impugned order dated 18/07/2016. The appeal is delayed by about one year after deducting the 60 day's time given to appellant for preferring an appeal. Appellant has submitted a medical certificate dated 30.11.2015 which shows confinement to bed on medical grounds for a period from 15/10/2015 to 30/11/2015. The illness of appellant may be a reason for not submitting timely reply to S.C.N. but cannot be a reason for not submitting a reply at all and not preferring appeal within 60 days. The delay of one year in preferring appeal is inordinate and without any valid reason. **Appeal Committee, therefore, decided not to condone the delay. Appeal is therefore, not admitted on delay grounds.**



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Raja Rammohan Roy Teacher Training Institute, Krishnanagar, Natunpara, Krishnanagar, Sadar – 741101, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-745/E-49983/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Directorate of Distance Education, L.N. Mithila University, Kameshwaranagar, University Campus, Darbhanga, Bihar dated 20/11/2017 is against the Order No. ER-244.17.9/APE00389/(B.Ed.-ODL Mode)/2017/54774 dated 23/10/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. (ODL) course on the grounds that "(i) The institution has not appointed the lecturers in English, Mathematics and Foundation course. (ii) The institution has not submitted the fresh faculty list duly approved by the Registrar of the concerned University. (iii) The institution vide its representation dated 24.08.2014 has sought 03 months' time for appointment of the above faculty members. (iv) The Committee accepted the request of the institution. Reply in response to ERC's Notice dated 19.09.2014 has not been received till date and the institution is still deficient on the above grounds. In view of the above, the Committee decided as under: The Committee is of the opinion that recognition granted to B.Ed. (ODL Mode) course of the application bearing Code No. APE00389 is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session."

AND WHEREAS Dr. S.A. Singh, Director and Dr. Shambhu Prasad, Asst. Professor, Directorate of Distance Education, L.N. Mithila University, Kameshwaranagar, University Campus, Darbhanga, Bihar presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "The Institution has appointed the lectures in English, Mathematics and Foundation Course and complied to the ERC NCTE, Bhubneshwar, vide letter no. DDE/2391/15 dated 05.01.2015 and submitted all the relevant documents showing compliance of indicated deficiencies raised in the ERC NCTE notice dated 19.09.2014 in form of enclosures to the University through post. The Institution has submitted the fresh faculty list duly approved by the Registrar,

Lalit Narayan Mithila University, Darbhanga vide its letter no. DDE/2391/15 dated 05.01.2015., letter no. 2148/15 dated 31.10.2015, letter no. LNMU/DDE/111/16 dated 26.04.2016 and letter no. LNMU/DDE/714/17 dated 06.06.17. The Institution did the compliance of its representation dated 24.08.2014 within stipulated period of three months."

AND WHEREAS Appeal Committee noted that impugned order dated 23.10.2017 withdrawing recognition for conducting B.Ed. (ODL) programme is on the ground that deficiency on account of not having faculty in English, Mathematics and Foundation was intimated to appellant institution by a letter dated 19.09.2014 and the appellant institution did not give any reply. Appellant during the course of appeal hearing on 05.02.2018 submitted before Appeal Committee evidence of having submitted a letter dated 26.12.2014 which was sent by speed post on 05.01.2015. The appellant institution submitted recommendations of Lalit Narayan Mithila University for appointment of 3 lecturers in English, Mathematics and Psychology (foundation) course. The appellant had further addressed a letter dated 31.10.2015 to E.R.C. inter-alia enclosing a list of Faculty members duly selected by Selection Committee and approved by affiliating university.

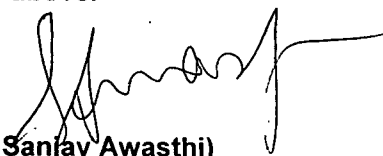
AND WHEREAS Appeal Committee observed from the copy of faculty list approved by Registrar, L.N. Mithila University on 05.01.2015 that it contains the names of (i) Sh. Mihir Kumar, faculty English, (ii) Sh. Manoj Choudhary, faculty Mathematics and (iii) Sh. Bivesh Kumar Chaturbedi, faculty Psychology.

AND WHEREAS Appeal Committee decided to remand back the case to E.R.C. to consider the letter sent by appellant to E.R.C. on 05.01.2015 and take a decision accordingly. Appellant is required to send a copy of its earlier communications (with enclosures) sent by speed post to E.R.C. on 05.01.2015.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. to consider the letter sent by appellant to E.R.C. on 05.01.2015 and take a decision accordingly. Appellant

is required to send a copy of its earlier communication (with enclosures) sent by speed post to E.R.C. on 05.01.2015.

NOW THEREFORE, the Council hereby remands back the case of Directorate of Distance Education, L.N. Mithila University, Kameshwaranagar, University Campus, Darbhanga, Bihar to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Director, Directorate of Distance Education, L.N. Mithila University, Kameshwaranagar, University Campus, Darbhanga – 846008, Bihar.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.



F.No.89-748/E-49996/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 16/3/18

ORDER

WHEREAS the appeal of Swami Ram Krishan Paramhansh Teacher Training College, Village / PO Karmatand, Distt. Bokaro, Jharkhand dated 21/11/2017 is against the Order No. ER-244.17.3/APE00819/B.Ed./2017/54743 dated 18/10/2017 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "AND WHEREAS, a Public Interest Litigation vide W.P. (PIL) No. 327 of 2011 has been filed by Shiv Shankar Munda – Vs – Chairperson NCTE & ors in the Hon'ble High Court of Jharkhand at Ranchi. As per direction of the Hon'ble High Court of Jharkhand, the said institution was inspected by the NCTE Hqrs., New Delhi under section 13 of the NCTE Act 1993 and Rule 8 of NCTE Rules. Accordingly, a Notice dated 01/05/2014 was issued to the institution by NCTE Hqrs., New Delhi on the following grounds:- In view of the dispute between two groups of the Managing Committee, it needs to be decided whether Mr. R.N. Singh has the authority to submit application for shifting of premises on behalf of the institution and its Managing Committee. The matter is sub-judice. In any case, since the College has not been functioning since the session 2011-12 and Shri R.N. Singh applied for shifting of premises only on 13.06.2012, the request need not be considered. The institution located at Karmatand, where recognition was granted, is neither entitled nor equipped to run the B.Ed. programme. Reply dated 28.05.2014 received from the institution in response to Notice dated 01.05.2014 is not satisfactory and the institution is still deficient on the above grounds. In view of the above, the Committee decided as under: The Committee is of the opinion that recognition granted to B.Ed. course of the application bearing Code No. APE00819 is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session."

AND WHEREAS Sh. Shankar Prasad, Secretary and Sh. Sameer Saurabh, Member, Swami Ram Krishan Paramhansh Teacher Training College, Village / PO

Karmatand, Distt. Bokaro, Jharkhand presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "Society submitted the application for conducting B.Ed. course in Swami Ram Krishan Paramhansh Teacher Training College to ERC on 16.05.2007. On completion of all the conditions and after verification of all the infrastructural and instructional facilities the recognition was granted by ERC vide its Order dated 28th February 2008. The institution was enjoying the recognition peacefully while adhering to the NCTE Regulations. Thereafter, an inspection under section 13 NCTE Act 1993 of the institution was caused by the NCTE Hqrs. on 25.09.2013. The outcome of the inspection was communicated to our institution vide Hqrs. letter dated 01.05.2014. The point wise reply was submitted by institution to the ERC, NCTE vide letter dated 28.05.2014 as per the instruction of NCTE Hqrs. However, instead of adhering the prescribed procedure of issuing a Show Cause Notice to the institution the ERC has directly withdrawn the recognition under section 17 of the NCTE Act 1993 vide its order dated 18.10.2017. A major error has also been committed by the ERC that it treated the Hqrs. letter dated 28.05.2014 as Show Cause Notice issued under Section 17 of NCTE Act, 1993. In this manner the ERC not only deprived the appellant from giving an opportunity under section 17 of the NCTE Act but also violated the laid down procedure. It is evident that the ERC had taken the decision without adhering to the provisions of NCTE Act, Rules and Regulations. The sole intent and motive of ERC appears was to withdraw the recognition of appellant institution. The Appeal Committee shall appreciate the fact that on the one hand ERC was processing the matter of withdrawal of recognition of appellant institution on the other the same ERC simultaneously issued the revised recognition order on 31.05.2015 after promulgation of the NCTE Regulations 2014. The ERC has ascertained that the institution is in adherence of all the requisite conditions stipulated therein. It has been communicated to ERC time and again and now resubmitted that the dispute has been resolved as per the directions of Honble High Court of Jharkhand in W.P. C No. 5504 of 2010. The list of members of samiti were declared by the Office of Registrar, Jharkhand, Ranchi vide dated 01.12.2011. This development was informed to ERC, NCTE alongwith all the supporting evidence vide letter dated 21.03.2013. In reply to letter from NCTE Hqrs, the above facts were intimated to ERC and the fact was also informed that the Inspection Team has not visited the college and the college still exists at

the same place. The Inspection Team has not visited the Institution and it has not ascertained that the institution still exists. It is submitted that the Inspection of our institution was not conducted at the address where the recognition was granted and the inspection team visited the land at Ratari Village, which has no linkages with the college. Appellant institution has been granted affiliation by the Vinobha Bhave University, Jharkhand for the academic session 2016 to 18 to 2019 to 2021. The Inspection Team never visited our institution at Karmatand. Our institution at Karmatand is equipped with all the infrastructural and instructional facilities as per NCTE norms. We had submitted an application for shifting of premises to the ERC. But it did not take note of the fact that our institution had submitted an application to ERC on 26.06.2014 for shifting of premises followed by reminders dated 15.02.2016 and 20.02.2017, which is still pending at ERC. Taking cognizance of the resignation tendered by Kumari Puspallata, Asst. Professor, Sanskrit, a Show Cause Notice was issued by ERC vide dated 22.0.2017 giving 21 days time, which was immediately replied to vide letter dated 05.10.2017. Without considering the reply submitted by our institution on the SCN dated 22.09.2017, the ERC withdrew recognition granted to our institution in its meeting held on 09.10.2017 on the ground of reply to SCN not satisfactory, which was never issued. The NCTE issued a Public Notice for GIS and Mandatory Affidavit System, our institution submitted the GIS vide reference No. 3037683 and also the Mandatory Affidavit. In nutshell it is evident that the ERC Office has committed gross errors deliberately in this matter. After awakening from its slumber the ERC office decided to take cognizance of the letter issued by NCTE Hqrs in 2014 after elapse of three years. The ERC did not bother to consider the facts submitted in the reply to ERC and moreover the ERC did not even bother to take cognizance of the reply submitted by our institution in response to Show Cause Notice dated 22.09.2017."

AND WHEREAS Appeal Committee noted that an inspection under Section 13 of the NCTE Act was conducted on 25.09.2013. The address of the institution as mentioned in the V.T. report is "Swami Ram Krishna Paramhansh Teacher Training College, Village & P.O. Karmatand, Dist. – Bokaro, Jharkhand. The V.T. remarked that land is in the name of college and measures 80 decimals. The two classrooms were measured to be less than 400 sq. feet each and multipurpose hall was of 600 sq. feet. It was informed to the Visiting Team that since last two years, there is no

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admission, therefore no staff was found available. The assessment performa sheet attached to the Visiting Team report also indicated that college is not functioning for the last two years.

AND WHEREAS based on the findings of Visiting Team, NCTE (HQ) issued a letter dated 01.05.2014 to the appellant institution seeking written clarifications to be submitted by the appellant to Regional Director, E.R.C. Appeal Committee observed communications dated 04.04.2014 and 23.05.2014 available on regulatory file and these communication relate to proposal of shifting and then request for closure of the organisation. By another communication dated 28.05.2014 addressed to R.D. by Sh. Shankar Parsad Swarnkar, Secretary, the appellant denied to have received any V.T. at its Karmatand premises and expressed the probability of V.T. having visited the site of another similar named institution which a faction of society members were trying to start. Appellant during the course of Appeal hearing on 05.02.2018 had repeated the above facts and also stated that no Show Cause Notice (S.C.N.) required to be issued under provision 17(1) of the NCTE Act was issued.

AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 18.10.2017 states in para 4 thereof that a notice dated 01.05.2014 was issued by NCTE (HQ) and reply dated 28.05.2014 thereof was not found to be satisfactory. Appeal Committee noted that communications addressed to the executive authority of the institution by NCTE (HQ) in pursuance of Inspection conducted under Section 13 of the Act is basically recommendatory for removal of the deficiencies pointed therein. It is for the Regional Committee, whom a copy of NCTE (HQ) letter is endorsed, to ensure proper compliance of the deficiencies and in case the institution is not prepared or is able to rectify such deficiencies as may be pointed out finally by the Regional Committee, issue a proper Show Cause Notice (S.C.N) seeking written representation on the grounds on which it is proposed to withdraw the recognition.

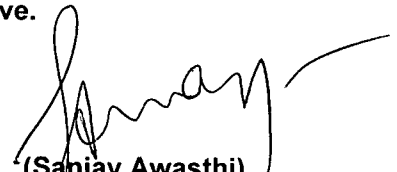
AND WHEREAS No Show Cause Notice (S.C.N) as prescribed under Clause 17(1) of the NCTE Act was issued by E.R.C. in this appeal case. Appeal Committee, therefore, decided to remand back the case to E.R.C. by revisiting the

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whole matter in light of report of enquiry conducted by affiliating university, the proposal of shifting submitted by the appellant institution and if necessary by conducting inspection to find out the preparedness of institution to smoothly conduct the programme after assessing instructional and infrastructural capability of the appellant institution as per NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. by revisiting the whole matter in light of report of enquiry conducted by affiliating university, the proposal of shifting submitted by the appellant institution and if necessary by conducting inspection to find out the preparedness of institution to smoothly conduct the programme after assessing instructional and infrastructural capability of the appellant institution as per NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Swami Ram Krishan Paramhansh Teacher Training College, Village / PO Karmatand, Distt. Bokaro, Jharkhand to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Swami Ram Krishan Paramhansh Teacher Training College, Village / PO Karmatand, Distt. Bokaro – 828307, Jharkhand.
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 Jharkhand, Ranchi.



F.No.89-750/E-51310/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Gurukula College of Education, Belagola, Metafalli, Mysore, Karnataka dated 04/12/2017 is against the Letter No. SRO/NCTE/APSO2383/B.Ed./K.A./2017-18/93850 dated 06/07/2017 of the Southern Regional Committee, confirming restoring withdrawing of recognition for conducting B.Ed. course.

AND WHEREAS Sh. C. Pankajakshi, Secretary, Gurukula College of Education, Belagola, Metafalli, Mysore, Karnataka presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that no show cause notice was issued to be appellant before issue of Letter dated 06/07/2017.

AND WHEREAS Appeal Committee noted that appellant institution was granted recognition for conducting B.Ed. programme from the academic session 2006-07 with an annual intake of 100 seats. Based on a complaint and consequent inspection of the appellant institution a withdrawal order was issued on 28.07.2010. Aggrieved by the withdrawal order, the appellant institution, without preferring appeal, filed a Writ Petition in the Hon'ble High Court of Karnataka and obtained a stay.

AND WHEREAS Appeal Committee noted that but for the non vacating of the stay, the appellant continued to operate till a time another complaint was received against the appellant institution. The S.R.C. in its 246th Meeting held on 2nd to 4th June, 2013 decided that office of S.R.C. should take necessary steps to apprise the Hon'ble High Court of Karnataka about the orders of Hon'ble Supreme Court in S.L.P. No. 17165-68/2009 filed by NCTE vs. others. The order of Hon'ble Supreme Court says that *"An institution is not entitled to recognition unless it fulfils the conditions specified in various Clauses of the Regulations."* Further in another judgement passed by

Hon'ble Supreme Court of India in S.L.P. No. 14020/2009 the Hon'ble Court said that *"In future, the High Courts shall not entertain prayer for interim relief by the unrecognised institutions and the institutions which have not been granted affiliation by the examination body."*

AND WHEREAS Appeal Committee noted legal proceedings against the appellant institution continued and in between the S.R.C. in its 305th Meeting held during 25th to 27th February, 2016 decided to cause inspection of the appellant institution to verify the infrastructural and other facilities which the appellant institution was claiming to have been updated. Inspection of the institution was conducted on 10.09.2016 and based on the findings of V.T. report, a Show Cause Notice (S.C.N) dated 16.12.2016 was issued. Thereafter it is noticed that appellant institution has been replying to the proposed S.C.Ns noting it from the minutes of S.R.C. meeting which are placed on the official website.

AND WHEREAS Appeal Committee noted that S.R.C. in its 335th Meeting held on 11-12 April, 2017 decided that:-

- (i) All requirements have been met.
- (ii) The case is ready for restoration of recognition subject to verification of faculty list.
- (iii) Request to university to approve faculty list without insisting on L.O.I. or a recognition order.
- (iv) Ask the college to submit latest faculty list.

AND WHEREAS all the points of deficiencies except submission of the latest faculty list having already been treated as settled by S.R.C., the appellant submitted a faculty list on 02/05/2017 approved by Registrar of Mysore University. Appeal Committee noted that S.R.C. in its 341st Meeting held on 15-16 June, 2017 had taken into consideration the deficiency relating to title of land not being in the name of appellant as on the date of application and issued a letter dated 06/07/2017 rejecting the application seeking restoration of recognition which was withdrawn in 2010.

AND WHEREAS Appeal Committee noted that appellant institution was granted recognition in November, 2006 for conducting B.Ed. programme at following address:-

Plot No. 1241, Sh. Ganesh Complex, Gurukulam,
2nd Stage near Trinatra Circle,
Mysore


Committee noted that S.R.C. has by its letter dated 06/07/2017 reiterated the withdrawal orders of 2010 & 2015. The letter dated 06/07/2017 is not a withdrawal order.

The procedure for issue of a Show Cause Notice seeking written representation against the proposed grounds of withdrawal and then issuing a formal withdrawal order has not been followed. It is so because appellant is believed to be conducting the course from the same address and if there is no change in the premises and the appellant has subsequently acquired possession of same land on ownership basis the land documents can not be expected to be in the name of institution as on the date of application. If there is a change in the address then also the land can be in the name of institution from the date land is acquired.

AND WHEREAS Appeal Committee decided to remand back the case to S.R.C. for revisiting the matter after assessing the infrastructural and instructional facilities available with the appellant institution as on date. Any proposed adverse decision should be taken after giving an opportunity to the appellant to make a written representation as per proviso 17 (1) and 17 (2) of the Act.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to S.R.C. for revisiting the matter after assessing the infrastructural and instructional facilities available with the appellant institution as on date. Any proposed adverse decision should be taken after giving an opportunity to the appellant to make a written representation as per proviso 17 (1) and 17 (2) of the Act.

NOW THEREFORE, the Council hereby remands back the case of Gurukula College of Education, Belagola, Metafalli, Mysore, Karnataka to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Gurukula College of Education, Plot No. 120, Belagola, Metafalli, Mysore -570018, Karnataka.
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.89-752/E-51576/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

ORDER

Date: 16/3/18

WHEREAS the appeal of Block Institute of Teacher Education (BITE), GHSS Campus, Ovelley Road, Gudalur, Tamil Nadu dated 28/11/2017 is against the Order No. SRO/NCTE/SRCAPP201630050/D.El.Ed/TN/2017-18/95167 dated 04/10/2017 of the Southern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The NCTE Regulations 2014 specifically prohibit 'stand-alone' courses. The applicant admits that this will be a case of 'stand-alone' D.El.Ed. They want special consideration. The SRC has no power to relax the Regulations. Reject their application. Close the file."

AND WHEREAS Sh. G. Sivasubramanian, Principal, Block Institute of Teacher Education (BITE), GHSS Campus, Ovelley Road, Gudalur, Tamil Nadu presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "To start D.El.Ed. course as a stand-alone course is the policy decision of Government of Tamil Nadu."


AND WHEREAS Appeal Committee noted that appellant institution is under the administrative control of SCERT, Government of Tamil Nadu. From the copy of or Government order (MS) No. 38 dated 26.02.2015 issued by School Education (ERT) Department, it is observed that MHRD has sanctioned Block Institutes of Teacher Education with the purpose of preparing S.C. candidates who wish to pursue D.El.Ed. programme. As composite DIETs were not able to provide exclusive opportunities, Block Institute of Teacher Education (BITE) were proposed to be started in certain selected districts having concentration of scheduled caste populations.

AND WHEREAS Appeal Committee noted that application submitted by appellant institution was processed by S.R.C. and a Letter of Intent (LOI) was issued on 18.04.2017. The structuring of DIETs by the Ministry of Human Resource

Development (MHRD) does not envisage other teacher education programmes to be part of DIET though there is also no bar on them to start other programmes. The Government of Tamil Nadu on the pattern of DIETs proposes to establish BITEs in certain selected districts. Asking the institute about its composite status, after issue of L.O.I. and receiving compliance, is not justified. The proposed institution being under the administrative control of State Government of Tamil Nadu, Appeal Committee do not find it justified that the application is refused on the basis of standalone status. Appeal Committee decided to remand back the case to S.R.C. Bangalore for further processing of the case.

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

NOW THEREFORE, the Council hereby remands back the case of Block Institute of Teacher Education (BITE), GHSS Campus, Ovelley Road, Gudalur, Tamil Nadu to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Block Institute of Teacher Education (BITE), Gudalur, GHSS Campus, Ovelley Road, Gudalur – 643211, Tamil Nadu.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu, Chennai.



F.No.89-755/E-53173/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/2/18

ORDER

WHEREAS the appeal of Danish Alpsankhak Shikshan Evam Prashikshan Sansthan, Ganjehri, Sohgauli, Sultanpur Sadar, Sultanpur, Uttar Pradesh dated 05/12/2017 is against the Order No. NRC/NCTE/NRCAPP-13546/276th Meeting/2017/184833 dated 15/11/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "NRC considered the reply of the institution regarding essential qualification of the approved staff as per the amended Regulations, 2017 dated 29.05.2017 notified on 09.06.2017. It was found that selected and approved faculty members are not qualified."

AND WHEREAS Sh. Ishraqbeg, Manager, Danish Alpsankhak Shikshan Evam Prashikshan Sansthan, Ganjehri, Sohgauli, Sultanpur Sadar, Sultanpur, Uttar Pradesh presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "We have given all facts and ground as a explanation against our rejection letter in our enclosed appeal and made prayer for your kind consideration."

AND WHEREAS Appeal Committee noted that Letter of Intent (L.O.I.) dated 23.12.2016 was issued to appellant institution seeking compliance within two months. A compliance letter was received in the office of N.R.C. on 24.03.2017 wherein appellant institution had requested for grant of formal recognition. Committee further observed that N.R.C. in its 268th Meeting held from 19th April to 21st April (Item No. 41) decided to grant recognition for B.Ed. course with an intake of 50 seats. Appeal Committee does not find any formal recognition order issued by N.R.C. in pursuance of the Minutes of 268th N.R.C. meeting.

AND WHEREAS Appeal Committee further noted that in Part – 10 of the 269th Meeting of N.R.C. held from 26 April to 2nd May, 2017 (Item No. 6) N.R.C. remarked that “NOC was issued by Dr. Shakuntala Mishra National Rehabilitation University, Lucknow whereas faculty is approved by Ram Manohar Lohia Avadh University, Faizabad, Uttar Pradesh.” S.C.N. dated 20.06.2017 was issued to appellant institution to explain. Committee further noted that N.O.C. dated 30.06.2015 was submitted by the appellant institution on 06.11.2015 in reply to a S.C.N. dated 17.10.2015. Appeal Committee does not endorse the action of N.R.C. to have accepted a N.O.C. issued by Dr. Shakuntala Mishra National Rehabilitation University whereas the applicant in its online application has entered the name of Dr. Ram Manohar Lohiya Avadh University as the affiliating body. Appeal Committee noted that appellant institution in its reply dated 04/07/2017 stated that as Ram Manohar Lohia Avadh University has approved the list of faculty, N.O.C. is deemed to have been given by the faculty approving authority.

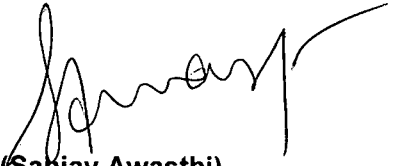
AND WHEREAS Committee noted that N.R.C. on getting the reply dated 04.07.2017 re-examined the issue and in its 272nd Meeting held on 06-07th July, 2017 decided to grant two month's time to the appellant institution for submitting faculty list as per revised norms as notified on 09/06/2017. Appeal Committee noted that based on the first compliance report received in the office of N.R.C. on 24.03.2017 N.R.C. in its 268th Meeting held between 19 to 21st April, 2017 had decided to grant recognition. The points of deficiency intimated to appellant institution by issue of S.C.N. dated 20.06.2017 related the different affiliating bodies issuing N.O.C. and faculty approval was not stressed by the Regional Committee. Appeal Committee, therefore, is of the view that requirement of qualifications of the faculty as per NCTE (Recognition Norms and Procedure) Regulations, 2017 notified on 09/06/2017 cannot be held as a valid ground of refusal in a case where the Regional Committee had already decided on 19-21th April, 2017 to grant recognition, on the basis of faculty list submitted on 24.03.2017.

AND WHEREAS Appeal Committee decided to remand back the case to N.R.C. for revisiting the matter without taking into account the Notification dated 09/06/2017 as decision of the Regional Committee to grant recognition pertained to a date much earlier than the date of Notification and issue of recognition order was delayed due

to an objection raised on N.O.C. issued by affiliating body which was different from the affiliating body approving the faculty.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for revisiting the matter without taking into account the Notification dated 09/06/2017 as decision of the Regional Committee to grant recognition pertained to a date much earlier than the date of Notification and issue of recognition order was delayed due to an objection raised on N.O.C. issued by affiliating body which was different from the affiliating body approving the faculty.

NOW THEREFORE, the Council hereby remands back the case of Danish Alpsankhak Shikshan Evam Prashikshan Sansthan, Ganjehri, Sohgauli, Sultanpur Sadar, Sultanpur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Danish Alpsankhak Shikshan Evam Prashikshan Sansthan, Ganjehri, Sohgauli, Sultanpur Sadar, Sultanpur – 228155, U.P..
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.89-756/E-53398/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of MIMT Shiksha Mahavidyalaya, Kandeli, Narsinghpur, Madhya Pradesh dated 30/10/2017 is against the Order No. WRC/APP2672/222/280th/M.P./2017/189323 dated 07/09/2017 of the Western Regional Committee, withdrawing recognition for conducting D.El.Ed. course on the grounds that "And Whereas, the matter was placed before WRC in its 280th meeting held on August 31 September 1, 2017 and the Committee decided that "...Show Cause Notice was issued regarding rectification of irregularity with regard to application for increase in intake. The society filed the writ petition in the Hon'ble High Court of M.P. Bench at Jabalpur which has directed the NCTE to take decision in respect of the Show Cause Notice. The institute vide reply dt. 02/06/2017 has refused to accept the decision of the WRC. Hence, Recognition is withdrawn from the session 2018-19. FDR, if any, be returned."

AND WHEREAS Dr. Ashok Garg, Director, MIMT Shiksha Mahavidyalaya, Kandeli, Narsinghpur, Madhya Pradesh presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "Maa Kali Shiksha Prasara Samiti Narsinghpur has total land area 14,412.081 sq. mtrs. Existing course B.Ed. course code 223282 and D.El.Ed. course code 222304 running in the name of SSNMIMT College in separate building with the required built-up area as per NCTE norms. For the new applied course D.El.Ed. course code APP2672 the land area 3,000 sq. mtrs. en marked by office of the town and country planning Jabalpur out of total land area and a separate building with the built-up area 1693.96 sq. mtrs. has been constructed for the applied D.El.Ed. course the proposal was sent to NCTE, WRC for the new D.El.Ed. College but NCTE WRC Bhopal treated as a additional intake case and inspection by VT was done for the same and recognition order issued for the additional intake in the name of existing MIMT Shiksha Mahavidyalaya Narsinghpur while it should be in the name of existing

SSNMIMT College Narsinghpur. Society applied to NCTE WRC for this correction in recognition order but NCTE WRC withdrawn the recognition from the academic session 2018/19.”

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 28.05.2015 seeking recognition for conducting D.El.Ed. programme. The name of applicant institution as per online application was mentioned as MIMT Shiksha Mahavidyalaya, Narsinghpur. The applicant in its online application had also disclosed that the applicant society i.e. Maa Kali Shiksha Prasar Samiti, Narsinghpur is already conducting D.El.Ed. (50 seats) and B.Ed. (100 seats) in the institute named SSN MIMT College, Narsinghpur. It is evident from the online application that recognition sought by the application dated 28.05.2015 was a new recognition in the name of a new institution which slightly differed from the earlier recognition orders. W.R.C. Bhopal while processing the application treated the new application dated 28.05.2015 as one for additional intake in the already existing institution which is named SSN MIMT but issued final recognition order dated 12.08.2016 in the name of MIMT Shiksha Mahavidyalaya granting recognition for increase in intake from the academic session 2017-18.

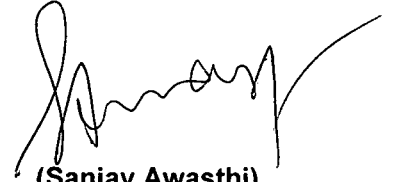
AND WHEREAS appellant during the course of appeal presentation on 05.02.2018 submitted copies of various letters written to W.R.C., Bhopal from time to time drawing attention to the difference in the name of applicant institution from the existing institution. One of such letters dated 03/05/2017 is found acknowledged in W.R.C. vide Diary No. 161614 dated 04.05.2017. The appellant in the above letter had requested that order dated 12.08.2016 granting recognition for additional intake should be in the name of SSN MIMT College where programme is already being conducted with one basic unit. Appeal Committee observed that SSN MIMT College and MMT Shiksha Mahavidyalaya are under the aegis of Maa Kali Shiksha Prasar Samiti and the existing and proposed programmes were to be conducted in different blocks located on same Khasra Number.

AND WHEREAS Appeal Committee noted that mistake was committed by the Regional Committee in processing the application by not keeping it entirely separate

from the existing institution. However, the ends of justice would now be met if recognition for additional unit of D.El.Ed. is allowed to exist in the name SSN MIMT College provided availability of instructional and infrastructural facilities are confirmed by getting a composite inspection conducted for B.Ed. (2 units) and D.El.Ed. (2 units). With the above observation the matter is remanded back to W.R.C. to conduct a composite inspection, analyse the V.T. report and take a judicious view.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remanded back to W.R.C. to conduct a composite inspection, analyse the V.T. report and take a judicious view.

NOW THEREFORE, the Council hereby remands back the case of MIMT Shiksha Mahavidyalaya, Kandeli, Narsinghpur, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, MIMT Shiksha Mahavidyalaya, Kandeli, Main Road, Narsinghpur – 487001, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-758/E-53437/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of Pt. Ashok Kumar Mishra Smark Mahavidyalaya, Khutehna, Gonda Road, Baharaich, Uttar Pradesh dated 06/12/2017 is against the decision of the N.R.C. taken in their meeting held on 30th & 31st October, 2017 to issue Letter of Intent for D.E.C.Ed. course. The appellant wants the decision should be for D.El.Ed. course.

AND WHEREAS Sh. Prakash Chandra, Lecturer, Pt. Ashok Kumar Mishra Smark Mahavidyalaya, Khutehna, Gonda Road, Baharaich, Uttar Pradesh presented the case of the appellant institution on 03/02/2018. In the appeal and during personal presentation and in an affidavit dt. 02.02.2018, the appellant submitted that they applied for B.T.C. course on 30.09.2011 and in all correspondence with N.R.C/NCTE Clarification has been given about B.T.C. course. The N.R.C inspection team in their report also mentioned D.El.Ed. instead of any other course. The Visiting Team physically verified and certified for two units of D.El.Ed. course. But the N.R.C. in their meeting held on 30th to 31st October, 2017 decided to grant D.E.C.Ed. course instead of D.El.Ed. The appellant requested grant of D.El.Ed. course.

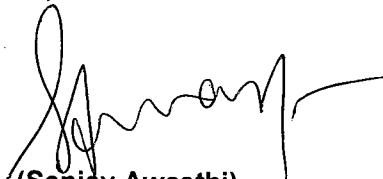
AND WHEREAS the Committee noted that the appellant, who mentioned the course applied for as D.E.C.Ed. in the application, in the affidavit enclosed to their application dt. 30.09.2011 mentioned that they are seeking recognition for a course in teacher education titled D.E.C.Ed./B.T.C. The Visiting Team that conducted an inspection on 7th & 8th October, 2017 in their report recorded that the proposal was for D.El.Ed. course with an intake of 100 and recommended grant of recognition for two units of that course. The N.R.C. noting that the course applied for was D.E.C.Ed. and in the V.T. report it is mentioned as D.El.Ed., in their 276th Meeting

held on 30th to 31st October, 2017 decided to issue Letter of Intent for D.E.C.Ed. course and issued the same on 10.11.2017.

AND WHEREAS the Committee noting the submissions of the appellant and the V.T. report which specifically conducted inspection for D.El.Ed. course concluded that the matter deserved to be remanded to the N.R.C. with a direction to accept the request of the appellant for D.El.Ed. course 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 N.R.C. with a direction to accept the request of the appellant for D.El.Ed. course and take further action as per the NCTE Regulations, 2014.

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, Pt. Ashok Kumar Mishra Smark Mahavidyalaya, Khutehna, Gonda Road, Bahraich – 271801, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-760/E-53751/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Nirmala Institute of Education and Technology, Bishundaspur, Gauriganj, Uttar Pradesh dated 01/12/2017 is against the Order No. NRC/NCTE/NRCAPP-7076/245th Meeting/2015/130513 dated 03/12/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not submitted staff list approved by the affiliating body. The institution has not submitted joint FDRs towards endowment fund and reserve fund. The institution has not submitted print of own website. The institution has not submitted the NOC from concerned affiliating body required under clause 5(3) of the NCTE Regulations, 2014."

AND WHEREAS Sh. Kamalaker Mishra, President and Sh. Nripendra Tripathi, Representative, Nirmala Institute of Education and Technology, Bishundaspur, Gauriganj, Uttar Pradesh presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that The institution received the letter of intent dated 14/07/2015. The Institution came into action after receiving the letter of faculty to the registrar Dr. Ram Manohar Lohia Avadh University, Faizabad in July 2015 itself. The University constituted panel and the names of experts were sent to the institution vide letter dated 19/10/2015 appointing 21 members in the panel and the members are residing / teaching at different distant places. The institution persistently requested the experts to fix the date for selection of Principal / HOD and faculty, but no positive answer was given by them perhaps due to lack of co-ordination amongst the members of the panel. Subsequently at later stage mostly member of panel refused to participate in the selection. The institution again wrote to the University informing the University that the above said experts declined to participate in the selection process and

requesting therein to nominate other experts in their places. The University did not form new panel and no information to the Institution was sent in due period. At that period the institution take 6 faculty selection by University Constituted panel. On the selection of 6 faculties the university provide approval on dated 28/07/2016. For the selection of Principal / HOD and lecturer physical education, fine arts and performing arts the authority of institution continuously meeting personally with the authority of University for the formation of new panel. Consequently on dated 27/04/2016 the University formed new selection committee for the selection of only Principal / HOD. On which after the selection of Principal / HOD University provide the approval on dated 27/04/2017. The Institution again try to get panel for the selection of lecturer of physical education, fine arts and performing arts. The University create new selection committee on dated 16/02/2017. At present time institution have staff list duly approved by affiliating body / University Dr. Ram Manohar Lohia Avadh University Faizabad, Uttar Pradesh. The institution had appealed in NCTE New Delhi, but lack of online process information that had not been online whose hard copy send back to the institution by NCTE on dated 05/05/2016. It is write that the FDRs are not sent along with teacher approval list and other documents relating thereto. Since the selection could not be made due to apathetic attitude of the University, therefore, the occasion to send the FDRs did not arise. At present the Institute have staff list duly approved by affiliating body so it will be sent with staff list. The website of institution has already been made and it shall be submitted along with the other document. Hence, the application moved by the Institution has been rejected by the NRC in most arbitrary and illegal manner. In the absence of stipulation of time for granting approval to the selection made by the panel constituted by the University itself. NRC cannot control the University which is autonomous body, but the NRC can extend the time to submit the information regarding the selection of faculty and its approval by the University. The enormous money has been blocked without yield and it is directly national loss because, there is no productivity after defraying such huge amount. The NRC has adopted capricious and highly technical approach instead of adopting approach of ground reality genesis of which is in the lethargic snail pace movement of the University. No time limit has been provided either in sending the panel or in granting approval. Every law has been made in conformity with other law and there is no

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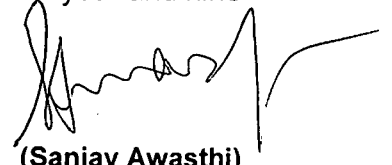
conflict between the University and the NRC, therefore, co-operation between both autonomous bodies is highly required.”

AND WHEREAS Appeal Committee noted that a Letter of Intent (L.O.I.) dated 14/07/2015 was issued to appellant institution seeking compliance within a period of 2 months. The appellant institution vide its letter dated 10.10.2015 sought extension of time by two months for reporting compliance. Appeal Committee noted that N.R.C. before receiving this letter had already issued a Show Cause Notice (S.C.N) dated 09/10/2015 seeking written representation from the appellant within 30 days. Appellant Committee noted that appellant institution submitted a reply dated 25.10.2015 to the S.C.N. which is found placed in the regulatory file diarised at Serial No. 122993 dated 19.11.2015. The appellant in its reply to S.C.N. stated that it had already requested for extension of time by two months to complete the selection process of faculty.

AND WHEREAS Appeal Committee noted that it is a fact that by the date of impugned refusal order, the appellant had not submitted compliance on any of the requirements of L.O.I. and had sought extension of only two months. The impugned refusal order dated 03.12.2015 was required to be appealed against within 2 months and the appellant again failed to prefer appeal. The first appeal preferred by appellant institution was received in NCTE on 11/03/2016 and was not accepted as it was not made online. The appellant was asked to submit online appeal by a letter of NCTE dated 10.05.2016. The present online appeal is submitted after a lapse of 1 year and 6 months. It is further observed that affiliating body had issued approval of faculty in three instalments on 28/07/2016, 16/02/2017 and 17/10/2017. This would mean that appellant institution was not in a position to submit compliance on account of faculty before 17.10.2017. If the appellant institution was experiencing any difficulty on account of time in seeking approval of university, for selecting faculty, it should have filed appeal and sought a reasonable extension of time. The delay of 1 year and 9 months in filing appeal, therefore, cannot be condoned. Appeal Committee decided not to admit appeal belatedly by condoning the delay of 1 year and nine months.

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AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded not to admit the appeal belatedly by condoning the delay of 1 year and nine months.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Nirmala Institute of Education and Technology, Bishundaspur, Gauriganj – 227409, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-765/E-55298/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of Margdarshan Sansthan Shiksha Mahavidyalaya, Shri Sarveshwari Nagar, Baikunthpur, Chhattisgarh dated 16/12/2017 is against the Order No. WRC/APW08061/723167/C.G/284th /2017/193568-576 dated 04.12.2017 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 23.10.2017 based on the letter written by the Registrar, Sarguja University, Ambikapur against Margdarshan Sansthan Shiksha Mahavidyalaya. Reply given by the institution is vague and not supported by facts. Hence, Recognition is withdrawn from the academic session 2018-19. FDRs, if any be returned."

AND WHEREAS Dr. A. Singh, Principal and Sh. N.P. Singh, Director, Margdarshan Sansthan Shiksha Mahavidyalaya, Shri Sarveshwari Nagar, Baikunthpur, Chhattisgarh presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "No inspection was conducted by the NCTE itself before passing of the impugned withdrawal of recognition of the college. NCTE ought to have verified the veracity of the allegation of the letter dated 21.09.2017, however the council has passed the order believing the version of the University as gospel truth. Because the council has also not assigned any reason for its decision of withdrawing the recognition of the college. It is vehemently submitted that the council was under obligation to assign sufficient reason and recording a categorical finding that the allegation in the letter dated 21.09.2017 has been proved. Because there is no any inquiry/ inspection report in support of the letter dated 21.09.2017. Any authority who has been conferred the power of inspection and recommendation, it is also obliged under the law to submit all the materials which are collected during the inspection and also to assign the reason for such recommendation. However, a bare perusal

of the letter dated 21.09.2017 would reveal that there is no any deliberation and recommendation of the academic / executive council of the University before writing the letter dated 21.09.2017. Because the respondent council has itself conducted inspection of the college on previous occasion, which is also been video-recorded as per the regulation. Therefore, in view of the above it is emphatically submitted that the decision of the council is not based upon proper appreciation of the facts and also without independently deliberating upon the allegations contained in the letter dated 21.09.2017. Thus the decision of the council withdrawing the recognition is bad, illegal, arbitrary and the same has been passed without assigning any reason and also without independently examining the allegations. Hence the same deserves to be set aside."

AND WHEREAS Appeal Committee noted that affiliating university of the appellant institution in its letter dated 21/09/2017 addressed to the President of Institution pointed out certain deficiencies and sought reasons as to why affiliation granted by the university should not be suspended /withdrawn. Reply to the S.C.N. dated 21.09.2017 was required to be submitted to Vice Chancellor, Sarguja University within a fortnight. Copy of this S.C.N. issued by affiliating body was endorsed to Western Regional Committee.

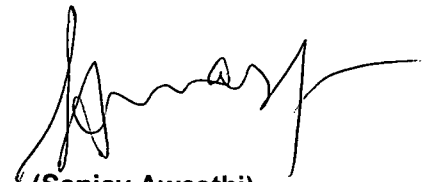
AND WHEREAS Appeal Committee noted that endorsement dated 21.09.2017 is found received and diarised in W.R.C. office on 26.09.2017 vide Diary No. 165594 dated 26.09.2017. Committee further noted that W.R.C. in its 281st Meeting held on September, 19-20,2017 taking into cognizance someother letter dated 06/09/2017 of the Registrar of Bilaspur University decided to issue S.C.N. to 17 Institutions. Neither the name of appellant institution features in this list nor Bilaspur University is the affiliating university in the case of appellant. However, a Show Cause Notice (SCN) dated 23.10.2017 was issued to appellant institution enclosing therewith a copy of Sarguja university letter dated 21/09/2017.

AND WHEREAS Appeal Committee noted that appellant institution submitted its pointwise reply dated 06/11/2017 alongwith supporting documents. This reply is found received in the office of W.R.C. on 13.11.2017 (Diary No. 166833). Appeal

Committee noted that neither the regulatory file nor the minutes of 284th Meeting of W.R.C. held on 28-29th, 2017 contain any reason as to why the submission of appellant institution was considered to be vague and which deficiency was not supported by the facts. Appeal Committee further noted from the agenda sheet of 284th Meeting that the decision of withdrawal of recognition might have emanated from the remarks of office of W.R.C. suggesting that institution has not submitted copy of staff profile approved by Sarguja University. Appeal Committee noted that appellant institution with its reply dated 06.11.2017 had inter-alia submitted copy of the list of faculty approved by Registrar, Sarguja University.

AND WHEREAS after going through the facts of case, Appeal Committee is of the opinion that impugned order dated 04.12.2017 is an act of decision taken in haste and not properly explained. The impugned order dated 04.12.2017 is set aside. The W.R.C. is required to take decision independently based on its own findings for which an inspection may be conducted, if required.

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 order dated 04.12.2017 issued by W.R.C. The W.R.C. is required to take decision independently based on its own findings for which an inspection may be conducted, if required.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Margdarshan Sansthan Shiksha Mahavidyalaya, Shri Sarveshwari Nagar, Nadi Road, Baikunthpur, Nadi Road, Baikunthpur – 497335, Chhattisgarh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.

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F.No.89-766/E-55703/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 16/2/18

ORDER

WHEREAS the appeal of Shiksha Shastra Department, K.S.D. Sanskrit University, Darbhanga, Bihar dated 20/12/2017 is against the Order No. ER-244.17.10/(APE00247)/Shiksha Shastri – B.Ed./2017/54781 dated 23/10/2017 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "(i) The institution has not appointed the Part-Time lecturer in Physical Education. (ii) The institution has not submitted the educational / professional certificate of newly appointed English lecturer Dr. Dhaiya Nath Choudhary alongwith individual affidavit in the stamp paper. (iii) The institution is required to appoint a part-time lecturer in Physical Education and submit a fresh faculty list duly approved by the Registrar of the concerned University adding the name of newly appointed part-time lecturer. Reply in response to ERC's Notice dated 01/01/2015 has not been received till date and the institution is still deficient on the above grounds: In view of the above, the Committee decided as under: The Committee is of the opinion that recognition granted to Shiksha Shastri (B.Ed.) course of the application bearing Code No. APE00247 is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session."

AND WHEREAS Dr. Ghanshyam Mishra, Director and Dr. Sripati Tripathi. C.C.D.C., Shiksha Shastra Department, K.S.D. Sanskrit University, Darbhanga, Bihar presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "1. Regarding Part Time Physical teacher the appointment details were sent on 28.01.215. In pursuance of letter no. ERC/07. 178.2 iii 2/APE00247 B.Ed./2014 /28428 dated 1.1.2015 reply to concerned department was sent on 28.01.2015 whiten letter no.1232/2015 dated 28.01.2015."

AND WHEREAS Appeal Committee noted that impugned order dated 23/10/2017 is on the ground that appellant institution did not submit reply to Show Cause Notice (S.C.N) dated 01.01.2015 by which institution was informed that:-

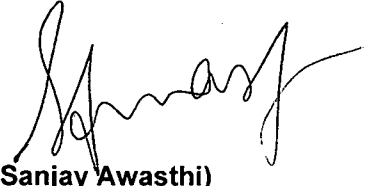
- (i) Part time lecturer in Physical education is not appointed.
- (ii) Institution has not submitted educational and professional certificates of newly appointed English lecturer Dr. D.N. Choudhary and individual affidavit.
- (iii) The institute is required to appoint part time lecturer in Physical education and submit a fresh faculty list approved by university.

AND WHEREAS the appellant during the course of appeal hearing on 05.02.2018 submitted that reply to S.C.N. was sent to E.R.C. by a letter no. 1232/15 dated 28/01/2015. By the above letter appellant informed that advertisement for seeking applications for appointment of Part time lecturer in Physical Education has been given in Newspapers. The appellant in this letter further enclosed the required affidavit from Dr. D.N. Choudhary and the list of faculty approved by Registrar, KSDS University, Dharbanga. Appeal Committee noted that appellant during appeal hearing on 05.02.2018 submitted copy of speed post receipt dated 28.01.2015 as evidence of having submitted reply to S.C.N. dated 01.01.2015.

AND WHEREAS Appeal Committee, therefore, decided to set aside the impugned order dated 23.10.2017. The appellant is required to submit copy of its reply dated 28.01.2015 to E.R.C. alongwith enclosures within 15 days of the issue of appeal orders and should also state the status of appointment of part-time lecturer in Physical Education.

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 order dated 23.10.2017. The appellant is required to submit copy of its reply dated 28.01.2015 to E.R.C. alongwith

enclosures within 15 days of the issue of appeal orders and should also state the status of appointment of part-time lecturer in Physical Education.



(Sanjay Awasthi)
Member Secretary

1. The Director, Shiksha Shashtra Department, K.S.D. Sanskrit University, Darbhanga – 846008, Bihar.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.



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F.No.89-767/E-55674/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 16/3/18

ORDER

WHEREAS the appeal of Om Shri Guru Shakshi Ramchander Institute, Bhajju, Shamli, U.P. dated 14/12/2017 is against the Order No. NRC/NCTE/NRCAPP-11956, 12153, 10563, 11691, 10009, 12305, 12518/253rd/151098-108 dated 20/06/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course with an intake of 50 seats."

AND WHEREAS Dr. L.L. Sindhu, Representative, Om Shri Guru Shakshi Ramchander Institute, Bhajju, Shamli, U.P. presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "Order dated 20.06.2016 is bad to the extent that it grants recognition to appellant for intake of 50 students only. Appellant had made all necessary arrangements with regard to infrastructure, facilities and staff for accommodating and educating minimum 100 students (2 units). However, without any reason or justification respondent has arbitrarily reduced intake to just 50 students (1 units) instead of 100 students (2 units). NRC is legally bound to grant recognition for 100 students (2 units). There is no impediments or prohibition under the NCTE Act, 1993 of Rules and Regulations made there under which restricts intake to just one unit (50 students). Because legitimate expectation rights of appellant requires to be recognized and the appellant is entitled to grant of recognition for 100 students."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 26.05.2015 seeking recognition of new D.El.Ed. programme. The applicant did not submit any information about the existing teacher education or other programmes already being conducted by the appellant institution. The appellant informed N.R.C. on 19/01/2016 that the institution is also

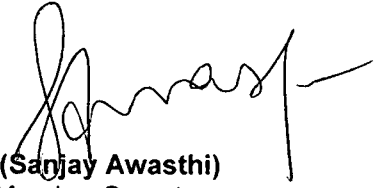
conducting B.A./B.Com. courses since July, 2014. The intake for applied for D.El.Ed. programme was declared as 100 seats in the affidavit. Appeal Committee further noted that inspection of the appellant institution was conducted on 16.02.2016 for assessment of the preparedness of institution to conduct the programme with a proposed intake of 50 seats only. The Letter of Intent (L.O.I.) was decided to be issued to appellant institution in 250th meeting of NRC held on 24.02.2016.

AND WHEREAS Appeal Committee noted that another affidavit dated 02/02/2016 was submitted to the V.T. team by the Secretary of appellant institution (Sh. Amit Choudhary) conveying willingness for one unit of proposed D.El.Ed. programme. Further there is another affidavit dated 27.01.2016 signed by Dr. Neetu Choudhary which also affirms intake of 50 students. Appeal Committee observed that there are a lot of overwriting's / erasing's in the V.T. report which are not countersigned or initialled by the V.T. Moreover, the report does not seem to have been prepared by the V.T. members in their own handwriting. The matter needs to be thoroughly probed by NCTE/NRC.

AND WHEREAS Appeal Committee noted that the appellant institution had submitted a list of faculty in reply to the decision to issue L.O.I. The number of faculty submitted by appellant was for grant of recognition for 100 seats. It was, therefore, incumbent on N.R.C. to either have granted recognition for 100 seats or to have specified reasons by issue of a speaking order as to why recognition granted was being restricted to 50 seats only. Appeal Committee decided to remand back the case to N.R.C. for revisiting the matter and issue of appropriate order keeping in view the observations of Appeal Committee in para 4 above.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for revisiting the matter and issue of appropriate order keeping in view the observations of Appeal Committee in para 4 above.

NOW THEREFORE, the Council hereby remands back the case of Om Shri Guru Shakshi Ramchander Institute, Bhajju, Shamli, U.P. to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Treasurer, Om Shri Guru Shakshi Ramchander Institute, Bhajju, 468, Shamli – 251319, Uttar Pradesh.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**



F.No.89-770/E-56197/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

18/3/18

ORDER

WHEREAS the appeal of Shree Marutinandan College of Education, Mahesana, Visnagar, Gujarat dated 23/12/2017 is against the Order No. WRC/APW04910/323503/Guj./282nd/2017/1922452 dated 02/11/2017 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 24.08.2016 regarding staff, Building Completion Certificate, FDRs and CLU. The institution replied on 16.09.2016. from the reply, it is seen that the appointment of faculty is under process as stated by the In-charge Registrar. Secondly, the built-up area is insufficient for the sanctioned two units of the B.Ed. course. The institution has not fulfilled the requirement of 1+15 faculty, as per Appendix-IV of NCTE Regulations, 2014. Hence, Recognition is withdrawn from the session 2018-19."

AND WHEREAS Sh. Patel Dharmesh. J., M. Trustee and Sh. Patel Virul D, Representative, Shree Marutinandan College of Education, Mahesana, Visnagar, Gujarat presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that We have arranged teaching staff interview on 17/12/2017 and selected teaching staff as NCTE Norms. We put-up all funds proof as per NCTE Regulation. Building document submitted.

AND WHEREAS Appeal Committee noted that appellant institution was granted recognition for conducting B.Ed. programme in the year 2008. A revised recognition order was issued in May, 2015 for conducting B.Ed. programme of 2 years duration with an annual intake of 100 seats (2 units). The impugned order dated 02.11.2017 was issued by W.R.C. on the ground that:-

- (a) Appointment of faculty is under process.
- (b) Built-up area is insufficient.

AND WHEREAS during the course of appeal presentation on 05.02.2018 the appellant submitted English translation of approval letters issued by

Hemchandracharya North Gujarat University in respect of Principal and 13 + 3 faculty. Appeal Committee observed that appointment of most of the faculty members is conditionally approved by affiliating body and the letter dated 04/01/2017 of the university says that approval is conditional subject to the condition that selected faculty will have to achieve/complete NET/SLET/PHD within three years. Appeal Committee further noted that appellant has also submitted a Building Completion Certificate (B.C.C.) issued by Deputy Ex. Engineer, R&B, Sub Div Visnagar for a built-up area of 3015 sq. meters.

AND WHEREAS having regard to the compliance made by appellant which of course is post withdrawal of the recognition, Appeal Committee decided to remand back the case to W.R.C. for consideration of the faculty approval letters issued by affiliating university and the B.C.C. issued by Deputy Ex. Engineer. Appellant institution is required to submit to W.R.C., copies of (i) the list and approval letters and (ii) the B.C.C. issued by Dy. Ex. Engineer, within a period of 15 days from the date of issue of appeal orders.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to W.R.C. for consideration of the faculty approval letters issued by affiliating university and the B.C.C. issued by Deputy Ex. Engineer. Appellant institution is required to submit to W.R.C., copies of (i) the list and approval letters and (ii) the B.C.C. issued by Dy. Ex. Engineer, within a period of 15 days from the date of issue of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Shree Marutinandan College of Education, Mahesana, Visnagar, Gujarat to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The President, Shree Marutinandan College of Education, R.S. No. 4614, 4616, 4619, Umta, Visnagar, Mahesana, Visnagar – 384320, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.



F.No.89-771/E-56366/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of J.K. Jain Memorial College of Education, Gandhi Nagar, Airport Bypass Road, Huzur, Madhya Pradesh dated 29/12/2017 is against the Order No. WRC/APW05587/223607/282nd/2017/192375 dated 01/11/2017 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "The Society reply to Show Cause Notice issued on 05.06.2017 is not satisfactory. Hence, Recognition is withdrawn."

AND WHEREAS Sh. Ratnesh K Jain, Representative and Sh. M.S. Pamar, Professor, J.K. Jain Memorial College of Education, Gandhi Nagar, Airport Bypass Road, Huzur, Madhya Pradesh presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that "At the time of making application, the institution was under the control of Vedika Shiksha Samiti and subsequently it was amalgamated into Ayushmati Education and Social Society. Both the societies have not concealed any information. Reply was given to Show Cause Notice (SCN) dated 05.06.2017."

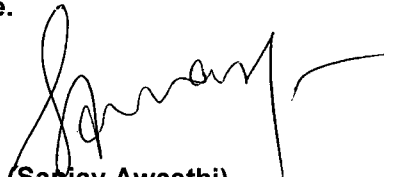
AND WHEREAS Appeal Committee noted that a Show Cause Notice (S.C.N) dated 05.06.2017 was issued to appellant institution on the ground that applicant society i.e. Vedika Shiksha Samiti, at the time of making application on 26.02.2007 was non existent. The applicant did not inform the W.R.C. that it had already been amalgamated with Ayushmati Education and Social Society. Appeal Committee noted that W.R.C. had obtained legal opinion on the status of Vedika Shiksha Samiti as on the date of application and grant of recognition. The legal opinion confirmed that when a company is absorbed by another, the amalgamating company loses its identity. So far as property of amalgamated society is concerned, the Registrar, firms and society, in his order dated 22.01.2007 had specifically stated that 'Assets and Liabilities' of Vedika Shiksha Samiti also stand amalgamated with Ayushmati

Education and Social Society. Appeal Committee is therefore, of the view that the appellant society by losing its identity was not eligible for grant of recognition.

AND WHEREAS Appeal Committee further noted that impugned order of withdrawal dated 01.11.2017 was issued by W.R.C. on the ground that "the Society's reply to S.C.N. is not satisfactory." W.R.C. has failed to mention in the impugned order the detailed reasoning mentioning chronological sequence of events where Vedika Shiksha Samiti had failed to bring to the notice of W.R.C. the amalgamation and transfer of its rights to Ayushmati Educational and Social Society. Provision of Clause 7 (3) of NCTE Regulations may also be invoked if required. Appeal Committee decided to remand back the case to W.R.C. for revisiting the matter and issue of revised speaking order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to W.R.C. for revisiting the matter and issue of revised speaking order.

NOW THEREFORE, the Council hereby remands back the case of J.K. Jain Memorial College of Education, Gandhi Nagar, Airport Bypass Road, Huzur, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Principal, J.K. Jain Memorial College of Education, Gandhi Nagar, Airport Bypass Road, Huzur – 462033, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal

(51)



F.No.89-472/E-7252/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of Sant Tapasvi Narayan Das Shikshan Sansthan, Vill.- Dostpur Khairvi, PO-Bariyarpur, Tehsil/Taluka-Bathanaha, Town/City-Sitamarhi, Dist.-Sitamarhi, Bihar dated 05/06/2017 is against the Order No. ER-213.6(i).313/ERCAPP2483/B.Ed. Course/2016/46122 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 50 seats. On verification of marks sheet and certificates of faculties submitted by the institution the following deficiencies are pointed out as mentioned below. The M.A Final mark sheet of one faculty namely Pankaj Kumar Pandey is without signature of the issuing authority. Hence, the Committee could not ascertain the percentage of marks and the authenticity of M.A Degree. The B.Ed. and M.Ed. mark sheet of one faculty namely Ashok Kumar is not legible and the name of the University is not found in the copy of mark sheet. Hence the Committee could not ascertain the percentage of marks and the authenticity of his Degree. In view of the above the committee decided as under. The committee is of the opinion that it is not permissible to grant additional unit as per the Norms and Standards as envisaged in Appendix 4 of the NCTE Regulation, 2014 as the institution has valid faculty strength of 14 which is less than 16 for conducting two basic units of 50 students each. As per the Norms and Standards in Appendix 4 clause 5.1 Note 1 of NCTE Regulation, 2014 envisages if the students strength of one unit of 50 students for two years is one hundred only, the number of faculty shall be reduced to 8. The Committee taken up the faculty position of the Institution for granting final recognition in its 213th Meeting held on 29th to 30th April 2016 and 1st to 2nd May 2016. Keeping in view, the cut off date i.e. 2nd May, 2016 for granting recognition for the session 2016 to 2017, the committee decided not to issue show cause notice amounting to complete losing of enrolment of students for the session 2016 to 2017. However, the committee granted one basic unit of 50 students from the academic session 2016 to 2017 in the greater interest of the Institution. The above decision had been taken fairly to the best of its

fitness in terms of the stipulation in the NCTE Regulation 2014 and any allegation to the contrary is unfounded and imaginary. The prayer of the petitioner to accord revised recognition for the required additional unit is not at all possible at present as the cut of date for grant of recognition / permission is over and in no circumstances, the same can be taken for consideration. As such the application of the petitioner for grant of recognition stands disposed of and it is open for the applicant to make afresh application as per NCTE Regulation, 2014 for the next academic session."

AND WHEREAS Sh. Hari Shankar, Secretary and Sh. Vijay Kumar, Representative, Sant Tapasvi Narayan Das Shikshan Sansthan, Vill.-Dostpur Khairvi, PO-Bariyarpur, Tehsil/Taluka-Bathanaha, Town/City-Sitamarhi, Dist.-Sitamarhi, Bihar presented the case of the appellant institution on 05/02/2018. In the appeal and during personal presentation it was submitted that The Institution applied for two units of B.Ed. and gave all the letters, affidavits and undertakings specifically mentioning the requirement of two units of B.Ed. The inspection of the institution was also conducted for two units of B.Ed. in the affidavits submitted alongwith hardcopy, the institution specifically mentioned the requirement of permission of B.Ed. course of 100, 2 units. Even compliance of LOI was submitted in respect of two units of B.Ed. course. But without giving any show cause notice, as contemplated under section 14 (3) (b) of NCTE Act, 1993 and also clause 7.17 of NCTE Regulations, 2014, the ERC did not pass any orders in respect of 2nd unit of B.Ed. course. The ERC did not even issue show cause notice pointing out any deficiency in respect of compliance to the letter of intent submitted by the institution. It is evident from the ground of rejection itself that ERC has admitted that show cause notice was not issued. Further, it is also evident that the institution has given the compliance mentioning the details of all teachers duly approved by the affiliating body. However, if the ERC required any particulars or detail in respect of two teachers namely Pankaj Kumar Pandey and Ashok Kumar, then, ERC ought to have issued either show cause notice or could have sought clarification. But without following the above mandatory provisions, ERC did not grant 2nd unit of B.Ed. course and did not pass any order in this respect. The institution did not ask for revised recognition. The institution had applied for two units of B.Ed. ERC took decision only in respect of one unit and granted recognition for one unit. So far as second unit is concerned, ERC neither issued any show cause notice nor sought any clarification.

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 26.05.2015 seeking recognition for conducting 2 basic units of B.Ed. programme. The appellant institution was inspected on 10.03.2016 for a proposed intake of 100 seats. After conduct of the inspection and assessment of the report, the E.R.C. in its emergent meeting held on 24-25 April, 2016 decided to issue Letter of Intent (L.O.I) for one basic unit. E.R.C. ought to have mentioned the reason for assessing the eligibility of appellant institution for one basic unit instead of two as the application was for two units and inspection was also conducted for two units. The appellant, however, submitted compliance on 01.05.2016 submitting therewith a list containing the names of one Principal and 15 faculty members. Keeping in view the cut of i.e. 02.05.2016 for granting recognition for session 2016-17, the Committee decided to issue recognition on 02.05.2016 instead of issuing a Show Cause Notice (S.C.N) which would have resulted in complete loss of academic year 2016-17 to the appellant institution and the above fact was informed to appellant institution by E.R.C. by a letter dated 26.07.2016. The relevant text of above letter is reproduced as under:-

"The Committee is of the opinion that it is not permissible to grant additional unit as per the Norms & Standards as envisaged in Appendix-4 of the NCTE, Regulation. 2014 as the institution has valid faculty strength of 14 which is less than 16 for conducting basic units of 50 students each. As per the Norms & Standards in Appendix-4 clause -5. I (Note-I) of NCTE Regulation. 2014 envisages if the students' strength of one unit of 50 students for two years is one hundred only, the number of faculty shall be reduced to 8 (eight). The Committee taken up the faculty position of the Institution for granting final recognition in its 213th Meeting held on 29th-30th April & 1st-2nd May 2016. Keeping in view, the cut or date i.e. 2nd May, 2016 for granting recognition for the session 2016-2017. The Committee decided not to issue show cause notice amounting to complete losing of enrolment of students for the session 2016-2017. However, the Committee granted one basic unit of 50 students from the academic session 2016-2017 in the greater interest of the Institution.

The above decision had been taken fairly to the best of its fitness in terms of the stipulation in the NCTE Regulation 2014 and any allegation to the contrary is unfounded and imaginary. The prayer of the petitioner to accord revised recognition for the required additional unit is not at all possible at present as the cut of date for grant of recognition/permission is over and in no circumstances, the same can be taken for consideration. As such the application of the petitioner

for grant of recognition stands disposed of and it is open for the applicant to make afresh application as per NCTE, Regulation, 2014 for the next academic session."


AND WHEREAS the impugned order granting recognition for an intake of one unit was on ground of two faculty members found not suitable. Appeal Committee observed following deficiencies in the decision making process of the office of E.R.C.:-

- (i) Whereas application and inspection was for two units, E.R.C. had taken a decision to issue L.O.I. for only one unit without mentioning any reason.
- (ii) Signatures of issuing authority on the M.A. (final) marksheet of Sh. Pankaj Kumar, of course were not distinct and visible but percentage of marks could have been verified.
- (iii) The name of Sh. Ashok Kumar does not feature in the list of candidates approved by the affiliating university and as such assessment of his marksheet did not matter.


AND WHEREAS Appeal Committee is, therefore, of the opinion that justification given by E.R.C. by its letter dated 26.07.2016 to the appellant for granting recognition for only one unit lacked proper reasoning and is liable to be set aside.

AND WHEREAS Appeal Committee decided to remand back the case to E.R.C. for considering the eligibility of appellant institution for grant of recognition for the 2nd unit taking into consideration the cut of date for current academic year.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to E.R.C. for considering the eligibility of appellant institution for grant of recognition for the 2nd unit taking into consideration the cut of date for current academic year.



NOW THEREFORE, the Council hereby remands back the case of Sant Tapasvi Narayan Das Shikshan Sansthan, Vill.-Dostpur Khairvi, PO-Bariyarpur, Tehsil/Taluka-Bathanaha, Town/City-Sitamarhi, Dist.-Sitamarhi, Bihar to the ERC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Sant Tapasvi Narayan Das Shikshan Sansthan, Plot No. 3027, 3035, 3026, 3034, 3033, Vill.-Dostpur Khairvi, PO-Bariyarpur, Tehsil/Taluka-Bathanaha, Town/City-Sitamarhi, Dist.-Sitamarhi, Bihar – 843302.**
- 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.89-554/E-10777/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of MLD Girls T.T. Shiksha Shastri College, Ajagari, Rampali Sarwar, Kekri, Rajasthan dated 04/07/2017 is against the Order No. NRC/NCTE/RJ-1767/267th Meeting (Part-3)/2017/172253-59 dated 26/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that a show cause notice was issued on 18.03.2017 on the following grounds "1. As per clause 5, Regulations, 2014, an institution desirous of running a Teacher Education Programme shall submit the application online electronically along with processing fees and relevant documents. 2. Application shall be submitted along with No Objection Certificate issued by the concerned affiliating body. 3. The institution has not submitted any proof / evidence of its being a composite institution as required under Rule 2(b) of NCTE Regulations, 2014. The institution submitted the reply dated 16.03.2017 to the above said notice. The reply of the institution was not found satisfactory as it is observed by the Committee that the institution has not applied through online mode as per Regulations, 2014 which came into effect from 1st December, 2014. The Committee thereafter, decided that the application of the institute 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. Chandra Prakash Dubey, Secretary, MLD Girls T.T. Shiksha Shastri College, Ajagari, Rampali Sarwar, Kekri, Rajasthan presented the case of the appellant institution on 28/09/2017. In the appeal and during personal presentation it was submitted that "they filed their application on 31.12.2007 and the code APN 058S/RJ-1767 has been mentioned and continued throughout the processing treating it active and valid and therefore, there was no reason to file another application. NRC never asked for any explanation nor asked the appellant to submit an application on-line. On the contrary NRC processed the application, caused inspection and issued letter of intent under clause 7(13) of the NCTE

Regulations 2014. Thus, promissory estoppel would operate in favour of the appellant. Therefore, the issue of show cause notice as well as rejection order are contrary to the legitimate expectations and right of the appellant. The pending applications were kept on hold under the Court orders for being processed under the NCTE Regulations, 2014. The appellant has made due compliance of the LOI. When the Hon'ble Supreme Court had directed to treat applications pending, NRC cannot treat such application as nullity and reject the same that it was not on-line. Further on-line applications can be filed only for a limited duration when the portal link is available."

AND WHEREAS the Committee noted from the file of the NRC that the application of the appellant was rejected on 17.10.2012. But the appellant institution was inspected by a VT sent by the NRC on 01.05.2016, without any new application having been submitted under the NCTE Regulations, 2014. The NRC also decided to issue a Letter of Intent in their 252nd Meeting held from 19th April to 2nd May, 2016. In such circumstances, it is not clear why the NRC issued a show cause notice on 18.03.2017 pointing out the requirements under the NCTE Regulations.


AND WHEREAS the Committee is of the opinion that the Council may seek clarifications from the NRC on the circumstances leading to the revival and processing of the appellant's application rejected in October, 2012 and bringing it upto the stage of Letter of Intent and then issuing the show cause notice dt. 18.03.2017. The Committee suggests that a copy of the appeal, in which detailed submissions have been made, may also be sent to the NRC, who should look into the same while furnishing clarification.

AND WHEREAS the matter was placed before the Appeal Committee in its 2nd Meeting-2018 held on 05.02.2018 alongwith copy of a reply dated 09.01.2018 received from N.R.C., Jaipur. Above reply says that decision taken by N.R.C. was based on a legal advice and in accordance with NCTE Regulations, 2014. Committee noted that N.R.C. after considering the reply to Show Cause Notice had confirmed the refusal order on only one ground i.e. Institution has not applied through online mode as per Regulations, 2014 which came into force w.e.f. 01.12.2014.

AND WHEREAS Appeal Committee noted that the application made by appellant institution in the year 2008 was processed by N.R.C. even after the NCTE Regulations, 2014 came into force from 01.12.2014. Inspection of the institution was conducted on 01.05.2016 and subsequently it was also decided by N.R.C. in its 252nd Meeting held from 19th April to 2nd May, 2016 to issue a Letter of Intent (L.O.I.). The Show Cause Notice (S.C.N) dated 18.03.2017 on the ground that appellant had not submitted online application was not justified as there was no way the appellant, whose application was pending since September, 2008, could have complied with the requirement of submitting application online more so when the NCTE portal for registering fresh applications was not open. Appeal Committee, therefore, decided to remand back the case to N.R.C. for restarting the processing of application from the stage where it was decided to issue L.O.I.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record including reply of N.R.C. dated 09.01.2018, and oral arguments advanced during the hearing Appeal Committee concluded to remand back the case to N.R.C. for restarting the processing of application from the stage where it was decided to issue L.O.I.

NOW THEREFORE, the Council hereby remands back the case of MLD Girls T.T. Shiksha Shastri College, Ajagari, Rampali Sarwar, Kekri, Rajasthan to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, MLD Girls T.T. Shiksha Shastri College, Ajagari, Rampali Sarwar, Kekri – 305404, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-73/2015 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of Marwar B.Ed. College, Barmer Highway, Jodhpur, Rajasthan dated 22/06/2015 is against the Order No. NRC/NCTE/RJ-785/100025 dated 18/05/2015 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "reply to the Show Cause Notice dated 11.03.2015 submitted by the institution is not acceptable. There is no University in the name of Jodhpur University. Jodhpur National University is a private University which cannot be an affiliating University. The institution has misled the N.R.C. by submitting wrong information."

AND WHEREAS No one from, Marwar B.Ed. College, Barmer Highway, Jodhpur, Rajasthan appeared on 17/07/2015, 18/09/2015 & 28/10/2015. The appellant however, informed that due to some sudden exigencies he was not able to attend hearing on 18/09/2015 and 28/10/2015 and may be provided opportunity in future. Committee decided to grant a final opportunity to the appellant. Appellant was issued notice dated 22.12.2015 for making appearance before the Appeal Committee on 14.01.2016 but appellant again failed to make appearance. Appeal Committee noted that four opportunities on different dates were provided to the appellant to make appearance and appellant failed to make use of these opportunities for making a personal presentation of the case of appellant institution. Appeal matter is thus taken up on the basis of available records and the appeal memoranda.

AND WHEREAS Appeal Committee noted that appellant institution was granted recognition for conducting B.Ed. course by N.R.C. through its order dated 26.03.2008. The affiliating university to whom the copy of recognition order was endorsed was mentioned as 'University of Rajasthan, Jaipur'. N.R.C. issued a corrigendum on 23.09.2008 rectifying the name of affiliating University as 'Jai Narayan Vyas Vishwavidyalaya, Jodhpur. Another corrigendum was issued by N.R.C. on 02.12.2008 amending the name of affiliating University as 'Jodhpur University, Jodhpur'.

AND WHEREAS appellant institution has furnished copy of a letter dated 29.05.2010 addressed to Regional Director, N.R.C. by Registrar Jodhpur National University requesting that name of affiliating University of Marwar B.Ed. College, Jodhpur be changed because Jodhpur University, has been renamed as Jodhpur National University, Jodhpur. Relevant file of N.R.C. does not contain any evidence of this letter having been received and processed. Appeal Committee further noted that suo moto taking note of a news item published in "Dainik Bhaskar" of 21.01.2015 alleging distribution of fake degrees by Jodhpur National University involving Marwar B.Ed. college, N.R.C. issued a Show Cause Notice (S.C.N.) dated 11.03.2015 on grounds of awarding degrees in excess of the approved intake. The appellant institution in reply to the S.C.N. informed N.R.C. Jaipur, by e-mail dated 14/04/2015 that degree is awarded by the affiliating University and as such desired information may be obtained from University. Appellate institute also denied having exceeded the approval intake.

AND WHEREAS Appeal Committee observed that N.R.C. decision to withdraw recognition was a hasty decision having been taken without proper investigation. N.R.C. should have verified the list of B.Ed. students admitted each year by the appellant institution vis-a-vis list of passed out candidates and degrees given to these candidates by the University. Authentic information about the status of Jodhpur University being renamed as Jodhpur National University should also have been collected and placed on record. Newspaper report alone does not justify imposing penalty before a final decision on the pending appeal is taken. N.R.C. Jaipur is required to examine the matter thoroughly based on documentary evidence of the status of affiliating University. Decision on the appeal is kept pending. N.R.C., Jaipur is required to complete the exercise within 30 days of the issue of appeal orders.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record, Appeal Committee decided to remand back the case to N.R.C. for furnishing the status of renaming of affiliating University as 'Jodhpur National University' and exact number in particular academic year in which the appellant institution has exceeded the approved intake.

AND WHEREAS the matter was placed before Appeal Committee its 2nd meeting held on 05.02.2018 alongwith reply dated 03.01.2018 received from the

office of N.R.C., Jaipur. N.R.C. on getting the appellate order dated 25.02.2016 sought information from the appellant institution relating to:-

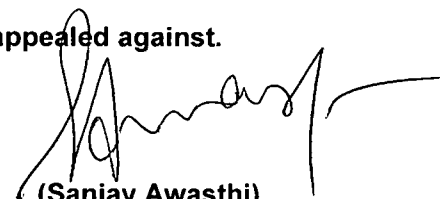
- (i) List of B.Ed. students admitted and awarded degree from session 2008-09 to 2014-15.
- (ii) Status of Jodhpur university being renamed as Jodhpur National University.

The appellant institution did not submit any reply to the N.R.C. Appeal Committee noted from the relevant regulatory file that recognition order under the NCTE Regulations, 2014, as was required to be revised, has not been processed and issued by N.R.C., Jaipur and the impugned order of withdrawal was issued on 18/05/2015. The appellant has not appeared before Appeal Committee on all three occasions given to him for appearance on 17.07.2015, 18.09.2015 and 28.10.2015. There is also no communication received from the appellant seeking a revised recognition order under the NCTE Regulations, 2014. Since B.Ed. programme is now a two year programme, no institution or affiliating body can continue to conduct the course unless a revised recognition order is issued.

AND WHEREAS the Regional Committee shall however, ensure that no university or college is allowed to dupe candidates by using the old recognition order conniving with any non-entitled private university. Appeal Committee decided to confirm the withdrawal order dated 18.05.2015 issued by N.R.C.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record, Appeal Committee concluded to confirm the withdrawal order dated 18.05.2015 issued by N.R.C.

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



(Sanjay Awasthi)
Member Secretary

1. The Principal, Marwar B.Ed. College, Kharda, Barmer Highway (112) Jodhpur, Rajasthan - 342001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-574/E-12908/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of Khalsa College of Physical Education, Heir, Amritsar, Punjab dated 14.07.2017 is against the Order No. NRC/NCTE/NRCAPP-6586/269th (Part-10) Meeting/2017/177335 dated 27/06/2017 of the Northern Regional Committee, refusing recognition for conducting D.P.Ed. course on the grounds that "As per land documents submitted by the institution, the land is on private lease basis which is not acceptable as per NCTE Regulations, 2014."

AND WHEREAS Dr. J.S. Dhillon, Principal, Khalsa College of Physical Education, Heir, Amritsar, Punjab presented the case of the appellant institution on 23/10/2017. In the appeal and during personal presentation it was submitted that the NRC/NCTE in its Minutes of 258th Meeting of NRC held from 4th to 6th October, 2016 decided to grant recognition for D.P.Ed. Two Years programme under clause 7/16 of the NCTE regulations 2014 from academic session 2017/18. It was very strange that again in the Minutes of 265th Meeting of NRC held from 27th Feb to 3rd March 2017 part 2 the same case was again reopened and show cause notice was issued. The Khalsa College Charitable Society vide letter No. 4096, dated 29/03/2017 replied the show cause and the case was again considered in 267th Meeting of NRC held from 5th to 7th April, 2017 Part 3 where legal advice was sought. Subsequently in 269th Meeting of NRC/NCTE held from 26th April, 2017 to 2nd May, 2017 Part 5 it was decided to grant recognition to the institution for D.P.Ed. Two Year course for one unit/50 students under clause 7/16 of NCTE Regulations 2014 from the academic session 2017/18. It was very strange that the NRC NCTE again raised the same objection in the minutes of 269th meeting part 10 held from 26 April 2017 to 02 May 2017 and decided to refuse recognition order vide letter no NRC/NCTE/NRCAPP 6586/269th Part 10 Meeting/2017/177335 Dated 27/06/2017 to the institution on the same grounds on which decision to grant recognition was

taken. It is an established fact that approval once granted cannot be withdrawn without giving any new grounds of rejection and hence it is against the natural justice.

AND WHEREAS the Committee noted that the file does not contain reasons for taking different decisions at different times by the NRC. The file also does not contain the legal advice sought in pursuance of the minutes of the 267th meeting of the NRC, after receipt of the reply of the institution dt. 29.03.2017 to the show cause notice. In these circumstances, the Committee decided that the NRC should be asked to furnish a detailed note on the various developments in the processing of the application of the appellant for grant of recognition for D.P.Ed. course, for consideration of the appeal.

AND WHEREAS the matter was placed before Appeal Committee in its 2nd Meeting -2018 on 05.02.2018. Appeal Committee noted that N.R.C. has relied on a legal opinion and Clause 8(4) (i) of the Regulations, 2014 to decide on refusal of recognition. As per Regulations 8 (4) (i) lease from Government /Government Institution for a period of not less than 30 years is acceptable. In other words, lease by a private body does not fulfil the requirement.

AND WHEREAS Appeal Committee noted that appellant institution had submitted application in December, 2012 seeking recognition for conducting D.P.Ed. programme. A Show Cause Notice (SCN) dated 19/09/2013 was issued to appellant institution on the ground that proposed land is on private lease which contravenes the provisions of NCTE Regulations. The appellant submitted reply dated 14/10/2013 stating that Sikh Gurdwara Prabandhak Committee (SGPC) is a statutory body established by an Act of Government of India. The lease for 99 years executed by the nominee of SGPC and registered in the office of Revenue authority should therefore be treated at par with the lease given by local authorities of the Central and State Government.

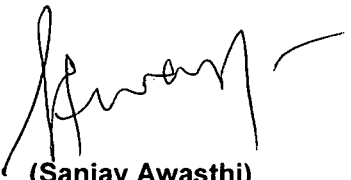
AND WHEREAS Appeal Committee further noted that N.R.C. started further processing of the application by conducting inspection and issuing Letter of Intent (L.O.I) dated 10.11.2016. Appeal Committee further noted that appellant institution is already recognised for conducting B.P.Ed. programme which is being run from the

same land & building where D.P.Ed. programme is to commence. Had it been a case of non acceptable land documents, being considered as private lease, N.R.C. should not have accepted the earlier reply dated 14/10/2013 and refused recognition then and there. Appeal Committee further noted that recently in the case of Sri Guru Granth Sahib World University, Fatehgarh Sahib, Appeal Committee took a view that lease given by S.G.P.C. can be equated to a lease granted by Government agencies.

AND WHEREAS Appeal Committee decided to remand back the case to N.R.C. for further processing of the application by accepting the registered lease agreement between S.G.P.C. and the management /society of the appellant institution.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for further processing of the application by accepting the registered lease agreement between S.G.P.C. and the management /society of the appellant institution.

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



(Sanjay Awasthi)
Member Secretary

1. The Principal, Khalsa College of Physical Education, Heir, Airport Road, Amritsar – 143001, Punjab.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Punjab, Chandigarh.

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F.No.89-614/E-18465/2017 Appeal/2nd Mtg.-2018/3rd & 5th Feb., 2018

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date:

16/3/18

ORDER

WHEREAS the appeal of Aditya College, Ramgarh, Pachwara, Rajasthan dated 10.08.2017 is against the Order No. NRC/NCTE/NRCAPP-11290/266th (Part-4) Meeting/2017/176561 dated 06.06.2017 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 SCN in the 264th (Part-1) meeting. Reply submitted by the institution is not acceptable as the application of the institution was rejected in the 257th meeting held from 5th to 11th September, 2016 as the institution did not submit NOC from the affiliating body."

AND WHEREAS Sh. Mohan Lal Soni, Secretary and Dr. K. Saini, Representatives, Aditya College, Ramgarh, Pachwara, Rajasthan presented the case of the appellant institution on 26/10/2017. In the appeal and during personal presentation it was submitted that "Institution has applied on line for grant of recognition for B.A. B.Ed./B.Sc. B.Ed. course on 29.05.2015 and hard copy of application was submitted to NRC, NCTE on 04.06.2015. NRC, NCTE issued a Show Cause Notice on 03.12.2015 in which certain deficiencies were mentioned. That this institution had submitted reply of Show Cause Notice to NRC, NCTE on 24.12.2015. That NRC, NCTE had decided to reject the application of this institution on the ground that institution had not submitted reply of Show Cause Notice with in stipulated time vide item No. 187 of 257th Meetings (Part-3) held from 5-11 Sept., 2016 whereas this institution had submitted reply of Show Cause Notice dated 03.12.2015 on 24.12.2015 to NRC, NCTE. Letter of rejection had not been issued to this institution. University of Rajasthan, Jaipur had issued N.O.C. for B.A. B.Ed./B.Sc. B.Ed. course to this institution on 26.09.2016. This institution had submitted copy of N.O.C. issued by University of Rajasthan, Jaipur to NRC, NCTE on 27.09.2016. Copy of receipt letter and N.O.C. is annexed. After submission of N.O.C. from this institution, NRC, NCTE had decided to constitute Visiting Team for

inspection of this college for grant of recognition for B.A. B.Ed./B.Sc. B.Ed. course vide item No. 126 of 259th Meeting held from 18-20 October, 2016. Inspection for grant of recognition for B.A. B.Ed./B.Sc. B.Ed. course was conducted on 18.12.2016 by the V.T. members appointed by the NRC, NCTE, Jaipur and inspection report was submitted to NRC, NCTE on 26.12.2016. Instead of issuing letter of Intent for B.A. B.Ed./B.Sc. B.Ed. course to this institution, NRC, NCTE had decided to issue Show Cause Notice in its 264th (Part I) meeting held from 20-23 February, 2017 to this institution on the ground that application of this institution had already been rejected. This institution submitted reply of Show Cause Notice to NRC, NCTE on 07.03.2017 on the basis of minutes of 264th (Part-I) meeting in which all the facts were mentioned. NRC, NCTE has rejected the application of this institution without considering the reply of Show Cause Notice submitted by this institution on 07.03.2017 vide letter no. NRC/ NCTE/NRCAPP11290/266th (Part-IV)/ Meeting/2017/176561 dated 06.06.2017. Aggrieved by rejection order issued by NRC, NCTE, this institution had filed a S.B. Civil Writ Petition No. 5391/2017 in the High Court of Judicature for Rajasthan Bench at Jaipur. Hon'ble High Court had passed an order on 25.07.2017 in which Hon'ble court has suggested to file an appeal u/s 18 of NCTE Act. 1993 against the refusal order to Appellate Authority. Certified copy of order of Hon'ble court is annexed. University of Rajasthan, Jaipur had issued N.O.C. for B.A. B.Ed./B.Sc. B.Ed. course on 26.09.2016 and the N.O.C. was submitted to NRC, NCTE, Jaipur on 27.09.2016 and NRC, NCTE had appointed Visiting Team for inspection of this college. This institution is running B.A., B.Sc. and B.Com. courses in the same campus. After creation of all infrastructural and instructional facilities for B.A. B.Ed./B.Sc. B.Ed. course by this institution and after inspection of the college by the Visiting Team appointed by NRC, NCTE, the issue of late submission of N.O.C. is totally illegal, unlawful, arbitrary, unjustified and unconstitutional. It is prayed that the rejection order issued by NRC, NCTE be set aside and directions be issued to NRC, NCTE for issuance of Letter of Intent u/s 7 (13) of NCTE Regulations 2014 to this institute for grant of recognition of B.A. B.Ed./B.Sc. B.Ed. course."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 29.05.2015 seeking recognition for B.A. B.Ed./ B.Sc. B.Ed. programme which was not accompanied by NOC by affiliating University as

required under clause 5(3) of the NCTE Regulations, 2014. Show Cause Notice (SCN) dated 03.12.2015 was issued to appellant institution for its failure to submit NOC of the affiliating body alongwith hard copy of the application. SCN was required to be replied within 30 days from the date of its issue. As the institution could not submit NOC issued by affiliating body, NRC in its 257th Meeting held from 5-11 September, 2016 decided to refuse recognition and accordingly a refusal order dated 10.10.2016 was issued. Appeal Committee observed that in between the decision of NRC taken in its 257th Meeting (5-11 September, 2016) and the issue of refusal order dated 10.01.2016, the appellant institution had submitted copy of NOC dated 26.09.2016 to NRC vide its letter dated 27.09.2016. Appeal Committee observes that NOC which was required to be submitted alongwith hard copy of application was a belated document and NRC was not within its powers and jurisdiction to have accepted a belated NOC and also superseded its own decision and order to refuse recognition for which formal orders were also issued on 10.10.2016.

AND WHEREAS Appeal Committee further noted that NRC in its 259th meeting held from 18th to 20th October, 2016 without assigning any reason or argument decided to conduct inspection of the institution. The V.T. was accordingly conducted on 18.12.2016. The V.T. in its overall assessment without mentioning any particular, deficiency, ambiguously remarked that some of the facilities are not available but the institution management is ready to fulfil after getting permission.

AND WHEREAS Appeal Committee further noted that NRC in its 264th meeting held on 20th to 23rd February, 2017 again decided to issue a SCN by quoting the deficiency on account of late submission of NOC and ignoring the already taken decision to reject the application. Noting the decision taken in the 264th Meeting of NRC, the appellant institution submitted a reply dated 07.03.2017 duly received vide diary no. 164044 dated 07.03.2017. NRC in its 266th meeting held on 21-24 March, 2017 decided to refuse recognition on the ground that reply submitted by appellant is not acceptable as it has already been decided to reject the application in 257th meeting of NRC held from 5th to 11 September, 2017.

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AND WHEREAS from the relevant file, Appeal Committee has also noted a E-mail dated 26.12.2016 addressed by Dr. Shashi Singh, Associate Professor and Head of Department of Education, Centre for Gandhian Studies, Moradabad. In the said mail Dr. Shashi Singh had alleged that she was nominated for inspection of Aditya College, Dausa but to her surprise when she contacted the college, she was told that inspection for the course has already been concluded by a Visiting Team consisting of Dr. Thaivatha Patel from Ahmedabad and another member from Chennai, Committee further noted that the relevant file contains the names of Dasharathlal Patel and Dr. Shashi Singh who were required to conduct inspection. The V.T. report dated 18.12.2016 bears the names of Dr. D.S. Patel and Dr. S. Thirugnanasambandam, Principal, DIET Sivaganga, Tamil Nadu.

AND WHEREAS Appeal Committee before concluding the appeal case desired that NCTE should seek clarification from NRC Jaipur on following points : -

- (i) After having issued refusal order dated 10.01.2016 was the Regional Committee competent to take decision for inspection of institution?
- (ii) The names of V.T. members who were authorised to conduct inspection of the appellant institution.
- (iii) Was there any change in the name of V.T. members subsequently?
- (iv) What action was take on the complaint dated 26.12.2016 of Dr. Shashi Sing addressed to NCTE (HQ) and NRC Jaipur?

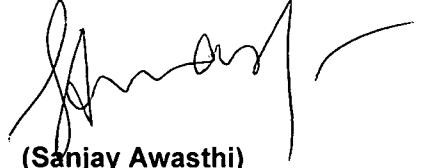
AND WHEREAS the appellant institution sought the intervention of Hon'ble High Court by filing a Civil Writ Petition which was declined by the Hon'ble Court. Appeal Committee recommends that procedural and regulatory lapses which have occurred in processing the case and need to be probed thoroughly as reply given by N.R.C. by its letter dated 24.01.2018 are not convincing and N.R.C. should not have taken on record a V.T. report in respect of inspection not conducted by duly constituted Committee. The V.T. report submitted to N.R.C. was ambiguous and V.T. members did not specify as to which facilities were not found available and promised by the appellant institution to be fulfilled after getting permission.

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AND WHEREAS Appeal Committee decided to remand back the case to N.R.C., Jaipur. Appeal Committee further decided that notwithstanding the late submission of N.O.C. by the appellant institution, N.R.C. should reprocess the case by getting another inspection conducted preferably by including the name of Dr. Shashi Singh in the V.T. The entire case should be revisited.

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. Appeal Committee further decided that notwithstanding the late submission of N.O.C. by the appellant institution, N.R.C. should reprocess the case by getting another inspection conducted preferably by including the name of Dr. Shashi Singh in the V.T. The entire case should be revisited.

NOW THEREFORE, the Council hereby remands back the case of Aditya College, Ramgarh, Pachwara, Rajasthan to the NRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Secretary, Aditya College, Ramgarh Pachwara, Tunga Road, Ramgarh Pachwara – 303510, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.