(1)

F.No.89-711/2016 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Gyan Bharti College of Education, Nalanda Town, Rajrai Road, Agra, Uttar Pradesh dated 26.10.2016 is against the Order No. NRC/NCTE/NRCAPP-15034/255th Meeting/2016/156305 dated 23/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution was given show cause notice vide letter dated 27.06.2016 with direction to submit the reply within 30 days. The institution did not submit reply of show cause notice."

AND WHEREAS Gyan Bharti College of Education, Nalanda Town, Rajrai Road, Agra, Uttar Pradesh was asked to present its case on 23/02/2017 and 28.04.2017 but nobody form that institution appeared. However, in connection with the hearing fixed for 28.04.2017, the appellant, in their letter dt. 25.04.2017, expressing their inability to attend the hearing because of marriage in their family, requested extension of the date for their hearing. The Committee acceded to the request and decided to give the appellant another (3rd and final) opportunity i.e. the last opportunity to present their case.

AND WHEREAS Dr. Gita Ram Lavania, Manager, Gyan Bharti College of Education, Nalanda Town, Rajrai Road, Agra, Uttar Pradesh presented the case of the appellant institution on 29.06.2017 i.e. the third and final opportunity granted to them. In the appeal, the appellant submitted that their institute had not received any show cause notice, mentioned in the rejection letter regarding deficiency of documents and hence they had not submitted any reply. The institute is ready to submit all the required documents.

AND WHEREAS the appellant, in the course of presentation, submitted a letter dt. 29.06.2017. In this letter, the appellant stated that on receipt of the refusal letter,

they filed the appeal. The appellant, with this letter submitted the documents relevant to the grounds mentioned in the refusal order and which were earlier communicated through the Show Cause Notice dt. 27.06.2016.

AND WHEREAS the Committee noted that the documents submitted by the appellant are (i) copy of affiliation letter dt. 28.09.2016 issued by Dr. Bhimrao Ambedkar University, Agra for B.Com and B.Sc courses; (ii) copy of certified registered land documents; (iii) Notarized copy of the land utilization certificate dt. 04.05.2017; and (iv) a copy of Non-Encumbrance certificate. The Committee, noting that these were the wanted documents mentioned in the show cause notice and refusal order, concluded that the matter deserved to be remanded to the NRC with the direction to consider these documents, to be submitted by the appellant to the NRC, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward all these required documents to the NRC within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with the direction to consider these documents, to be submitted by the appellant to the NRC, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward all these required documents to the NRC within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Gyan Bharti College of Education, Nalanda Town, Rajrai Road, Agra, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Gyan Bharti College of Education, Opp. – Nalanda Town, Rajrai Road, Agra, Uttar Pradesh – 282001.
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.

(4)

F.No.89-755/2016 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of K D College of Education, Mahendergarh, Haryana dated 05/11/2016 is against the Order No. NRC/NCTE/NRCAPP-15375/255th Meeting/2016/156468 dated 24/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "The institution has not submitted the reply of the show cause notice issued on 19.10.2015."

AND WHEREAS K D College of Education, Mahendergarh, Haryana was asked to present the case of the appellant institution on 25/02/2016 but nobody from that institution appeared. The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS K D College of Education, Mahendergarh was asked to present the case of the appellant institution on 29.04.2017 i.e. the second opportunity granted to them, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS K D College of Education, Mahendergarh was asked to present the case of the appellant institution on 29.06.2017 i.e. the third and final opportunity given to them, but nobody from the institution appeared. In these circumstances, the Committee decided to consider the appeal on the basis of the records.

AND WHEREAS in the appeal, the appellant submitted that the institution did not receive any type of show cause notice issued by the NRC, Jaipur. The appellant also submitted that they have submitted print out of the application made

on-line along with land documents as required within the prescribed time and the institution also got NOC from the concerned affiliating body.

AND WHEREAS the Committee noted that the show cause notice dt. 19.10.2015 was issued on the grounds of failure to submit (i) print out of the application along with land documents, within 15 days of submission of on-line application and; (ii) No Objection Certificate issued by the concerned affiliating body.

AND WHEREAS the Committee noted that the show cause notice was not returned to the NRC undelivered. The Committee noted that the appellant submitted the hard copy of the on-line application dt. 30.06.2015 to the NRC with their letter dt. 13.07.2015, which was received on 14.07.2015. The Committee noted that the NCTE issued instructions to the Regional Committees informing that, for 2016-17, 15th July 2015 will be the last date for submission of hard copies of the application with NOC, irrespective of the date of on-line application. According to the provisions of clause 5 (3) of the NCTE Regulations, 2014, a No Objection Certificate issued by the concerned affiliating body has to be submitted along with the print out of the application. While the appellant has not sent the No Objection Certificate along with their letter dt. 13.07.2015, he wrote a letter dt. 09.09.2016 i.e. after the issue of refusal order to the NRC stating that in reply to their letter dt. 19.10.2015 (i.e. the show cause notice) they have sent print out of application and land document with their letter dt. 17.11.2015 and the NOC issued by the Examination Regulatory Authority, U.P. Allahabad dt. 03.03.2016 with their letter dt. 28.05.2016 to the NRC. The appellant enclosed copies of land documents and the NOC.

AND WHEREAS the Committee noted that while the print-out of the on-line application was sent within the extended date of 15.07.2015, the NOC has been issued by the affiliating body only on 03.03.2016. Since, the appellant has not fulfilled the requirement of sending the NOC along with the print-out of the application as per the provisions of the NCTE Regulations, 2014, the Committee concluded that the appeal deserved to be rejected the order of the NRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Manager/Appellant, KD College of Education, VPO – Pali, Tehsil & Distt. – Mahendergarh, Haryana – 123029.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

5.

F.No.89-29/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Mass Education Teachers Training Institute, South 24 Parganas, West Bengal dated 05.01.2017 is against the Order No. ER/7-205.8.13/ERCAPP2879/(D.El.Ed)/2016/44412 dated 03.03.2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "1. Show cause notice was decided in 202nd meeting held on 18-23 January, 2016 on the following grounds: (i) The applicant has submitted single application for D.El.Ed. programme which comes under the category of standalone institution. As per NCTE Regulations 2014 stand-alone institution is not permissible. 2. The institution submitted its reply on 29/01/2016 on the basis of proceedings uploaded in the website of the ERC. The reply of the institution is not satisfactory. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP2879 of the institution regarding recognition for D.El.Ed. is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS the submission of the appeal has been delayed by eight months and two days beyond the prescribed period of 60 days. The appellant submitted that the president of the Trust was suffering from serious heart diseases and also having chronic sugar and other medical difficulties and could not attend any general meeting of the Trust for nearly about 10 months. Submitting that delay occurred in these circumstance, the appellant requested condonation of the delay. The Committee acceded to the request and decided to condone the delay and consider the appeal.

AND WHEREAS Shri Sukumar Singh, President, Mass Education Teachers Training Institute, South 24 Parganas, West Bengal presented the case of the appellant institution on 01/05/2017. In the appeal and during personal presentation it was submitted that (i) the applicant, 'Development Foundation Trust' has already

been granted recognition for conducting B.Ed. course in 'Mass Education Teacher Training Institute on 03.03.2014; (ii) the Trust finding no bar or clear direction in the names of composite institution in the NCTE Regulations, 2014 and thinking that a PTTI cannot provide higher education or become a B.Ed. college decided on a separate name for the D.El.Ed. college i.e. Mathurapur Mass Teachers Training Institute; (iii) the Trust mentioned the details of the existing B.Ed. course at page 4 of the online application for D.El.Ed.; (iv) in response to the show cause notice, the appellant requested for a change in the name of the institution from Mathurapur Mass Teacher Training institute to 'Mass Education Teacher Training Institute' ; (v) the dispute in the name of the college was completely unintended due to insufficient information of the NCTE Regulations 2014. The appellant in the course of presentation submitted a letter dated 01.05.2017 requesting for another opportunity to produce land deed of B.Ed. course along with the D.El.Ed. as the deed for B.Ed. was missing. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. Sukumar Singh, President, Mass Education Teachers Training Institute, South 24 Parganas, West Bengal presented the case of the appellant institution on 29.06.2017 i.e. the second opportunity granted to them. The appellant showed the originals of the gift deeds, copies of which have been enclosed to the appeal.

AND WHEREAS the Committee noted the Trust is one and the same, which applied for both the courses, namely B.Ed and D.El.Ed. and the land is the same. The name of the institution, wherein the proposed D.El.Ed. is to be conducted, is only slightly different from that mentioned in respect of B.Ed course, for which recognition has been granted. The Committee noted that the appellant has satisfactorily explained the reasons for the slight change in the name and also made other submissions in the appeal as stated in para 3 above. In these circumstances, the Committee concluded that the application for D.El.Ed course cannot fall under the category of stand-alone institution and therefore, the matter deserved to be remanded to the ERC with the direction to process the application further 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 ERC with the direction to process the application further as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Mass Education Teachers Training Institute, South 24 Parganas, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Mass Education Teachers Training Institute, Plot No. 288 (RS), 2260(LR), Village – Tentulberia, Post Office/Town/City – Mathurapur, Tehsil/Taluka – Siddheswar, South 24 Parganas, West Bengal – 743354.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

6.

F.No.89-45/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Gurukul College, Randeep Education Society, Gyanpura, Dhar, Madhya Pradesh dated 10.01.2017 is against the Order No. WRC/APP3393/222/262nd/{M.P.}/2016/175864 dated 16/11/2016 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Show Cause Notice was issued to the institution on 18/04/2016 and reply received on 26/04/2016. The Show Cause Notice related to non-submission of notarized copies of building plan, building completion certificate, non-encumbrance certificate and NOC from the affiliating body. This show cause notice also pointed out that the institution is a standalone one. From the reply of the institution it is seen that the institution is a standalone institution. The society has not provided any proof that its institution namely 'Gurukul College' has been given permission to run the B.A. course. Hence, Recognition is refused."

AND WHEREAS Gurukul College, Randeep Education Society, Gyanpura, Dhar, Madhya Pradesh was asked to present the case of the appellant institution on 01/05/2017 but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. Manglesh Mhale, Principal and Dr. Pushpendra Singh, Director, Gurukul College, Randeep Education Society, Gyanpura, Dhar, Madhya Pradesh presented the case of the appellant institution on 29.06.2017 i.e. the second opportunity granted to them. In the appeal and during personal presentation, the appellant submitted that Gurukul College has been given permission by the Higher Education Department, Govt. of Madhya Pradesh to run B.A. (Sanskrit) course. In support, thereof the appellant enclosed a copy of the order dt. 15.05.2016 issued by the Department in which the State Govt. has issued the No Objection

Certificate to a number of institution for various Graduate level courses, including the appellant institution, which was granted this certificate for B.A. (Sanskrit) course. In the course of personal presentation, the appellant submitted a copy of temporary affiliation granted by Maharshi Panini Sanskrit and Vaidik University, Ujjain in their order dt. 15.09.2016 to the appellant institution for the Graduate level course. The appellant therefore submitted that theirs is not a stand-alone institution.

AND WHEREAS the Committee noted that the WRC refused recognition for conducting D.El.Ed course on the ground that the Society has not provided any proof that Gurukul College has been given permission to run the B.A. course. Since the appellant has submitted documentary evidence to prove that their institution has been given affiliation for running the Degree course, the institution has, fulfilled the requirement of a composite institution. The Committee, therefore, concluded that the matter deserved to be remanded to the WRC with a direction to process the application further 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 WRC with a direction to process the application further as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Gurukul College, Randeep Education Society, Gyanpura, Dhar, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Gurukul College, 365/2, Ratnadeep Educational Society, 2, Gyanpura, Dhar, Madhya Pradesh - 454001.
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.

7.

F.No.89-54/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Wisdom Teacher Education College, Moradabad, Uttar Pradesh dated 22.01.2017 is against the Order No. NRC/NCTE/NRCAPP-11929/260th Meeting/2016/165258-64 dated 13/01/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the institution was given show cause notice to submit the NOC of the affiliating body. The institution has not submitted the NOC of the affiliating body."

AND WHEREAS Wisdom Teacher Education College, Moradabad, Uttar Pradesh was asked to present the case of the appellant institution on 01/05/2017 but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Dr. V.K. Vatsa, Principal and Sh. Deepak Kumar Tyagi, Office Supdt., Wisdom Teacher Education College, Moradabad, Uttar Pradesh presented the case of the appellant institution on 29.06.2017 i.e. the second opportunity granted to them. In the appeal and during personal presentation and through a letter dt. 29.06.2017, the appellant submitted that with reference to the show cause notice dt. 12.10.2015, they replied on 23.12.2015 and subsequently they sent the NOC with their letter dt. 07.07.2016. The appellant further explained that they applied to MJP Rohilkhand University, Bareily on 29.05.2015 for the NOC but they got the same on 25.05.2016. The appellant also submitted that the valid print out of the application made on line was submitted on the very next day i.e. 01.06.2015.

AND WHEREAS the Committee noted that the NRC refused recognition on the ground that the institution has not submitted the NOC of the affiliating body. According to the provisions of clause 5 (3) of the NCTE Regulations, a No Objection Certificate (NOC) issued by the concerned affiliating body shall be submitted along

with the hard copy of the application. The Committee also noted that the Council issued instructions to their Regional Committees informing that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications together with NOC, irrespective of the date of submission of on-line application. The affiliating University gave the No Objection Certificate to the appellant only on 25.05.2016, much after the extended last date of 15.07.2015. Since the appellant has not fulfilled the requirement of submitting the NOC within the prescribed time, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Wisdom Teacher Education College, Fatehpur Vishnoi Post – Fatehpur Vishnoi, Teh. – Kant, Dist. – Moradabad, Uttar Pradesh - 244504.
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.89-70/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Heritage Business College, Bamrauli, Katara, Agra, Uttar Pradesh dated 25.01.2017 is against the Order No. NRC/NCTE/NRCAPP-13986/260th Meeting/2016/162474 dated 30.11.2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course (Additional Intake) on the grounds that "Building plan is not submitted on the proposed name of the college. The number of faculty is less than the required for additional unit as per norms and NCTE Regulations, 2014. The reply submitted in response to the show cause notice issued on 23/09/2016 is not acceptable."

AND WHEREAS Shri Ajay Partap Singh and Shri M.K. Gupta, Representatives, Heritage Business College, Bamrauli, Katara, Agra, Uttar Pradesh presented the case of the appellant institution on 02/05/2017. In the appeal and during personal presentation it was submitted that "they had already submitted approved building plan in the name of proposed college i.e. Heritage Business College on 20/10/2016 vide letter No. HBC/D.El.Ed/Reply of Show Cause Notice/2016-17/118 but due to oversight it has again been listed as deficiency. Hence, we request you to consider the same and rectify our deficiency. We have selected required faculty members as per NCTE Regulations, 2014. Keeping in view the above facts we request you to grant us Recognition/Permission."

AND WHEREAS Appeal Committee noted that appellant institution is already recognized for conducting D.El.Ed. programme with an intake of one unit and for the proposed additional intake of another unit, the appellant should be able to satisfy the Regional Committee that it has adequate number of faculty as prescribed in the Norms and Standard of NCTE Regulations, 2014. Appellant during the course of appeal presentation on 02.05.2017 requested for grant of another opportunity to submit list of faculty approved by affiliating body.

AND WHEREAS Appeal Committee agreed to the request made by appellant and decided to grant another opportunity to the appellant.

AND WHEREAS Sh. Ajay Pratap Singhy, Operational Head, Heritage Business College, Bamrauli, Katara, Agra, Uttar Pradesh presented the case of the appellant institution on 29.06.2017 i.e. the second opportunity granted to them. In the course of presentation, the appellant gave a letter dt. 29.06.2017. In this letter it has been submitted that they have submitted all documents relating to the building plan on the proposed name of the college and also the faculty list. The appellant enclosed copies of three letters dt. 11.07.2014, 03.03.2016 and 17.03.2017 issued by the Examination Regulatory Authority, U.P. Allahabad approving seven, six and three faculty members respectively for the D.El.Ed course in the appellant institution. The appellant further submitted that they requested the approving authority to issue a combined list of all the faculty members but they informed that since the faculty was approved on different dates, a combined list is not practically possible. The appellant, with this letter also enclosed a copy of the building plan showing the name of the College as Heritage Business College.

AND WHEREAS the Committee, noted that a building plan in the name of the appellant institution is available in the file. The appellant has given the details of 16 faculty members approved. In the circumstances, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to take further action as per the NCTE Regulations, 2014. The appellant is directed to send again a copy of the building plan and the letters of the Examination Regulatory Authority, UP, Allahabad approving the faculty to NRC within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to take further action as per the NCTE Regulations, 2014. The appellant is directed to send again a copy of the building plan and the letters of the

Examination Regulatory Authority, UP, Allahabad approving the faculty to NRC within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Heritage Business College, Bamrauli, Katara, Agra, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, Heritage Business College, 755, Mauza Bamrauli Katara, Agra, Uttar Pradesh – 282006.
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.89-74/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Om Sai College of Education, Arifpur, Saurikh, Kannauj, Uttar Pradesh dated 28.01.2017 is against the Order No. NRC/NCTE/NRCAPP-12989/260th Meeting/2016/162579-82 dated 30.11.2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the applicant institution has not submitted the reply of show cause notice dt. 27/08/2016 issued by the NRC, NCTE within the stipulated time period."

AND WHEREAS No one from Om Sai College of Education, Arifpur, Saurikh, Kannauj, Uttar Pradesh appeared on behalf of the appellant institution on 02/05/2017.

AND WHEREAS Appeal Committee noted that as per extant appeal rules, three opportunities can be given to an appellant for making personal presentation before the Appeal Committee. Committee, therefore, decided to grant another (Second) opportunity to the appellant for making presentation of the case.

AND WHEREAS Sh. Sanjeev Singh, Manager, Om Sai College of Education, Arifpur, Saurikh, Kannauj, Uttar Pradesh presented the case of the appellant institution on 29.06.2017 i.e. the second opportunity grated to them. In the appeal and during personal presentation the appellant submitted that the college did not receive any inspection letter and the Visiting Team did not contact the college. In this situation there is no fault from the college side. The appellant requested sending the Visiting Team as soon as possible.

AND WHEREAS the Committee noted that the NRC issued a letter for inspection of the appellant institution on 02.02.2016 and the inspection was to be conducted between 05.02.2016 and 15.02.2016. The Visiting Team, in their report submitted to the NRC, stated that the institution was given intimation by E-mail on

11.02.2016 and was also contacted by telephone many a time but they did not give time for inspection even upto 06.03.2016. The institution has not replied to the show cause notice issued by the NRC on 24.08.2016. However, the institution wrote a letter to the NRC on 01.05.2016 stating that the Visiting Team members informed them too late to make proper arrangements and hence the team could not make an inspection. The appellant also requested constitution of a team again for making a visit to their college.

AND WHEREAS the Committee noted that the appellant did not reply to the show cause notice dt. 24.08.2016 as stated in the refusal order. The Visiting Team categorically stated that despite their efforts the institution did not give time for inspection. The Committee further 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 NRC was justified in refusing recognition and therefore, the appeal deserved to the rejected and the order of the NRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, Om Sai College of Education, 287, College Land, Arifpur, Saurikh, Kannauj, Uttar Pradesh - 209747.
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.89-129/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Joyrambati Ramkrishna Sarada B.Ed. College, V.P.O. - Joyrambati, P.S. - Kotulpur, Joyrambati, Bankura, West Bengal dated 30.12.2015 is against the Order No. ERC/7-198.9(i).39/ERCAPP3172/B.Ed./2015/39487 dated 03/12/2015 of the Eastern Regional Committee, summarily rejecting their application for grant of recognition for conducting B.Ed. course on the ground that the date of application through online is 30/05/2015 and date of dispatch of printout of online application is 27/06/2015 i.e. after 15 days of submission of online application. In view of the above the Committee decided as under: The application of the institution is summarily rejected as per clause 7(2)(b) of NCTE Regulations 2014."

AND WHEREAS Swami Shibrupananda, President and Sh. Bijoy Dutta, Member, Joyrambati Ramkrishna Sarada B.Ed. College, V.P.O. - Joyrambati, P.S. - Kotulpur, Joyrambati, Bankura, West Bengal presented the case of the appellant institution on 29/06/2017. In the appeal and during personal presentation it was submitted that "Submitted vide SBI Cheque No. 153929 dated 29/05/2015. Communication gap."

AND WHEREAS the Committee noted that the Council issued instructions to their Regional Committee informing that, for 2016-17, 15th July 2015 will be the last date for submission of hard copies of the applications together with NOC, irrespective of the date of submission of on-line application. The Committee also noted that the appellant has dispatched the print out of the on-line application with their letter dt. 26.06.2015 by speed post on 27.06.2015. Since, the print out of the on-line application was dispatched before the extended date of 15.07.2015, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to process the application further 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 ERC with a direction to process the application further as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Joyrambati Ramkrishna Sarada B.Ed. College, V.P.O. - Joyrambati, P.S. - Kotulpur, Joyrambati, Bankura, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President, Joyrambati Ramkrishna Sarada B.Ed. College, V.P.O. - Joyrambati, P.S. - Kotulpur, Joyrambati, Bankura, West Bengal – 722161.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

F.No.89-254/E-1087/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Vidhyashram Institute of Teachers Training, Jodhpur, Rajasthan dated 28.03.2017 is against the Order No. NRC/NCTE/NRCAPP-10742/256th Meeting /2016/159787 dated 17/10/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The reply of the institution to the show cause notice decided by NRC in its 253rd (Part-2) meeting vide item no. 229 (June 10-14, 2016) was considered by the Committee. The Committee observed the following:- The institution is only running B.Ed. course. As per the norms for B.A. B.Ed./B.Sc. B.Ed. course (Regulations 2014) the programme is to be offered in a composite institution i.e. a duly recognized Higher Education institution offering under graduate or post-graduate programme of study in the field of Liberal Arts, Humanities or Social Science or Commerce or Math as the case may be at the time of applying for recognition of Teacher Education Programme or an institution offering Multiple Teacher Education Programme (Clause 2(b) P.No. 92, NCTE Regulations, 2014). Since the institution does not fulfil any of the above conditions."

AND WHEREAS Sh. Ravi Sharma, Director and Sh. Jagdish Babal, Member, Vidhyashram Institute of Teachers Training, Jodhpur, Rajasthan presented the case of the appellant institution on 29/06/2017. In the appeal and during personal presentation it was submitted that (i) according to the provisions of clause 8 of the NCTE Regulations, 2014 existing teacher education institutions shall continue to function as stand-alone and gradually move towards becoming composite institutions; (ii) they are running B.Ed. course for which NCTE granted recognition on 11.04.2008; (iii) they applied for B.A. B.Ed. / B.Sc. B.Ed. integrated course to come under composite category; (iv) as per the guide-lines issued by the NRC in their letter dt. 24.12.2014 an institution shall have to seek recognition for one or more programme, if currently it is offering only one programme; (v) their application has

been processed and a decision was taken to issue a Letter of Intent and formal recognition was subject to submission of certain documents with regards to FDRs and duly approved staff and Regulation 7(13) does not contain any stipulation with regard to proof/ evidence for composite institution; and (vi) they have already approached affiliating body to grant affiliation to under graduate courses. The appellant further submitted that they are fully eligible to run B.A. B.Sc. B.Ed. course in accordance with NCTE Regulations, 2014.

AND WHEREAS the Committee noted that according to the provisions of para 1.1 of the Norms and Standards for 4-year Integrated progrmme leading to B.Sc. B.Ed./ B.A. B.Ed degree, contained in Appendix-13 to the NCTE Regulations 2014, this programme aims at integrating general studies comprising science (B.Sc.B.Ed) and social sciences or humanities (B.A. B.Ed.) and professional studies comprising foundations of education, pedagogy of school subjects and practicum related to the tasks and functions of a school teacher. In the light of these provisions, availability of B.A. / B.Sc. courses in an institution intending to offer the integrated B.Sc. B.Ed./ B.A. B.Ed. programme can only fulfil the objectives of the integrated programme. The Committee noted that keeping this in view, the NCTE in their letter dt. 07.04.2016 addressed to their Regional Committees, laid down the preparatory steps to be taken by the applicants for the integrated programme, to introduce the B.A./ B.Sc. programmes in their institutions. The Committee also noted that the appellant has neither completed nor initiated those requisite actions. In these circumstances, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Chairman, Vidhyashram Institute of Teachers Training University, Uchiyarda, Jodhpur, Rajasthan – 342015.
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.89-255/E-1334/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Sarvodaya Shikshak Prashikshan Mahavidyalaya, Chenar, Didwana Road, Nagaur, Rajasthan dated 06.04.2017 is against the Order No. NCTE /NRC /NRCAPP201616588/ B.A.B.Ed./ B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 28/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "NEC submitted by the institution is issued by an advocate is not acceptable. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Puichraj Sankhla, Secretary and Sh. Kailash Saini, Employee, Sarvodaya Shikshak Prashikshan Mahavidyalaya, Chenar, Didwana Road, Nagaur, Rajasthan presented the case of the appellant institution on 29/06/2017. In the appeal and during personal presentation it was submitted that "This institution has submitted NEC issued by an advocate on 15/03/2017 duly registered in the office of Sub-Registrar Nagaur (raj.) along with reply of SCN submitted to NRC, NCTE on 17/03/2017. This institution got information from the status of the Application from NCTE Portal on 20/03/2017 in which it is stated that the institution has submitted NEC issued by Dr. Pawan Shrimali, advocate which is not acceptable. After getting information from NCTE Portal, this institution has obtained NEC issued by Tehsildar, Nagaur (Raj.) on 23/03/2017 and the same has been submitted to NRC, NCTE on 24/03/2017 vide receipt (diary) No. 165166. Copy of receipt letter and NEC issued by Tehsildar, Nagaur (Raj.) on 23/03/2017 is attached. This institution has also uploaded the reply and the documents submitted in the office NRC, NCTE on 24/03/2017 on NCTE Portal and the status shows on 24/03/2017 that in this regard the institute is submitting show cause notice reply along with non-encumbrance certificate issued by Govt. Authority (Tehsildar, Nagaur).

NRC, NCTE has taken decision to reject the Application of this institution on 28/03/2017 while this institution has already submitted NEC issued by Tehsildar to NRC, NCTE on 24/03/2017. It shows that NRC, NCTE has not considered the reply of the institution submitted on 24/03/2017 and the application for Recognition of B.A. B.Ed./B.Sc. B.Ed. 4 years integrated course has been rejected on unjustified grounds.

AND WHEREAS the Committee noted that the appellant with their reply dated 16.03.2017 to the show cause notice inter - alia forwarded a copy of the certificate of the Legal Title and Non-Encumbrance of property dt 15.03.2017 issued by an Advocate together with a Fee Receipt of the same date issued by the Sub-Registrar, Nagaur for Inspection and search. The NRC in their 266th meeting held from 21-24 March, 2017 decided to reject the application on the ground that NEC issued by an advocate is not acceptable and issued the rejection order on 28.03.2017.

AND WHEREAS the Committee also noted from a copy of the letter dt. 24.03.2017 with which the appellant sent a copy of the NEC dt. 23.03.2017 issued by the Tahsildar, Nagaur to the NRC bears the receipt stamp no. 165166 dt. 24.03.2017, but this letter is not available in the file of the NRC. Since, the appellant submitted the NEC issued by the Tahsildar promptly on seeing the status report of their institution on NCTE Portal, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to take further action as per the NCTE Regulations, 2014. The appellant is directed to send the NEC issued by the Tahsildar to the NRC within 15 days of receipt of the orders on the appeal.

AND WHEREAS the Committee noted that according to the provisions of para 1.1 of the Norms and Standards for 4-year Integrated programme leading to B.Sc.B.Ed/ B.A. B.Ed degree, contained in Appendix-13 to the NRC Regulations, 2014, this programme aims at integrating general studies comprising science (B.Sc. B.Ed.) and social sciences or humanities (B.A., B.Ed.) and professional studies comprising foundations of education, pedagogy of school subjects and practicum related to the tasks and functions of a school teacher. In the light of these provisions availability of B.A./ B.Sc courses in an institution intending of offer the integrated B.A. B.Ed./ B.Sc. B.Ed. programmes, can only fulfil the objectives of the integrated

programme. The Committee noted that keeping this in view, the NCTE in their letter dt. 07.04.2016 addressed to their Regional Committees, laid down the preparatory steps to be taken by the applicants for the integrated programme, to introduce the B.A./ B.Sc. programmes in their institutions. Therefore, the NRC, while taking the further action suggested in para 4 above, should also examine the application of the appellant vis a vis the provisions of the NCTE Regulations, 2014 and the conditions laid down in the Council's letter dt. 07.04.2016.

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 NRC with a direction to take further action as per the NCTE Regulations, 2014 relating to the four year integrated BA B.Ed./B.Sc. B.Ed course. The appellant is directed to send the NEC issued by the Tahsildar to the NRC within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Sarvodaya Shikshak Prashikshan Mahavidyalaya, Chenar, Didwana Road, Nagaur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sarvodaya Shikshak Prashikshan Mahavidyalaya, Nagaur, Chenar Didwana Road, Nagaur, Rajasthan – 341001.
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.89-256/E-1711/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Swarn Jayanti Mahavidyalaya, Pipraich, Sonbarsa Road, Gorakhpur, Uttar Pradesh dated 20.04.2017 is against the Order No. NRC/NCTE/NRCAPP-11781/261st Meeting/2016/166152 dated 02/02/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the ground that "the reply of the show cause notice dated 09/11/2015 submitted by the institution is not acceptable."

AND WHEREAS Sh. Lokesh Pandey, Member and Sh. S.K. Mishra, Member, Swarn Jayanti Mahavidyalaya, Pipraich, Sonbarsa Road, Gorakhpur, Uttar Pradesh presented the case of the appellant institution on 29/06/2017. In the appeal and during personal presentation and in a letter dt. 29.06.2017 it was submitted that the institution has applied for the NOC to the concerned affiliating University, but has not been processed at the University end. Inspite of regular follow-up and approach, the affiliating University has not issued the NOC. As an institution, they can only apply for NOC and it is up to the concerned body that they were going to issue it or not in time allotted. Moreover, all efforts have been made from time to time followed by completing all the formalities as asked by the affiliating University like, depositing of fee (Rs. 1,50,000.00) and all the required papers in specified time, but the University has not processed the NOC. After the refusal order of NCTE, the concerned affiliating University has called a meeting in regard to the issue of NOC on 05/04/2017 i.e. exactly after 14 months of the application for NOC and it has been heard that the concerned affiliating University has processed the NOC and the corresponding letter of NOC has been issued on 10/04/2017. The institution has not delayed regarding any formalities for obtaining the NOC and it is the only fault of the concerned affiliating University therefore it is prayed that the order appealed against may be set aside and appropriate relief granted to the appellant." The appellant enclosed a copy of the letter issued by Deen Dayal Upadhyaya Gorakhpur University granting No Objection Certificate to the appellant institution.

AND WHEREAS the Committee noted that the NRC issued a show cause notice to the appellant on 09.11.2015 on two grounds, namely, (i) failure to submit NOC of affiliating body with the hard copy of the application and (ii) failure to submit print out of the application made on line within 15 days of the submission of on-line application. The appellant submitted reply on 09.01.2016.

AND WHEREAS the Committee noted that the appellant submitted the hard copy of their on-line application dt. 29.05.2015 with their letter dt. 29.05.2015. Hence there was no delay in this respect. The Committee also noted that according to the provisions of clause 5(3) of the NCTE Regulations, 2014, a No Objection Certificate (NOC) issued by the concerned affiliating body shall be submitted along with the printout of the on-line application. The appellant did not fulfil this requirement and he obtained the NOC only on 10.04.2017. In these circumstances, the Committee concluded that the appeal deserved to be rejected on the ground that the appellant did not submit the NOC with the copy of the on-line application and the order of the NRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, Swarn Jayanti Mahavidyalaya, Pipraich, Sonbarsa Road, Gorakhpur, Uttar Pradesh – 273152.
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.89-257/E-1505/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Shri Krishna Teacher Training College, Dadabari, Kota Rajasthan dated 11.04.2017 is against the Order No. NRC/NCTE/NRCAPP-12122/255th Meeting/2016/169143 dated 15.03.2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "Appendix-13 of NCTE Regulations, 2014, clause 4.2(xi) (Page No. 166) stipulates that faculty from departments where students take liberal courses and from cooperating departments who are involved in Teaching will be considered as extended faculty of the Department of Education. In case of 4 years integrated programme leading to B.A. B.Ed./B.Sc. B.Ed. Degree, the case 2(b) of the NCTE Regulations 2014 states that running of B.A. B.Sc. programme is a pre-requisite for grant of recognition for B.A. B.Ed. /B.Sc. B.Ed. course because the pertinent paragraph includes sub-centered as the case may be, at the time of applying for the course. Moreover, the letter of NCTE No. 49-3/2016/NCTE/NES dt. 07/04/2016 emphasizes that the applicant institution should have submitted affiliation of its proposed, if any, graduate B.A./B.Sc. programme by the University. And this letter also makes it clear that it will be essential for the affiliating body / University to undertake to affiliate the programme and regulate B.A./B.Sc. component of the programme for staff, faculty, infrastructural etc. as per approved curriculum of the B.A./B.Sc. course of the University. This has been referred to as the extended faculty in clause 4.2(xi) of the NCTE Regulations 2014 (appendix-13). The applicant institution has not submitted the above documents."

AND WHEREAS Sh. R.K. Dadhich, Secretary, Shri Krishna Teacher Training College, Dadabari, Kota Rajasthan presented the case of the appellant institution on 29/06/2017. In the appeal and during personal presentation it was submitted that "(i) this college is running B.Ed. course as per Recognition granted by NRC, NCTE vide order No. NRC/NCTE/RJ-702/2015/98453 dated 10.05.2015; (ii) the provisions

of clause 8(1) of NCTE Regulations 2014, state that new Teacher Education Institution shall be located in composite institutions and the existing Teacher Education Institutions shall continue to function as stand-alone institutions and gradually move towards becoming composite institutions; (iii) in compliance with the provisions of clause 8(1) of NCTE Regulations 2014, this institution has applied for grant of recognition of B.A. B.Ed. / B.Sc. B.Ed. course to become Composite Institution. In the online application, it is clearly stated that this institution is running only B.Ed. course; (iv) after expiry of 6 months, NRC, NCTE has issued a show cause notice vide letter No. NRC/NCTE/NRCAPP-12122/2015/130663 dated 03/12/2015 in which deficiency regarding Composite institution has not been mentioned;(v) this institution had submitted reply of SCN to NRC, NCTE on 04/01/2016; (vi) the Deptt. of Higher Education, Govt. of Rajasthan has issued the NOC Policy regarding Teacher Education Programme for 2016-17 vide order No. 31(1)Edu-4/2015 dated 21/12/2015. Clarification letter dated 12/03/2016 was also issued by Deptt. of Higher Education regarding NOC Policy for 2016-17 in which it is clearly stated that NOC will also be issued for B.A. B.Ed. / B.Sc. B.Ed. course to those existing colleges, who are running only B.Ed. course. The same thing is also stated in NOC Policy for 2017-18 issued on 23/02/2016. Copy of NOC Policy for 2016-17 and 2017-18 is attached; and (vii) after issuance of NOC Policy by the Deptt. of Higher Education, Govt. of Rajasthan, all the Universities of Rajasthan State had started to issue NOC for Teacher Education Programme and Kota University, Kota had issued NOC for B.A.B.Ed./B.Sc.B.Ed. course to this institution on 10/02/2016. Copy of NOC is attached.

AND WHEREAS the Committee noted that according to the provisions of para 1.1 of the Norms and Standards for 4-year Integrated proramme leading to B.Sc.B.Ed/ B.A. B.Ed degree, contained in Appendix-13 to the NRC Regulations, 2014, this progrramme aims at integrating general studies comprising science (B.Sc. B.Ed.) and social sciences or humanities (B.A.B.Ed) and professional studies comprising foundations of education, pedagogy of school subjects and practicum related to the tasks and functions of a school teacher. In the light of these provisions availability of B.A./ B.Sc courses in an institution intending of offer the integrated B.A. B.Ed./ B.Sc. B.Ed. programmes, can only fulfil the objectives of the integrated programme. The Committee also noted that keeping this in view, the NCTE in their

letter dt. 07.04.2016 addressed to their Regional Committees laid down the preparatory steps to be taken by the applicants for the integrated programme, to introduce the B.A./ B.Sc. programmes in their institutions. The Committee noted that the appellant has neither completed nor initiated those requisite actions. In these circumstances, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Krishna Teacher Training College, 785, Dadabari, Kota Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-258/E-1507/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Narayan Mahavidyalaya, Village - Aunta, Meja, Allahabad, U.P.dated 17.04.2017 is against the Order No. NRC/NCTE/NRCAPP-12915/255th Meeting/2016/156089-92 dated 22/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution was given show cause notice vide letter dt. 03/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Sh. Santosh Prasad, Representative, Narayan Mahavidyalaya, Village - Aunta, Meja, Allahabad, U.P.presented the case of the appellant institution on 29/06/2017. In the appeal and during personal presentation it was submitted that after submitting the relevant documents to NRC on 08.06.2015, the appellant had plans to arrange all the infrastructural and instructional facilities for inspection but in the month of January 2016 the appellant had a critical problem of acute Lumbago and the Physician had advised bed rest from 05.01.2016 to 30.01.2016 and the appellant has been admitted in the hospital for treatment. In the month of January, the NRC decided to get inspection of the appellant institution and sent a VT team for inspection of appellant institution. The applicant institution could not have any arrangement for VT. So, the applicant refused to get inspection of institution because the appellant has been admitted in the hospital for treatment for a month and was not able get arrangement for instructional facilities of institution. After this the NRC, NCTE, Jaipur issued show cause notice to the appellant on 3rd June, 2016 for refusal of inspection. This SCN was received by the appellant on 15th June, 2016. The contentions of NRC that the appellant did not submit any reply is baseless and unjust since the reply to show cause notice was sent to NRC on 20/06/2016 through courier. The Appellate Authority shall appreciate the fact that the appellant could not have the inspection due to major physical problem. Hence, it is

humbly requested that the appellate authority may kindly accept their submissions and direct NRC to process their application at least for the next academic session, as the delay in inspection is purely due to physical problem of appellant, for which their institution should not be penalized. The appellant requested the Appellate Authority to quash / set – a – side the order of NRC and grant justice to the appellant by accepting this appeal and issuing directions to the NRC to conduct the inspection of the appellant and to grant recognition as per NCTE Regulations. The appellant enclosed a copy of their letter dt. 20.06.2016 in reply to the show cause notice dt. 03.06.2016 with a courier receipt embossed on it and a copy of medical certificate recommending rest from 05.01.2016 to 30.01.2016 to Shri Surendra Kumar Mishra. This letter, however, is not in the file of the NRC.

AND WHEREAS the submission of the appeal prima facie has been delayed by five months and 26 days beyond the prescribed period of 60 days. The Committee noted that the NRC sent a copy of the refusal order to the appellant at the latter's request dt. 28.02.2017 with their letter dt. 09.03.2017 and the appellant filed their appeal on 17.04.2017. In these circumstances, the Committee decided to consider the appeal.

AND WHEREAS the Committee noted that the Visiting Team that visited the appellant institution on 15.01.2016 reported that the institution was not prepared for inspection. The Visiting Team enclosed to their report a letter dt. 17.01.2016 submitted by the Manager of the appellant institution. In that letter the appellant, submitting that due to his ill health, inspection was not possible, requested for two months additional time.

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. As the appellant could not get their institution inspected when the Visiting Team visited their institution on 15.01.2016, the Committee concluded that the appeal deserved to be rejected and the order of the NRC confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during

the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, Narayan Mahavidyalaya, Village/Town/City – Aunta, Street/Road no.1, Allahabad, Meja – 212303, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-259/E-1510/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Gurukul Arts College, Bori, Dungarpur, Rajasthan dated 02.04.2017 is against the Order No. NCTE /NRC/ NRCAPP201615112/ B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-2018/2 dated 02/03/2017 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 issued SCN on 30.01.2017. The reply of the institution dated 16.02.2017 was considered by the Committee and following observations were made: - The land is in the name of individual & not in the name of institution/society. LUC has been submitted in respect of khasra No. 1105 & 1128 measuring only 3238 sq. mtr. The land is being used for running BA and also proposed B.A. B.Ed. / B.Sc. B.Ed. course is to be run on the same land which is not as per norms of NCTE Regulations, 2014. No LUC has been submitted in respect of Khasra No. 1104, 1109, 1110 & 1123. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Sharad Joshi, Secretary, Gurukul Arts College, Bori, Dungarpur, Rajasthan presented the case of the appellant institution on 29/06/2017. In the appeal and during personal presentation it was submitted that NRC, NCTE had not considered the reply of the institution and rejected the application of this institution for grant of recognition for B.A. B.Ed. / B.Sc. B.Ed. course. Land measuring 12474 sqm. of khasra no. 1104, 1105, 1109, 1110, 1123 and 1126 in village Bori, Teh & Distt. Dungarpur, Rajasthan is in the name of Gurukul Institute of Education, Dungarpur, Rajasthan on ownership basis. In this regard following documents are attached : Certified copy of registered sale deed and certified copy of correction deed; Copy of mutation/jamabandi issued by Revenue Department. Copy of possession and mutation certificate issued by S.D.O., Dungarpur. Copy of possession certificate issued by Tehsildar, Dungarpur; and Copy of Non-

Encumbrance Certificate issued by Tehsildar, Durgapur. Gurukul Institute of Education, Dungarpur has demarcated 3238 sqm. Land of khasra No. 1105 & 1126 out of 12474 sqm. Land for the proposed B.A. B.Ed. / B.Sc. B.Ed. course, which is already converted for Educational purpose. Remaining 9236 sqm. Land is demarcated for Degree Course. So, this institution has submitted LUC for 3238 sqm. Land of khasra No. 1105 & 1126 to NRC, NCTE along with application. In this respect, following documents are attached:- Copy of resolution of society dated 26.04.2016.and Copy of LUC for 3238 sqm. Land. Society has 12474 sqm. Land on ownership basis out of which 3238 sqm. Land is demarcated for B.A. B.Ed./B.Sc. B.Ed. course and 9236 sqm. Land is demarcated for degree course. Society has constructed separate buildings for both courses. Building for proposed teacher education course has been constructed on khasra no. 1105 & 1126. In this regard the following documents are attached:- Copy of approved building map for both courses. Copy of building completion certificate. Photograph indicating separate building for both courses. In the course of presentation the appellant also submitted certified copies of correction deeds registered prior to the date of refusal to show that the buyer of land is Gurukul Institute of Education. Dungarpur through their Secretary Shri Shard Joshi.

AND WHEREAS the Committee, noting that the appellant has submitted detailed documentary evidence in respect of the grounds listed in the NRC's order dt. 02.03.2017 about the various aspects of the land, concluded that the matter deserved to be remanded to the NRC with a direction to consider the various land related documents to be submitted by the appellant, and take further action as per NCTE Regulations, 2014. The appellant is directed to forward all the documents mentioned in their appeal to the NRC within 15 days of receipt of the order on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to consider the various land related documents to be submitted by the appellant, and take further action as per NCTE Regulations, 2014. The

appellant is directed to forward all the documents mentioned in their appeal to the NRC within 15 days of receipt of the order on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Gurukul Arts College, Bori, Dungarpur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Appellant, Gurukul Arts College, Durgapur, Bori Road, Durgapur – 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.

24.

F.No.89-260/E-1560/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Dr. R. Ali College of Education, Basantpur, Training College Road, Basantrai, Jharkhand dated 12.04.2017 is against the Order No. ERC/234.10.6 (part-I) Application ID: 8293/D.El.Ed/2016/51958 dated 31.03.2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that the reply dt. 21.11.2016 to the show cause notice dt. 09.11.2016 was considered and it was observed that "Processing fee is not submitted. No documentary proof submitted regarding submission of processing fee. As per the print out of copy of the online application it is observed that application number is not available. The application has not appeared on the dashboard of the online NCTE portal due to which online process cannot be carried out."

AND WHEREAS Md. Sohail Qamar, Prof. In-charge, Dr. R. Ali College of Education, Basantpur, Training College Road, Basantrai, Jharkhand presented the case of the appellant institution on 29/06/2017. In the appeal and during personal presentation it was submitted that "after submission of application on 29th June 2016, their institution had tried hard to make the payment towards processing fee, but due to some technical problem, it could not happen. Since 30th June 2016 was the last date for submission of online application, they immediately rushed to ERC alongwith the print out of online application and submitted the same to ERC. They met the Regional Director in ERC and informed him about the exact position in the matter and they were advised to wait for the next communication from NCTE before proceeding further. To our surprise we received a show cause notice from ERC dated 9th Nov. 2016 on account of non-submission of Demand Draft. On receipt of Show Cause Notice, they immediately rushed to ERC alongwith the Demand Draft and application form and submitted to ERC. However, the ERC in its 234th meeting had decided to refuse recognition to their institution on the same grounds, for which

they have submitted the reply. The appellant submitted that their institution had prepared a fresh draft of Rs. 1.50 lacs towards processing fee and same will be submitted before the Appeals Committee on the date of hearing, and the fees of Rs. 1.50 lacs be accepted and ERC directed to process their application further. In the course of presentation, the appellant submitted a letter dt. 27.06.2017 requesting 21 days time to submit the NOC.

AND WHEREAS the Committee noted that the processing fee has to be paid through on-line mode only and other instruments like Demand draft are not acceptable. As admitted by the appellant they could not make the payment of processing fee online resulting in non-appearance of the Application number on the application. In the printout of the on-line application payment mode is shown as blank. There is no evidence in the file to the effect that the appellant was advised to await a next communication before proceeding further. The appellant in reply to the show cause notice also sent the same printout of the deficient online application. In these circumstances, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Prof. In-Charge, R. Ali College of Education, Basantpur, Training College Road, Basantrai – 814155, 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, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

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F.No.89-261/E-1487/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Olive Academy, Kanchanpur (Bagpara) Natunganj, Raghnathganj, Dist. Jangipur, West Bengal dated 06.04.2017 is against the Letter No. ERC/228.42/ERCAPP 3340/B.Ed./2016/51379 dated 16.02.2017 of the Eastern Regional Committee, confirming their order dt. 02.05.2016 granting recognition for conducting B.Ed. course with an intake of 50 (one basic unit).

AND WHEREAS Sh. Minhajuddin, President , Olive Academy, Kanchanpur (Bagpara) Natunganj, Raghnathganj, Dist. Jangipur, West Bengal presented the case of the appellant institution on 29/06/2017. In the appeal and during personal presentation it was submitted that "the institute had applied for two units, but the institute received recognition for one unit. The institute is eligible for getting approval for two units. The institute have appointed and submitted 16 approved faculties to get recognition for two units as per NCTE norms 2014. The institute have adequate infrastructures and instructional facilities to get approval for two units."

AND WHEREAS the appellant earlier appealed against the order of the ERC granting recognition for conducting B.Ed. course with an intake of 50 (one basic unit) and requested for grant of recognition for an intake of 100 (two basic units). The appeal was disposed of by the Council by remanding the matter to the ERC to take appropriate action on the request of the appellant for two basic units as per the NCTE Regulations, 2014 as the ERC, while issuing their order dt. 02.05.2016, did not either find any deficiency or indicate any reason for granting recognition for one basic unit only. The appellate order was accordingly issued on 26.09.2016.

AND WHEREAS the Committee noted that the ERC, in pursuance of the appellate order dt. 26.09.2016, in their 228th meeting held on 29-30 December, 2016 reviewed the matter and decided to confirm their earlier order dt. 02.05.2016 and

issued their letter dt. 16.02.2017. It is seen from this letter that the ERC, in their 213th Meeting took up the faculty position as well as built up area for the two courses, namely B.Ed. and D.El.Ed. for which the appellant applied, and decided to grant recognition for one unit of B.Ed. only. This letter also indicated the impossibility of granting recognition for one more unit for the academic session 2016-17 at this stage as the cut off date for grant of recognition is over.

AND WHEREAS the Committee noted that the ERC has issued a speaking letter dt. 16.02.2017. On the other hand the appellant has not contested any of the grounds adduced by the ERC for confirming their earlier order dt. 02.05.2016. The appellant only mentioned that they are eligible for two units as they have appointed 16 faculties and have adequate infrastructures and instructional facilities. In these circumstances, the Committee concluded that the appeal deserved to be rejected and the decision of the ERC as contained in their letter dt. 16.02.2017 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 President, Olive Academy, Kanchanpur (Bagpara) Natunganj, Raghunathganj – 742227, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-262/E-1490/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Olive Academy, Kanchanpur (Bagpara) Natunganj, Raghnathganj, Dist. Jangipur, West Bengal dated 06.04.2017 is against the Letter No. ERC/228.4.3/ERCAPP3086/D.El.Ed./2016/51150 dated 28.01.2017 of the Eastern Regional Committee, confirming their order dt. 02.05.2016 grating recognition for conducting D.El.Ed. course with an intake of 50 (one basic unit).

AND WHEREAS Sh. Minhajuddin, President, Olive Academy, Kanchanpur (Bagpara) Natunganj, Raghnathganj, Dist. Jangipur, West Bengal presented the case of the appellant institution on 29/06/2017. In the appeal and during personal presentation it was submitted that "the institute had applied for two units but the institute received recognition for one unit. The institute is eligible for getting approval for two units. The institute have appointed and submitted 16 approved faculties to get recognition for two units as per NCTE norms 2014. The institute have adequate infrastructures and instructional facilities to get approval for two units."

AND WHEREAS the appellant earlier appealed against the order of the ERC granting recognition for conducting D.El.Ed. course with an intake of 50 (one basic unit) and requested for grant of recognition for an intake of 100 (two basic units). The appeal was disposed of by the Council by remanding the matter to the ERC to take appropriate action on the request of the appellant for two basic units as per the NCTE Regulations, 2014 as the ERC, while issuing their order dt. 02.05.2016, did not either find any deficiency or indicate any reason for granting recognition for one basic unit only. The appellate order was accordingly issued on 26.09.2016.

AND WHEREAS The Committee noted that the ERC, in pursuance of the appellate order dt. 26.09.2016, in their 228th meeting held on 29-30 December, 2016 reviewed the matter and decided to confirm their earlier order dt. 02.05.2016 and

issued their letter dt. 28.01.2017. It is seen from this letter that the ERC, in their 213th Meeting took up the faculty position as well as built up area for the two courses, namely B.Ed. and D.El.Ed. for which the appellant applied, and decided to grant recognition for one unit of D.El.Ed. only. This letter also indicated the impossibility of granting recognition for one more unit for the academic session 2016-17 at this stage as the cut off the date for grant of recognition is over.

AND WHEREAS the Committee noted that the ERC has issued a speaking letter dt. 28.01.2017. On the other hand the appellant has not contested any of the grounds adduced by the ERC for confirming their earlier order dt. 02.05.2016. The appellant only mentioned that they are eligible for two units as they have appointed 16 faculties and have adequate infrastructures and instructional facilities. In these circumstances, the Committee concluded that the appeal deserved to be rejected and the decision of the ERC as contained in their letter dt. 28.01.2017 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 President, Olive Academy, Kanchanpur (Bagpara) Natunganj, Raghunathganj – 742227, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-263/E-1485/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Surya College of Business Management, Gaura, Mohanlalganj, Lucknow, Uttar Pradesh dated 31.03.2017 is against the Order No. NRC/NCTE/NRCAPP-12475/261th Meeting/2016/166059 dated 02/02/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice on 21/09/2015 to submit the NOC issued from the affiliating body. The institution has not submitted the NOC of the affiliating body."

AND WHEREAS Sh. R. Srivastava, Registrar, Surya College of Business Management, Gaura, Mohanlalganj, Lucknow, Uttar Pradesh presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "Due to lengthy presses of getting NOC from Lucknow University, we could not submit. Now we have been given NOC to run B.Com. & B.A. course and we will run the course from 2017. The institution has submitted proof/evidence to prove that it is a composite institution as per clause 2(b) of NCTE Regulations."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 30.05.2015 seeking recognition for conducting D.El.Ed programme. The appellant institution submitted copy of NOC dated 27.05.2015 issued by affiliating body i.e. Secretary, Examination Regulatory Authority, U.P. Allahabad. The impugned order dated 02.02.2017 on the ground that 'institution has not submitted the NOC of affiliating body is therefore, not tenable and justified.

AND WHEREAS Appeal Committee further noted that Show Cause Notice (SCN) dated 21.09.2016 was issued to appellant institution on a different ground i.e. 'Institution has not submitted evidence to prove that it is a composite institution as

per clause 2 (b) of NCTE Regulation, 2014.' The appellant institution in response to the SCN informed NRC on 18.10.2016 that an application has been made to Lucknow University seeking NOC for conducting B. Com course. The reply was not considered satisfactory by NRC and recognition was refused by issue of an order dated 02.02.2017 which lacks clarity. The institution has subsequently made available NOC dated 28.02.2017 issued by Lucknow University for conducting BA and B.Com courses to the appellant University. Appeal Committee, considering that impugned order lacks clarity and does not pin point as to which of the NOCs the institution has been unable to furnish, decided to remand back the case to NRC for revisiting the matter and issuing an appropriate worded 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 NRC for revisiting the matter and issuing an appropriately worded order.

NOW THEREFORE, the Council hereby remands back the case of Surya College of Business Management, Gaura, Mohanlalganj, Lucknow, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Surya College of Business Management, Gaura, NH-24B, Mohanlalganj, Lucknow, Uttar Pradesh – 227305.
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.89-264/E-1597/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Swami Vivekanand Mahavidyalaya, Gariyagaon, Jhansi, Uttar Pradesh dated 10.04.2017 is against the Order No. NCTE/NRC APP 201616553/B.El.Ed/UP/2017-2018 dated 11.02.2017of the Northern Regional Committee, refusing recognition for conducting B.El.Ed. course on the grounds that "Certified registered land documents have not been submitted by the institution. Latest Non-Encumbrance Certificate issued by the Competent Authority has not been submitted by the institution. The institution has not submitted the approved Building Plan signed by the Competent Govt. The applicant institution is running only D.El.Ed. course vertical expansion is not allowed because the applicant institution is not a composite institution as per clause 2(b) of the NCTE Regulations, 2014. hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Hafeez Ahamad, Office Admn. And Sh. Pankaj Vats, College Staff, Swami Vivekanand Mahavidyalaya, Gariyagaon, Jhansi, Uttar Pradesh presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "The two objections were replied by the institution vide its reply dated 31/01/2017. B.A. and B.Ed. courses are running in the institution affiliated to the Bundelkhand University duly recognized and approved by the NCTE (so far in regard to B.Ed. course) as such first objection is unsustainable. In regard to second objection the reply was submitted that the institution is again annexing the sanctioned plan approved by the competent authority which clearly demarcates the khasra numbers, the total area, built up area along with the multipurpose hall and class room etc. as well as the name of the institution too is mentioned. Lastly it was prayed that again the inspection of the institution if required be done by the committee so that the approval for grant of

recognition/approval be given to the institution for running the B.El.Ed. course. The order of refusal dated 09/02/2017 was passed on complete misconception of facts as such the institution had again represented its case for recalling of the refusal order vide its representations dated 16/02/2017 and 07/03/2017 (enclosed as annexures) sent though registered post. As such the applicant praise for that the refusal order dated 09/02/2017 (passed on misconception of facts) be recalled and the recognition / permission for grant of running B.El.Ed. course to the institution be granted at the earliest as it fulfils all the norms and the guidelines as laid down."

AND WHEREAS Appeal Committee noted that appellant had approached the Court of Law without seeking remedy through appeal and Hon'ble High Court of Allahabad in its order dated 07.04.2017 in W.P. Case No. 14317 of 2017 directed the appellant to avail statutory remedy and prefer appeal under section 18 of the Act.

AND WHEREAS Appeal Committee noted that NRC in its 262nd Meeting from 16 to 24 January, 2017 decided to issue Show Cause Notice (SCN) to the appellant institution on following grounds:

(i) Non-submission of proof/evidence of offering under graduate courses in the field of liberal arts or science etc.
(ii) Non-submission of Certified copy of registered land documents.
(iii) Non-submission of change of Land use certificate (CLU).
(iv) Difference between the name of Trust and Managing Committee.]

AND WHEREAS Appeal Committee further observed that appellant institution submitted reply dated 31.01.2017 to SCN. The appellant institution furnished copy of affiliation letter dated 20.09.2012 issued by U.P. Administration addressed to Bundel Khand University for conducting BA/ B. Com programmes. Appeal Committee further noted that copy of land deed furnished by appellant institution alongwith application is a certified one and copy of C.L.U dated 03.12.2012 issued by Dy. Commissioner Jhansi was also enclosed with the application.

AND WHEREAS Appeal Committee noted that the other grounds mentioned in the impugned refusal order i.e. latest Non-Encumbrance Certificate and approved

Building Plan were not mentioned in the decision taken by NRC on which SCN was proposed to be issued.

AND WHEREAS Appeal Committee also finds that a building plan approved by Jhansi Development Authority was submitted by the appellant to NRC vide its letter dated 31.01.2017. The point in respect of latest Non Encumbrance Certificate was not reflected in the proposed SCN. Considering that appellant has submitted certified copy of registered land deed and approval building plan, Appeal Committee decided to remand back the case to NRC for further processing of the application subject to adherence of the norms and standards for the said programme.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for further processing of the case subject to adherence of the norms and standards for the said programme.

NOW THEREFORE, the Council hereby remands back the case of Swami Vivekanand Mahavidyalaya, Gariyagaon, Jhansi, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Swami Vivekanand Mahavidyalaya, Gariya Gaon, 1840, 1841, 1842, Jhansi – 284003, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-265/E-1474/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of St. Thomas College of Education, Greater Noida, Knowledge Park-3, Kasna, Uttar Pradesh dated 18.03.2017 is against the Order No. NCTE/NRC/NRCAPP 201615205/D.El.Ed/U.P./2017-18/2 dated 07.03.2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution has not submitted the certified registered land documents issued by the Registering Authority or Civil Authority concerned. Hence, the Committee decided that the application is rejected and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Dr. M.K. Tyagi, Dean, St. Thomas College of Education, Greater Noida, Knowledge Park-3, Kasna, Uttar Pradesh presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "NCTE Regional Office rejected our file F.No. NCTE/NRC/NRCAPP201615205/Diploma in Elementary Education [D.El.Ed.]/UP/2017-18/2;" through E-mail dated 7th March 2017 on the following grounds "SCN issued to the institution on 17/02/2017 the reply received on 08/02/2017 in the office of NRC was considered and the following observation were made: The institution has not submitted the certified registered land documents issued by the Registering Authority or Civil Authority concerned. Hence, the Committee decided that the application is rejected and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution." We sent notarized papers only."

AND WHEREAS Appeal Committee noted that appellant institution has submitted to NRC on 08-09/02/2017 copies of following documents:-

(i) Allotment letter dated 12.07.2015 and 09.10.2005 issued by Greater Noida Industrial Dev. Authority (GNIDA)

(ii) Lease Deed between GNIDA and Maa Vaishno Education Society dated 13.06.2006

(iii) Occupancy Certificate dated 15.05.2014 issued by GNIDA.

(iv) Approval for change of name of society from Maa Vaishno Education Society to St. Thomas Higher Education Society by GNIDA dated 09.02.2016.

(v) GNIDA letter dated 07.02.2017 conveying approval for starting B.Ed. course.

AND WHEREAS Appeal Committer noted that the letter dated 07.02.2017 issued by Greater Noida Industrial Development Authority is enclosed in original by the appellant authority. This confirms the genuineness of lease deed attested copy of which is also submitted by the appellant. Appeal Committee, therefore, decided to remand back the case to NRC for further processing of the application.

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

NOW THEREFORE, the Council hereby remands back the case of St. Thomas College of Education, Greater Noida, Knowledge Park-3, Kasna, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Dean, St. Thomas College of Education, Greater Noida, Plot No.33 A/2, Knowledge Part-3, Kasna – 201308, 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.89-266/E-1647/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Chandu Ram Suthar Memorial College, Aadampur Road, Chhani Bari, Bhadra, Rajasthan received on 02.004.2017 is against the Order No. NCTE/NRC/NRCAPP201615400/B.A.B.Ed./B.Sc.B.Ed.-4 Year Integrated/RJ/2017-18/2; dated 15/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The institution itself admitted that the name of the Trust has been entered wrong in the online application. The change of name of the Trust at a later stage is not permitted. Title of the land is in the name of Society which is not mentioned in the online application. Khasra number also does not match with online application. The institution has not submitted the Non-Encumbrance certificate issued by the Competent Authority indicating that the land is free from all encumbrances. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Dewan Singh, Member, Chandu Ram Suthar Memorial College, Aadampur Road, Chhani Bari, Bhadra, Rajasthan presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "Yes, we have already submitted affidavit regarding wrong entered name of trust in online application form. The institution itself admitted that the name of the trust has been entered wrong in the online application. The change of name of the trust occurred due to lack of IT knowledge. Title of the land is in the name of society which is not mentioned in the online application. Khasra number also does not match with online application. After issue of SCN, we have submitted the said certificate within time. The institution has not submitted the non-encumbrance certificate issued by the Competent Authority indicating that the land is free from all encumbrances."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 30.05.2016 seeking recognition for conducting B.A., B.Ed./ B.Sc. B.Ed. programme. Appeal Committee noted that whereas the name of society is mentioned in the affidavit, registration certificate of society, affiliation letter for liberal arts etc., the name of institution which is almost identical and similar to the name of society was inadvertently filled in the column relating to the name of organization. The appellant institution admitted the error when the deficiency was brought to his notice by issuing a Show Cause Notice. Applicant then made a formal request by submitting an affidavit to rectify the deficiency. The similarity in name of institution is noticed as under:

Name of society	:	Chandu Ram Suthar Memorial Education Society.
Name of Institution	:	Chandu Ram Suthar Memorial Education College.

Appeal Committee decided to condone the error inadvertently made by the appellant who may be allowed to rectify and replace the name of society at appropriate place.

AND WHEREAS Appeal Committee further noted that appellant during the course of appeal presentation on 30.06.2017submitted copy of land documents in respect of Khasra No. 18/8 whereas khasra number mentioned in the application form in 19/18. The Non Encumbrance Certificate dated 03.02.2017 submitted by appellant also pertains to khata no. 25/19 Mis No. 8, Kila No. 9, 12/1, 14/2, 15/1 which do not tally with the land details filed in the application form. The appellant moreover, had failed to submit Non Encumbrance Certificate to the Northern Regional Committee office in response to the SCN Appeal Committee, therefore, decided to confirm the impugned refusal order dated 15.03.2017.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 15.03.2017.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Chandu Ram Suthar Memorial College, Aadampur Road, Chhani Bari, Bhadra – 335511, 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.89-267/E-1480/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Siddhi Vinayak College, Narayanapura, Narwar, Madhya Pradesh dated 30.03.2017 is against the Order No. WRC/APP3483/223/267th/2017/179279 dated 31/01/2017 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The reply of the institution was examined and the explanation given is found to be unsatisfactory. The letter from the Bank that the Demand Draft could not be prepared due to technical reasons cannot be accepted. Hence, Recognition is refused on the ground 'the institution has submitted processing fee after the date of online application'.

AND WHEREAS Sh. Sunil Bhargave, Secretary, Siddhi Vinayak College, Narayanapura, Narwar, Madhya Pradesh presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "the appellant institution has deposited the application online, as per the public notice issued by the NCTE, whereby last date for depositing the online application was 30th June 2015. The online application was duly submitted on same day. For filing the aforesaid application, an application was duly submitted to the concerned Bank i.e. Madhyanchal Gramin Bank Branch Narwar, District Shivpuri for preparation of Draft to the tune of Rs. 1,50,000/- on 30/06/2015, but on account of technical problem, the draft could not be prepared by the bank on the same day, but it has been prepared on next date i.e. 01/07/2015. That the NCTE has framed the regulation namely National Council for Teacher Education (Recognition, Norms and Procedure) Regulations, 2014, in which Regulation 5 says about the manner of making application and time limit. Regulation 5 (3) says that the application shall be submitted online electronically alongwith the processing fee, but admittedly the demand draft was sought for and the demand draft can only be encashed after receiving the original one. And for that purpose 15 days time has been granted by

the NCTE itself by issuing the letter dt. 14/01/2016, in which it was specifically mentioned that the date of accepting the hard copy of the application for academic session 2016-17 up to 15/07/2015 is reiterated for compliance and it has been extended to as per clause 7 of the Regulation 2014. The process fees was duly submitted and it has been accepted by the WRC, the application cannot be rejected only on the ground that the demand draft was prepared after the cut-off date of online application. Therefore, once the application has been accepted and the demand draft has been accepted by the NCTE, the WRC has no legal right to reject the application. It therefore humbly prayed that this appeal may kindly be allowed setting aside the order passed by the WRC rejecting the application of the appellant for recognition and the matter may kindly be remanded back to the WRC to decide the application on its own merits without rejecting the same on technical ground."

AND WHEREAS Appeal Committee noted that impugned refusal order dated 31.01.2017 is on the ground that 'The institution has submitted processing fee after the date of online application.' Appellant's main plea is that 'Madhyanchal Gramin Bank, Narwar, Shivpuri which is their banker could not issue bank draft due to failure of the server on 30.06.2015 which happened to be last date for submission of application. The appellant has also submitted a copy of the certificate dated 30.06.2015 issued by concerned bank in this regard.

AND WHEREAS Appeal Committee noted that 30.06.2015 was the last date for submitting online application for the academic session 2016-17 and the system for receipt of online application as programmed does not receive application unless Mode of Payment and D/D, pay order of Banker's cheque number and date is properly filled in at the application place. The hard copy of the demand draft or cheque can be submitted alongwith hard copy of the application. To get its online application accepted, the applicant filled up the Demand Draft number 297865 issued by Bhart Gramin Bank, Narwar. Later on the online entry in the application form relating to payment of fee was manually corrected by changing the D/D no. to 761333 issued by SBI Gwalior. This transpires that appellant institution was not in possession of a valid financial instrument at the time of submission of application and the entry made by him in the online application was incorrect. If the server of concerned bank was

not working, the bank should not have given them a D/D number which was filled up by the applicant in online application.

AND WHEREAS Appeal Committee holds that no application can be treated as a valid application unless prescribed fee is paid through an acceptable financial instrument before the cut of date. The corrections done manually in the online application from are also not acceptable. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 31.01.2017.

AND WHEREAS on perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 31.01.2017.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Siddhi Vinayak College, Narayanapura, Narwar – 473880, 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.89-269/E-1495/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Vivekanand Shikshak Prashikshan Mahavidyalaya, Suroth Bayana Road, Hindaun City, Distt. – Karauli, Rajasthan dated 18.04.2017 is against the Order No. NCTE/NRC/NRCAPP-201615299/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-2018/3; dated 28/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The CLU submitted by the institution is for residential purpose which is not acceptable. Total available land area for proposed course is less than required. The institution has not submitted the certified registered land documents issued by the registering authority or civil authority concerned. Hence, the Committee decided that the application is rejected and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. P.S. Gautam, Principal, Vivekanand Shikshak Prashikshan Mahavidyalaya, Suroth Bayana Road, Hindaun City, Distt. – Karauli, Rajasthan presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "Revised CLU for educational purpose issued by SDM for Khasra Nos. 2159/2 measuring 2000 sqm., 2160/1 measuring 3600 sqm. And 3212/2160 measuring 1800 sqm. Total 7400 sqm. Land CLU (three letters) are attached as PDF pages 74 to 82. Required land for the proposed course is 5500 sqm. The institution has 7400 sqm. land for educational purpose. Certified copies of the land documents of Khasra numbers 2159/2 measuring 2000sqm., 2160/1 measuring 3600 sqm. And 3212/2160 measuring 1800 sqm. Total 7400 sqm. are attached. We are submitting hard copies of land documents in the office of NCTE.

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 30.05.2016 seeking recognition for conducting BA, B.Ed/ B.Sc. B.Ed. programme. In the column pertaining to details of land the applicant filled up land area of 5600 Sq. Meters with Khasra nos 2159 and 2160/1. The applicant has submitted copy of land documents with its application and during the course of appeal presentation submitted certified copy of land documents pertaining to Khasra no. 2159 (2000 Sq. Meters) and 2160/1 (32660 Sq, feet). The land located at survey no 2160/1 is allotted to the organization for education purpose itself. There is a third piece of land measuring 2025.4 sq. feet located at Khasra no 2160/1 allotted to the organization for education purpose but this piece of land is registered on 17.04.2017 i.e. after the date of online application.

AND WHEREAS appellant during the course of appeal presentation submitted certified copies of Change of Land use Certificates (CLUs) dated 11.04.2017 issued by Sub Divisional officer pertaining to land located at Khasra no 2159/2 (2000 Sq. Meter), 2160/1 (3600 Sq, Meter) and Khasra no. 2160 (1800 Sq. Meters).

AND WHEREAS appellant has furnished details of existing teacher education programme being conducted by the institution in fulfilment of para 2(b) of the NCTE Regulations. The deficiencies on the basis of which recognition was refused and refusal order dated 28.03.2017 was issued stand rectified and therefore, Appeal Committee decided to remand back the case to NRC for further processing of the application. While further processing of the case, NRC should however, keep in view para 1.1 of Appendix 13 of the Norms and Standards for B.A. B.Ed, B. Sc B.Ed. programme according to which the objective of the programme is to integrate general studies in liberal arts, humanities, mathematics, science with profession studies.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit , documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for further processing of the case subject to the fulfilment of condition laid down in para 1.1. of Appendix 13 of the Norms and Standard for B.A. B.Ed/ B.Sc. B.Ed. programme.

NOW THEREFORE, the Council hereby remands back the case of Vivekanand Shikshak Prashikshan Mahavidyalaya, Suroth Bayana Road, Hindaun City, Distt. – Karauli, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Vivekanand Shikshak Prashikshan Mahavidyalaya, Suroth Dist. Karauli, Rajasthan – 322252.
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.89-270/E-1792/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of DBMS College of Education, Jamshedpur, Purba Singhbhum, Jharkhand dated 21.04.2017 is against the Order No. ERC/7-220.7.2/ERCAPP 3528/ D.El.Ed/2016/49030 dated 26.08.2016 the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the ground that " Building premises lease granted by Tata Steel which is not in conformity with clause 8(4) (i) and 8(4) (ii) of NCTE Regulation of 2014."

AND WHEREAS Sh. B. Chandrashekhar, Jt. Chairperson, DBMS College of Education, Jamshedpur, Purba Singhbhum, Jharkhand presented the case of the appellant institution on 30.06.2017. In the appeal and during personal presentation it was submitted that "The land free from all encumbrances could be either on ownership basis or on lease from Govt. or Govt. institutions for a period of not less than thirty years. The entire land in the Steel City of Jamshedpur was originally owned by Tata Steel. Following passage of Land Reforms Act 1956 – the ownership of the land vested with State Govt. and the erstwhile the Govt. of Bihar granted lease in 1956 for 40 years ending on 31st December, 1995, which was further renewed for 30 years with an option with Tata Steel for subsequent renewal. After vesting the ownership on the State Govt., the land fulfils the criteria of "Govt. Land. Only for the purpose of administering township and steel works, the State Govt. has granted a statutory lease to Tata Steel. As per the statutory lease Tata Steel has been empowered to grant sub-lease to the institution like theirs. Therefore, it complies with the requirement of Clause 8(4)(i) of the recognition guidelines – 2014."

AND WHEREAS the Committee noted that the appellant submitted their earlier appeal in respect of B.Ed. course and that appeal was considered by the Council taking into account the submissions of the appellant that there was no agency other than Tata Steel, who owns the land in that area, to give land for any institution. Appeal

Committee remanded the matter to the ERC with a direction to process the application, further as per the Regulations vide Appeal order dated 15.01.2016. The Committee further noted that thereafter ERC got the institution inspected by a Visiting Team on 18.04.2016 and on 18.5.2016 issued a Show Cause Notice to the appellant on the ground that the land document submitted shows that the building constructed in the premises was also on lease by Tata Steel Company Limited which is not in consonance with Clause 8(4)(i) & (ii) of the NCTE Regulations, 2014. The appellant replied to the Show Cause Notice on 25.05.2016 stating that (i) there is a small pre-existing security room for guard and compound wall which was misconstrued as leased building by the ERC whereas the entire building for Teacher Training Programme has been constructed by the institution at their cost; (ii) the approved building plan also clearly specifies that the building is meant for the proposed B.Ed. college; (iii) the appropriate authority also certified on the drawing itself that the total area of the land is 3000 sq. mts and the total built-up area is 3000 sq.mts; and (iv) thus it is by no means a leased building. The appellant also requested ERC to check up the facts with the Visiting Team's Report.

AND WHEREAS the Committee further noted that while acceptability of the lease of land by Tata Steel was cleared in the appellate order dated 15.01.2016, the ERC raised the issue of buildings being on lease and refused recognition. Clause 8(4)(i) of the NCTE Regulations, 2014 lays down that no building shall be taken on lease for running any teacher training programme. The appellant claimed that they got the building constructed and the pre-existing structure is only a security room.

AND WHEREAS the Committee noted that the appellant, claimed that the building was constructed by them and this fact was informed that ERC in their letter dated 1.7.2016. Further the appellant has furnished a declaration dated 27.02.2017 issued by Head of Land & Markets, Tata, stating that Deed of Lease permits the lessee i.e. DBMBS Board of Trustees to undertake additional construction at their cost. The concerned Chartered Accountants Company has also certified that DBMS Board of Trustees have made fixed Capital Investment to the tune of Rs. 3,04,91,804 for its new College of Education. The appellant further informed Appeal Committee that LOI in respect of its B.Ed. application has since been issued by ERC after the matter relating to Leased building was sorted out.

AND WHEREAS Appeal Committee, therefore, decided to remand back the case to ERC with direction to process the application for D.El.Ed on the analogy of B.Ed. application bearing code no. ERCAPP 2178.

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 ERC with direction to process the application for D.El.Ed on the analogy of B.Ed. application bearing code no. ERCAPP 2178.

NOW THEREFORE, the Council hereby remands back the case of DBMS College of Education, Jamshedpur, Purba Singhbhum, Jharkhand to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, DBMS College of Education, 1397(P), Farm Area, Road, No.23, Kadma – 831005, 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, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

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F.No.89-272/E-1900/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Aravindhar College of Education, Thenpallipattu, Aravindhar Nagar, Kalasapakkam, Tamil Nadu dated 18.04.2017 is against the Order No. SRO/NCTE/SRCAPP14495/B.Ed-AI/TN/2017-18/91916 dated 17/02/2017 of the Southern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Inspite of adequate time being given, the institution has not submitted the additional faculty list required."

AND WHEREAS Sh. K. Arvindhar, Secretary and Sh. S. Sundraswamy, Vice-Principal, Aravindhar College of Education, Thenpallipattu, Aravindhar Nagar, Kalasapakkam, Tamil Nadu presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted "Letter of Intent for two units of additional intake of B.Ed course was issued to appellant institution submitted F.D.Rs and list of faculty for two additional units. Recognition for additional unit was refused without vetting the documents submitted by appellant."

AND WHEREAS Appeal Committee noted that impugned refusal order dated 17.02.2017 is on the ground that 'inspite of adequate time being given, the institution has not submitted the additional faculty list required.'

AND WHEREAS while processing the appeal, Appeal Committee noticed that whereas the application seeking recognition for two additional units of B.Ed. programme was made on 29.06.2015, the NOC of affiliating body required to be submitted under clause 5 (3) of NCTE Regulation, 2014 was of a date subsequent to the last date for receipt of hard copy of the application. SRC did not raise any objection to the NOC dated 19.02.2016 submitted by application institution on 26.03.2016.

AND WHEREAS Appeal Committee further noted that whereas the applicant institution applied for two additional units of B.Ed. programme and inspection was also conducted for 2 units (100 intake), there was no reason mentioned for issue of LOI dated 14.04.2016 for one unit. The appellant institute submitted FDRs copies of which are still available in the regulatory file and also the particulars of 15 faculty members approved by Registrar, Tamil Nadu Teacher Education University on 06.05.2016. On top of these particulars the course is mentioned as B.Ed. (AI). This list in original was submitted to SRC in original on 06.06.2016. Appeal Committee further noted that the letter dated 30.11.2016 issued to appellant institution was adequately and appropriately replied to by the appellant institution on 29.12.2016. Had it been the intention of SRC that appellant should furnish separate list of faculty for existing intake and for additional intake, the same should have been clearly mentioned to the appellant institution. The letter dated 06.05.2016 issued by T.N.T.E.U and addressed to appellant institution clearly mentions that approval of faculty is for B.Ed. (Additional Intake).

AND WHEREAS Appeal Committee, therefore, decided to set aside the impugned refusal order dated 17.02.2017 with direction to SRC to process the case objectively and in case some clarifications are required, the same may be obtained from the appellant institution. This may clearly be pointed out in the communication.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned refusal order dated 17.02.2017.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, Aravindhar College of Education, Thenpallipattu, Aravindhar Nagar, Kalasapakkam – 606751, 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 Tamilnadu, Chennai.

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F.No.89-273/E-1902/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Asom Sikshak Prashikshan Mahavidyalaya, Paschim Jalukbari (Lankeswar), Guwahati, Assam dated 18.04.2017 is against the Order No. ERC/229.8.10/ERCAPP3457/D.El.Ed./2016/51181 dated 28/01/2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show Cause Notice was issued on 19/12/2016 on the following ground: (i) As per building plan, the total built up area is 1962.96 sq. mts. which is less than the requirement for B.Ed. (existing two units) + D.El.Ed. (Proposed one unit). b. In response to SCN, the institution submitted representation vide letter dated 01/12/2016 (on the basis of proceedings uploaded in ERC website) stated that the building plan is submitted to the Guwahati Metropolitan Development Authority and Guwahati Municipal Corporation for approval & permission to construct building and also requested to extend time. The Committee considered the representation of the institution and found that the institution is still deficient on the following grounds: (i) The total built-up area of the institution is 1962.96 sq. mts. which is less than the required 3500 sq. mts. stipulated for existing B.Ed. (two units) + proposed D.El.Ed. (one unit) as per NCTE Regulations, 2014. In view the above, the committee decided as under: The committee is of the opinion that application bearing code no. ERCAPP3457 of the institution regarding permission of D.El.Ed. Programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Dr. Anjali Karmarkar, Principal and Ms. Deepshikha Choudhary, Asstt. Professor, Asom Sikshak Prashikshan Mahavidyalaya, Paschim Jalukbari (Lankeswar), Guwahati, Assam presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation a copy of Building Completion Certificate dated 23.11.2015 was submitted. Another building plan with a proposed built up area of 1472 Sq. Meters was also submitted."

AND WHEREAS Appeal Committee noted that impugned refusal order dated 28.01.2017 is on the ground that appellant institution does not possess adequate built up area as per NCTE norms for the existing 2 units of B.Ed programme and the proposed one unit of D.El.Ed programme. The appellant during the course of appeal presentation submitted building plan for additional construction but has failed to establish that it has adequate built up area to accommodate proposed additional intake of D.El.Ed. The building Completion Certificate submitted by appellant does not mention the details of land and built up area and as such cannot be accepted as evidence of possessing adequate built up area. Building plan earlier submitted by the appellant indicates ground+ 3 floors whereas photographs of the institution indicate a structure of ground + 2 floors. So the availability of built up area may be even less than what has been taken after calculating the built up area of one floor.

AND WHEREAS Appeal Committee considering the facts of the case decided to confirm the impugned refusal order dated 28.01.2017 issued by ERC, Bhubaneshwar.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 28.01.2017.

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

(Sanjay Awasthi)
Member Secretary

1. The Principal, Asom Sikshak Prashikshan Mahavidyalaya, Paschim Jalukbari 37, NH way Paschim Jalukbari, Guwahati, Assam – 781014.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Guwahati.

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F.No.89-274/E-1913/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Raghukul Teacher Training College, Raghuveerpura, Bundi, Rajasthan dated 11.04.2017 is against the Order No. NRC/NCTE/NRCAPP-12185/264st Meeting/2017/170741-47 dated 11/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "In reply dated 25.01.2017 submitted by the institution in response to SCN dated 06/06/2016, the institution has not submitted any proof/evidence to prove that it is a composite institution as per clause 2(b) of the NCTE Regulations, 2014."

AND WHEREAS Sh. Rajesh Kumar, Director, Raghukul Teacher Training College, Raghuveerpura, Bundi, Rajasthan presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "this college is running B.Ed. course as per recognition granted by NRC, NCTE vide order No. NRC/NCTE/RJ-1349/2015/99996 dated 24.04.2015. The provisions of clause 8(1) of NCTE Regulations 2014, state that New Teacher Education Institution shall be located in composite institutions and the existing teacher Education institutions shall continue to function as standalone institution; and gradually move towards becoming composite institutions. That in compliance to the provisions of clause 8(1) of NCTE Regulations 2014, this institution has applied for grant of recognition of B.A. B.Ed./B.Sc. B.Ed. course to become composite institution. In the online application it is clearly stated that this institution is running only B.Ed. course. That after expiry of 6 months, NRC, NCTE has issued as Show Cause Notice vide letter No. NRC/NCTE/NRCAPP-12185/2015/130625 dated 03/12/2015 in which deficiency regarding composite institution has not been mentioned. This institution had submitted reply of SCN to NRC, NCTE on 19.12.2015. Deptt. of Higher Education, Govt. of Rajasthan has issued the NOC policy regarding Teacher Education Programme for 2016-17 vide order No. 31(1)Edu-4/2015 dated 21/12/2015. Clarification letter dated 12/03/2016 was also

issued by Deptt. of Higher Education regarding NOC Policy for 2016-17 in which it is clearly stated that NOC will also be issued for B.A. B.Ed./B.Sc. B.Ed. course to those existing college, who are running only B.Ed. course. The same thing is also stated in NOC Policy for 2017-18 issued on 23/02/2016. That after issuance of NOC Policy by the Deptt. of Higher Education, Govt. of Rajasthan, all the Universities of Rajasthan State had started to issue NOC for Teacher Education Programme. Kota University, Kota had issued NOC for B.A. B.Ed. / B.Sc. B.Ed. course to this institution on 10/02/2016. Copy of NOC is attached. This institution has submitted the copy of NOC for B.A. B.Ed./B.Sc. B.Ed. course issued by Kota University, Kota to NRC, NCTE on 17/02/2016. That the State Govt. had sent their recommendation for this institution to NRC, NCTE on 02.06.2016. That the inspection report of this college was considered in 251 Meeting (Part-3) of NRC, NCTE held on 13.04.2016 and deficiency regarding Composite Institution had been observed and decision had been taken to issue show cause notice. That this institution had submitted reply of SCN to NRC, NCTE on 20.04.2016. copy of reply letter is attached and marked as Annexure-16. That NRC, NCTE had issued a show cause notice vide letter no. NRC/NCTE/NRCAPP-12185/251 (Part-3) Meeting/2016/163175 dated 06.12.2016. Institution had submitted reply of SCN along with all required documents to NRC, NCTE on 25.01.2017. That this institution had again submitted a letter to NRC, NCTE on 20.02.2017 in which institution has submitted a copy of clarification letter issued by NCTE, Head Quarter on 10.02.2017 and requested to grant recognition for B.A. B.Ed./B.Sc. B.Ed. course. That NRC, NCTE had not considered the reply of the institution and decided to reject the application for recognition of B.A. B.Ed. / B.Sc. B.Ed. course submitted by this institution in its 264 (Part-4) Meeting held on 22.02.2017. copy of Minutes is attached. That this institution had again submitted a request letter to NRC, NCTE on 28.02.2017 to re-consider the case of this institution in the light of clarification letter issued by NCTE Head Quarter on 10.02.2017. That NRC, NCTE had not considered the request of this institution and sent a rejection letter vide letter no. NRC/NCTE/NRCAPP-12185/264 Meeting/2017/170741-47 dated 11.04.2017. copy of rejection letter dated 11.04.2017 is attached. That Appeal Committee, NCTE, New Delhi had issued an order in the appeal of SKS College of Education, Kurukshetra, Haryana in which the case had been remanded to NRC, NCTE with direction to take further action as per NCTE Regulations, 2014 by the council. The ground of rejection of this institution is also same as SKS College of

Education, Kurukshetra, Haryana. Copy of appeal order dated 04.08.2016 is attached and marked as Annexure-23. That NCTE, H.Q., New Delhi has issued a clarification letter to all Regional Committee on 10.02.2017, in which it is clearly stated that in view of other provisions in clause 8 (1) of the Regulations that all standalone Teacher Education Institutions need to gradually move towards becoming composite-institution; the 4 year integrated course can also be given to a Teacher Education Institution offering a single Teacher Education programme, providing the affiliating University agrees to regulate the B.A./B.Sc. component of the integrated programmes, as per University Norms. That after issuance of clarification letter dated 10.02.2017 and appeal order dated 04.08.2016, it is clear that as per provision of clause 2(b) and 8(1) of NCTE Regulations, 2014, recognition for B.A. B.Ed./B.Sc. B.Ed. course may be granted to a standalone Teacher Education Institution offering a single Teacher Education programme provided the affiliating University agree to regulate the B.A./B.Sc. Component of the Integrated Programme, as per University Norms. That in our case, this institution is running B.Ed. course. State Govt. has issued State Recommendations to NRC, NCTE for this institution. Kota University, Kota had also issued NOC for affiliation of above course. NRC, NCTE had already conducted inspection of this college for recognition of above course and in online application, this institution had clearly mentioned that this institution is running only B.Ed. course."

AND WHEREAS Appeal Committee noted that applicant institution submitted online application dated 30.05.2015 seeking recognition for conducting B.A.B.Ed./B.Sc.B.Ed. programme. A Show Cause Notice (SCN) dated 03.12.2015 was issued to applicant institution on the ground of 'failure to submit NOC of affiliating body with the hard copy of application.' The applicant ought to have submitted NOC issued by affiliating body alongwith hard copy of the application. Keeping in view the provision contained in clause 5(3) and 7(1) of NCTE Regulations, 2014, such applications which are submitted without NOC or are not followed up by NOC issued by affiliating body on or before the last date for receipt of application, should be rejected. The Regional Committee should not process such applications which do not qualify on account of submission of NOC.

AND WHEREAS Appeal Committee further noted that NRC Jaipur got the appellant institution inspected on 13.03.2016 and thereafter after a gap of about nine months issued another SCN dated 06.12.2016 on grounds of composite status as mentioned in clause 2(b) of NCTE Regulations, 2014 and clause 1.1 of Appendix 13 of the Norms & Standards for BA, B.Ed./ B.Sc. B.Ed. programme. Appellant submitted reply dated 25.01.2017 to the SCN by stating that institution had obtained NOC dated 10.02.2016 and also fulfils the condition proscribed in clause 2(b). Appellant had also referred to a case of SKS College of Education, Kurukhestra in which it was decided by issue of an appeal order dated 04.08.2016 to allow B.A. B.Ed./B.Sc.B.Ed programme in an institution conducting B.Ed. D.El.Ed. programme. The appellant also invited attention to clarifications issued by NCTE (HQ) vide its letter dated 10.02.2017 wherein it was stated that the 4 year integrated course can also be given to a teacher education institution offering a single teacher education programme. Appeal Committee further noted that NCTE (HQ) issued further clarification vide its letter dated 07.04.2016 addressed to all Regional Committee offices. These clarifications inter alia state that:

> *'It is not necessary that an institution already offering B.A./B.Sc. programme is entitled to apply for a four year integrated B.A. B.Ed./ B.Sc. B.Ed. programme. The application for a four year integrated programme of an institution can be processed, if it has simultaneously applied to the affiliating body, for a graduate programme. However, recognition order by NCTE in such case will be issued by NCTE only where the institution submits affiliation/ recognition of its proposed graduate B.A., B.Sc. programme by the University.'*

AND WHEREAS Appeal Committee do not have access to the records of SKS College of Education, Kurukshetra whose case has been quoted by the appellant as an analogous case and also Committee do not dispute whether the decision taken in that case was right or wrong taking into account the relevant provision of the regulations and clarifications available at that particular time. Appeal Committee has in view para 1.1 of the Appendix 13 of the Regulations which stipulate that;

> *" The four year integrated programme aims at integrating general studies comprising science (B.Sc., B.Ed) and social sciences or humanities (B.A.,*

B.Ed.), and professional studies comprising foundation of education, pedagogy of school subjects."

(Para 4 (XI) of the Appendix 13 further provides that faculty from departments where students take liberal courses and from cooperating departments who are involved in teaching will be considered as extended faculty of the Department of Education).

AND WHEREAS Appeal Committee, keeping in view the objective of the 4-year Integrated programme of B.A. B.Ed./B.Sc. B.Ed. is of the opinion that general definition of a composite institution as contained in para 2(b) of the regulation should be applied in combination with para 1.1 of Appendix 13 relating to Norms and Standards for B.A. B.Ed./B.Sc. B.Ed. programme.

AND WHEREAS Appeal Committee, therefore, decided to confirm the impugned refusal order dated 11.04.2017 by taking note that the appellant institution is neither conducting a degree level course in science/liberal arts nor has simultaneously applied to the affiliating University for recognition of a graduate level course.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 11.04.2017.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Raghukul Teacher Training College, Raghuveerpura, Bundi, Rajasthan – 323001.
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.89-275/E-1891/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of G.C. Paul College of Education, Village – Dharanala Post Kalinagar, T.E. Hailakandi Road, Dharanala, Assam dated 17.04.2017 is against the Order No. ERC/227.9.29/Application ID: 9301/D.El.Ed./2016/51057 dated 20/01/2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show Cause Notice was issued on 09.11.2016 on the following grounds: (i) The applicant has submitted Demand Draft of Rs. 1.50 lacs towards processing fee. As per the online NCTE portal, payment through online only is accepted. (ii) As per the print out copy of the online application it is observed that Application Number is not available. (iii) The application has not appeared on the dashboard of the online NCTE portal due to which online process cannot be carried out. b. In response to SCN, the institution has submitted its reply dated 01/11/2016 informed that processing fee could not be sent online due to non-availability of electronic media at that time due to server problem and might have some Technical Programme for generation of application number and requested to process the file. The ERC considered the reply of the institution and found that the institution is still deficient on the following grounds: in view the above, the Committee decided as under: The Committee is of the opinion that application bearing ID No. 9301 of the institution regarding permission of D.El.Ed. Programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Dr. K.R. Paul, President and Ms. Rithia Paul, Asstt. Prof., G.C. Paul College of Education, Village – Dharanala Post Kalinagar, T.E. Hailakandi Road, Dharanala, Assam presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "Payment of processing fee of Rs. 1.5 lac could not be made through online due to non-availability of electronic media at that time. Besides there was an option to deposit processing fee through demand draft. (Ref. NCTE instruction for filling up the

online application p.2sl. No. 6(ii) (copy enclosed-II). It is fact that application number in the print out copy was not generated. In this regard I would like to say that there might be some online technical problem, which was beyond our control. (i) Regarding non-appearance of application on the dashboard—in this regard I would say that this may be caused again by technical/electronic problem. (ii) Lately, on search, we found that the application itself in the Dashboard of NCTE bearing ID No. 9301. Perhaps the main problem was non-generation of application number in the original application for which I could not submit (after clicking on submit button it was not responded to accept) the online appeal of memorandum. Finding no other alternative I had visited the NCTE, Delhi office on 20th & 22nd of March/2017 and talked to the Technical Officer. The concerned officer heard the matter deliberately and told that matter is technical which they will try to solve shortly. Ultimately with the kind help of NCTE (Delhi) the appeal was submitted online on 17/04/2017."

AND WHEREAS Appeal Committee noted that impugned refusal order dated 20.01.2017 is on the ground that appellant institution has failed to submit application fee through admissible mode of payment. The terms and conditions for making online applications during the year 2016 laydown that:

> "application for recognition will be confirmed online after completion of the online application and payment of processing fee."

Further it is prescribed that processing fee through online payment on Credit card/ Debit card / Net banking is processed by interlinked Getaway.

AND WHEREAS Appeal Committee noted that due to non-acceptability of the processing fee through Demand Draft, the online submission procedure of the application was not completed and application did not appear on the dashboard of the NCTE portal. Appellant institution too has accepted that online payment could not be made due to some server problem at their end. Appeal Committee, therefore, decided to confirm the refusal order dated 20.01.2017 issued by ERC Bhubaneswar.

AND WHEREAS after personal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 20.01.2017.

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

(Sanjay Awasthi)
Member Secretary

1. The President, G.C. Paul College of Education, Village – Dharanala Post Kalinagar, T.E. Hailakandi Road, Dharanala, Assam – 788166.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Guwahati.

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F.No.89-277/E-1894/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of CSI College of Education, Parassala, Cheruvarakonam, Neyyattinkara, Kerala dated 19.04.2017 is against the Order No. SRO/NCTE/SRCAPP2589/M.Ed/KL/2017-18/91896 dated 17/02/2017 of the Southern Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "1. We have given them enough time to give the faculty list. 2. We cannot wait indefinitely. 3. Reject the application. 4. Return FDRs, if any. 5. Close the file."

AND WHEREAS Sh. K. Jacob Mathew, Admn. Officer, CSI College of Education, Parassala, Cheruvarakonam, Neyyattinkara, Kerala presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "The faculty list has now been approved by the University of Kerala and we are submitting the same along with the prescribed fees. As all the defects noticed by NCTE have been rectified please reconsider our application for granting recognition."

AND WHEREAS Appeal Committee noted that a Letter of Intent (LOI) dated 25.04.2016 was issued to appellant institution inter alia requiring the appellant institution to submit list of faculty duly approved by the affiliating body. Appeal Committee further noted in response to a Show Cause Notice (SCN) dated 29.09.2016, the appellant made a written request to SRC vide its letter dated 18.10.2016 and 28.12.2016 to extend the time limit for submission of approved faculty list. SRC considered the request made by appellant institute vide its letter dated 18.10.16 and extended the time limit for submission of the list upto 31.12.2016. The request made by appellant vide its letter dated 28.12.2016 was not taken cognigence of for granting further extension on the ground that enough time has already been given.

AND WHEREAS during the course of appeal presentation on 30.06.2017, appellant appraised the Appeal Committee that the University of Kerala has approved the list of faculty on 12.04.2017. Appeal Committee therefore, decided to remand back the case to SRC for consideration of the list of faculty which appellant institution should submit to SRC 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 remand back the case to SRC, Bangalore with a request to consider the faculty list which the appellant institution should submit within 15 days of the issue of Appeal orders.

NOW THEREFORE, the Council hereby remands back the case of CSI College of Education, Parassala, Cheruvarakonam, Neyyattinkara, Kerala to the SRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, CSI College of Education, Parassala, Cheruvarakonam, Neyyattinkara, Kerala – 695502.
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.

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F.No.89-281/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Swami Vivekananda Institute for Teachers Training, Kurhmun, W.B. dated 08.04.2017 is against the Order No. ER-230.6.8/ERCAPP2791/B.Ed./2016/51585 dated 08/03/2017 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 50 seats from the academic session 2017-18."

AND WHEREAS Sh. Kazi Abu Nasim, Secretary, Swami Vivekananda Institute for Teachers Training, Kurhmun, W.B. presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "Eklobbho Memorial Trust" submitted the online application in the name of "Swami Vivekananda Institution for Teachers Training" for grant of recognition for the academic session 2016-17 with annual intake (100) for B.Ed. (ERCAPP2791). The applicant trust obtained NOC from the University of Burdwan and W.B.B.P.E in the name of the institution "Swami Vivekananda Institution for Teachers Training" and all other relevant documents including building plan is in favour of the institution/trust. The applicant trust, before submitting its online application was in possession of 6232.10 sq. mts. of Land and 3808.80 sq. mts. of Build-up area in the name of "Eklobbho Memorial Trust" which satisfied all the norms as per NCTE Regulation 2014. The application for B.Ed. (ERCAPP2791) 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 for an annual intake of 100 students (two basic units) B.Ed. (ERCAPP2791) application was applied for an annual intake of 100 students (two basic units). Applicant trust, in compliance with the letter of intent as per NCTE Regulation 2014 submitted its reply along with all other relevant documents for B.Ed. (ERCAPP2791) with an annual intake of 100 students (two basic units). The ERC, NCTE without consideration of the facts and documents/written submission by the

applicant trust including affidavit/undertaken again issued formal recognition order under clause 7(16) of NCTE Regulation 2014 for one basic unit for B.Ed. (ERCAPP2791) applications vide order No. F.No.ER-230.6.8/ERCAPP2791/B.Ed./2016/51585, dated 08.03.2017. The applicant trust was truly entitled for an annual intake of 100 students (two basic units) against B.Ed. (ERCAPP2791) application as per NCTE Regulation 2014. The applicant trust has all the necessary documents related to Land/Building and Teaching Staff Format approved by the Affiliating University to establish its claim and may satisfy the Hon'ble Appeal Committee in favour of the institution against the order No. F.No.ER-230.6.8/ERCAPP2791/B.Ed./2016/51585, dated 08.03.2017 passed by the ERC."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 29.05.2015 seeking recognition for conducting B.Ed. programme. The affidavit enclosed with the application form clearly stated that application is being made for 100 seats (2 units) of B.Ed. programme. Appeal Committee further noted that inspection of the institution was conducted for a proposed intake of 2 units (100 seats). The Letter of Intent (LOI) dated 30.09.2016 sought consent/ willingness of the institution for basic unit (one/two) offering for the said course. Responding to the LOI, the appellant institution submitted affidavit opting for two units and also submitted a list of faculty which contained the names of one Principal and 15 faculty members. Appeal Committee noted that ignoring the eligibility in all respects of the appellant institution, ERC's decision to grant recognition for only one unit (50 seats) was not substantiated by an any reason. Appeal Committee, therefore, decided to remand back the case to ERC Bhubaneshwar for granting recognition for two units of B.Ed. programme instead of one unit for which recognition order has already been issued on 08.03.2017.

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 ERC for granting recognition for two units of B.Ed. programme instead of one unit for which recognition order was issued on 08.03.2017.

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NOW THEREFORE, the Council hereby remands back the case of Swami Vivekananda Institute for Teachers Training, Kurhmun, W.B. to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Swami Vivekananda Institute for Teachers Training, Kurhmun Plot No.1357, Kurhmun, West Bengal – 713102.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-282/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Motichand Institute of Higher Education, Research and Technology, Kurmauta, Kasia, Uttar Pradesh dated 21.04.2017 is against the Order No. NRC/NCTE/NRCAPP-11037/261th/Meeting/2016/166080 dated 12/02/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "NRC decided to reject the application and refuse recognition on account of non-compliance of Clause 7(2)(b) as well as Clause 5 of the NCTE Regulations, 2014."

AND WHEREAS Sh. D.N Yadav, Managing Director, Motichand Institute of Higher Education, Research and Technology, Kurmauta, Kasia, Uttar Pradesh presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that " The requisite, no objection certificate was submitted and is available with the appellant. Further, hard copy is available with the appellant. The technicalities should not over-ride the realities. The appeal may be allowed as the documents as required are available and are in order."

AND WHEREAS Appeal Committee noted that applicant institution was issued Show Cause Notice (SCN) dated 23.10.2015 on account of its failure to submit NOC of the affiliating body alongwith hard copy of application. Appellant institutions submitted reply dated 10.12.2015 stating that correspondence is on for getting. NOC Appeal Committee noted that clause 5 (3) of NCTE Regulations, 2014 provides for submission of NOC at the time of making online application. Further clause 7 (1) of NCTE Regulations provides for rejection of all such application which are not complete, or requisite documents are not attached with the application. In the above case appellant institution has failed to submit NOC to NRC even in response to the SCN and the NOC dated 27.03.2017 submitted by appellant to the Appeal Committee is after the date of issue of impugned refusal order dated

11.02.2017. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 11.02.2017 issued by NRC.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 11.02.2017 issued by NRC.

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

(Sanjay Awasthi)
Member Secretary

1. The Managing Director, Motichand Institute of Higher Education Research and Technology, Plot No.259, Kurmauta, PO-Basdila Pandey, NH-28, Kasia, Kathkuyia, Uttar Pradesh – 274303.
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.89-283/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Swami Vivekanand Teachers Training College, Rawatsar Mega Highway, Shergarh, Hanumangarh, Rajasthan dated 20/04/2017 is against the Order No. NCTE/NRC/NRCAPP2016/45183/B.A. B.Ed./B.Sc. B.Ed.- 4 Year Integrated – Bachelor of Education & Master of Education (B.Ed. M.Ed.) – 3 year Integrated/RJ/2017-2018/2 dated 15/03/2017 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 still not submitted the Non – Encumbrance Certificate issued by the Competent Authority indicating that the land is free from all encumbrance. The institution has submitted the approved Building plan signed by the Competent Govt. Authority, however, the details with regard to the name of the course, name of the institution, Khasra No. /Plot No. total land area, total built up area and the measurements of the Multi-purpose hall as well as the other infrastructural facilities such as class rooms etc., have not been indicated thereon. The institution has not submitted any proof/evidence with regard to offering B.Ed. and M.Ed. programme which have been in existence for at least 5 years as required under Clause 2 (i) of Appendix 15 of the NCTE Regulations, 2014. The institution has not submitted any proof/evidence with regard to having residential accommodation for conduct of this Programme, as required under Clause 2 (iii) of Appendix 15 of the NCTE Regulations, 2014. Hence, the Committee decided that the application is rejected and recognition /permission is refused u/s 14/15 (3) (b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Dr. Suman Pahwa, Principal, Swami Vivekanand Teachers Training College, Rawatsar Mega Highway, Shergarh, Hanumangarh, Rajasthan presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "Regarding non-submission of

Non-Encumbrance Certificate issued by competent authority, humble appellant places on record Non-Encumbrance Certificate duly authenticated by the Tehsildar, who is competent to issue the same. The institution is/was in possession of proper Non-Encumbrance Certificate issued by competent authority which was also placed for consideration of NRC. So far as approved building plan signed by competent government authority is concerned, it is stated that appellant had furnished the building plan signed by competent government authority wherein the details of area, plot no./ khasra no. etc. were also mentioned. A copy of building plan is again submitted. In so far as the remaining two deficiencies/ observation are concerned, it is stated that petitioner had applied for 4 years integrated B.A. B.Ed./ B.Sc. B.Ed. for which Appendix-13 of NCTE Regulations, 2014 is applicable and 3 years Integrated B.Ed. – M.Ed. degree course as contained in Appendix- 15 of NCTE Regulations, 2014. As per Clause 1.2 of Appendix – 13, the integrated course has to be offered in composite institution as defined in Regulation 2.1. Since, appellant is already running B.Ed. and STC Course, it is already running multiple teacher education courses and it thus satisfies the requirement of NCTE Regulations, 2014 for running 4 years integrated course. A copy of recognition order of STC and B.Ed. Course is enclosed. However, while taking the decision in 265th Meeting (Part-23) NRC has failed to appreciate the said documents and in a most casual manner it has pointed out a non-existent deficiency which is not even required under the Norms and Standards contained in Appendix-13 of NCTE Regulation, 2014. So far as in the 4th deficiency with regard to non-submission of proof of residential accommodation is concerned, it is stated that same can be appreciated through in view of the detailed map which enclosed for ready perusal. A copy of map providing residential accommodation facility is annexed. Furthermore, for running 4 year integrated B.A. B.Ed./ B.Sc. B.Ed. course as defined in Appendix-13, there is no requirement to have a residential accommodation. While applying the criteria and norms of 3 year B.Ed. M.Ed. Programme as defined in Appendix-15 of NCTE Regulations, 2014, the decision taken by NRC in 265th Meeting clearly reflects total non-application of mind and erratic approach of respondent. Applications for both courses have not been dealt with in correct perspective and respondent has overlapped the criterion and requirements to the detriment of petitioner. Because respondents must have passed a clear and speaking order separately rather than filing a common order in a mechanical manner which reflects lack of clarity and understanding while taking

decision in the instant case. Because various other institutions which were exactly similarly placed like appellant had been granted recognition."

AND WHEREAS Appeal Committee noted that impugned refusal order dated 15.03.2017 issued by NRC Jaipur is for two programmes i.e. 4 year Integrated B.A. B.Ed./ B.Sc B.Ed and B.Ed./M.Ed. programme. The norms and standards for the above two programmes are contained in two different Appendix i.e. Appendix 13 and Appendix 15. Processing of the applications for both these programmes should have been done independent of each other and separate orders are required to be issued. Appellant's submission that NRC has overlapped the criteria and requirement and has processed the case in a Mechanical manner is therefore, substantiated. However, responsibility lies on the appellant also for not making two separate applications independent of each other and clubbing the two programmes in a single application mentioning the course applied for as BA B.Ed./ BSc B.Ed – 4 year Integrated, B.Ed. & M.Ed. – 3 year Integrated.

AND WHEREAS Appeal Committee noted that the 4 year Integrated programme leading to B.A. B.Ed/ B.Sc. B.Ed. degree aims at integrating general studies comprising science (B.Sc B.Ed) and social studies or humanities (B.A. B.Ed) and professional studies comprising foundation of education and pedagogy of school subjects. The integration between general studies and profession studies envisaged in the regulations (Appendix 13 para 1.1) is not possible without an institution having adequate faculty teaching in the general subjects at degree level. The concept of a composite institution as defined in para 2 (b) of the regulation is therefore, required to be complied with in combination with para 1.1. of Appendix 13.

AND WHEREAS similarly the norms and standards for the 3 year Integrated B.Ed., M.Ed programme (Appendix 15) makes only such institutions eligible for the programme which are already offering B.Ed. and M.Ed. programmes for at least 5 years. As per record available on regulatory file the appellant institution is not offering M.Ed. programme. Para 2(3) of Appendix 15 also mentions that institution shall have residential accommodation for the conduct of this programme.

AND WHEREAS appeal Committee without commenting upon the eligibility of the appellant institution to conduct the two different programmes applied for, decided to remand back the case to NRC for processing these applications separately and issuing separate orders in respect of both the programmes. The impugned refusal order dated 15.03.2017 is set aside.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned refusal order 15.03.2017 and remand back the case to NRC for processing the applications separately and also issuing separate speaking orders based on the norms and standards for each individual program.

NOW THEREFORE, the Council hereby remands back the case of Swami Vivekanand Teachers Training College, Rawatsar Mega Highway, Shergarh, Hanumangarh, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Swami Vivekanand Teachers Training College, 14 K.S.P. Shergarh, Rawatswar Mega Highway, Hanumangarh, Rajasthan – 335526.
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.89-284/E-1895/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Bright India Mahila Teacher Training College, Ajmer, Rajasthan dated 22.04.2017 is against the Order No. NCTE/NRC/NRCAPP201615062/BA Bed/ BSc Bed -4 year Integrated/ RJ/2017-2018/3 dated 28.03.2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "Date of purchase of land documents is 09.11.2016 & 10.10.2016 which is after date of making online application. Land is in the name of Sh. Raja Ram Meena (individual) and not in the name of Institution/Society. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Raja ram Meena, representative, Bright India Mahila Teacher Training College, Ajmer, Rajasthan presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that The Management registered online application for B.A. B.Ed./B.Sc. B.Ed. course. The Managent attached the sale deed certified copy dated 15/10/2015 for area 6000 sq. mts. land registered Sub-Registrar second Ajmer, Rajasthan. Building plan is approved by competent authority i.e. Ajmer Development Authority, Ajmer, Rajasthan. The institution Management has three sale deed registered on date 15/10/2015 and 09/11/2016 and 14/10/2016. The institution owner land measuring 12140. The institution has submitted 15/10/2015 land documents online application. Sir, we request to dismiss the NRC order dt. 11.03.2017 and pass the order for inspection and grant recognition to the above course. The institution has completed the land document & revenue documents. The institution owns and possesses total land 12,140 sq. mt."

AND WHEREAS Appeal Committee noted that applicant institution submitted online application dated 17.05.2016 seeking recognition for conducting 4 year Integrated course of B.A. B.Ed./ B.Sc. B.Ed. The details of land available to the institution as per entry made in the application form is : Survey no. 1367, 1571, 1707 and 1737 with total land area as 12140 Sq. Meters. The appellant institution did submit copy or certified copy of registered land documents with the application and the copy of building Completion Certificate mentioned the address of property as Plot no. 62, Part of Khasra no. 1367.

AND WHEREAS Appeal Committee further noted a Show Cause Notice (SCN) dated 21.01.2017 was issued to appellant institution seeking written representation within 21 days of following points:

(i) Name of the society mentioned in online application does not match with the society registration document society's byelaws not submitted.
(ii) Institution is not a composite institution under clause 2(b).
(iii) NOC does not mention session.
(iv) Certified registered land documents not submitted.
(v) C.L.U. issued by competent authority for educational purpose not submitted.
(vi) Non Encumbrance Certificate not submitted.
(vii) Building plan does not mention the name of course, Khasra No, Plot number and other details.

AND WHEREAS Appeal Committee noted that appellant institution submitted reply dated 20.020.2017, 09.03.2017 and reported compliance of the deficiencies mentioned in the SCN dated 21.01.2017. The final refusal order dated 28.03.2017 is on the ground that land is registered in the name of Sh. Raja Ram Meena and not in the name of society/ institution. Also the date of purchase of land is 09.11.2016 and 10.10.2016 which is after the date of making online application.

AND WHEREAS Appeal Committee noted that the appellant institution did not enclose with its application any copy of the registered land documents and clause 7 (2)(b) of the NCTE Regulations provide for summary rejection of such application

which at the time of submission are not accompanied with land documents. The appellant during the course of appeal presentation was unable to justify non submission of land documents at the time of making online application and most obviously it was due to the land being registered on subsequent dates.

AND WHEREAS Appeal Committee, therefore, decided to confirm the impugned refusal order dated 28.03.2017 issued by NRC.

AND WHEREAS after perusal of the Memoranda of Appeal affidavit, document on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 28.03.2017.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Bright India Mahila Teacher Training College, Defence Colony, Foysagar Road, Near GC-2, Ajmer, Rajasthan – 305005.
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.

(49)

F.No.89-285/E-742(1)/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Shiv Narayan Shiksha Samiti (Abhigyan Mahavidhyalaya), Tonk, Rajasthan dated 27.03.2017 is against the Order No. NCTE/NRC/NRCAPP201615140/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2 dated 03/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "(i) The institution has not submitted the Non-Encumbrance certificate issued by the Competent Authority indicating that the land is free from all encumbrances. (ii) The institution has not submitted the Land Use Certificate issued by the Competent Authority to use the land for educational purpose. (iii) The institution has not submitted the certified registered land documents issued by the Registering Authority or civil authority concerned. (iv) The institution has not submitted any proof/evidence to prove that it is a composite institution as per clause 2(b) of NCTE Regulations, 2014."

AND WHEREAS Sh. Mohinder Singh Choudhary, President, Shiv Narayan Shiksha Samiti (Abhigyan Mahavidhyalaya), Tonk, Rajasthan presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "This institution has submitted Non-Encumbrance Certificate issued by State Bank of India on 21.02.2017. after getting status from online Portal on 27/02/2017. This institution has obtained Non-Encumbrance Certificate from Tehsildar, Tonk (raj.). Due to website problems, the Non-Encumbrance certificate was not uploaded on portal. Now non-encumbrance certificate issued by Tehsildar, Tonk (Raj.) is annexed. This institution has submitted land Use Certificate at page no. 56 along with application file on 27.05.2016 and again submitted same documents page no. 3 along with reply of show cause notice on 21.02.2017. Now Land Use Certificate issued by Municipal Corporation, Tonk (Raj.) is annexed. This institution has submitted copy of Land documents at page

no. 47-55 along with application file on 27/05/2016 and again submitted same documents at page number 4-13 along with reply of Show Cause Notice on 21/02/2017. After getting status from online portal on 27/02/2017, this institution has obtained certified copy of registered land documents from sub-Registrar, Tonk (Raj.). due to website problem, certified copy of Registered Land documents from sub-Registrar, Tonk (raj.) was not uploaded on portal. This institution has submitted copy of proof for composite institution as per clause 2(b) of NCTE Regulation 2014 at page Number 36 along with application file on 27/05/2016. This copy of NOC issued by Director, College Education, Rajasthan, Jaipur, affiliation letter issued by M.D.S. University, Ajmer and NOC for 4-year integrated course – B.A.B.Ed./B.Sc.B.Ed. course issued by M.D.S. University, Ajmer is annexed."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 09.02.2017 was issued to appellant institution on grounds of non submission of Non Encumbrance Certificate, Land Use Certificate, Approved Building Plan, evidence to prove that it is a composite institution. The appellant institution submitted reply dated 21.02.2017 enclosing therewith copy of registered land deed, approved building plan and CLU issued by Municipal Council, Tonk (Raj). The Non Encumbrance Certificate issued by State Bank of India was however, not a valid certificate.

AND WHEREAS Appeal Committee further noted that appellant institution during the course of appeal presentation on 30.06.2017 has further submitted certified copy of land deed, a valid Non Encumbrance Certificate issued by the office of Tehsidar, Tonk (Raj), CLU issued by office of Municipal Council, Tonk and affiliation letter dated 09.11.2016 issued by Maharshi Dayanand Saraswathi Univesity Ajmer extending the provisional affiliation for conducting B.A. and B.Sc courses by the appellant institution. Appellant admitted that all the above documents could not be submitted to Regional Committee due to lack of proper understanding. Appeal Committee decided to remand back the case to NRC for further processing of the application and appellant is required to submit to NRC copies of all the required documents 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 remand back the case to NRC for further processing of the application. Appellant is required to submit certified copy of land documents, Non Encumbrance Certificate issued by Tehsildar and copy of affiliation letter dated 09.01.2016 to NRC within 15 days of the issue of Appeal order.

NOW THEREFORE, the Council hereby remands back the case of Shiv Narayan Shiksha Samiti (Abhigyan Mahavidhyalaya), Tonk, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Shiv Narayan Shiksha Samiti, Tonk, Rajasthan - 304001.
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.

(51)

F.No.89-288/E-1959/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Nalanda College of Elementary Education, Penamaluru, Vijaywada, Andhra Pradesh dated 08.04.2017 is against the Order No. SRO/NCTE/SRCAPP-15009/D.El.Ed/AP/2017-18/92327 dated 08/03/2017 of the Southern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "1. The FR for D.El.Ed. (1 unit) issued on 03.03.2016 was cancelled. 2. LOI for D.El.Ed. (2 units) was issued, as requested, on 14.04.2016. 3. Inspite of repeated opportunities given, no reply has been received. 4. We cannot wait indefinitely. 5. Cancel the LOI for D.El.Ed. (2 units). 6. The Application is rejected. 7. Return FDRs, if any. 8. Close the file."

AND WHEREAS Sh. Vishnu Passed, Administrative Officer, Nalanda College of Elementary Education, Penamaluru Penamaluru, Vijaywada, Andhra Pradesh presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "final recognition for one Unit (50 seats) was issued on 03.03.2016. On request of the application for grant of two units instead of one, a revised letter of Intent dated 14.04.2016 was issued. The institution, however, did not get revised LOI and hence were not in a position to comply. The refusal order for both the units (one granted and one to be granted) is not justified."

AND WHEREAS Appeal Committee noted that applicant institution submitted online application dated 30.06.2015 seeking recognition for conducting D.El.Ed. programme. The affidavit enclosed with the application from mentioned the applied for intake as one unit (50 seats). Inspection of the appellant institution was conducted on 24.01.2016 with a proposed intake of 50 seats in view. Letter of Intent (LOI) dated 02.02.2016 was issued to appellant institution for an annual intake of 50 seats. Appellant institution submitted a compliance report to SRC on 01.03.2016

furnishing therewith a list containing the name of one Principal and seven faculty members approved by SCERT. Thereafter a formal order of recognition dated 03.03.2016 was issued. Appeal Committee is of the opinion that it should have been the end of matter but the appellant addressed a letter to SRC on 31.03.2016 requesting to accord LOI for two units in lieu of one unit of B.Ed. programme applied for and the application for which could not get through due to non grant of NOC by the affiliating body.

AND WHEREAS Appeal Committee is of the view that SRC did not have a jurisdiction to consider such a request made by the appellant and also there was no justification to issue a revised second LOI dated 14.04.2016 after grant of formal recognition for one unit. The second LOI for 2 units of D.El.Ed. programme was also not justified keeping in view that original application and inspection of the institution was for granting only 50 seats (one units).

AND WHEREAS appellant has submitted that second LOI dated 14.04.2016 was not received by the application institution and hence no reply could be submitted.

AND WHEREAS Appeal Committee noted that issue of second LOI for 2 units was not justified and required as applicant has made an application for only one unit and inspection was also conducted to assess the preparedness of the institute for one unit. Even if SRC had considered the request dated 31.03.2016 of the applicant, the LOI should have been issued for one additional unit as recognition order dated 03.03.2016 for the basic unit was already issued. Similarly non compliance of second LOI should have resulted in refusal of additional unit rather than withdrawal of the earlier basic unit. The impugned order dated 09.03.2017 should have been restricted to a matter for which the second LOI was issued and for a recognition already granted, there should be a proper withdrawal order. Appeal Committee, taking into account the circumstances of the case decided to set aside the impugned order dated 09.03.2017. The order of recognition dated 03.03.2016 granting approval for one unit of D.El.Ed programme is restored.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to set aside the impugned order dated 09.03.2017. The order of recognition dated 03.03.2016 granting approval for one unit of D.El.Ed. programme is restored.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Nalanda College of Elementary Education, Penamaluru M.G. Road, Penamaluru, Vijaywada, Andhra Pradesh – 521139.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

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F.No.89-289/E-1954/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Rampati Balbhadra Prasad Shukla Vidyalay Milkipur, Faizabad, Uttar Pradesh dated 22.04.2017 is against the Order No. NRC/NCTE/NRCAPP-6478/264th (Part-1) Meeting/2017/168214 dated 17/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not submitted reply of SCN dated 27.12.2016. As per letter dt. 19.01.2017 of the Registrar, Dr. Bhim Rao Ambedkar University, Agra, the institution has submitted a fake documents regarding approval of the faculty to mislead the NRC. The above-mentioned letter of the University reveals that the approval letter dated 19.08.2015 has not been issued by it. In reply dated 24.01.2017 in response to SCN dated 26.12.2016, the institution has also not submitted FDRs in the Joint name of RD, NRC and the institution."

AND WHEREAS Sh. Jagdambika Prasad Shukla, Vice President, Rampati Balbhadra Prasad Shukla Vidyalay Milkipur, Faizabad, Uttar Pradesh presented the case of the appellant institution on 30/06/2017. In the appeal and during personal presentation it was submitted that "Institution has submitted the reply to SCN dt. 26.12.2016 on 24.01.2017. it is already accepted by NRC. The affiliating University of this institution is Dr. Ram Mahohar Lohiya Avadh University, Faizabad and faculty approval letter is issued by them not by Dr. Bhim Rao Ambedkar University, Agra. FDRs in the joint name were not submitted by institution with reply of SCN because NRC has not returned the original FDRs with the LOI. When I personally contacted the NRC, they said that the original FDRs of Rs. 5.0 Lac & 7.0 Lac are not traceable in their record. Then NRC issued a letter on 25.01.2017 for No Objection for maturity of FDRs. After that letters were submitted to the concerned bank for issue a duplicat copy of FDR.s. Bank issued the new FDR in the Joint name of RD, NRC and the institution on 17.03.2017. It shows that non-submission of FDRs in the Joint name is not our mistake."

AND WHEREAS Appeal Committee noted that a Letter of Intent (LOI) dated 18.02.2016 was issued to appellant institution and a copy of LOI was endorsed to the registrar, Ram Manohar Lohia Awadh University, Faizabad being the affiliating body. Appeal Committee further noted that a Show Cause Notice (SCN) dated 26.12.2016 was issued to appellant institution on the ground that reply to LOI dated 18.02.2016 is not submitted. The appellant insitution submitted reply dated 24.01.2017 to SCN by furnishing compliance to LOI therewith.

AND WHEREAS Appeal Committee observed that impugned refusal order dated 17.03.2017 is on the ground that institution has not submitted reply to SCN dated 27.12.2016 and further that Registrar, Dr. Bhim Rao Ambedkar University, Agra has conveyed that institution has submitted fake documents regarding approval of faculty. Letter of the University dated 19.08.2015 is also referred to therein.

AND WHEREAS Appeal Committee on examination of the case observed that NRC has mixed up some other case as the affiliating University in this case is not Bhim Rao Ambekdar University, Agra. Appellant institution has also submitted reply to the SCN and submitted faculty list approved by Dr. Ram Manohar Awdh University Faizabad. Impugned refusal order dated 17.03.2017 is therefore, set aside and NRC is directed to examine the case and reissue appropriate 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 refusal order dated 17.03.2017. NRC is directed to examine the case and reissue appropriate order.

(Sanjay Awasthi)
Member Secretary

1. **The Manager, Rampati Balbhadra Prasad Shukla Vidyalay Milkipur, Faizabad, Uttar Pradesh – 224164.**
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.89-290/E-860/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Mahesh Singh B.Ed. College, Kendua, Gaya, Bihar dated 31.03.2017 is against the minutes of 235th meeting of ERC held on 15-16 March, 2017, refusing recognition for conducting B.Ed. course on the grounds that "a. Show Cause Notice was issued on 17.01.2017 on the following grounds:- (i) Building plan is not approved by Govt. Engineer. (ii) Building completion certificate is not submitted. (iii) NOC for the applied B.Ed. (Addl. Intake) programme was issued from Magadh University on 17.06.2015. NOC for the academic session 2017-18 is not submitted. b. In response, the institution submitted reply vide letter dated 21.02.2017 along with some documents. The ERC considered the reply of the institution and observed that the institution is still deficient on the following grounds:- (i) NOC for the applied B.Ed. (Addl. Intake) programme was issued from Magath University on 17.06.2015. NOC for the academic session 2017-18 is not submitted. In view the above, the Committee decided as under: The committee is of the opinion that application bearing No. ERCAPP201646101 of the institution regarding recognition of B.Ed. (Additional Intake) Programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Anand Kumar Singh, Co-ordinator, Mahesh Singh B.Ed. College, Kendua, Gaya, Bihar presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation and in a letter dt. 29.06.2017, it was submitted that "they submitted the required documents vide letter No- M.Sb.Ed-Coll- 375 dated 06/02/2017, but due to unavoidable reason it could not be attached in institution file. Again they submitted these documents on 21/02/2017 and also mentioned in this reply that they have applied for revised NOC in the Magadh University on 15/01/2017 and as they get it they will submit to the ERC,

NCTE office. A revised NOC was issued from the Magadh University on 07/03/2017 to the institution and they submitted, it physically to NCTE office on 21/03/2017. By that time 235th meeting was held and their case was refused. Therefore, the appellant requested to reconsider the case" In the letter dt. 29.06.2017, the appellant submitted that at the time of on-line application, they submitted the NOC issued by Magadh University on 17.06.2015 for the additional intake, in which session was not mentioned at it was not clear to them that the NOC to be submitted should be of the current session (2017-18).

AND WHEREAS the Committee noted from the copy of the NOC dt. 17.06.2015 issued by Magadh University for an additional intake of 100 in B.Ed. programme, a copy of which has been enclosed to the appellant's letter dt. 29.06.2017, that the University did not mention any academic session therein. Similarly, in the copy of the Renewal of NOC dt. 07.03.2017 issued by Magadh University for additional intake in B.Ed. course, a copy of which has been enclosed to the appellant's letter dt. 29.06.2017, no session has been mentioned. In these circumstances, the Committee concluded that the NOC dt. 17.06.2015 itself, which has since been renewed on 07.03.2017, should be considered valid for processing of the application of the appellant. The Committee, therefore, concluded that the matter deserved to be remanded to the ERC with a direction to process the application further. The appellant is directed to submit a copy of the 'Renewal of issued NOC dt. 07.03.2017 to the ERC within 15 days of receipt of the order on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to ERC with a direction to process the application further. The appellant is directed to submit a copy of the 'Renewal of issued NOC dt. 07.03.2017 to the ERC within 15 days of receipt of the order on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Mahesh Singh B.Ed. College, Kendua, Gaya, Bihar to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Mahesh Singh B.Ed. College, Vill. - Kendua, P.O. – Kendui, Dist. - Gaya, Bihar – 823001 .**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

(54)

F.No.89-291/E-1962/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Vasunddhara B.Ed. and D.El.Ed. College, Hura, Purulia, West Bengal dated 17.04.2017 is against the Order No. ERC/236.7.10(Part-II)/ERCAPP3937/D.El.Ed./2016/52022 dated 03/04/2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that (i) as the B.Ed. application bearing Code No. ERCAPP3930 has been refused, therefore, D.El.Ed. programme now comes under the standalone category which is not permissible as per Regulations, 2014.

AND WHEREAS Sh. Anirudhya Mazumdar, Secretary, Vasunddhara B.Ed. and D.El.Ed. College, Hura, Purulia, West Bengal presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that in respect to B.Ed course the submitted NOC was issued by Registrar of Sidho Kanho Birsa University on 14.07.2015 but the institution had collected the NOC as on 17.09.2015. The date mentioned in the top of the NOC is only the "date of received from the University". So, it is submitted that the date of issue of the NOC is within the stipulated period. The application for B.Ed. course is valid.

AND WHEREAS the Committee separately considered the appeal of the appellant against refusal of recognition for their B.Ed. course and decided to remand the matter to ERC for further processing of the application for that course. In these circumstances, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to process the application for D.El.Ed. course further as per the NCTE Regulations, 2014 in the light of the decision conveyed on the appeal relating to B.Ed. course.

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 ERC with a direction to process the application for D.El.Ed. course further as per the NCTE Regulations, 2014 in the light of the decision conveyed on the appeal relating to B.Ed. course.

NOW THEREFORE, the Council hereby remands back the case of Vasunddhara B.Ed. and D.El.Ed. College, Hura, Purulia, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vasunddhara B.Ed. and D.El.Ed. College, Jabarrah, Hura, Purulia, West Bengal – 723101.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(55)

F.No.89-292/E-1963/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Vasunddhara B.Ed. and D.El.Ed. College, Hura, Purulia, West Bengal dated 17.04.2017 is against the Order No. ERC/236.7.9(Part-II)/ERCAPP3930/B.Ed./2016/52016 dated 03/04/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a. Show Cause Notice was issued on 07.12.2016 on the following ground:- (i) NOC was issued by the Registrar of Sidho Kanho Birsa University on 17.09.2015 i.e. after the stipulated date of 15th July, 2015 which is not accepted. b. In response, the institution submitted reply vide letter dated 23.12.2016 along with copy of another NOC date 29.11.2016 issued by Registrar of Sidho Kanho Birsa University i.e. after the stipulated dated of 15th July, 2015, which is not accepted by the Committee. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP3930 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, Secretary, Vasunddhara B.Ed. and D.El.Ed. College, Hura, Purulia, West Bengal presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that "actually, the submitted NOC was issued by Registrar of Sidho Kanho Birsa University on 14-07-2015 but the institution had collected the NOC as on 17-09-2015. The date mentioned in the top of the NOC is only the "date of received from the University". So, it is submitted that the date of issue of the NOC is within the stipulated period. In the course of personal presentation, the appellant submitted a No Objection Certificate dt. 04.04.2017 issued by the Registrar, Sidho-Kanho Birsha University in which the University stated that they bear no objection if this certificate is treated as valid with effect from 14.07.2015.

AND WHEREAS the Committee noting the clearance given for treating their No Objection Certificate for the appellant College as valid with effect from 14.07.2015 i.e. a date prior to the stipulated date 15.07.2015, concluded that the matter deserved to be remanded to the ERC with a direction to process the application further as per the NCTE Regulations, 2014. The appellant is directed to submit the NOC dt. 04.04.2017 issued by the affiliating university to the ERC within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to ERC with a direction to process the application further as per the NCTE Regulations, 2014. The appellant is directed to submit the NOC dt. 04.04.2017 issued by the affiliating university to the ERC within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Vasunddhara B.Ed. and D.El.Ed. College, Hura, Purulia, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Vasunddhara B.Ed. and D.El.Ed. College, Jabarrah, Hura, Purulia, West Bengal – 723101.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(56)

F.No.89-293/E-1967/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Shatabdi Institute of Education, Kayasth Gaonwari, Mohiuddinpur, Meerut, Uttar Pradesh dated 26.04.2017 is against the decision taken by the Northern Regional Committee in their 267th meeting (part-2) held from 5th to 7th April, 2017 to refuse recognition for conducting M.Ed. course (Additional Intake) on the ground that "the institution has not submitted the reply of the SCN issued by NRC on 02.03.2017 within the stipulated time. The file does not contain the copy of the formal refusal order issued by the NRC and the appellant enclosed only a copy of the minutes of the meeting of the NRC.

AND WHEREAS Sh. Amit Kumar Mehra, Secretary and Ms. Anuradha Malik, Member, Shatabdi Institute of Education, Kayasth Gaonwari, Mohiuddinpur, Meerut, Uttar Pradesh presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that "the institute has received the SCN by mail on 02.03.2017. The institution had all the documents in hand except revised NOC from the affiliating body namely, C.C.S. University, Meerut. The institute had applied for revised NOC on 06.03.2017 but the process was delayed on University part. The institute got revised NOC vide letter no. Aff./156 dt. 15.04.2017. Meanwhile the case of the institute was put up in 267th Meeting Part-2 dt. 5-7 April, 2017 and rejected. The institution received another SCN by mail on 13.04.2017 in which 21 days time was granted to submit written representation. The institute, immediately, submitted its reply along with requisite documents to NRC, NCTE by hand on 17.04.2017. Since the University delayed the revised NOC order and institute has no other option for it except wait for the letter and the institute is at no fault in the matter so they requested to consider their case and process the matter.

AND WHEREAS the Committee noted that the NRC issued a show cause notice dt. 02.03.2017 pointing out that (i) the institution has not submitted any proof / evidence to prove that it is a composite institution as per clause 2(b) of the NCTE Regulations, 2014; (ii) NOC dt. 10.11.2015 is for the session 2016-17; (iii) name of the course is not mentioned on the building plan; and (iv) the institution has not submitted any evidence / proof with regard to application made to NAAC or other accreditation agency approved by NCTE as required under clause 2 (i) of Appendix -5 of the NCTE Regulations, 2014. According to the show cause notice, a written representation was to be made by the appellant within 21 days from the date of receipt of the notice. As the appellant did not send any reply within the stipulated time, NRC in their 267th meeting held from 5th to 7th April, 2017 decided to refuse recognition.

AND WHEREAS the Committee noted from the file that no other show cause notice besides the one dt. 02.03.2017 was issued by the NRC as stated by the appellant. The same notice might have been sent by mail again. However, the file contains a reply dt. 17.04.2017 to the show cause notice decided in NRC's 265th meeting dt. 27.02.2017. In this reply the appellant has submitted satisfactory replies to all the four grounds mentioned in the show cause notice. In these circumstances, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the reply of the appellant dt. 17.04.2017 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 NRC with a direction to consider the reply of the appellant dt. 17.04.2017 and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Shatabdi Institute of Education, Kayasth Gaonwari, Mohiuddinpur, Meerut, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shatabdi Institute of Education, Kayasth Gaonwari, Mohuddinpur, Meerut – 250205, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-295/E-1955/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Excellent Model College for Teacher Education, Paschim Medinipur, West Bengal dated 20.04.2017 is against the Order No. NCTE/ERC/ERCAPP201646297/Bachelor of Education [B.Ed.]/WB/2017-18/4; dated 13/04/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the Committee considered the reply dt. 14.03.2017 to the show cause notice dt. 02.03.2017 and observed as under: (i) NOC issued by the Registrar of the affiliating University is on 18.07.2016 i.e., after 15th July, 2016. (ii) As per the direction received from NCTE Hqrs. no standalone institution can be given additional intake beyond two units. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing No. ERCAPP201646297 of the institution regarding recognition of Additional Intake in B.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Karunamoy Bhattacharya, Principal, Excellent Model College for Teacher Education, Paschim Medinipur, West Bengal presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation no explanation as such has been given. The appellant only enclosed to the appeal certain documents, including (i) a copy of the letter dt. 11.07.2016 issued by the Govt. of West Bengal, Higher Education Deptt. to the Inspector of Colleges, Vidyasagar University informing them that NOC may be issued to the appellant institution for B.Ed. (additional intake) and two other institutions for B.Ed course; and (ii) copy of the NOC issued by Vidyasagar University, which was signed by the Registrar on 18.07.2016.

AND WHEREAS the Committee noted that the NOC was signed by the Registrar, Vidyasagar University on 18.07.2016 i.e. after the prescribed last date of 15.07.2016. The Committee also noted that the appellant is not running any other

teacher education programme except B.Ed. with 100 intake (two units), in which course he has applied for an increase in intake. Letter dt. 08.12.2016 issued by the NCTE and cited in the refusal order has clearly mentioned that the maximum intake permissible in B.Ed. course is two units, which are already available in the appellant 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 ERC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Excellent Model College for Teacher Education, Chottodabcha, Satbankura – 721253, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(59)

F.No.89-296/E-1958/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Debra Kanailal Pal B.Ed. College, Paschim Medinipur, West Bengal dated 17.04.2017 is against the Order No. ERC/234.7.5/ERCAPP3488/B.Ed/2017/53140 dated 02.05.2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a. SCN was issued on 03.06.2016 on the following grounds: (i) As per building plan and building completion certificate, there is a four storied building but as per CD only two storied building is available. (ii) As per building plan and building completion certificate, total built up area is 3199.62 sq. mts. whereas as per VT report built-up area is 1300 sq. mts. (iii) Class rooms and furniture are inadequate. b. In reply the institution vide representation dated 15.12.2016 stated that they have completed two storied building. c. There is no provision for re-inspection of the institution as per NCTE Regulation, 2014. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP3488 of the institution regarding recognition of B.Ed. Programme is hereby refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Sujit Pal, Secretary, Debra Kanailal Pal B.Ed. College, Paschim Medinipur, West Bengal presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that "at the time of inspection, the building completion certificate was four storied, but wrongly the CD (Compact Disc) captured only two stories and as per inspection report the built-up area was 1300 sq. mts. but the present status is 3199.62 sq. mts. In this connection, we agree to re-inspection for verifying the real status and we also agree to pay further re-inspection fees for consideration. The appellant, in a letter dt. 01.07.2017 given at the time of presentation, stated that at the time of inspection on 06.03.2017 conducted on the basis of allegations against the course, they had completed a four-storied building with 41000 sq. mtrs (this should be 41000 sq. ft)

which was reflected in the VT report. The appellant enclosed a 'revised' building completion certificate dt. 19.01.2017 and also a copy of the NCTE's letter dt. 13/20.02.2017 proposing an inspection under section 13 of the NCTE Act during the period from 16.02.2017 and 08.03.2017.

AND WHEREAS the Committee noted that in connection with the application of the appellant for B.Ed. course, ERC got an inspection of the institution on 04.03.2016 and thereafter issued a show cause notice on 03.06.2016 pointing out three building related grounds. The appellant replied to the show casue notice on 15.12.2016 i.e. after six months, while the reply was to be sent within 21 days from the date issue of the show cause notice. The ERC after considering the reply in their 234th meeting held from 27th February to 3rd March, 2017 decided to refuse recognition and issued the refusal order on 02.05.2017.

AND WHEREAS the Committee noted that the main reason for refusal is non-completion of two floors out of four floors proposed and availability of 13000 sq. mts only, which is inadequate for the existing D.El.Ed course and the proposed B.Ed course. The VT in their report dt. 04.03.2016 recorded at more than one place that only ground and first floors have been completed and the total built up area including library room and one store room would be about 1300 Sq. mts/1300 sq. ft. The appellant in their reply to the show cause notice stated that at the beginning they thought that they will be completing four-storeyed building and after that they changed their decision to build ground and first floor with a total built-up area of 32670.88 sq. ft. The Visiting Team did not find that the built-up area was more than 1300 sq. mtrs.

AND WHEREAS the appellant with their letter dt. 01.07.2017 enclosed a 'revised' building completion certificate dt. 19.01.2017, showing the year of construction as 2017. The appellant seems to have given this certificate to the Visiting Team that inspected their institution Under Section 13 of the NCTE Act on 06.03.2017. An inspection Under Section 13 is conducted in respect of existing institutions and not for the purpose of grant of recognition/ permission for new course or additional intake. In the circumstances, the inspection under section 13 and its

outcome has no relevance to the appellant's application for B.Ed. course, which is a new course.

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

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Debra Kanailal Pal B.Ed. College, Vill.-Chakmathkathpur, NH-6, Arjuni, West Bengal – 721126.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(60)

F.No.89-297/E-2026/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Arya Kanya Gurukul College of Education , Karnal, Haryana dated 24.04.2017 is against the Order No. NCTE/NRC/NRCAPP201615072/Bachelor of Physical Education [B.P.Ed.]/HA/2017-18/2; dated 02/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.P.Ed. course on the grounds that "Institution has been running B.Ed. under the name & style of Arya Kanya Gurukul whereas it has been running D.El.Ed. under the name & style of College of Education, Arya Kanya Gurukul .The application for the proposed B.P.Ed. course has been submitted by Arya Kanya College of Physical Education. NOC has been issued to Arya Kanya College of Education by the affiliating University. Hence, the applicant institution neither falls under the category of existing composite nor the proposed composite. Certified registered land documents for Khatauni number 529 for land area 186-5 (Canal-Marla) have not been submitted. Only the Jamabandi and suit for declaration dated 07.04.1992 is submitted. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15(3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Sahil Mehta, Head Clerk and Sh. Ram Singh, Committee Member, Arya Kanya Gurukul College of Education, Karnal, Haryana presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation and in a letter dt. 30.06.2017, it was submitted that on verification they found that Institution has been recognized for B.Ed Course under the name & style of "Arya Kanya Gurukul "under clause 7(12) of the Regulations vide order No. F.NRC/NCTE/F-7/HR-559/30883-30889 dated 18th October, 2007" and NCTE issued the revised order of recognition for conducting B.Ed programme of 2 years duration under the name & style of "Arya Kanya Gurukul College of Education" vide order no. F.No./NRC/NCTE/HR-559/2015/112841 dated 06-06-

2015. D.Ed course was recognized under the name & style of "College of Education Arya Kanya Gurukul under clause 7(11) of NCTE Regulation, 2007 notified on 10-12-2007 vide order No. F.NRC/NCTE/HR-1317/2008/60243 dated 03.09.2008. No Objection Certificate also has been issued to Arya Kanya Gurukul College of Education by the Kurukshetra University, Kurukshetra for the proposed Bachelor of Physical Education (B.P.Ed) Course.The application for the proposed B.P.Ed course has been submitted by Arya Kanya Gurukul College of Education originally but it is wrongly typed earlier in online application as Arya Kanya Gurukul College of Physical Education. The appellant requested to consider this latest name as Arya Kanya Gurukul College of Education. If this is accepted the applicant institution, namely Arya Kanya Gurukul College of Education, falls under the category of existing composite institute. It is also clarified that Land is gifted by Gram Panchayat to Society Mahasabha Arya Kanya Gurukul and same is filed for ownership in the court of Shri Randhir Singh, HCS, Sub Judge IIIrd Class, Karnal vide civil suit No.26 of 1982. In Judgement, the decision is in favour of Mahasabha Arya Kanya Gurukul vide date of decision is 07.04.1982. Please consider this as Register of Land Document. It is also clarified that khatoni number of registered land is also changed in every four years after survey by the numberdaar. Hence the khatoni number 286 is written in Suit Declaration dated 07.04.1982, whereas in year 2007 it was written and read as 529, and in year 2017 it is written and read as 506. Please consider the same as for Land Area 186K-5M. Enclosed: 1. Registered Gift Deed for Land Area 186K-5M 2. Suit for Declaration for Land Area 186K-5M." The appellant also submitted that the same land documents were submitted at the time of applying for B.Ed. and D.El.Ed. course and they were accepted.

AND WHEREAS the Committee noted that the two grounds of refusal related to the difference in the names of the institutions for three different courses, namely, B.Ed, D.El.Ed and B.P.Ed and land ownership documents. From the submission of the appellant it is observed that as far as B.Ed. course is concerned, NRC, in their revised order of recognition dated 06.06.2015 accepted the name of the institution as 'Arya Kanya Gurukul College of Education'. As far as D.Ed. course is concerned, in the recognition order dt. 03.09.2008 the name of the institution is mentioned as 'College of Education Arya Kanya Gurukul, which is written in a reverse order. As far as the proposed B.P.Ed. is concerned, the appellant submitted that the name

'Arya Kanya Gurukul College of Physical Education' got typed in the on-line application was a mistake and the name of the institution actually is 'Arya Kanya Gurukul College of Education' and Kurukshetra University issued NOC for B.P.Ed. course in favour of 'Arya Kanya Gurukul College of Education only. As regards the land, the appellant has given detailed explanation and submitted documents, which deserve to be taken into account.

AND WHEREAS in view of the position stated above, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the submissions of the appellant in regard to the name and land documents and take further action as per the NCTE Regulations, 2014. While doing so the NRC should consider the application vis a vis the requirements for conducting B.P.Ed. course as laid down in Appendix-7 to 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 NRC with a direction to consider the submissions of the appellant in regard to the name and land documents and take further action as per the NCTE Regulations, 2014. While doing so the NRC should consider the application vis a vis the requirements for conducting B.P.Ed. course as laid down in Appendix-7 to the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Arya Kanya Gurukul College of Education , Karnal, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President, Arya Kanya Gurukul College of Education, VPO – Mormajra Assandh Road, Ballah, Haryana – 132046.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

(61)

F.No.89-298/E-1344/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Lokmanya Tilak Education College, Ujjain, Madhya Pradesh dated 12.04.2017 is against the decision of the Western Regional Committee taken in their 270th meeting held on March 1-3, 2017 refusing recognition for conducting B.Sc. B.Ed. course on the grounds that Show cause notice was issued on 17.01.2017 regarding land. The institution vide reply dt. 06.02.2017 has stated that Lokmanya Tilak Sanskriti Nyas has leased the land to Lokmanya Tilak Shikshan Samiti. This lease is a private lease and so not permissible. Further, in the NCTE Regulations, 2014, it is clearly stated that at that the time of application, the land should be in the name of the applicant. Hence, Recognition is refused." The file however, does not contain a copy of the refusal / rejection order issued.

AND WHEREAS Sh. Bharat Vyas, Secretary, Lokmanya Tilak Education College, Ujjain, Madhya Pradesh presented the case of the appellant institution on 01/07/2017. In a letter dt. 11.04.2017 enclosed to the appeal and during person presentation, it has been submitted that Lokmanya Tilak Sanskratik Nyas is a social agency established in 1965 for social and educational activities. For proper management some educational institutions started from primary level to college level were associated with Lokmanya Shikshan Samity, which is a part of the Trust. Main feeder is the Sanskritik Nyas not only for Lokmanya Tilak Education College but all other institution of shiksha parisar. The Trust has transferred the power to the society for management. The lease is made between the Nyas and the samiti for 30 years and it is legal. In the premises of Lokmanya Tilak Education College, Science College is also running. The institution is composite. The appellant also submitted that the NCTE accepted the lease and the same should be continued now and in future.

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 procession of the required land on the date of application, free from all encumbrances, either on ownership basis or on lease from Govt. or Govt. institutions. The land for the proposed course is on lease from Lokmanya Tilak Sanskirt Nyas to Lokmanya Tilak Shikshan Samiti, while is the appellant for Lokmanya Tilak College of Education. Since the lease is not from Govt. or Govt. institution, the Committee concluded that the WRC was justified in refusing recognition and therefore the appeal deserved to rejected and the decision of the WRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Principal, Lokmanya Tilak Education College, Ujjain, Madhya Pradesh – 456010.
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.89-299/E-1832/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Sai Nath University, Ranchi, Jharkhand dated 21.04.2017 is against the Order No. ERC/231.8.1/ERCAPP2707/D.El.Ed/2016/51565 dated 08.03.2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show Cause Notice was issued on 28.12.2016 on the following grounds:- "(i) A letter to Directorate of Primary Education, Govt. of Jharkhand was written on 27.09.2016 for obtaining their views in respect of NOC from examining / affiliating body of the D.El.Ed. programme as this university itself claiming the examining body of applied D.El.Ed. programme. (ii) No reply received from the Directorate of Primary Education, Govt. of Jharkhand till date. (iii) The Sai University has not submitted the NOC issued from affiliating / examining body i.e., Jharkhand Academic Council or Directorate of Primary Education, Govt. of Jharkhand for the applied D.El.Ed. programme. b. In response to SCN, the institution submitted reply vide letter dated 21.12.2016 mentioning that it need not require any other body (Directorate of Primary Education, Govt. of Jharkhand) to issue NOC for the proposed D.El.Ed. Programme as Sai Nath University itself is a competent authority to conduct examination of D.El.Ed. A copy of the letter dated 20.12.2016 issued from Director, Primary Education; Govt. of Jharkhand is also attached by the institution which states to take necessary action as per the Rules of the Elementary Education system for issuance of NOC. C. The ERC considered the reply of the institution and observed that the institution is still deficient on the following grounds:- (i) The institution did not submit the NOC issued from affiliating/examining body. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP2707 of the institution regarding recognition for D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Dr. Chandra Prakash Agarwal, Trustee, Sai Nath University, Ranchi, Jharkhand presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that "on the same ground, the ERC had refused recognition to their University vide order dated 23rd Feb 2016 and when the University presented before the Appeals Committee, the Appeals Committee was kind enough to remand back their case to the ERC with a direction to process further as per NCTE Regulations vide its order dated 04th July 2016. As decided by the Appeals Committee, the ERC sent a letter to Director, Primary Education, Govt of Jharkhand on 27.09.2016. The Govt. of Jharkhand has replied to NCTE and stated that Government of Jharkhand is not having any objection and mentioning in their letter that the competent authority (NCTE) will only decide regarding approval of D.El.Ed. In their earlier appeal also they have made a reference of some instances of NRC and WRC wherein they have changed the affiliating bodies from the SCERT to University and also a copy of letter by UGC dated 01st August 2014 mentioning that their University can start the D.El.Ed course in their campus. It is also pertinent to mention here that ERC had granted recognition to our University for D.P.Ed course with affiliation to their University, which is also a Diploma level course. ERC-NCTE in its 236th meeting had also given approval of D.El.Ed course to Arunachal Univesity of Studies, Arunachal Pradesh (a private University). The grounds of refusal of ERC do not stand in good lines despite the instances shown to them of NRC, WRC, the letter of UGC, the letter of Jharkhand Government and also the fact that ERC had granted permission to D.P.Ed course to their university despite being an University and also granted approval to Arunachal University for D.El.Ed course."

AND WHEREAS the Committee noted that the appellant preferred an appeal earlier against the order of the ERC dt. 23.02.2016 refusing recognition for conducing D.El.Ed. course on the ground that NOC for D.El.Ed programme issued from Directorate of Primary Education Govt. of Jharkhand was not submitted. The Council considered the appeal and remanded the matter to the ERC to process the application further and also ascertain from the Directorate Primary Education Govt. of Jharkhand, their views on the stand taken by the appellant that the NOC of their University is sufficient and no other NOC from any body is required. The appellate order was issued on 04.07.2016.

AND WHEREAS the Committee noted that in pursuance of the appellate order the ERC wrote a letter to the Director of Elementary Education, Govt. of Jharkhand on 27.09.2016. The ERC, finding that no reply has been received from the Director of Elementary Education, issued a show cause notice to the appellant on 28.12.2016 again on the ground that they have not submitted NOC issued by Jharkhand Academic Council or Directorate of Primary Education, Jharkhand for D.El.Ed. course, as affiliating / examining body. The appellant sent a detailed reply, including a copy of the reply dt. 20.12.2016 sent by the Directorate of Primary Education, Govt. of Jharkhand to ERC, with an endorsement to the appellant. The ERC again refused recognition on the same ground and issued their order on 08.03.2017. The file or the order does not indicate how the detailed reply of the appellant to the show cause notice was considered.

AND WHEREAS the Committee noted that the Director of Primary Education, Govt of Jharkhand in their letter dt. 20.12.2016 left the issue for a decision of the ERC as per the rules. They have not contested the stand taken by the appellant in the matter of affiliation and conduct of examination for the D.El.Ed course.

AND WHEREAS the Committee, noting that (i) the appellant has been empowered to issue diplomas also; (ii) they themselves applied for grant of recognition for D.El.Ed. course and issued the NOC also as affiliating body; (iii) the ERC has granted recognition to the appellant for conducting D.P.Ed., which is a Diploma course vide their order dt. 27.04.2016; (iv) the ERC also decided to issue Letter of Intent to Arunachal University of studies for D.El.Ed. course; (v) the appellant has cited examples of other Regional Committees accepting the affiliation of D.El.Ed. programmes by the Universities and (vi) the Directorate of Primary Education, Govt. of Jharkhand has not contested the stand of the appellant, concluded that the matter deserved to be remanded to the ERC with a direction to process the application further on the basis of the NOC of the University itself 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 ERC with a direction to process the application further on the basis of the NOC of the University itself as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Sai Nath University, Ranchi, Jharkhand to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Asst. Registrar, Sai Nath University, Jirawar Ormanjhi, Ranchi, Jharkhand – 835219.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

(65)

F.No.89-302/E-6421/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Utkarsh Teachers Training College, Sandlai Badi, Sajjangarh, Rajasthan dated 05.06.2017 is against the Order No. NCTE/NRC/NRCAPP201615077/Bachelor of Education [B.Ed.]/RJ/2017-18/2; dated 25/04/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "NOC from the affiliating body for the proposed course is not submitted. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS the appellant, aggrieved by the order of the NRC dt. 25.04.2017 filed a S.B. Civil Writ Petition No. 8156/2017 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 30.05.2017 remitted the petitioner to the statutory remedy of appeal against the impugned order dt. 25.04.2017. The Hon'ble High Court directed that the Appellate Authority, while deciding the appeal take into consideration the subsequent NOC dt. 28/29.04.2017 stated to have been granted by the Mohan Lal Sukhadia University, to the petitioner for conducting the two year B.Ed. course for the academic session 2017-18. The Hon'ble High Court also decided that in the event of the appeal being filed by the petitioner, time expanded by it in pursuing this petition filed before this court on 24.05.2017, till one week after the passing of the order, shall be excluded from the computation of limitation for filing an appeal.

AND WHEREAS Sh. Ramdev Bakharh, Lecturer, Utkarsh Teachers Training College, Sandlai Badi, Sajjangarh, Rajasthan presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that the NOC submitted along with the application mentioned the academic session as 2016-17. The appellant also informed the NRC that they have applied for

NOC for the year 2017-18 to Mohan Lal Sukhsdia University but they have not issued as the State Govt had not given them permission and the NOC will be submitted as soon as it is given. It was therefore under the instructions of the State Govt. NOC for 2017-18 was not issued by the University. The University finally issued a corrigendum on 28/29.04.2017 stating therein that the session 2017-18 may be read in place of 2016-17 in the No Objection Certificate dt. 09.05.2016 for the B.Ed. programme to Utkarsh College. The appellant submitted that they forwarded this corrigendum and other relevant documents to the NRC with their letter dt. 02.05.2017 by the NRC without keeping the matter pending, hurriedly initiated action and refused recognition by their order dt. 25.04.2017.

AND WHEREAS the Committee noted that one of the grounds in the show cause notice was that the NOC submitted was not for the session 2017-18. The appellant, in their letter dt. 28.03.2017, informed NRC that while they applied to the University for NOC for 2017-18, it was held up an account of State Govts' instruction. The appellant also submitted a copy of their letter dt. 21.03.2017 to the University requesting issue of the NOC for 2017-18. The affiliating University has since issued a corrigendum on 28/29.04.2017. validating their earlier NOC, for the academic session 2017-18. The Hon'ble High Court in their order dt. 30.05.2017 directed that the corrigendum regarding the academic session for NOC be taken into consideration by the Appellate Authority.

AND WHEREAS the Committee noting the submissions of the appellant about getting a NOC for 2017-18 and in compliance of the directions of the Hon'ble High Court, concluded that the matter deserved to be remanded to the NRC with a direction to consider the Corrigendum dt. 28/29.04.2017 issued by Mohan Lal Sukhadia University, Udaipur 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 NRC with a direction to consider the Corrigendum dt. 28/29.04.2017

issued by Mohan Lal Sukhadia University, Udaipur and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Utkarsh Teachers Training College, Sandlai Badi, Sajjangarh, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Utkarsh Teachers Training College, Sandlai Badi, Tambesara Road, Sajjangarh – 327602, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-389/E-6526/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Utkash Teacher Training College Sondlaii badi, Sajjangarh, Rajasthan dt. 05.06.2017 is against the order no. NCTE/NRC/NCAPP201615078/ B.A. B.Ed/ B.Sc. B.ed.-4 year Integrated/RJ/2017-18/2; dt. 25.04.2017 of the Northern Regional Committee refusing recognition for conducing B.A. B.Ed./ B.Sc. B.Ed. – 4 year Integrated course on the grounds that (i) "The institution has not submitted the approved building plan signed by the Competent Govt. Authority indicating the name of the curse, name of the institution, Khasra No./Plot No., total land area, total built-up area and the measurements of the Multi-purpose Hall as well as the other infrastructural facilities such as class rooms etc? NOC from affiliating University is not submitted".

AND WHEREAS the appellant, aggrieved by the order of the NRC dt. 25.04.2017 filed a S.B. Civil Writ Petition No. 8151/2017 before the High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 30.05.2017, noting that the order of rejection is appealable in terms of section 18 of the NCTE Act, 1993, remitted the petitioner to the statutory remedy of appeal against the impunged order dt. 25.04.2017. The Hon'ble High Court directed that the Appellant Authority, while deciding the appeal take into consideration, the subsequent NOC dt. 30.03.2017 stated to have been granted by the Mohan Lal Sukhadia University to the petitioner for conducting B.A. B.Ed./ B.Sc. B.Ed. course for the academic session 2017-18. The Hon'ble High Court directed that in the event of the appeal being filed by the petitioner time expanded by it in pursuing this petition filed before this court on 24.05.2017, till one week after passing of the order shall be excluded from the computation of limitation for filing of an appeal.

AND WHEREAS Sh. Ramdev Bakharh, Lecturer, Utkash Teacher Training College Sondlai badi, Sajjangarh, Rajasthan presented the case of the appellant

institution on 01.07.2017. In the appeal and during personal presentation it was submitted that in response to the show cause notice, a reply was submitted on 29.03.2017 along with the building plan. Thereafter the appellant submitted an application on 31.03.2017 along with a corrigendum issued by Mohan Lal Sukhadia University dt. 30.03.2017 stating therein to read session 2017-18 in place of 2016-17. Thus, both the objections were rectified. But the NRC in their order dt. 25.04.2017 refused recognition on the same grounds.

AND WHEREAS the Committee noted that a copy of the building plan approved by the Junior Technical Assistant, Panchayat Samiti, Sajjangarh showing the name of the institution. Khasra No. land area, built up area, multipurpose hall submitted by the appellant is available in the file. This person, apparently, is a Govt official and hence, this document deserved to be accepted. The Committee also noted that the appellant in their letter dt. 28.03.2017 informed the NRC that while they applied for NOC for 2017-18 to the University, it was held up on account of State Govt's instructions. The appellant also submitted a copy of their letter dt. 21.03.2017 to the University requesting issue of NOC for 2017-18. The affiliating University has since issued a corrigendum on 30.03.2017, validating their earlier NOC for the academic session 2017-18. The Hon'ble High Court in their order dt. 30.05.2017 directed that the corrigendum regarding the academic session for the NOC be taken into consideration by the Appellate Authority.

AND WHEREAS the Committee noting the submission of the appellant about the two grounds of refusal and in compliance of the directions of the Hon'ble High Court, concluded that the matter deserved to be remanded to the NRC with a direction to consider the corrigendum dt. 30.03.2017 issued by Mohan Lal Sukhadia University and the building plan available on file and take further action as per the NCTE Regulations, 2014. While taking further action, NCTE should note that while the application is for B.A. B.Ed./ B.Sc. B.Ed Integrated course, the affiliating University issued NOC for B.A. B.Ed. only.

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 NRC with a direction to consider the corrigendum dt. 30.03.2017 issued by Mohan Lal Sukhadia University and the building plan available on file and take further action as per the NCTE Regulations, 2014. While taking further action, NCTE should note that while the application is for B.A. B.Ed./ B.Sc. B.Ed Integrated course, the affiliating University issued NOC for B.A. B.Ed. only.

NOW THEREFORE, the Council hereby remands back the case of Utkash Teacher Training College Sondlaii badi, Sajjangarh, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Utkarsh Teachers Training College, Sandlai Badi, Tambesara Road, Sajjangarh – 327602, 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.

(66)

F.No.89-654/2016 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Vidya Teacher Training College, Paldi, Bhilwara, Rajasthan dated 09/10/2016 against the Order No. NRC/NCTE/NRCAPP-11165/255th Meeting/2016/155611 dated 16/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that the name of the institution for B.A., B.Sc. etc course affiliated to MDS University, Ajmer is Vidhya Professional and Technical College, whereas name given in NOC for D.El.Ed. course is Vdiya Teacher Training College, which are different and reply of the institution to the show cause notice given was not acceptable, was rejected and the order appealed against was confirmed by the Council in their order dt. 06.03.2017.

AND WHEREAS Aggrieved by the order of the Council, the appellant filed a S.B. Civil Writ Petition No. 4355/2017 before the Hon'ble High Court of Rajasthan at Jaipur Bench. The Hon'ble High Court in their order dt. 08.05.2017, noted that in the appellate order dt. 04.08.2016 in respect of Siliguri Primary Teachers Training College, the Council took the stand that the institution proposed to be established by the same management Society or Trust in the same premises irrespective of the little modification in the name shall be treated to be a composite institution and the petitioner submitted that the existing Vidhya Professional and Technical College and the proposed Vidhya Teacher Training College are proposed to be run from the same premises by the very same society. The Hon'ble High Court in their said order observed that the impugned order dt. 06.03.2017, doest not reflect the consideration of the Committee's own order dt. 04.08.2016 in the case of Siliguri Primary Teacher Training College on what constitutes a composite institution and whether with reference to the enunciation therein, the petitioner College seeking recognition of its D.El.Ed. course was a composite institution. In these circumstances the Hon'ble High Court in their order dt. 08.05.2017 quashed and set aside the impugned order dt.

06.03.2017 and remanded the matter to the Appellate Committee of the NCTE for decision afresh on petitioner's appeal against NRC's order dt. 16.08.2016 reckoning for its own judgement dt. 04.08.2016 in the case of Siliguri Primary Teachers Training College and the enunciation therein with regard to what can constitute a composite institution entitled to recognition of a Teacher Training Course under NCTE Regulations, 2014. The Hon'ble High Court directed the Appellate Committee to decide afresh petitioners appeal within two months of the presentation of a certified copy of their order. The appellant with their letter dt. 25.05.2017 enclosing a certified copy of the Hon'ble High Court's order dt. 08.05.2017 requested the Council to decide their appeal in the light of the Hon'ble High Court's order.

AND WHEREAS the Committee in compliance of the order the Hon'ble High Court, re-examined the matter the Committee noted that the refusal of recognition was on the ground that Vidhya Professional and Technical College and Vidhya Teachers Training College are different institutions, meaning thereby that the appellant institution i.e. Vidhya Teachers Training College is not a composite institution as per the provisions of clause 2 (b) of the NCTE Regulations, 2014.

AND WHEREAS Sh. Ram Chandra, Secretary, Vidya Teacher Training College, Paldi, Bhilwara, Rajasthan presented the case of the appellant institution on 01.07.2017. In the course of presentation, the appellant submitted two letters dt. 01.07.2017. In these letters, the appellant inter alia stated that the address of the proposed Vidhya Teachers Training College is same as that of the existing Vidhya Professional and Technical College, where graduate courses are being conducted. The appellant enclosed a copy of the letter dt. 24.10.2016 from the Director of Primary Education, Rajasthan, Bikaner in which they have stated that earlier they issued NOC in the name of Vidhya Teachers Training College and if it is proposed to run the D.El.Ed. course from Vidhya Professional and Technical College, they have no objection. The appellant further submitted that in their affidavit enclosed to their letter dt. 06.07.2016 to the NRC submitted that the appellant institution's name will be Vidhya Professional and Technical College instead of Vidya Teachers Training College.

AND WHEREAS the Committee noting from the above submission that the proposed D.El.Ed. Course will be run in Vidhya Professional and Technical College and the Director of Primary Education, who earlier issued NOC in favour of Vidhya Teachers Training College has no objection to this change, concluded that the appellant satisfies the requirement of a composite institution. In these circumstances, the Committee further concluded that the matter deserved to be remanded to the NRC with a direction to process the application further 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 NRC with a direction to process the application further as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Vidya Teacher Training College, Paldi, Bhilwara, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Vidya Teacher Training College, 872/5, Vidya K.S.S. and J.K. Samiti, 872/5, Paldi, Bhilwara, Rajasthan – 311001.
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.89-493/2016 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Subhash Chandra Bose Education College, Govindpuri Road, Gwalior, Madhya Pradesh dt. 05.08.2016 against the order of the WRC dt. 29.07.2016 withdrawing recognition for conducting D.Ed. Course on the ground that the appellant in compliance of interim court order dt. 13.08.2012 admitted students in D.Ed. first year course who were different from the list provided by the institution to the court along with the petition, was considered by the Council. The Council concluded that the withdrawal shall stand confirmed unless and until the appellant is able to secure a certificate from the affiliating body that the institution is absolved of its allegations and will be re-affiliated after restoration of the recognition. The appellate order was issued by the Council on 02.12.2016.

AND WHEREAS aggrieved by the order of the Council, the appellant filed a Writ Petition no. 1043/2017 before the Hon'ble High Court of Madhya Pradesh, Bench at Gwalior. The Hon'ble High Court in their order dt. 01.06.2017, noted the submission of the petitioner who brought on record a letter dt. 28.04.2017 of Madhya Pradesh Board of Secondary Education and requested for interim direction to the effect that the Board shall consider the question of affiliation in accordance with rule once the recognizing agency i.e. NCTE grants recognition in terms of the order dt. 16.06.2016 passed in W.P. No. 4676/2015. The Hon'ble High Court also noting that the rival parties are at consensus that the case be sent to NCTE for application of mind afresh on the question of recognition in terms of the letter of the affiliating agency i.e. the Board dt. 28.04.2017, disposed of the petition with a direction to the petitioner to prefer a fresh representation to the NCTE for grant of recognition. The Court also observed that the NCTE is expected to decide the same in accordance with law as expeditiously as possible preferably before the last date qua the session 2017-18 if possible whereafter the affiliating agency may consider the aspect of affiliation. The Hon'ble High Court made no comments on the merits of the claim of the petitioner and

observed that the NCTE/ University are free to decide the question of recognition and affiliation in accordance with law either way.

AND WHEREAS in pursuance of the order of the Hon'ble High Court, the appellant submitted a representation dt. 05.06.2017 to the Council. In this representation, the appellant submitted that (i) the institution is running D.Ed. course w.e.f 2005-06; (ii) earlier on 13.08.2012 students of first year D.Ed. who were admitted were permitted to participate in the examination by the Interim order of the Hon'ble High Court but due to mistake on the part of clerical staff list of students was wrongly annexed in the proceedings; (iii) Thereafter, M.P. Board of Secondary Education withdrew affiliation on 10.07.2015; (iv) The appellant filed a W.P. No. 4676/2015 against this order before the Hon'ble High Court and the Hon'ble High Court allowed the petition and directed the Board that the withdrawal order cannot be sustained in whole and a speaking order be passed for grant of affiliation in favour of the institution; (v) on the instructions of the Board WRC withdrew recognition on 29.07.2016 in pursuance Board's order dt. 10.7.2015 which was already disposed of by the Court in WP No. 4676/20105 (vi) after filing of a W.P. No. 1043/2017 against the withdrawal of recognition the Board of Secondary Education wrote a letter dt. 28.04.2017 to the appellant and WRC stating that if recognition is restored by NCTE, they will also grant affiliation; and (vi) on the basis of that letter the Hon'ble High Court disposed of the writ petition in their order dt. 01.06.2017. The appellant submitted that their institution deserved restoration of recognition which may be granted.

AND WHEREAS the Committee noted that the WRC issued a show cause notice to be appellant dt. 30.05.2016 to the appellant after the receipt of the order of withdrawal of affiliation by the Madhya Pradesh Board of Secondary Education dt. 10.07.2015. The appellant replied on 28.06.2016 inter alia submitting that they have filed a writ petition before the Hon'ble High Court against the withdrawal of affiliation and prayed that no action may be taken against them in the meanwhile. The NRC finding that the appellant's explanation was not satisfactory and a serious violation has taken place withdrew recognition in their order dt. 29.07.2016, which was confirmed by the Council in appeal in their order dt. 02.12.2016.

AND WHEREAS the Committee noted that the Hon'ble High Court of M.P. Bench at Gwalior disposed of the W.P. No. 4676/2015 in their order dt. 16.06.2016. The

Hon'ble High Court in the order noted that the case of the petitioners was that on account of a clerical mistake on the part of the principal, the list of students was incorrectly enclosed with the petition. The Court held that it is not in dispute that the results of the students who had appeared in the examination in pursuance of their order dt. 13.08.2012 have been declared and the institution has not been able to run D.Ed. course for the two consecutive academic sessions, namely, 2014-15 and 2015-16. The operative part of the order reads as follows: -

"In our considered opinion, any penal action has to be in consonance with the fault committed by an erring party. The erring party cannot be punished in perpetuity. Therefore, in the facts and circumstances of the case, we are inclined to accede to the prayer made on behalf of the petitioner. Accordingly, the writ petition is disposed of with a direction that, in case, petitioner files an application for grant of recognition for the next academic session the same shall be dealt with by the respondent-Board by a speaking order in accordance with law without being influenced by the order dated 30.06.2014."

AND WHEREAS the Committee noted that the WRC withdrew recognition fundamentally on the basis of the circumstances leading to the withdraw of the affiliation by M.P. Board of Secondary Education in their order dt.10.07.2015. The position stated in para 5 above, indicates that the writ petition of the appellant challenging the order of withdrawal of affiliation was disposed of the Hon'ble High Court on 16.06.2016 i.e. before withdrawal of the recognition WRC on 29.07.2016. Of course WRC/ NCTE were not respondent in the Writ Petition No. 4676/2015. The Hon'ble High Court in their order dt. 01.06.2017 in W.P. No. 1043/2017, while directing fresh application of mind on the question of recognition in terms of the affiliating body's letter dt. 28.05.2017, also drew attention to their order dt. 16.06.2016 in WP No. 4676/2015.

AND WHEREAS the Committee noted that the Board of Secondary Education M.P. in their letter dt. 28.04.2017 to the appellant with an endorsement to the WRC stated that in compliance with the orders of the Hon'ble High Court dt. 16.06.2016 in W.P. 4676/20105, if WRC grants recognition to the appellant, they will take necessary action for the grant of affiliation according to the rules.

AND WHEREAS in view of the position stated above and in compliance of the order of the Hon'ble High Court dt. 01.06.2017, which has taken cognizance of the Board's letter dt. 28.04.2017, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to take necessary action for restoration of recognition for conducting D.Ed. course by the appellant institution.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to WRC with a direction to take necessary action for restoration of recognition for conducting D.Ed. course by the appellant institution.

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Subhash Chandra Bose Education College, B-81, Govindpuri University Road, Gwalior, Madhya Pradesh – 474011.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-458/2016 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Shree Bachchu Singh Sikarwar Shiksha Prasar Samiti Shiksha Mahavidyalaya, Vijaypur, Sheopur, M.P. dated 09.08.2016 is against the Order No. WRC/APP2796/222/253rd/{M.P.}/2016/169041 dated 15/06/2016 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution has not replied to the Show Cause Notice that it is not a composite institution, nor has it submitted any relevant documents in this regard was rejected and the order of the WRC was confirmed by the Council on the grounds that the appellant institution has failed to submit NOC from the affiliating body and it is not covered under the definition of composite institution. The appellate order was issued on 02.12.2016.

AND WHEREAS the appellant, aggrieved by the order of the Council, filed a writ petition no. 654/2017 before the Hon'ble High Court of Madhya Pradesh, Bench at Gwalior. The Hon'ble High Court, in their order dt. 03.04.2017, observing that such objections (relating to composite institution and NOC) were raised in the meeting of the WRC held on 4-6 February, 2016, whereas, as per the petitioner, he has met the objection on 13.06.2016, set aside the order passed in appeal on 02.12.2016 and directed the Appellant Committee to consider the documents submitted by the petitioner afresh in accordance with law and pass an appropriate order thereon.

AND WHEREAS Sh. Tej Pal Singh Sikarwar, Secretary, Shree Bachchu Singh Sikarwar Shiksha Prasar Samiti Shiksha Mahavidyalaya, Vijaypur, Sheopur, M.P. presented the case of the appellant institution on 01/07/2017. The appellant submitted a letter dt. 01.07.2017. In this letter, the appellant stated that in reply to the show cause notice dt. 20.02.2016, they have applied to the concerned Board for the NOC which is pending and the Society decided to become a composite institution as soon as new advertisement is issued and further sent a communication on

31.05.2016. They also informed WRC on 13.06.2016 that they have applied for D.P.S.E course on 31.05.2016 and thereby have become a composite institution. The WRC should not have rejected their application on 15.06.2016 without waiting for the NOC till 30.06.2016 since, that was the last date for issue of NOC. The appellant also submitted that they applied for D.El.Ed. course on 29.05.2015 and for D.P.S.E course on 31.05.2016 and they have obtained NOC for both the courses from the Rajya Shiksha Kandra, Bhopal on 30.06.2016.

AND WHEREAS the Committee in compliance with the direction of the Hon'ble High Court, re-considered the matter. The Committee noted that the appellant applied for D.El.Ed. course on 29.05.2015. According to the provisions of clause 5(3) of the NCTE Regulations 2014, a No Objection Certificate issued by the concerned affiliating body shall be enclosed to the print out of the on-line application. The Council also noted that the Council issued instructions to their Regional Committees that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications, with NOC, irrespective of the date of submission of on-line application. The appellant, having obtained the NOC on 30.06.2016, did not fulfill this requirement of the Regulations. Further according to the provisions of clause 3(b) of the NCTE Regulations one of the condition for an institution to be considered as composite institution is that it should be offering multiple teacher education programmes. Further according to clause 8 (1) of the said Regulations, new teacher education institutions shall be located in composite institutions. The appellant at the time of applying for D.El.Ed. course in 2015 was not a composite institution. From the copy of the letter dt. 13.06.2016 written by the appellant to the WRC and submitted by them it is seen that the appellant has applied for D.P.S.E course on 31.05.2016 and therefore they have become a composite institution. There is no mention of NOC in this letter.

AND WHEREAS in view of the position stated above, the Committee concluded that the order of the Council dt. 02.12.2016 confirming the refusal of recognition for D.El.Ed. course by WRC on the grounds that the appellant failed to submit the NOC from the affiliating body (within the extended time up to 15.07.2015) and the institution was not a composite institution at the time of application is justified and deserved to be re-confirmed.

NOW THEREFORE, the Council hereby re-confirmed the Order appealed against.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shree Bachchu Singh Sikarwar Shiksha Prasar Samiti Shiksha Mahavidyalaya, 566, 567, Ladpura, Vijaypur, Sheopur, Madhya Pradesh – 476332.
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.89-146/2016 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Aryakul College of Education, Sadar, Lucknow dt. 17.02.2016 against the order of the NRC dt. 17.12.2015 refusing recognition for conducting B.Ed. course on the grounds that (i) list of faculty approved by affiliating body as per 2014 Regulations; (ii) bank form along with Joint FDRs; (iii) copy of website print out; (iv) proof of evidence that it is a composite institution as per 2014 Regulations; and (v) NOC from the affiliating body as per 2014 Regulations has not been submitted, was rejected and the order of the NRC was confirmed on the ground that all these documents were not submitted to NRC before the refusal of recognition and were submitted only with the appeal. The appellate order was issued on 09.06.2016.

AND WHEREAS the appellant, aggrieved by the order of the Council, filed a Misc. Single No. 245 of 2017 before the Hon'ble High Court, Lucknow Bench. The Hon'ble High Court in their order dt. 18.04.2017 held that "Thus after hearing learned counsel for parties and going through the records as well as taking into consideration that the power of the appellate authority is co-extensive to that of the Regional Level Committee, therefore, all the materials were available on record should be considered by the appellate authority while deciding the appeal. Further, once the petitioner has brought to the notice of the appellate authority that he has removed all the deficiencies on the basis of which recognition has been refused by the respondent No. 3 then it is incumbent upon the appellate authority/respondent No. 2 to consider the said facts while deciding the appeal. However, the said exercise has not been done in the present case and only on the ground that there is some deficiency on the basis of which recognition has been refused vide order dated 17.12.2015 and the same is liable to be set aside." The Hon'ble High Court therefore, allowed the writ petition, set aside the appellate order dt. 09.06.2016 and directed the appellate authority to decide the

appeal afresh taking into consideration that the petitioner has removed the deficiencies, which are the basis for not granting recognition to the petitioner, after giving an opportunity of hearing to the petitioner.

AND WHEREAS Prof. Aaditya Singh, Associate Professor, Aryakul College of Education, Sadar, Lucknow presented the case of the appellant institution on 01.07.2017. In the course of presentation, the appellant submitted a letter dt. 01.07.2017 to which he inter- alia enclosed copies of the documents earlier submitted with the appeal and a copy of the High Court order dt. 18.04.2017.

AND WHEREAS the Committee, while considering the appeal, noted that the appellant submitted the requisite documents mentioned in the refusal order, only with the appeal dt. 17.02.2016 and not to the NRC with reference to their show casue notice dt. 09.10.2015, to which a reply was to be sent within 21 days. In those circumstances, the Committee concluded that the NRC was justified in refusing recognition. Now the Hon'ble High Court in disposing the writ petition has held that the power of the appellant authority is co-extensive to that of the Regional Committee, all materials which were available on record, should be considered by the appellate authority while deciding the appeal.

AND WHEREAS the Committee, in compliance of the directions of the Hon'ble High Court contained in their order dt. 18.04.2017 concluded that the matter deserved to be remanded to the NRC with a direction to consider the deficient documents mentioned in their refusal order dt. 17.12.2015 and which have been submitted to them by the appellant with their letter dt. 20.04.2017 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 NRC with a direction to consider the deficient documents mentioned in their refusal order dt. 17.12.2015 and which have been submitted to them by the appellant with their letter dt. 20.04.2017 and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Aryakul College of Education, Sadar, Lucknow to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Aryakul College of Education, 581, Vill. – Kullahi Khera (Natkur), PO-Chandrawal, Tehsil-Sadar, Lucknow, Uttar Pradesh – 226002.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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NCTE

F.No.89-182/2016 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Oriental University, Jakhiya, Indore, Madhya Pradesh dated 01.05.2017 is against the decision taken by the Western Regional Committee in that 266th meeting held on 10-12 January, 2017 to grant recognition for two additional units of B.Ed. course from the academic session 2017-18, as against the decision taken by them in 265th meeting held from 27-29 December 2016 to grant recognition for four additional units from the same academic session.

AND WHEREAS the appellant also of filed a writ petition no. 2547/2017 before the Hon'ble High Court of Mahdya Pradesh, Bench at Indore. The Hon'ble High Court in their order dt. 22.04.2017, disposed of the petition with a direction to the Appellate Authority, that if any appeal is pending before the Appellate Authority, then, the same shall be decided as expeditiously as possible in accordance with law. The Hon'ble High Court has not expressed any opinion on merits of the case.

AND WHEREAS Sh. P.K. Khanna, Director (Admn.), Oriental University, Jakhiya, Indore, Madhya Pradesh presented the case of the appellant institution on 01.07.2017. In the appeal and during personal presentation and in a written submission given on 01.07.2017, the appellant submitted that the Appellate Authority, in compliance with the order of the Hon'ble High Court of Madhya Pradesh, Indore Bench dt. 13.06.2016, remanded the matter to the WRC in their order dt. 08.08.2016 to re-examine the request of the appellant for permission for four units. The WRC in their 265th meeting held on December 27-29, 2016, after considering all aspects including the availability of infrastructure etc. with the University, decided to grant recognition for 4 additional units of B.Ed. from the academic session 2017-18. The appellant, in their letter dt. 03.01.2017 requested the WRC to rectify the session from 2017-18 to 2016-17 as was applied for. But the WRC in their 266th meeting held from

10-12 January,2017, instead of rectifying the academic year, without any authority to review their decision, arbitrarily reduced the already granted four units to only two units. The appellant requested grant of recognition for four additional units of B.Ed.

AND WHEREAS the Committee noted that after the matter was remanded to consider the request of the appellant for four additional units, the WRC in their letter dt. 02.11.2016 asked the appellant to send a list of 32 faculty members for four units of the B.Ed. course in all, duly signed by the competent authority. The appellant furnished the details of 32 faculty member for 4 additional units to the WRC with their letter dt. 19.11.2016. Thereafter, the WRC in their 265th meeting held on December 27-29, 2016, taking into account that the appellant furnished the details of 32 faculty members for four units of the B.Ed. course, decided to grant recognition for four additional units of B.Ed. course from the academic session 2017-18. On the basis of the minutes containing this decision, the appellant, in their letter dt. 03.01.2017 requested the WRC to grant recognition from the academic session 2016-17, as the case relates to that session. The WRC in their 266th meeting held on January 10-12, 2017 took up confirmation of the minutes of the 265th meeting and decided that the minutes in respect of the appellant institution should now be read as 'Hence, recognition be granted for 2 additional units of B.Ed. course from the academic session 2017-18'. Reference may be made to clause 3.1 of the Appendix-4, which permits only a maximum of 2 units". While no formal order has been issued the appellant filed the appeal and also filed a Writ Petition before the Hon'ble High Court as referred to in para 2 above.

AND WHEREAS the issue is how many additional units of B.Ed. can be granted and from which academic session. The initial application made under NCTE Regulations, 2014 is for four additional units as the appellant was already running B.Ed. course with an intake of 100 students. In fact, WRC has already granted recognition for one additional unit of 50 from the academic session 2016-17, in their order dt. 07.04.2016. Therefore, the issue is grant of three more units of 50 each. While revising the minutes, the WRC has made a reference to clause 3.1 of the Appendix-4 to the NCTE Regulations, 2014 which contains the Norms and Standards for B.Ed. course. This Clause reads as follows: -

"There shall be a basic unit of 50 student with a maximum of two units". Clause 6.1 of the said Appendix, dealing with Infrastructure, inter alia states that "for an annual intake beyond two hundred and upto three hundred, it (the institution) shall possess land of 3,500 Sq. mts"

AND WHEREAS the Committee noted that the Hon'ble High Court of Madhya Pradesh, Bench at Indore in para 15 of their order dt. 13.06.2016 in W.P. No. 3738 of 2016 held that while, as per clause 3.1 of Appendix-4 to the NCTE Regulations 2014, in the initial stage, the permission can be granted maximum for two units, there is no provision that permission cannot be granted for more than 3 units. The provisions of clauses 3.1 and 6.1 of the Appendix -4 referred to in the previous para and view held by the Hon'ble High Court indicate that recognition can be granted for more than two units. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the request of the appellant for four additional units of B.Ed. course (after taking into account the one additional unit already granted on 07.04.2016) and subject to fulfillment of the requirements contained in the Norms and Standards for this course, take further action expeditiously. As regards the academic session from which recognition will be effective for the additional units, the WRC should follow the cut off date stipulated by the Hon'ble Supreme Court of India.

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 WRC with a direction to consider the request of the appellant for four additional units of B.Ed. course (after taking into account the one additional unit already granted on 07.04.2016) and subject to fulfilment of the requirements contained in the Norms and Standards for this course, take further action expeditiously. As regards the academic session from which recognition will be effective for the additional units, the WRC should follow the cut-off date stipulated by the Hon'ble Supreme Court of India.

NOW THEREFORE, the Council hereby remands back the case of Oriental University, Jakhiya, Indore, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Registrar, Oriental University, 81/2, 81/3 ETC, Jakhiya, Indore, Madhya Pradesh – 453555.
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.89-306/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Mata Sita Sunder College of Education, Sitamarhi, Bihar dated 18.03.2017 is against the Order No. NCTE/ERC/ERCAPP201646245/Diploma in Elementary Education [D.El.Ed.]/BI/2017-18/4; dated 02/03/2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that the date of application through online is 29/06/2016 and date of receipt of print out of online application is 18/07/2016 i.e. after 15th July 2016 stipulated by NCTE Headquarter.

AND WHEREAS Sh. Rajeev Kumar, Management Trustee, Mata Sita Sunder College of Education, Sitamarhi, Bihar presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that "in response of show cause notice issued to their institution by ERC-NCTE Bhubaneswar, vide reference no. ERC/223.12(ii) .4/10353/ERCAPP201646293/D.El.Ed./2016/49808 Dt.22.08.2016, they have forwarded their reply vide their reference no.mssce/1042 dt 08/11/2016 with the following justifications which still holds good for the purpose of present appeal:- 1) We have enclosed the xerox copy of speed post which enveloped the print out of online application dated 29/06/2016 bearing speed post no.ef678180788in dated 14/07/2016 i.e. well before the stipulated time frame of 15/07/2016. 2) It is well established fact and being claimed by the government postal departments that a speed post usually delivers the postal consignments within 24 hours but contrary to our general belief and claim made by government postal department it has been received at ERC-NCTE Bhubaneswar reception counter on 18/07/2016 i.e. It has happened due to postal delay. 3) On the basis of natural justice our case of 3 days delay in receiving the hard copy of print out of online application for no fault of our institution ought to have been considered favorably by ERC-NCTE and date of despatch i.e.14/07/2016 would have been considered as reckoning date instead of 18/07/2016 for further processing of case. In the backdrop of above situation which

is beyond our control i.e. postal delay by government postal department and in the interest of natural justice, refusal of ERC-NCTE Bhubaneswar under section 14 (3) should be declared as discriminatory decision and our application for the recognition of D.El.Ed. course should be remanded back to ERC-NCTE Bhubaneswar for further processing and constitution of visiting team."

AND WHEREAS the Committee noted that, according to the provisions of clause 7(2) (b) of the NCTE Regulations, 2014, print out of the application made on-line has to be submitted within 15 days of submission of the on-line application. The Committee noted that the appellant, forwarded the print out of the on-line application dt. 29.06.2016 with their letter dt. 07.07.2016 by Speed Post on 14.07.2016. The envelope containing the papers received in ERC office and which is in the file, has the speed post receipt dt. 14.07.2016 pasted thereon. In these circumstances, the Committee concluded that the appellant has submitted the print out of the on-line application within the prescribed time and therefore, the matter deserved to be remanded to the ERC with a direction to process the application further 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 ERC with a direction to process the application further as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Mata Sita Sunder College of Education, Sitamarhi, Bihar to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Mata Sita Sunder College of Education, Village – Dhanhara PO – Manik Chowk, Dist. – Sitamarhi, Bihar – 843323.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-308/E-2223/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Sarvoday College of Education, Shamaldevi Kanod-Pingli Road, Kalol, Gujarat dated 21.04.2017 is against the Order No. WRC/APP1973/M.Ed./270th/Guj./2016/181310 dated 06/03/2017 of the Western Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "consequent to the issue of LOI and Show Cause Notice, the institution has submitted 1 Principal, 1 Associate Professor and 3 Assistant Professors which is not approved by the competent authority. Further, all the appointments are on Ad-hoc basis which is not permitted. Thirdly, the institution should appoint 2 Professors, 2 Associate Professors and 6 Assistant Professors as per Appendix-5 of the NCTE Regulations, 2014. Hence, Recognition is refused."

AND WHEREAS Sh. Hasmukhlal Mohanlal Sheth, Managing Trustee, Sarvoday College of Education, Shamaldevi Kanod-Pingli Road, Kalol, Gujarat presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that in their reply dt. 10.02.2017 to the show cause notice they submitted explanation for delay in faculty approval and also the list of candidates appointed as per Selection by the Selection Committee. Since the appointments were not approved by the University, the appointments were made ad hoc. As the institution was initially going to start the first year of the course only, 5 faculty members were appointed, who have been approved by Shri Govind Guru University, Godha, Gujarat on 15.02.2017. The appellant also started process for appointment of the other 5 faculties and advertised in Gujarat Samachar and Sandesh on 06.04.2017 for open interview on 17.04.2017. Thereafter the proceedings of Selection Committee and the staff profile were sent to the Vice Chancellor for sanction. The appellant, with their letter dt. 01.07.2017, enclosed the list of 6 additional faculty members for 2017-18 approved by the Registrar of the affiliating University. The appellant also enclosed the list of 5 faculty members

approval for 2016-17 by the Registrar of the University. In both the lists, the appointments have been shown as permanent. The appellant also submitted that they have paid Rs. 600000/- as affiliation fees, for M.Ed., LIC fee of Rs 75000/- and processing fee of Rs. 1,25,000/- totaling Rs. 8,00,000/-. In these circumstances, the appellant requested that the order of the WRC may be set aside and recognition granted.

AND WHEREAS the Committee, noting the submission of the appellant, which indicate that they have received the approval of the affiliating University for the faculty required for M.Ed. course, concluded that the matter deserved to be remanded to WRC with a direction to take further action as per NCTE Regulations, 2014. The appellant is directed to submit the lists of faculty members approved by the University and other relevant documents to the WRC within 15 days of receipt the order on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to WRC with a direction to take further action as per NCTE Regulations, 2014. The appellant is directed to submit the lists of faculty members approved by the University and other relevant documents to the WRC within 15 days of receipt the order on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Sarvoday College of Education, Shamaldevi Kanod-Pingli Road, Kalol, Gujarat to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Sarvoday College of Education, Shamaldevi Kanod-Pingli Road, Kalol, Gujarat – 389320.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.

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F.No.89-310/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Rameshwar Prasad College, Banda, Uttar Pradesh dated 21.04.2017 is against the Order No. NRC/NCTE/NRCAPP 11497/262nd (Part-9) Meeting/2017/168312-18 dated 08.03.2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the institution submitted building plan. According to th1e plan total land area is 2500 Sq. Mtrs. and total built-up area is 1481 Sq. Mtrs. only. The institution failed to submit proof/demarcated map to prove that land area is as per norms."

AND WHEREAS Sh. Prabhakar Awasthi, Secretary, Rameshwar Prasad College, Banda, Uttar Pradesh presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that (i) NRC in their 250th Meeting held on 01.03.2016 decided to issue a letter of Intent under clause 7(13) of the NCTE Regulations, 2014 (ii) after completing all formalities for appointment of staff they submitted their reply to NRC on 17.5.2016; (iii) to their surprise, NRC in their 253rd meeting held on 30th May to 3rd June, 2016 decided to issue a show cause notice on certain grounds, which were to be considered by them prior to the issue of the Letter of Intent; (iv) in response the institution submitted a reply justifying all the points in the show cause notice and the relevant documents were also submitted; (v) out of 0.949 hectres, the society had exclusively demarcated 2500 sq. meters of land for B.Ed. College; (vi) while submitting the application, they had submitted the building plan submitted at the time of recognition for D.El.Ed. course, but when the Visiting Team visited for inspection, the entire built up area of 6000 sq. meters was shown to them and building plan was also submitted and the same documents were re-submitted with reply to the show cause notice; (vii) despite submitting all documents which were to be verified before sending the visiting team, NRC refused recognition; and (viii) when their institution invested huge amount in creating infrastructure and

instructional facilities and appointed staff, NRC refused recognition. In the course of presentation, the appellant submitted a copy of the building plan approved by Gram Panchayat showing the total plot area as 10,000 sq. meters and total covered area as 6036.20 sq. meters and an undated building completion certificate issued by Gram Panchayat and counter-signed by Secretary, Lok Seva Sansthan, Banda indicating that the completed building for college is 6000 sq. meters.

AND WHEREAS the Committee noted that according to the provisions of clause 7(10) of the NCTE Regulations, 2014, the Regional Committee shall decide grant of recognition or permission only after satisfying itself that the institution fulfills all the conditions proscribed by the NCTE Act, Rules or Regulations, including the Norms and Standards laid down for the relevant teacher education programme. According to the provisions of clause 7(13) of the said Regulations the Letter of Intent conveys the decision for grant of recognition/ permission, subject to appointment of qualified faculty members before the commencement of the academic session. Therefore, in the appellant's case also the NRC is deemed to have satisfied itself about the fulfillment of all conditions, when they decided to issue the Letter of Intent. However, since the NRC observed some deficiency in respect of land and built-up area and the appellant has submitted their explanation, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the explanation and take further action as per NCTE Regulations, 2014. The appellant is directed to submit all the relevant documents in this regard to the NRC within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to consider the explanation and take further action as per NCTE Regulations, 2014. The appellant is directed to submit all the relevant documents in this regard to the NRC within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Rameshwar Prasad College, Banda, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Rameshwar Prasad College, Pachnehi Lama Road, Banda, Uttar Pradesh – 210001.
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.89-311/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Prince College, Palwas, Sikar, Rajasthan dated 25.04.2017 is against the Order No. NCTE/NRC/NRCAPP201615056/B.A.B.Ed/ B.Sc.B.Ed.-4 year Integrated/RJ/2017/2018/2; dated 27.02.2017 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 dated 21.01.2017. Reply submitted on 10.02.2017 was considered in the meeting. The institution has not submitted the Land Use Certificate issued by the Competent Authority to use the land for educational purpose. The institution has not submitted the Non-Encumbrance certificate issued by the Competent Authority indicating that the land is free from all encumbrances.? As per CLU land is only 2900 sq. mts. which is not as per norms. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Ashok Kumar, Lecturer, Prince College, Palwas, Sikar, Rajasthan presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that as per mail received from NCTE, copy of document (land) was not certified, right now they have attached all the required certified copies. Land Use Certificate is attached herewith. Total actual land is 16890 sq. mts. and all the supporting documents are attached.

AND WHEREAS the Committee noted that the appellant with the appeal submitted certified copies of two land documents, one CLU issued by the Collector, Sikar, and one Non-Encumbrance Certificate issued by the Tahsildar. One of the grounds of refusal is that the CLU submitted is only for 2900 sq. mts. of land, which is not as per norms. The two land documents indicate that 2900 sq. mts was purchased through a sale deed dt. 25.01.2012 and another 1.3990 hect (13990 sq.

mts) was purchased through a sale deed dt. 24.10.2016. The NEC dt. 22.02.2017 was issued by the Tahsildar for two plots i.e. 2900 sq. mts and 13900 sq. mts totalling 16890 sq. mts. The CLU submitted is for 2900 sq. mts. The appellant submitted that they have paid for convension of 13990 sq. mts of land on 26.06.2017.

AND WHEREAS the Committee noted that according to the provisions of clause 8(4) (i) of the NCTE Regulations 2014 the institution or society should be in possession of the required land on the date of application on ownership basis or on lease from Govt. or Govt. Institution. Further according to the provisions of clause 6.1 of the Norms and Standards for 4-year integrated B.A. B.Ed./ B.Sc.B.Ed. course, contained in Appendix-13 to the NCTE Regulations 2014, the Deptt. Of Education shall possess 3000 sq. mts of exclusive well-demancated land for the intial intake of 100 students, out of which 2500 sq. mts shall the buipt-up area and remaining space for lawns, play fields etc.

AND WHEREAS the Committee also noted that the appellant applied for B.A.B.Sc.B.Ed. course (100 students) on 16.05.2016. Along with the application, the appellant inter alia enclosed a copy of the sale deed dt. 25.01.2012 for 2900 sq. mts and a copy of the CLU for the same area. The Committee noted that the appellant purchased the additional land of 13990 sq. mts on 24.10.2016 i.e. after the submission of the application for the course. This will show that the appellant has not fulfilled the requirements of the Regulations as he did not have the required land on the date of application and hence the CLU submitted is only for 2900 sq. mts, which is not for the area required as per the norms.

AND WHEREAS in the above circumstances, the Committee concluded that the appeal deserved to be rejected and the order of the NRC confirmed on the ground that the CLU submitted is not for the required area of land and the appellant purchased additional land only after submitting their application.

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

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Prince College, Palwas, Sikar, Rajasthan – 332001.
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.89-312/2017 Appeal/12th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/8/17

ORDER

WHEREAS the appeal of Prince Academy of Higher Education Kandya College, Nani, Sikar, Rajasthan dated 27.04.2017 is against the Order No. NCTE/NRC/NRCAPP 201615194/ B.A.B.Ed./B.Sc.B.Ed.-4 year Integrated/RJ/2017-2018/2 dated 03.03.2017 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 Non-Encumbrance Certificate issued by the Competent Authority indicating that the land is free from all encumbrances. The institution has not submitted the certified registered land documents issued by the Registering Authority or civil authority concerned. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Ashok Kumar, Lecturer, Prince Academy of Higher Education Kanya College, Nani, Sikar, Rajasthan presented the case of the appellant institution on 01/07/2017. In the appeal and during personal presentation it was submitted that "Non-Encumbrance certificate issued by competent authority indicating that the land is free from all encumbrance is attached herewith, which may be accepted. As per mail received from NCTE, copy of document(land) was not certified, right now they have attached all the required certified copies and all the supporting documents.

AND WHEREAS the Committee noted that the appellant has enclosed with the appeal a certified copy of the registered land document and a copy Non-Encumbrance certificate issued by the Tahsildar, Sikar. In these circumstances, the Committee concluded that the matter deserved to be remanded to the NRC to take further action in the matter as per the NCTE Regulations, 2014. The appellant is

directed to submit these two land documents to the NRC within 15 days of receipt of the order on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC to take further action in the matter as per the NCTE Regulations, 2014. The appellant is directed to submit these two land documents to the NRC within 15 days of receipt of the order on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Prince Academy of Higher Education Kandya College, Nani, Sikar, Rajasthan to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Prince Academy of Higher Education Kanya College, Nani, Palwas Road, Sikar, Rajasthan – 332001.
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.