F.No.89-13/E-57328/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Purba Medinipur G.K. College of Education, Purbachara, Jankalalat Road, Tikashi, West Bengal dated 28/12/2017 is against the Order No. ER-213.6(i).198/ERCAPP2592/B.Ed./2016/45938 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 50 (one basic unit). The appellant wants recognition for two.

**AND WHEREAS** Dr. Khirod Ch. Behera, Principal and Sh. Sankar Das, Member, Purba Medinipur G.K. College of Education, Purbachara, Jankalalat Road, Tikashi, West Bengal presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that they "want to add extra one unit to their existing course as there is more than sufficient built up area as per NCTE norms."

**AND WHEREAS** the submission of the appeal has been delayed by one year, five months and 27 days beyond the prescribed time limit of 60 days. The appellant, in their letter dt. 02.01.2018, without giving any details, merely submitted that due to 'my serious illness, I did not appeal properly in schedule period.'

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

**AND WHEREAS** the Committee is not satisfied that the reason adduced by the appellant for making the appeal after a long gap of nearly one and a half year is a sufficient cause for not preferring the appeal within the prescribed period. In these circumstances, the Committee decided not to condone the delay and therefore, not to admit 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 decided not to condone the delay and therefore, not to admit the appeal.

**(Sanjay Awasthi)**
Member Secretary

**1. The President, Purba Medinipur G.K. College of Education, Purbachara, Jankalalat Road, Tikashi – 721430, 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.

(2)

F.No.89-14/E-57321/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Purba Medinipur G.K. College of Education, Purbachara, Jankalalat Road, Tikashi, West Bengal dated 28/12/2017 is against the Order No. ER-213.6(i).197/(ERCAPP2714)/D.El.Ed./2016/46155 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting D.El.Ed. course with an intake of 50 (one unit). The appellant wants recognition for two units.

**AND WHEREAS** Dr. Khirod Ch. Behera, Principal and Sh. Sankar Das, Member, Purba Medinipur G.K. College of Education, Purbachara, Jankalalat Road, Tikashi, West Bengal presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "as per NCTE norms they should get two basic units at a time. They prayed that the matter may be considered and necessary action taken.

**AND WHEREAS** the submission of the appeal has been delayed by one year, five months and 27 days beyond the prescribed time limit of 60 days. The appellant, in their letter dt. 02.01.2018, without giving any details, merely submitted that due to 'my serious illness, I did not appeal properly in schedule period.'

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

**AND WHEREAS** the Committee is not satisfied that the reason adduced by the appellant for making the appeal after a long gap of nearly one and a half year is a sufficient cause for not preferring the appeal within the prescribed period. In these circumstances, the Committee decided not to condone the delay and therefore, not to admit 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 decided not to condone the delay and therefore, not to admit the appeal.

**(Sanjay Awasthi)**
Member Secretary

**1. The President, Purba Medinipur G.K. College of Education, Purbachara, Jankalalat Road, Tikashi – 721430, 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.

(3)

F.No.89-15/E-57621/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Shri Ram Singh Lodhi Rajput Mahavidhyalay, Dibai, Railway Road, Distt. – Bulandshahar, Uttar Pradesh dated 17/09/2017 is against the Order No. NRC/NCTE/NRCAPP-10831/272nd (Part-I) Meeting/2017/178853 dated 22/07/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution has not yet submitted the certified copy of land documents issued by the Sub-Registrar 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. Ravendra Singh, Secretary and Sh. Ram Singh, Manager, Shri Ram Singh Lodhi Rajput Mahavidhyalay, Dibai, Railway Road, Distt. – Bulandshahar, Uttar Pradesh presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation and in a letter dt. 05/04/2018 it was submitted that "the institution has submitted the certified registered land documents of Khasra Khatoni which was certified by Tehsildar and Deputy Collector. Institute have Plot No. 505/1 with an area 0.506 hect. in NON ZA, with ownership declared on 12/05/1958 by Zamindar concerned and the institute have certified copy of Amal Daramad which was issued by Civil Authority i.e. District Collectorate, Bulandshahr. Necessary Registered land documents and acts are enclosed. The Institute is a composite Institute in which two courses BA and B.Com are running which is affiliated by CCS University, Meerut, U.P. In the process of affiliation of B.A. B.Com, the University verified the land by District Magistrate Bulandshahr. After DM's Land Report the University issued affiliation to college. So, in all respects the institute's land in the Revenue records is in the name of Shri Ram Singh Lodhi Rajpoot Mahavidyalaya, Dibai, Distt Bulandshahr. The appellant, in the course of presentation, submitted copies of land documents duly verified by

the Deputy Distt. Collector and Tahsildar. The appellant has given detailed explanation in their letter dt. 04.05.2018.

**AND WHEREAS** the Committee noting that the appellant has submitted satisfactory land documents, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the documents, to be submitted to them, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the N.R.C. a copy of their letter dt. 04.05.2018 alongwith the documents mentioned therein, within 15 days of the 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 deserved to be remanded to the N.R.C. with a direction to consider the documents, to be submitted to them, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the N.R.C. a copy of their letter dt. 04.05.2018 alongwith the documents mentioned therein, within 15 days of the receipt of the orders on the appeal.

**NOW THEREFORE, the Council hereby remands back the case of Shri Ram Singh Lodhi Rajput Mahavidhyalay, Dibai, Railway Road, Distt. – Bulandshahar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Shri Ram Singh Lodhi Rajput Mahavidhyalay, 505/1, Dibai, Railway Road, Distt. – Bulandshahar – 203393, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(4)

F.No.89-16/E-57755/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Adhir Saraswati College of Education, Natna, Pattabukahuda, Karimpur, West Bengal dated 02/01/2018 is against the Order No. ERC/244.12(i).37/ERCAPP4259/D.El.Ed./2017/54844dated 03/11/2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "(i) Letter to the institution was issued on 30.08.2016 for submission of copy of NOC for B.Ed. course issued by Inspector of College, University of Kalyani with countersignature of Registrar, University of Kalyani and thereafter for constitution of composite VT for ERCAPP4274 and ERCAPP4259. No reply received from the institution till date. (ii) As the B.Ed. course (ERCAPP4274) has been decided for refusal, therefore, the application for D.El.Ed. course comes under the category of standalone institution, which is not permissible as per NCTE Regulation, 2014. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP4259 of the institution regarding recognition of applied D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

**AND WHEREAS** Sh. Subrata Biswas, Officer in Charge, Adhir Saraswati College of Education, Natna, Pattabukahuda, Karimpur, West Bengal presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that they had already collected the N.O.C. for B.Ed. course duly countersigned by the Registrar, Kalyani University but did not send it E.R.C. as they were collecting the essential papers required for the inspection of their institution as proposed in the E.R.C's letter dt. 30.08.2016. There was also delay in the process due to elections in their State. When they were ready to submit all papers, without issuing any reminder or show cause notice, E.R.C. refused recognition. They have appealed against refusal of recognition of B.Ed. course and there is no problem with regard to their application for D.El.Ed. course. The

appellant requested that their appeal against refusal of recognition for D.El.Ed. course may be decided on the basis of the decision in respect of their appeal against refusal of recognition for B.Ed. course.

**AND WHEREAS** the Committee noted that the appeal against refusal of recognition for B.Ed. course has been accepted and the matter remanded to the E.R.C. to take further action as per NCTE Regulations, 2014. In view of that decision the proposal of the appellant for grant of recognition for D.El.Ed. course does not fall under the category of 'standalone' institution. In these circumstances, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that as the appeal against refusal of recognition for B.Ed. course has been accepted and the matter remanded to the E.R.C. to take further action as per NCTE Regulations, 2014, the proposal of the appellant for grant of recognition for D.El.Ed. course does not fall under the category of 'standalone' institution. In these circumstances, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

**NOW THEREFORE, the Council hereby remands back the case of Adhir Saraswati College of Education, Natna, Pattabukahuda, Karimpur, West Bengal to the ERC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Appellant, Adhir Saraswati College of Education, Natna 87, Pattabukahuda, Karimpur – 74112, 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.

(5)

F.No.89-17/E-57753/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 18/5/18

**ORDER**

**WHEREAS** the appeal of Adhir Saraswati College of Education, Natna, Pattabukahuda, Karimpur, West Bengal dated 02/01/2018 is against the Order No. ERC/244.12(i)/36/ERCAPP4274/B.Ed./2017/54843 dated 03/11/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(i) Letter to the institution was issued on 30.08.2016 for submission of copy of NOC for B.Ed. course issued by Inspector of Colleges, University of Kalyani with countersignature of Registrar, University of Kalyani and thereafter for constitution of composite VT for ERCAPP4274 and ERCAPP4259. (ii) No reply received from the institution till date. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP4274 of the institution regarding recognition of applied B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

**AND WHEREAS** Sh. Subrata Biswas, Officer in Charge, Adhir Saraswati College of Education, Pattabukahuda, Karimpur, West Bengal presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "One letter was issued on 30.08.2016 for submission of NOC, countersigned by the Registrar, University of Kalyani, as it was issued by the I.C., University of Kalyani, they had already collected that NOC but could not submit as it was mentioned in that letter that after submission of the said NOC the V.T. will be constituted. Some necessary essential papers were still to be collected to face the V.T. such as Building Completion Certificate, Non Encumbrance Certificate, Possession, mutation etc. which was in process and then the Elections were to be held in their State and the official system got delayed due to the election. During that period there was no further correspondence from the E.R.C. either in the form of reminder or show cause notice. When they were going to submit all the necessary papers and are fully ready to face the V.T. in all respects

they suddenly got the refusal order without any further notice or any show cause notice from ERC, NCTE. The appellant enclosed a copy of the N.O.C. countersigned by the Registrar, Kalyani University on 09.02.2016.

**AND WHEREAS** the Committee, noting that the appellant has obtained the N.O.C. duly countersigned by the Registrar of Kalyani University and explained the reasons for which they did not submit the same to the E.R.C. in response to their letter dt. 30.08.2016 concluded that the matter deserved to be remanded to the E.R.C. with a direction to consider the countersigned N.O.C. to be submitted to them, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the NOC countersigned by the Registrar of the university within 15 days of receipt of the orders on the appeal.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to consider the countersigned N.O.C. to be submitted to them, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the NOC countersigned by the Registrar of the university within 15 days of receipt of the orders on the appeal.

**NOW THEREFORE, the Council hereby remands back the case of Adhir Saraswati College of Education, Natna, Pattabukahuda, Karimpur, West Bengal to the ERC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Appellant, Adhir Saraswati College of Education, Natna 87, Pattabukahuda, Karimpur – 74112, 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.

(6)

F.No.89-18/E-57737/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Smt. J.N. Patel B.Ed. college, Post – Salawada, Lunawada, Gujarat dated 01/01/2018 is against the Order No. WRC/APW03296/323359/Guj./282nd/2017/192431 dated 02/11/2017 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "The case file was seen. Show Cause Notice dated 26.08.2016 was issued to the institution regarding staff, Building Completion Certificate countersigned by the Govt. Engineer and FDRs. The institution vide reply dated 28.10.2016 has submitted a list of one Principal and seven faculty members (excluding librarian). Out of these, lecturers at S.No.3 & 7 do not have the required 50% in P.G. Further, all appointments are on ad-hoc basis. The building Completion Certificate is not countersigned by the Govt. Engineer. Remaining FDRs for Rs. 4.00 lakhs in joint operation with Regional Director are not submitted. Hence, Recognition is withdrawn from the session 2018-19."

**AND WHEREAS** Sh. N.M. Patel, President and Sh. K.J. Johnson, Member, Smt. J.N. Patel B.Ed. college, Post – Salawada, Lunawada, Gujarat presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation and in a letter dt. 05/04/2018 it was submitted that when the interviews were held earlier for the posts of lecturers at S.No. 3 & 7, candidates with 50 % in P.G. were not available and the affiliating body, which was Gujarat University at that time, considered and approved those with lesser percentage. However for the academic year 2017-18, the faculties fulfil the qualifications as required and they have been approved. The appellant enclosed copies of two staff lists containing 13 names approved by Shri Gobind Guru University, Godhra and another list of three staff members for Physical Education, Music and Drawing & Painting. The appellant submitted that, as their institution is situated in rural area, the building completion certificate was first signed by Talati -cum-Mantri, Gram Panchayat/Village Officer. They have got the certificate countersigned by the Deputy Executive Engineer, Road

and Building Sub Division, Godhra also and enclosed the same. The appellant also enclosed copies of FDRs for Rs. 5 lakhs and Rs. 3 lakhs and submitted that they have another FDR for Rs. 5,70,000/- which was not unfortunately submitted to the W.R.C. It is however seen from the copy of the F.D.R. for Rs. 5,70,000/- that its maturity date was 09/05/2015.

**AND WHEREAS** the Committee, noting that the appellant, by their submissions and documents furnished, has satisfactorily met the grounds mentioned in the withdrawal order, concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider the documents to be submitted to them and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the W.R.C. all the documents submitted in the appeal, by duly updating the validity of the F.D.R. for Rs. 5,70,000/- within 15 days from the date of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider the documents to be submitted to them and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the W.R.C. all the documents submitted in the appeal, by duly updating the validity of the F.D.R. for Rs. 5,70,000/- within 15 days from the date of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**NOW THEREFORE, the Council hereby remands back the case of Smt. J.N. Patel B.Ed. college, Post – Salawada, Lunawada, Gujarat to the WRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The President, Smt. J.N. Patel B.Ed. college, Post – Salawada, Lunawada – 388270, Gujarat.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.

(7)

F.No.89-19/E-57722/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Pt. Madan Mohan Malviya College of Education, Lawar, Darrighat, PO Koni, Masturi, Chhattisgarh dated 04/01/2018 is against the Order No. WRC/APP909/C.G./283rd/2017/192920 dated 20/11/2017 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "WRC noted the information received from the University. The University has also informed that the Pt. Madan Mohan Malviya College of Education, Bilaspur, Chhattisgarh has still not appointed Principal till date. Hence, Recognition of the college is withdrawn from the academic session 2018-19."

**AND WHEREAS** Sh. Ganesh Pd. Agrawal, Secretary and Satya Prakash Yadav, Assistant Professor, Pt. Madan Mohan Malviya College of Education, Lawar, Darrighat, PO Koni, Masturi, Chhattisgarh presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that their college is being run from the session 2012-13 and from the beginning a regular principal (Dr. Anita Singh) was working till she left and joined a new job. The post of Principal was advertised in the newspapers on 03/08/2017 and in reply to the Show Cause Notice the process initiated for appointment of regular principal was intimated. As the required number of applications were not received initially till the last date, the post was re-advertised on 05/09/2017 and 06/09/2017 and the university was informed about the difficulties faced resulting in the delay of appointment. After holding interview on 15.12.2017, the university gave a panel of selected candidates. From this panel and according to the merit, Dr. Sushma Dubey has been appointed as regular principal w.e.f. 22.12.2017. Appointment letter and joining report of Dr. Dubey were submitted to Bilaspur University on 22.12.2017. The appellant enclosed copies of various correspondence, including the appointment letter and joining report of Dr. Dubey as

Principal and a copy of the University's letter dt. 05.01.2018 confirming the appointment of Dr. Dubey as Principal.

**AND WHEREAS** the Committee noting that the appellant has appointed a duly selected candidate as a regular principal, concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider this appointment and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the W.R.C. all the correspondence relating to the selection and appointment of Dr. Sushma Dubey as their regular Principal within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider this appointment and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the W.R.C. all the correspondence relating to the selection and appointment of Dr. Sushma Dubey as their regular Principal within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**NOW THEREFORE, the Council hereby remands back the case of Pt. Madan Mohan Malviya College of Education, Lawar, Darrighat, PO Koni, Masturi, Chhattisgarh to the WRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Pt. Madan Mohan Malviya College of Education, Lawar, Darrighat, PO – Koni, Masturi – 495551, Chhattisgarh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.

(8)

F.No.89-20/E-57716/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 18/5/18

**ORDER**

**WHEREAS** the appeal of Kamla Nehru Mahavidyalaya, Purani Basti, Korba, Rani Mahal, Korba, Chhattisgarh dated 02/01/2018 is against the Order No. WRC/APW-7842/723176/C.G./283rd/2017/192937 dated 20/11/2017 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "WRC noted the information received from the University. The University has also informed that the Kamla Nehru College run by Kamla Nehru Mahavidyalaya, Samiti Rani Road, District – Kobra, Chhattisgarh, has still not appointed Principal till date. Hence, Recognition of the college is withdrawn from the academic session 2018-19."

**AND WHEREAS** Smt. Kamaljeet Kaur, Principal and Dr. Abdul Sattar, H.O.D., Kamla Nehru Mahavidyalaya, Purani Basti, Korba, Rani Mahal, Korba, Chhattisgarh presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "The college is a composite college and B.Ed. is a faculty. As per notification dt. 28/11/2014 published in Gazette of India part – III, Section – 4 on 1.12.2014 a Head of the Department for B.Ed. Faculty has been appointed and the appointment letter has been issued to the selected candidate and the same has been reported to the Bilaspur University Bilaspur C.G. All teaching staff has been appointed as per college code under section 28. The appellant enclosed with their letter dt. 05.04.2018 a list of teaching staff for their B.Ed. course duly approved by the Registrar, Bilaspur University. This list includes the name of the Head of the Department who joined on 06.01.2018. The appellant also enclosed a copy of the letter of the Bilaspur University dt. 16.01.2018 confirming the completion of the process for appointment of Dr. Abdul Sattar as the Head of the Department.

**AND WHEREAS** the Committee noted the appellant's submission that theirs is a composite college in which B.Ed. is a Department and according to the Norms and Standards for B.Ed. course contained in the NCTE Regulations, 2014 the faculty required includes Principal or H.O.D. As the appellant has since appointed a HOD for their B.Ed. Department and Bilaspur University has confirmed this position, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider the appointment of HOD and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the W.R.C. the documents submitted in the appeal within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider the appointment of HOD and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the W.R.C. the documents submitted in the appeal within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**NOW THEREFORE, the Council hereby remands back the case of Kamla Nehru Mahavidyalaya, Purani Basti, Korba, Rani Mahal, Korba, Chhattisgarh to the WRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Principal, Kamla Nehru Mahavidyalaya, Purani Basti, Korba, Rani Mahal, Korba – 495678, Chhattisgarh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.

(15)

F.No.89-22/E-58026/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Laxmi Narain Dubey College, Sadar Hospital Road, Motihari, Bihar dated 08/01/2018 is against the Order No. ERC/244.12(i).17/9241/B.Ed./ERCAPP201646291/2017/55365 dated 14/12/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(a) Two Show Cause Notices were issued on 15.02.2017 & 05.04.2017 on the following grounds: i. Submitted building plan is in piece meal and demarcated built-up area for B.Ed. course not mentioned. ii. Building Completion Certificate issued from Govt. Engineer/Authority is not submitted. iii. Fire safety certificate issued from competent Govt. authority is not submitted. iv. As per online application, the institution applied for B.Ed. (Additional) but the institution is not yet recognized by the ERC NCTE for B.Ed. programme. (b) No reply yet received from institution till date. In view of the above, the Committee decided as under:- The Committee is of the opinion that application bearing Code No. ERCAPP201646291 of the institution regarding recognition of applied B.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

**AND WHEREAS** Sh. Nalin, Principal and Sh. Kamesh Bhushan, Representative, Laxmi Narain Dubey College, Sadar Hospital Road, Motihari, Bihar presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation and in a letter dt. 02/04/2018 it was submitted that "the college has not received show cause notice issued by ERC NCTE Bhubaneshwar. E.R.C. in their order dt. 14.12.2017 treated the appellant as Private College under DPS Welfare Trust, Sitamarhi but their college is situated in Motihari, East Champaran and is a constituent unit of B.R.A. Bihar University Muzaffarpur, which is fully funded by Government of Bihar. Show cause notice issued by ERC NCTE Bhubaneshwar might have been delivered to therein mentioned Trust. i. Laxmi Narain Dubey College, Motihari is a constituent unit of B.R.A. Bihar University, Muzafflarpur which is fully

funded by the State Government. It comes under the category of composite college and they have submitted existing building plan where the proposed B.Ed. block is mentioned. The Building Completion Certificate issued by Assistant Engineer and Executive Engineer, B.R.A. Bihar University, Muzaffarpur and duly signed by Principal Laxmi Narain Dubey College Motihari was submitted to ERC NCTE, Bhubaneshwar. They have submitted fire safety certificate issued by Fire Station Officer, Motihari, East Champaran. Their college is offering more than 18 courses up to UG level for more than 50 years. Their Computer Operator understood B.Ed. is an additional course so, he selected B.Ed. additional in place of B.Ed. Fresh/New mistakenly. There is no editing provision in the online application. Therefore, kindly consider B.Ed. as Fresh/New course for two units." The appellant, with their letter dt. 02.04.2018, enclosed copies of building plan signed by the Executive Engineer, B.R.A. Bihar University indicating the location of B.Ed. course therein, two fire safety certificates, a building completion certificate signed by Asst. Engineer and Executive Engineer, B.R.A. Bihar University, and a certificate to the effect that the proposed B.Ed. course will be run in existing first and second floor of B.C.A. building, with a constructed area of 8232 sq. mts., as mentioned in the online application form.

**AND WHEREAS** the Committee, noting that the appellant has submitted all the documents mentioned in the refusal order and clarified that they have applied for B.Ed. course as a fresh one only, concluded that the matter deserved to be remanded to the E.R.C. with a direction to consider the documents to be submitted to them and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the E.R.C. all the documents submitted in appeal within 15 days of receipt of the orders on the appeal.

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

**NOW THEREFORE, the Council hereby remands back the case of Laxmi Narain Dubey College, Sadar Hospital Road, Motihari, Bihar to the ERC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Principal, Laxmi Narain Dubey College, Sadar Hospital Road, Motihari – 845401, Bihar.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

(12)

F.No.89-26/E-58318/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Samya Samaj Teachers Training College, Gopalnagar, Kolaghat, W.B. dated 30/12/2017 is against the Order No. ER-213.6(i)/.298/(ERCAPP4037/D.El.Ed./2016/46055 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting D.El.Ed. course with an intake of 50 (one basic unit). The appellant wants recognition for two units.

**AND WHEREAS** Sh. Gobinda Charan Bera, Secretary and Sh. Mrinal Maity, Representative, Samya Samaj Teachers Training College, Gopalnagar, Kolaghat, W.B. presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "they are seeking additional one unit and they have sufficient built up area for two units.

**AND WHEREAS** the submission of the appeal has been delayed by one year, five months and 29 days beyond the time limit of 60 days from the date of issue of the order, as prescribed in Rule 10 of the NCTE Rules, 1997. According to the proviso to Section 18 (2) of the NCTE Act, an appeal may be admitted after the expiry of the prescribed period. Therefore, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period. The appellant has not given any cause for not preferring the appeal within the period of limitation of sixty days. In these circumstances the Committee decided not to admit the time-barred 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 decided not to admit the time barred appeal.

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Samya Samaj Teachers Training College, Gopalnagar, Kolaghat Jasar Road, Kolaghat – 721130, 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.

(13)

F.No.89-26(A)/E-58321/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Samya Samaj Teachers Training College, Gopalnagar, Kolaghat, W.B. dated 30/12/2017 is against the Order No. ER-213.6(i)/.299/(ERCAPP4039)/B.Ed./2016/46063 dated 02/05/2016 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 50 (one basic unit). The appellant wants recognition for two units.

**AND WHEREAS** Sh. Gobinda Charan Bera, Secretary and Sh. Mrinal Maity, Representative, Samya Samaj Teachers Training College, Gopalnagar, Kolaghat, W.B. presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "they are seeking additional one unit from the session 2018 and they have sufficient built up area as per NCTE norms 2014.

**AND WHEREAS** the submission of the appeal has been delayed by one year, five months and 29 days beyond the time limit of 60 days from the date of issue of the order, as prescribed in Rule 10 of the NCTE Rules,1997. According to the proviso to Section 18 (2) of the NCTE Act, an appeal may be admitted after the expiry of the prescribed period. Therefore, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period. The appellant has not given any cause for not preferring the appeal within the period of limitation of sixty days. In these circumstances, the Committee decided not to admit the time barred 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 decided not to admit the time barred appeal.

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Samya Samaj Teachers Training College, Gopalnagar, Kolaghat Jasar Road, Kolaghat – 721130, 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.

(15)

F.No.89-27(A)/E-59145/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Sidra B.Ed. College, Moregram, Madhaipur, Malda, West Bengal dated 10/01/2018 is against the Order No. ERC/244.12(i).35/ERCAPP4277/D.El.Ed./2017/54864 dated 03/11/2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "(a) Show Cause Notice was issued on 26.12.2016 on the following grounds: (i) Inspection letter was issued on 13.02.2016. (ii) VT not conducted so far. (iii) The VT experts namely Dr. A.K. Dubey and Shri R.K. Rout has submitted representation dated 24.10.2016 stating that 'The said college avoided the inspection expressing their unpreparedness'. (b) No reply received from institution till date. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing Code No. ERCAPP4277 of the institution regarding permission of applied D.El.Ed. Programme is refused under section 15(3)(b) of NCTE Act, 1993."

**AND WHEREAS** Sh. MD. Mazed Ali, Secretary and Sh. MD. Senaul Hoque, Representative, Sidra B.Ed. College, Moregram, Madhaipur, Malda, West Bengal presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "the institution is a recognised institution from ERC vide its order dated 25.02.2014 and is conducting the B.Ed. course from the academic session 2014-15 successfully. After promulgation of the NCTE Regulations 2014 the institution has complied with all the requisite conditions and ERC has issued the revised recognition order on 31.05.2015. In order to attain the status of composite institution the appellant has submitted an application for D.El.Ed. course to ERC. The point wise response to the grounds of refusal is as under. First of all there are factual inadequacies in the Refusal order dated 03.11.2017 of ERC. In para 3 of the order it is mentioned that the Show Cause

Notice under section 15.3.b of NCTE Act was issued on 26.12.2016, whereas, this notice was issued to the appellant on 21.07.2016. A comprehensive reply to the SCN was submitted to ERC which was considered by ERC in its 225th meeting held on 18th November, 2016. The outcome of this meeting was never informed to the appellant by the ERC. The ERC Show Cause Notice dated 25.12.2016 was never received by the appellant. If the appellant could respond to the ERC SCN dated 21.07.2016 then why it shall not respond to the subsequent notice. With regard to not conveying readiness for conduct of inspection it is humbly submitted that the appellant has already started the construction of the building at the time of submission of application for D.El.Ed. course. During the course it was learnt that the material used for construction was not of appropriate quality and may endanger the life of prospective students, faculty and general public and therefore, the management took a conscious decision to demolish the entire section. Even though it caused a substantial loss to the appellant but they went ahead while sustaining financial losses and facing avoidable delay. The aspirations of the appellant are very clear that they intend to conduct the course as per the NCTE Regulations while adhering each and every condition in letter and spirit. Now, their finest building with all the requisite infrastructural and instructional facilities is ready in all aspects. The ERC may conduct the inspection at the earliest so that they may start the programme from the next academic session of 2018 19. They pray to the Hon'ble Appellate Authority to consider their appeal and set aside the refusal order of ERC directing it to conduct the inspection of their institution for D.El.Ed. course.

**AND WHEREAS** the Committee noted form the file of the E.R.C. that they issued a letter dt. 13.02.2016 proposing inspection of the institution on any day within 20 days of that letter. The appellant wrote a letter to E.R.C. on 12.02.2016 requesting inspection at a belated stage as they want to commence the additional course from the next academic session in order to avail all the ultra modern facilities. The E.R.C., considering this reply for extension of time as untenable, in their 214th meeting held on 13-15, May 2018 decided to issue a show cause notice and issued the same on 19.07.2016. The appellant sent a reply on 02.06.2016 (on the basis of the proceedings of the E.R.C's 214th meeting) stating that they wanted to keep constitution of the V.T. in abeyance only to enable them to show complete

infrastructure. The appellant sent another reply dt. 12.08.2016 on the same lines specifically in response to the show cause notice dt. 19/07/2016.

**AND WHEREAS** the Committee also noted that while no further action was taken on the appellant's letters dt. 02/06/2016 and 12/08/2016, E.R.C. issued another show cause notice on 26.12.2016, citing a representation dt. 24.10.2016 sent by the Experts who constituted the Visiting Team set up in Feb., 2016 in which it is mentioned that the institution avoided the inspection expressing their unpreparedness. The appellant is claiming that they have not received this show cause notice. The E.R.C., nearly after about ten months refused recognition on the ground that no reply to their show cause notice was received.

**AND WHEREAS** the Committee noted from the letter dt. 13.02.2016 addressed to the V.T. members that they were required to finalise their reports and courier them on the same day. While the correspondence does not indicate that the V.T. members visited the institution at all, it is not understood why they chose to write on 24.10.2016 i.e. nearly eight months after the issue of the letter dt. 13.02.2016.

**AND WHEREAS** the Committee, noting that the appellant is an existing institution conducting B.Ed. course and delays occurred in the processing of their application for D.El.Ed. course, concluded that the matter deserved to be remanded to the E.R.C. with a direction to conduct an inspection of the appellant institution and take further action as per the NCTE Regulations, 2014.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to conduct an inspection of the appellant institution and take further action as per the NCTE Regulations, 2014.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Sidra B.Ed. College, 520, Moregram, Madhaipur, Malda – 732142, 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.

(16)

F.No.89-29/E-59610/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/4/18

**ORDER**

**WHEREAS** the appeal of Talandu M.R. and N.C. Mohanta College, Kushpukur, PO – Talandu, Polba, Hooghly, West Bengal dated 12/05/2017 is against the Order No. 234.6.5(Part-4)/ERCAPP3300/B.Ed./2016/51626 dated 20/03/2017 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 50 (one basic unit). The appellant wants recognition for two units.

**AND WHEREAS** Sh. Animesh Ch. Mohanta, Secretary and Sh. A.B. Ray, Member, Talandu M.R. and N.C. Mohanta College, Kushpukur, PO – Talandu, Polba, Hooghly, West Bengal presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation the appellant requested grant of recognition for two units (100 intake). The appellant enclosed to the appeal copies of a number of documents which include an approved faculty list of a principal and 16 lecturers.

**AND WHEREAS** the Committee noted that the appellant, in the affidavit enclosed to the online application dt. 30.05.2015 sought recognition for B.Ed. course for two units with an intake of 100. The Visiting Team in their inspection report dt. 20.03.2016 noted that the proposal was for two units (100 intake). The E.R.C. issued the Letter of Intent under Clause 7 (13) of the NCTE Regulations, 2014 on 15.07.2016 in which the appellant was also requested to intimate their willingness in an affidavit about the number of units either one or two. The appellant submitted an affidavit dt. 06.09.2016 expressing willingness for grant of recognition for two basic units (100 intake) of B.Ed. course. The appellant also submitted a staff list of a principal and 16 lecturers countersigned by the Registrar, the University of Burdwan. Thereafter, the E.R.C. in their 234th meeting held on 27th February to 3rd March, 2017 decided to grant recognition with an intake of 50 (one basic unit) and issued the recognition order on 20.03.2017.

**AND WHEREAS** the Committee noted that no reasons have been recorded for grant of recognition for one unit only. In the circumstances, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to issue a speaking order/communication in this regard.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to issue a speaking order/communication in this regard.

**NOW THEREFORE, the Council hereby remands back the case of Talandu M.R. and N.C. Mohanta College, Kushpukur, PO – Talandu, Polba, Hooghly, West Bengal to the ERC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Talandu M.R. and N.C. Mohanta College, Kushpukur, PO – Talandu, Polba, Hooghly – 712148, 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.

(17)

F.No.89-29(A)/E-58835/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/4/18

**ORDER**

**WHEREAS** the appeal of Bangashree Teachers Training Institute, Tarapur, Baharampur Karimpur, Hogalbaria, Tehatta/Nadia dated 08/01/2018 is against the Order No. ER-239.6.146(Part-4)/ERCAPP3951/B.Ed./2017/52816 dated 02/05/2017 of the Eastern Regional Committee, granting recognition for conducting B.Ed. course with an intake of 50 (one basic unit). The appellant wants recognition for two units (100 intake)."

**AND WHEREAS** Sh. Mizanur Rahaman, Managing Trusty and Sh. Dhananjoy Sarkar, Member, Bangashree Teachers Training Institute, Tarapur, Baharampur Karimpur, Hogalbaria, Tehatta/Nadia presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that they applied for B.Ed. programme (ERCAPP3951) on 29/06/2015 with an annual intake of 100 students, (two basic units) in the name of Bangashree Teachers Training Institute along with the existing D.El.Ed. programme to become a composite institute in compliance with the NCTE Regulations, 2014. The E.R.C. granted recognition for one unit (50 intake) of D.El.Ed. on 20.02.2014 and for an additional unit of 50 intake on 26.04.2017. In all affidavits/undertakings/documents it was clearly mentioned that the proposed B.Ed application was for an annual intake of 100 students (two basic units). The Applicant Trust/Institution in compliance with the Letter of Intent as per NCTE Regulations, 2014 submitted its reply along with all other relevant documents including affidavit/undertaking and Teaching Staff Approval for B.Ed. 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/undertaking/Teaching Staff Approval, mistakenly issued Formal Recognition Order for one basic unit for B.Ed. Vide Order No F.No.

ER.239.6.1.146.Part 4/ERCAPP3951/B.Ed./2017/52816, dated 02/05/2017. The Applicant Trust/Institution vide its letter Ref. No. BTTI/2017/NCTE/0108, dated 02/05/2017 approached before the ERC NCTE with a prayer to consider/review the matter and issue revised Formal Recognition Order for B.Ed. ERCAPP3951 with an annual intake 100 students (two basic units). However, the ERC NCTE did not consider the facts/documents and remained with the same stand. As per the provision of NCTE Regulations 2014, it was noted that in a composite institution, the Principal and academic, administrative and technical staff can be shared. There shall be one Principal, and others may be termed as HoDs. The Applicant Trust/Institution has already appointed Ms. Sreema Kumari, as a lecturer in Fine Arts against D.El.Ed Course. Same can be shared for the upcoming B.Ed programme. There is no need to appoint any additional teaching staff for B.Ed Programme against this post. The Applicant Trust/Institution appointed 20 nos. of teaching faculty including principal for B.Ed programme in first phase and again appointed another Teaching Staff in Fine Arts, namely Mr. Ritwick Halder in replacement of Shri Golam Kabria, as per the requirement set out by the ERC NCTE. The Applicant Trust/Institution has submitted the final teaching list including the replacement one, along with all other relevant documents to the ERC NCTE, immediately after approval by the university. Unfortunately ERC NCTE did not consider the same and remained silent, resulting in a huge financial burden. The Applicant Trust/Institution has all the necessary documents related to Land/Building and Teaching Staff formally 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.239.6.1.146.Part 4/ERCAPP3951/B.Ed./2017/52816, dated 02/05/2017 passed by the ERC NCTE. The appellant prayed that their case be remanded back to the ERC for issuing a fresh formal recognition order against B.Ed. with an annual intake of 100 students (two basic units) for the academic session 2018 to 2019.

**AND WHEREAS** the Committee noted that the appellant, in the affidavit dt. 29.06.2015 for grant of recognition for B.Ed. course, sought recognition for an intake of 100. The Visiting Team, in their report of inspection of the institution conducted on 14th & 15th April, 2017, noted that the proposal was for two units (100 intake) and recommended two units. The E.R.C. in their Letter of Intent dt. 26.04.2017 did not

indicate the intake. The appellant, with their reply to the Letter of Intent, inter-alia submitted a faculty list of 20 (a principal and 19 lecturers) and a librarian, duly countersigned by the Registrar, West Bengal University of Teacher Training, Education, Planning and Administration. The E.R.C. while considering this list in their 239th meeting held on April 28 – May 2, 2017 observed that Shri Golam Kibria appointed as Lecturer in Fine Arts is not eligible as Bachelor of Fine Arts degree was not submitted and Master of Fine Arts degree from CMJ University, which is not accepted. From the minutes of this meeting, it appears that this is the ground for granting recognition with an intake of 50 (one unit), though not mentioned in the formal recognition order dt. 02.05.2017.

**AND WHEREAS** the Committee also noted that the appellant after the issue of recognition order for one unit wrote a letter dt. 26.05.2017 to the E.R.C. explaining that in a composite institution academic staff can be shared as per the norms. The appellant also enclosed a faculty list, in which Shri Golam Kibria was replaced by Shri Ritwik Haldar, and which was countersigned by the Registrar of the affiliating university on 17.05.2017. In these circumstances, the Committee concluded that the matter deserved to be remanded to the E.R.C. with a direction to consider the list of faculty countersigned by the Registrar of the affiliating university in which Shri Kibria has been replaced by Shri Ritwik Halder as Asst. Professor of Art Education and take further action on the request of the appellant for two units of B.Ed. as per the NCTE Regulations, 2014 and issue an appropriate revised order / communication.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to E.R.C. with a direction to consider the list of faculty countersigned by the Registrar of the affiliating university in which Shri Kibria has been replaced by Shri Ritwik Halder as Asst. Professor of Art Education and take further action on the request of the appellant for two units of B.Ed. as per the NCTE Regulations, 2014 and issue an appropriate revised order / communication.

**NOW THEREFORE, the Council hereby remands back the case of Bangashree Teachers Training Institute, Tarapur, Baharampur Karimpur, Hogalbaria, Tehatta/Nadia to the ERC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Bangashree Teachers Training Institute, Plot No. 466, 468, 469, 475, Tarapur, Baharampur Karimpur, Hogalbaria, Tahatta/Nadia – 741122.**
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.

(18)

F.No.89-29(B)/E-59501/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/4/18

**ORDER**

**WHEREAS** the appeal of Firdos College of Education, Kuleith, Moti Jheel, Gwalior, M.P. dated 12/01/2018 is against the Order No. WRC/APP201660208/222/278th/{M.P.}/2017/188218 dated 08/08/2017 of the Western Regional Committee, withdrawing recognition for conducting D.El.Ed. course on the grounds that "the institute was given recognition for two units of the D.El.Ed. course from the session 2017-18 vide recognition order dt. 08.05.2017. This case was considered on the basis of minority status certificate issued on dt. 17.03.2017 in case No. 1335 of 2017. Subsequently the certificate was referred to National Commission for Minority Educational Institutions, New Delhi for validation. The National Commission for Minority Educational Institutions has vide letter dt. 16.06.2017 stated that the above referred certificate has not been issued by the Commission. Since this is a case of forgery, recognition for the D.El.Ed. course is immediately withdrawn. Further the State Govt. be informed about this decision and the name of this college be removed from centralized counselling from the academic session 2017-18."

**AND WHEREAS** Sh. Laxman Singh, Representative, Firdos College of Education, Kuleith, Moti Jheel, Gwalior, M.P. presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "the Minority Certificate is correct and it may please be checked again with the Minority Department. The appellant enclosed copy of a certificate dt. 03/11/2017 issued by the National Commission for Minority Educational Institutions declaring that the appellant is a Minority Institution.

**AND WHEREAS** the Committee noted that the W.R.C. issued the withdrawal order dt. 08.08.2017 without giving the appellant a reasonable opportunity of making representation against the proposed order as laid down in the first proviso to Section

17(1) of the NCTE Act, 1993. In these circumstances, the Committee concluded that the matter deserved to be remanded to the W.R.C. with a direction to issue a show cause notice to the appellant and take further action as per the NCTE Regulations, 2014. The W.R.C. may keep in view the provisions contained in Clause 7 (3) of these Regulations. The appellant is directed to forward to the W.R.C. the Minority certificate dt. 03/11/2017, submitted in the appeal, within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the E.R.C. W.R.C. with a direction to issue a show cause notice to the appellant and take further action as per the NCTE Regulations, 2014. The W.R.C. may keep in view the provisions contained in Clause 7 (3) of these Regulations. The appellant is directed to forward to the W.R.C. the Minority certificate dt. 03/11/2017, submitted in the appeal, within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**NOW THEREFORE, the Council hereby remands back the case of Firdos College of Education, Kuleith, Moti Jheel, Gwalior, M.P. to the WRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Director, Firdos College of Education, Kuleith, Moti Jheel, Gwalior – 474010, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, 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.89-31/E-59915/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Shree Arjun B.Ed. College, At-Supasi, Veraval, Gujarat dated 18/01/2018 is against the Order No. WRC/APW04870/333501/Guj./283rd/2017/192959 dated 20/11/2017 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "The case file was seen. Show Cause Notice was issued to the institution on 30.08.2017. The institution has not replied to the Show Cause Notice till date. Hence, Recognition is withdrawn from the academic session 2018-19."

**AND WHEREAS** Dr. Kalyanji Arjun Chorada, Principal and Sh. Devshibhai Arjanbhai Jotva, Managing Trustee, Shree Arjun B.Ed. College, At-Supasi, Veraval, Gujarat presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "no show cause notice was served upon appellant and thus it could not know the contents and file any response. The appellant has all the relevant documents as well as staff and facilities for running B.Ed. course, which had been duly verified at time of initial grant of recognition. The appellant with the appeal and with a letter dt. 04.04.2018 enclosed a faculty list for their B.Ed. course duly countersigned by the Registrar, Saurashtra University, Rajkot; copies of FDRs dt. 09/07/2017 for Rs. 10,70,040 and Rs. 6,42,077 and one FDR dt. 16.01.2018 for Rs. 4,00,000/- all taken jointly with the Regional Director, W.R.C., Bhopal; and a notarised copy of the building completion certificate.

**AND WHEREAS** the Committee, noting the submissions of the appellant and the documents submitted with reference to the grounds mentioned in the order of withdrawal concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider these documents and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the W.R.C. all the

documents submitted in the appeal within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to W.R.C. with a direction to consider these documents and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the W.R.C. all the documents submitted in the appeal within 15 days of receipt of the orders on the appeal. In the meanwhile, the order of withdrawal shall be kept in abeyance.

**NOW THEREFORE, the Council hereby remands back the case of Shree Arjun B.Ed. College, At-Supasi, Veraval, Gujarat to the WRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The President, Shree Arjun B.Ed. College, At-Supasi, Veraval – 362255, Gujarat.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.

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F.No.89-111/E-66378/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of M.N. Institute of Teachers Training, Naino Ka Bas Udasar, Bikaner, Rajasthan dated 25/02/2018 is against the Order No. NRC/NCTE/NRCAPP-15161/261st Meeting/2016/164939 dated 10/01/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the ground that "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** the appellant aggrieved by the order of the N.R.C. filed a S.B. Civil Writ Petition No. 4078/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 21.02.2018 remitted the petitioner society to the remedy of the statutory appeal provided under Section 18 of the Act of 1993. The Hon'ble High Court also ordered that in the event of the appeal being filed, it is expected that it will be disposed of within a period of one month by the Appellate Authority.

**AND WHEREAS** Sh. Shambhu Dayal Gupta, Lecturer, M.N. Institute of Teachers Training, Naino Ka Bas Udasar, Bikaner, Rajasthan presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "the appellant institution applied for B.A. B.Ed./B.Sc. B.Ed. course on 15.07.2015 and N.R.C. issued a letter dt. 26.04.2016 proposing an inspection of their institution. As soon as they came to know about the observations made in the minutes of the 253rd meeting of the N.R.C. for issue of a Show Cause Notice through website, they submitted a reply/representation on 08/09/2016, wherein it was categorically mentioned that the society is running B.A. course and B.Ed. course and therefore, it is a composite institution as per Clause 2 (b). The N.R.C. even without considering their response to the S.C.N. rejected their

application. The appellant also submitted that as per NCTE's letter dt. 07/04/2016, wherein it is stated that all standalone teacher educations need to gradually move towards becoming composite institutions and the 4 year integrated course can also be given to a teacher education institution offering a single teacher education programme, provided the affiliating university agreed to regulate the B.A./B.Sc. component of the integrated programme as per the university norms. The university issued a N.O.C. on 08.03.2016 and thereby they agreed to regulate the degree programme components of the appellant institution. The appellant also submitted that a B.A. course is also being run by the society. In the course of presentation the appellant gave a letter dt. 05.04.2018 requesting an opportunity to submit an affidavit by the Secretary of the society about the composite nature of their institution.

**AND WHEREAS** the appellant submitted a notarised affidavit by the Secretary MNS Medical and Educational Society, Bikaner on 05.04.2018. In the affidavit, the appellant claimed that B.Sc., B.A. and M.Sc. courses are being run in their institutions, namely, M.N. Institute of Applied Science and M.N. College & Research Institute, Bikaner. The appellant enclosed to the affidavit the affiliation orders in respect of these courses.

**AND WHEREAS** the Committee, noting that the society, which applied for B.A. B.Ed./B.Sc. B.Ed. in M.N. Institute of Teacher Training, is also running other institutions offering B.A. B.Sc. and M.Sc. courses, concluded that the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the N.R.C. the affidavit and all the documents submitted therewith, within 15 days of receipt of the orders on the appeal.

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

**NOW THEREFORE, the Council hereby remands back the case of M.N. Institute of Teachers Training, Naino Ka Bas Udasar, Bikaner, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, M.N. Institute of Teachers Training, Naino Ka Bas Udasar, NH-11, Bikaner – 334001, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-112/E-65088/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of St. J.K.L. STC College, Vatika, Sanganer, Jaipur, Rajasthan dated 19/02/2018 is against the Order No. NRC/NCTE/NRCAPP-9404/278th Meeting/187137-42 dated 11/01/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The Petitioner Society has not submitted the application online electronically along with processing fees and relevant documents as per clause 5 of NCTE Regulations, 2014. Objection Certificate issued by the concerned affiliating body has not been submitted by the petitioner society alongwith the application. The institution has not submitted any proof/evidence of its being a composite institution as required under Clause 2(b) of NCTE Regulations, 2014. In view of the above facts, the Committee decided that the application is rejected and recognition / permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993 primarily on the above grounds.

**AND WHEREAS** the appellant, aggrieved by the order of the N.R.C. filed a S.B. Civil Writ Petition No. 2739 of 2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 09/02/2018 remitted the petitioner to the remedy of statutory appeal provided under Section 18 of the Act of 1993. The Hon'ble High Court in their order stated that in the event of appeal being filed, it is expected that it will be disposed of expeditiously by the Appellate Authority keeping in mind that the last date for grant of recognition to a teacher training course in each academic year is the preceding 3rd of March as per the NCTE Regulations, 2014.

**AND WHEREAS** Dr. Suresh Sharma, Secretary and Sh. R.P. Sharma, President, St. J.K.L. STC College, Vatika, Sanganer, Jaipur, Rajasthan presented the case of the appellant institution on 05/04/2018. In the appeal and during personal

presentation it was submitted that the NRC has grossly erred by refusing the application of the appellant on the ground that the application has not been submitted online electronically alongwith processing fee and relevant documents as per Clause 5 of the NCTE Regulations, 2014 since, this application has already been submitted through online mode on 31.12.2012 in accordance with the NCTE Recognition Norms And Procedure Regulations 2009 Notified on 31.08.2009 and in vogue till 28 11 2014. It is pertinent to mention that a majority of institutions of Rajasthan have approached the Hon'ble High Court of Rajasthan Judicature at Jaipur, Jodhpur against the arbitrary negative recommendation of the State Govt. of Rajasthan relying whereupon the NRC has made mass refusal of applications arbitrarily Therefore, this application submitted in 2012 has been revived consequent upon the directions of the Hon'ble High court It is undisputed fact the NRC, NCTE has considered the similarly situated files and granted recognition vide office order dt. 02.08.2016 file No NRC NCTE Recognition Common B.Ed. 2016 156537 61. More so recently the appellate authority has also passed an order in St. Meera T.T. College, Jhambutalab Rajsamand. Hence, similar treatment may also be afforded to appellant and the condition of clause 5 of Regulation 2014 may kindly waived and the file processed. The rejection ground of non-submission of NOC issued by the concerned affiliating body is defunct and unjust and in contravention of principle of natural justice As mentioned above since the application was submitted in the year 2012 as per the prevailing NCTE Regulations 2009 wherein the provision of obtaining NOC from the affiliating body was not stipulated therefore, the question of its submission does not arise More so recently in the order dt 27.11.17 passed in JBM College of Education Shadipur this condition was also waived. Even the case of NCTE v/s Rambha College of Education supports the condition. Supporting documents are annexed. The rejection ground of non-submission of any proof/evidence of being a composite institution is defunct and unjust and in contravention of principle of natural Justice. The appellant institution is already running a B.Ed Course and is covered as a composite institution Recognition and affiliation orders are annexed herewith. Further the NCTE Regulations 2014 clearly says that the institutions shall gradually turn into a composite institution."

**AND WHEREAS** the Committee noted that the appellant submitted their online application for D.El.Ed. course on 31.12.2012. Following the directions of the

Hon'ble High Court of Rajasthan, the appellant submitted certain documents, including processing fee on 29.04.2016. The N.R.C., after processing the application, conducted an inspection of the institution on 12.06.2016. Thereafter, N.R.C., after obtaining legal advice issued a show cause notice to the appellant institution on 23.03.2017 on three grounds, namely, (i) non-submission of application online electronically alongwith processing fee and relevant documents as per Clause 5 of NCTE Regulations, 2014; (ii) non-submission of No Objection Certificate issued by the concerned affiliating body alongwith the application; and (iii) non-submission of any proof/evidence of its being a composite institution as required under Rule 2 (b) of NCTE Regulations, 2014. While no reply to this show cause notice is available in the file and in fact the show cause notice was returned undelivered on 30.03.2017, the N.R.C. issued refusal order only on 11.01.2018 on the grounds mentioned therein.

**AND WHEREAS** the Committee noted that all the three grounds mentioned in the show cause notice and the refusal order are the requirements, introduced for the first time, in the NCTE Regulations, 2014 and which are required to be fulfilled when applications are invited pursuant to these Regulations. The appellant submitted their application in the year 2012 and the then existing Regulations did not contain the requirements mentioned in the show cause notice/refusal order. N.R.C. processed the same application submitted in 2012.

**AND WHEREAS** the Committee noted that in view of the position stated in para 5 above the submissions of the appellant vis a vis the grounds of refusal deserved to be accepted and concluded that the matter be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

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

**NOW THEREFORE, the Council hereby remands back the case of St. J.K.L. STC College, Vatika, Sanganer, Jaipur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, St. J.K.L. STC College, Vatika, 57, 58, Sanganer, Jaipur – 302039, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-113/E-65118/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Universe STC College, Rampura-Unti Sanganer, Bagru, Rajasthan dated 19/02/2018 is against the Order No. NRC/NCTE/NRCAPP-9409/278th Meeting/2018/186852 dated 08/01/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The Petitioner Society has not submitted the application online electronically along with processing fees and relevant documents as per clause 5 of NCTE Regulations, 2014. No Objection Certificate issued by the concerned affiliating body has not been submitted by the petitioner society alongwith the application. The institution has not submitted any proof/evidence of its being a composite institution as required under Clause 2(b) of NCTE Regulations, 2014."

**AND WHEREAS** the appellant aggrieved by the order of the N.R.C. filed a S.B. Civil Writ Petition No. 2912/2018 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 09/02/2018 remitted the petitioner to the remedy of statutory appeal provided under Section 18 of the Act of 1993. The Hon'ble High Court in their order stated that in the event of the appeal being filed, it is expected that it will be disposed of expeditiously by the Appellate Authority keeping in mind that the last date for grant of recognition to a teacher training course in each academic year is the preceding 3rd of March as per the NCTE Regulations, 2014.

**AND WHEREAS** Dr. Basant Gupta, Secretary and Dr. Suresh Sharma, Member, Universe STC College, Rampura-Unti Sanganer, Bagru, Rajasthan presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that the NRC has grossly erred by

refusing the application of the appellant on the ground that the application has not been submitted online electronically alongwith processing fee and relevant documents as per Clause 5 of NCTE Regulations, 2014. This application has already been submitted through online mode on 31/12/2012 in accordance with the NCTE Recognition, Norms and Procedure Regulations 2009, Notified on 31/08/2009 and in vogue till 28/11/2014. It is pertinent to mention that a majority of institutions of Rajasthan have approached the Hon'ble High Court of Rajasthan judicature at Jaipur/Jodhpur against the arbitrary negative recommendation of the State Govt. of Rajasthan relying whereupon the NRC has made mass refusal of applications arbitrarily. Therefore, this application submitted in 2012 has been revived consequent upon the directions of the Hon'ble High court. It is undisputed fact the NRC, NCTE has considered similarly situated files and granted recognition vide office order dt 26/8/2016 file No. NRC/ NCTE /Recognition/Common/ B.Ed./2016/156537 to 61. More so, recently, the appellate authority has also passed an order in St. Meera T.T. College, Jhambutalab, Rajsamand. Hence, similar treatment be afforded to appellant and the condition of clause 5 of Regulation 2014 may kindly waived and the file processed. The rejection ground of non-submission of NOC issued by the concerned affiliating body is defunct, unjust and in contravention of principle of natural justice. As mentioned above since, the application was submitted in the year 2012 as per the prevailing NCTE Regulations 2009, wherein the provision of obtaining NOC from the affiliating body was not stipulated therefore, the question of its submission does not arise. More so, recently in the order dt.27/11/17 passed in JBM College of Education, Shadipur, this condition also waived. Even the case of NCTE v/s Rambha College of Education supports the condition. The rejection ground of non-submission of any proof/evidence of being a composite institution is defunct, unjust and in contravention of principle of natural Justice. The appellant institution is already running a B.Ed. Course and is covered as a composite institution. Recognition and affiliation orders are annexed herewith. Further the NCTE Regulations 2014 clearly says that the institutions shall gradually turn into a composite institution as per NCTE Regulations 2014."

**AND WHEREAS** the Committee noted that the appellant submitted their online application for D.El.Ed. course on 31.12.2012. Following the directions of the

Hon'ble High Court of Rajasthan, the appellant submitted certain documents, including processing fee on 29.04.2016 to the N.R.C. The N.R.C., after processing the application conducted an inspection of the institution on 14.06.2016. Thereafter, N.R.C., after obtaining legal advice issued a show cause notice to the appellant institution on 23.03.2017 on three grounds, namely, (i) non-submission of application online electronically alongwith processing fee and relevant documents as per Clause 5 of NCTE Regulations, 2014; (ii) non-submission of No Objection Certificate issued by the concerned affiliating body alongwith the application; and (iii) non-submission of any proof/evidence of its being a composite institution as required under Rule 2 (b) of NCTE Regulations, 2014. While no reply to this show cause notice is available in the file, the N.R.C. issued refusal order only on 08.01.2018 on the grounds mentioned therein.

**AND WHEREAS** the Committee noted that all the three grounds mentioned in the show cause notice and the refusal order are the requirements, introduced for the first time, in the NCTE Regulations, 2014 and which are required to be fulfilled when applications are invited pursuant to these Regulations. The appellant submitted their application in the year 2012 and the then existing Regulations did not contain the requirements mentioned in the show cause notice/refusal order. N.R.C. processed the same application submitted in 2012.

**AND WHEREAS** the Committee noted that the submissions of the appellant vis a vis the grounds of refusal deserved to be accepted and in view of the position stated in para 5 above, concluded that the matter be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

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

**NOW THEREFORE, the Council hereby remands back the case of Universe STC College, Rampura-Unti Sanganer, Bagru, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Universe STC College, Rampura-Unti (Near Bagru) Sanganer, Bagru – 303007, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-114/E-66103/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of S.D. College of Physical Education, Ganesh Ji Road, Viratnagar, Rajasthan dated 25/02/2018 is against the Order No. NCTE/NRC/NRCAPP201616458/B.P.Ed./RJ/2017-2018/2 dated 28/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.P.Ed. course on the grounds that "The institution was given SCN dated 27.01.2017. Reply of the institution was considered in the NRC meeting & it was decided to reject the application and refuse recognition on the following points:- The institution is stand alone and not composite. The name of the institution in the online application is S.D. College of Physical Education, whereas the proof of composite as per the letter of the University, name of the College is Seva Mahavidyalaya, which does not match. On the date of application, land was in individual name. Now the institution has submitted another land documents. 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 N.R.C. filed a S.B. Civil Writ Petition No. 13111/2017 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 12.01.2018 dismissed the petitioner for reason of availability of statutory alternative remedy.

**AND WHEREAS** Sh. Virendra Prasad Sood, Secretary, S.D. College of Physical Education, Ganesh Ji Road, Viratnagar, Rajasthan presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation and in a letter dt. 04/04/2018, it was submitted that "the institution is running a degree course by the same Society / Sansthan. The college named Seva Mahavidhyalaya is also run by the same Sansthan. Further, the Sansthan is same, Hence, such objection is not tenable and sustainable. The society had applied for

NOC to the affiliating body and the affiliating body also granted the NOC in favour of society. Merely slight difference in name of college is not a just and good ground to refuse the file, when the society applied for the course. Hence, the objection pointed out by the NRC NCTE, may kindly be waived. Copies of NOC, Society Registration and Affiliation Order are enclosed. On the date of application the land was also in the name of society, but the name of Secretary was mentioned first and then society, but when Show Cause Notice was issued the society has made necessary correction therein and got corrected the land documents and the same has been submitted in the office alongwith reply of show cause notice. Copies earlier land documents and Corrected land documents are enclosed."

**AND WHEREAS** the Committee, being satisfied with the submissions of the appellant and the corrected land documents, which are already available in the file, concluded that the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

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

**NOW THEREFORE, the Council hereby remands back the case of S.D. College of Physical Education, Ganesh Ji Road, Viratnagar, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, S.D. College of Physical Education, Ganesh Ji Road, Viratnagar – 303102, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-115/E-65416/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of G.R. College of Education, Danta Ramgarh, Rajasthan dated 21/02/2018 is against the Order No. NRC/NCTE/RJ------/278th Meeting/2017/186839-44 dated 08/01/2018 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the Petitioner Society has not submitted the application online electronically along with processing fees and relevant documents as per clause 5 of NCTE Regulations, 2014. No Objection Certificate issued by the concerned affiliating body has not been submitted by the petitioner society alongwith the application. The institution has not submitted any proof / evidence of its being a composite institution as required under Clause 2(b) of NCTE Regulations, 2014."

**AND WHEREAS** the appellant, aggrieved by the order of the N.R.C. filed a S.B. Civil Writ Petition No. 3703/2018 before the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur. The Hon'ble Court in their order dt. 16.02.2018 remitted the petitioner sanstha to the remedy of the statutory appeal under Section 18 of the Act of 1993. The Hon'ble High Court in their order stated that in the event of the appeal being filed, it is expected that it will be disposed of expeditiously by the Appellate Authority.

**AND WHEREAS** Sh. Harsh Kumar, Member and Sh. Dhanraj, Member, G.R. College of Education, Danta Ramgarh, Rajasthan presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "the institution has applied for grant of recognition of B.Ed. course to NCTE from 2009-10 on 31.10.2008 with required processing fees of Rs. 40000/- and other relevant documents. The NRC, NCTE had returned the application of recognition for B.Ed. course to this institution on 08.03.2009. Copy of letter dated 08.03.2009 is annexed. Being aggrieved from the action of NRC, NCTE, this institution has filed a S.B. Civil Writ No. 12017/2015 in the Hon'ble High Court of Rajasthan, Jaipur. Hon'ble Court had passed an order on 02.11.2015 in which court

had directed the petitioner to file an application before NRC, NCTE for grant of recognition of B.Ed. course and also directed to NRC, NCTE to process the application of recognition in consonance with the provisions of law and regulations governing the respondent. Copy of order of Hon'ble Court is annexed. This institution has submitted the required documents and processing fees to NRC, NCTE in compliance to the order of Hon'ble Court on 16.11.2016. Copy of receipt is annexed. After being satisfied from the documents and procedure of application, NRC, NCTE had constituted the visiting team for inspection of this college vide letter dated 23.04.2016. Copy of Inspection letter is annexed. Inspection was conducted by the visiting team for grant of recognition of B.Ed. course to this college. On the basis of scrutiny of the documents submitted by the institutions, input received from the visiting team report and videography, NRC found that this institution have adequate financial resources, accommodation, library, laboratory, land and building as prescribed in the norms and standards for B.Ed. course and this institution full-filled such other conditions relating to infrastructural and instructional facilities as required for proper functioning of the institution for B.Ed. programme and issued Letter Of Intent (L.O.I.) on 13.05.2016 to this institution. Copy of L.O.I. is annexed. This institution has submitted reply of L.O.I. to NRC, NCTE on 13.05.2016 along with required documents. Copy of reply letter is annexed. Instead of granting recognition for B.Ed. course to this institution, NRC, NCTE had issued a Show Cause Notice to this institution. This institution had submitted a detailed reply along with required documents to NRC, NCTE on 26.04.2017. Copy of reply letter is annexed. This institution had again submitted the required documents to NRC, NCTE on 20.10.2017 for grant of recognition for B.Ed. course. Copy of receipt is annexed. Instead of granting recognition for B.Ed. course to this institution, NRC, NCTE had rejected the application of this institution for grant of recognition of B.Ed. course on 08.01.2018 on arbitrary, unjustified, illegal and unconstitutional basis. Being aggrieved from the order of NRC, NCTE, this institution has filed a S.B. Civil Writ Petition No. 3703/2018 in Hon'ble High Court of Rajasthan, Jaipur. Hon'ble High Court has passed an order on 16.02.2018 and directed to petitioner to file an appeal u/s 18 of NCTE Act. 1993 and Appellate Authority is directed to dispose of expeditiously the appeal filed by the petitioner. Copy of the order of Hon'ble High Court is annexed. This institution is running B.A. course in the college campus. So, this institution full-fills the requirement of Composite Institution. Copy of affiliation

order and N.O.C. is annexed. The Appellate Authority, NCTE had already decided by its order dated 27.11.2017 that "Once applications are invited, the Regional Committee had no right to reject it on the grounds of ban imposed subsequently by the State Govt." Copy of Appeal Order is annexed. The Appellate Authority, NCTE had already decided by its order dated 16.10.2017 that "the ground of non-submission of application online cannot be held against the appellant at this stage and therefore, the matter deserved to be remanded to the NRC for taking further action as per the NCTE Regulations 2014" Copy of Appeal Order is annexed. While disposing the S.B. Civil Writ Petition No. 12712/201.7 Hon'ble High Court of Rajasthan, Jodhpur has passed an order on 17.02.2018 and directed to NRC, NCTE to re-consider the application of the petitioner dated 17.10.2008 in the meeting of 20-21.02.2018 of the Committee which is stated to have already constituted for the purpose. Copy of order of Hon'ble High Court is annexed. Thus, NRC, NCTE has rejected the application of this institution for grant of recognition for B.Ed. course on illegal, unlawful, unjustified and unconstitutional basis. So, it is prayed that the rejection order issued by NRC, NCTE be set aside and direction be issued to NRC, NCTE for further processing of the application of this institution for grant of recognition for B.Ed. course."

**AND WHEREAS** the Committee noted that the appellant submitted their application for B.Ed. course in 2008 which was returned on 08.03.2009. Later following the directions of the Hon'ble High Court of Rajasthan dt. 02.11.2015, the appellant submitted the required documents and processing fee to the N.R.C. N.R.C. thereafter conducted an inspection of the institution on 26.04.2016 and issued a Letter of Intent under Clause 7 (13) of the NCTE Regulations, 2014 on 13.05.2016. After the appellant sent a reply, the N.R.C., after obtaining legal advice, issued a show cause notice on 05.04.2017 on three grounds, namely, (i) non-submission of application online electronically alongwith processing fee and relevant documents as per Clause 5 of the NCTE Regulations, 2014; (ii) non-submission of 'No Objection Certificate issued by the concerned affiliating body alongwith the application; and (iii) non-submission of any proof/evidence of its being a composite institution as required under Rule 2 (b) of the NCTE Regulations, 2014. The appellant replied on 26.04.2017 stating that they applied in 2008 and the NRC under the directions of the Hon'ble High Court processed their application and therefore the NOC of the

affiliating body is not relevant. The appellant also stated that they are running B.A. course and the N.R.C refused recognition on the same grounds mentioned in the show cause notice.

**AND WHEREAS** the Committee noted that all the three grounds mentioned in the show cause notice and the refusal order are the requirements, introduced for the first time, in the NCTE Regulations, 2014 and which are required to be fulfilled when applications are invited pursuant to these Regulations. The appellant submitted their application in the year 2008 and the then existing Regulations did not contain the requirements mentioned in the show cause notice/refusal order. N.R.C. processed the same application submitted in 2008.

**AND WHEREAS** the Committee noted that in view of the position stated in para 5 above the submissions of the appellant contained in para 3 above vis a vis the grounds of refusal deserved to be accepted and concluded that the matter be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

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

**NOW THEREFORE, the Council hereby remands back the case of G.R. College of Education, Danta Ramgarh, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, G.R. College of Education, Danta Ramgarh – 332702, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-116/E-65225/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Bhanwar Kanwar Sugan Singh Shiksha Mahavidyalaya, Inderpura, Udaipurwati, Rajasthan dated 21/02/2018 is against the Order No. NRC/NCTE/NRCAPP-3534/278th Meeting/2018/1869589-63 dated 08/01/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the Petitioner Society has not submitted the application online electronically along with processing fees and relevant documents as per clause 5 of NCTE Regulations, 2014. No Objection Certificate issued by the concerned affiliating body has not been submitted by the petitioner society alongwith the application. The institution has not submitted any proof / evidence of its being a composite institution as required under Clause 2(b) of NCTE Regulations, 2014."

**AND WHEREAS** The appellant, aggrieved by the order of the N.R.C. filed a S.B. Civil Writ Petition No. 3697/2018 before the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur. The Hon'ble Court in their order dt. 16.02.2018 remitted the petitioner Trust to the remedy of the statutory appeal provided under Section 18 of the Act of 1993. The Hon'ble High Court in their order stated that in the event of the appeal being filed, it is expected that it will be disposed of expeditiously by the Appellate Authority.

**AND WHEREAS** Sh. Jaidev Prasad, Member, Bhanwar Kanwar Sugan Singh Shiksha Mahavidyalaya, Inderpura, Udaipurwati, Rajasthan presented the case of the appellant institution on 05/04/2018. In the appeal and during personal presentation it was submitted that "this institution has applied for grant of recognition of D.El.Ed. course to NCTE from 2009-10 on 29.04.2008 with required processing fees of Rs. 40000/- and other relevant documents. Being aggrieved from the action of NRC, NCTE, this institution has filed a S.B. Civil Writ No. 11024/2015 in the Hon'ble High Court of Rajasthan, Jaipur. Hon'ble Court had passed an order on 28.09.2015 in which

court had directed the petitioner to file an application before NRC, NCTE for grant of recognition of D.El.Ed. course and also directed to NRC, NCTE to process the application of recognition in consonance with the provisions of law and regulations governing the respondent. Copy of order of Hon'ble Court is annexed. This institution has submitted the required documents and processing fees to NRC, NCTE in compliance to the order of Hon'ble Court on 20.10.2015. Copy of receipt letter is annexed. After being satisfied from the documents and procedure of application, NRC, NCTE had constituted the visiting team for inspection of this college in 251st Meeting (Part-III) held on 13.04.2016. Copy of minutes is annexed. This institution had again submitted the required documents in the compliance of decision taken in 251st (Part-III) of NRC, NCTE on 06.04.2016. Copy of receipt is annexed. Inspection was conducted by the visiting team for grant of recognition of D.El.Ed. course to this college. On the basis of scrutiny of the documents submitted by the institutions, input received from the visiting team report and videography, NRC found that this institution have adequate financial resources, accommodation, library, laboratory, land and building as prescribed in the norms and standards for D.El.Ed. course and this institution fulfills such other conditions relating to infrastructural and instructional facilities as required for proper functioning of the institution for D.El.Ed. programme and issued Letter Of Intent (L.O.I.) on 13.05.2016. Copy of L.O.I. is annexed. This institution has submitted reply of L.O.I. to NRC, NCTE on 27.04.2017 along with required documents. Copy of reply letter is annexed. Instead of granting recognition for D.El.Ed. course to this institution, NRC, NCTE had issued a Show Cause Notice to this institution on 31.03.2017. Copy of Show Cause Notice is annexed. This institution had submitted a detailed reply along with required documents to NRC, NCTE on 27.04.2017. Copy of reply letter is annexed. Instead of granting recognition for D.El.Ed. course to this institution, NRC, NCTE had rejected the application of this institution for grant of recognition on 08.01.2018 on arbitrary, unjustified, illegal and unconstitutional basis. Copy of refusal order is annexed. Being aggrieved from the order of NRC, NCTE, this institution has filed a S.B. Civil Writ Petition No. 3697/2018 in Hon'ble High Court of Rajasthan, Jaipur. Hon'ble High Court has passed an order on 16.02.2018 and directed the petitioner to file an appeal u/s 18 of NCTE Act. 1993 and Appellate Authority is directed to dispose of expeditiously the appeal filed by the petitioner. Copy of the order of Hon'ble High Court is annexed. That this institution is running B.Ed. course in the college campus. So, this institution fulfils the requirement

of Composite Institution. Copy of recognition is annexed. That Appellate Authority, NCTE had already decided by its order dated 27.11.2017 that "Once applications are invited, the Regional Committee had no right to reject it on the grounds of ban imposed subsequently by the State Govt." Copy of Appeal Order is annexed. The Appellate Authority, NCTE had already decided by its order dated 16.10.2017 that "The ground of non-submission of application online cannot be held against the appellant at this stage and therefore, the matter deserve to remanded to the NRC for taking further action as per the NCTE Regulations 2014" Copy of Appeal Order is annexed. Disposing the S.B. Civil Writ Petition No. 12712/2017 the Hon'ble High Court of Rajasthan, Jodhpur has passed an order on 17.02.2018 and directed to NRC, NCTE to re-consider the application of the petitioner dated 17.10.2008 in the meeting of 20-21.02.2018 of the Committee which is stated to have already constituted for the purpose. Copy of order of Hon'ble High Court is annexed. Thus, NRC, NCTE has rejected the application of this institution for grant of recognition for D.El.Ed. course on illegal, unlawful, unjustified and unconstitutional basis. So, it is prayed that the rejection order issued by NRC, NCTE be set aside and direction be issued to NRC, NCTE for further processing of the application of this institution for grant of recognition for D.El.Ed. course."

**AND WHEREAS** the Committee noted that the appellant submitted their application for D.El.Ed. course in 2008. Following the directions of the Hon'ble High Court of Rajasthan, the appellant submitted the required documents and processing fee. The N.R.C. thereafter conducted an inspection of the institution on 24.04.2016 and issued a Letter of Intent under Clause 7 (13) of the NCTE Regulations on 13.05.2016. After the appellant sent their reply, N.R.C. issued a Show Cause Notice on 31.03.2017 on three grounds namely, (i) non-submission of application online electronically alongwith processing fee and relevant documents as per Clause 5 of the NCTE Regulations, 2014; (ii) non-submission of No Objection Certificate issued by the concerned affiliating body along with the application; and (iii) non-submission of any proof/evidence of its being a composite institution as required under Rule 2 (b) of the NCTE Regulations, 2014. The appellant replied on 27.04.2017 stating that when they applied there was no online system and therefore that application is to be treated as the right one; at this stage the NOC is not relevant and they are already running

B.Ed. course and therefore theirs is a composite institution. The N.R.C. however refused recognition on the same grounds mentioned in the Show Cause Notice.

**AND WHEREAS** the Committee noted that all the three grounds mentioned in the show cause notice and the refusal order are the requirements, introduced for the first time, in the NCTE Regulations, 2014 and which are required to be fulfilled when applications are invited pursuant to these Regulations. The appellant submitted their application in the year 2012 and the then existing Regulations did not contain the requirements mentioned in the show cause notice/refusal order. N.R.C. processed the same application submitted in 2008.

**AND WHEREAS** the Committee noted that the submissions of the appellant vis a vis the grounds of refusal deserved to be accepted and in view of position stated in para 5 above, concluded that the matter be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

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

**NOW THEREFORE, the Council hereby remands back the case of Bhanwar Kanwar Sugan Singh Shiksha Mahavidyalaya, Inderpura, Udaipurwati, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Bhanwar Kanwar Sugan Singh Shiksha Mahavidyalaya, 194, Inderpura, Udaipurwati – 333307, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-32/E-60363/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Nalanda B.Ed. College, Virpur, Opp. Reliance Petrol Pump, Manav Seva Mandir, Virpur, Gujarat dated 18/01/2018 is against the Order No. WRC/APWO2722/323337/Guj/284th/2017/193595 dated 04/12/2017 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "The case file was seen. The institution has submitted a list of 6 faculty members approved by the University, who are appointed on adhoc basis from year to year. Principal has not been appointed. Secondly, Building Completion Certificate signed by a Govt. Engineer not submitted. Hence, Recognition is withdrawn from the academic session 2018-19."

**AND WHEREAS** Sh. Somabhai Manahai, Representative and Mayavashi Chaturbhai Paragbhai, President, Nalanda B.Ed. College, Virpur, Opp. Reliance Petrol Pump, Manav Seva Mandir, Virpur, Gujarat presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "1 principal, 7 assistant professor and librarian including non-teaching staff have been approved by Shri Govind Guru University Godhra. The staff profile duly approved by the registrar Shri Govind Guru University enclosed. The fixed deposit receipt of Rs. 5,00,000, 4,00,000 and 3,00,000 in the joint name of Regional Director Western Region NCTE Bhopal and Balasinor Taluka Education Trust deposited at National Council of Teachers Education Western Region Bhopal. The copy of said FDR of Rs. 1,20,0000 are enclosed. Copy of Building Completion Certificate issued by the Deputy Executive Engineer Mahisagar, Road and building department Balasinor Sub-division, Government of Gujarat enclosed."

**AND WHEREAS** Committee noted that impugned order dated 04.12.2017 withdrawing recognition for B.Ed. programme is on following two grounds:

(i) There are only six faculty members approved by University to be appointed on adhoc basic.

(ii) B.C.C. is not signed by a Government Engineer.

**AND WHEREAS** Appeal Committee noted that appellant institution was granted recognition for conducting B.Ed. programme in the year 2006 and since then there is no change in the premises. The Building Completion Certificate (B.C.C.) submitted by institution on 12.09.2016 alongwith its reply to Show Cause Notice (S.C.N.) is found to be signed by Dr. Ex. Engineer, Mahisagar R & B Sub Div, Balasinor. The appellant has again submitted a copy of B.C.C. before the Committee. Appellant submitted before Committee a fresh list of faculty which indicates that Dr. Bali Vasim Abdul Aziz who was earlier a faculty member has now been appointed as Principal and the consequent vacancy has also been filled up by appointing Sh. P.R. Ganeshbhai as Asstt. Professor. The F.D.Rs amounting to Rs. 12 lakh in joint name have already been submitted to W.R.C.

**AND WHEREAS** Appeal Committee decided to remand back the case to W.R.C. for revisiting the matter in view of the submission made by appellant. Appellant is required to submit to W.R.C., within a period of 15 days, a consolidated reply covering all the deficiencies pointed out by W.R.C. in the impugned order.

**AND WHEREAS** After perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to W.R.C. for revisiting the matter in view of the submission made by appellant. Appellant is required to submit to W.R.C., within a period of 15 days, a consolidated reply covering all the deficiencies pointed out by W.R.C. in the impugned order.

**NOW THEREFORE, the Council hereby remands back the case of Nalanda B.Ed. College, Virpur, Opp. Reliance Petrol Pump, Manav Seva Mandir, Virpur, Gujarat to the WRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The President, Nalanda B.Ed. College, Virpur, Opp. Reliance Petrol Pump, Manav Seva Mandir, Virpur – 388260, Gujarat.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.

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F.No.89-33/E-60421/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Nagina Devi Teachers Training College, Bal Vidya Niketan, Patel Nagar, Jehanabad, Bihar dated 19/01/2018 is against the Order No. ERC / 244.12(i)24 / 11308/ D.El.Ed. / ERCAPP201646269 / 55001 dated 13/11/2017of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "(a) Two Show Cause Notice were issued on 15.02.2017 & 05.04.2017 on the following grounds: i. Affidavit on Rs. 100/- non-judicial stamp paper in original is not submitted and not in the prescribed format. ii. As per building plan, the total built-up area mentioned as 3769.2 sq. mts. Which is less than the required 4000 sq. mts. Stipulated for D.El.Ed. (two units) + proposed B.Ed. (two units) as per Regulations, 2014. iii. Building plan is not approved by Govt. Engineer. iv. Building Completion Certificate issued from Govt. Engineer / Authority is not submitted. v. Non-encumbrance certificate issued from Land Registering Authority is not submitted. (b) No reply received from institution till date. In view of the above, the Committee decided as under:- The Committee is of the opinion that application bearing Code No. ERCAPP201646269 of the institution regarding recognition of applied D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act, 1993."

**AND WHEREAS** Sh. Anil Kumar Singh, Secretary and Ms. Divya Prakash, Representative, Nagina Devi Teachers Training College, Bal Vidya Niketan, Patel Nagar, Jehanabad, Bihar presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "Due to mis-understanding, I sent photo copy of the affidavit. The mistake of Engineer has been corrected. The Building plan will be sent approved by Engineer of State Govt. located in rural area. Building Completion certificate will be sent with hard copy. Non encumbrance certificate was sent earlier. NOC is taken from B.S.E.B."

**AND WHEREAS** Appeal Committee noted that impugned refusal order dated 13.11.2017 apart from mentioning five deficiencies is mainly on the ground that appellant has not replied to the Show Cause Notice (SCN) issued to it on 15.02.2017 and 05.04.2017. The S.C.N. dated 05.04.2017 issued on line was required to be replied within 21 days. The appellant during the course of appeal hearing on 06.04.2018 admitted that S.C.N. dated 05.04.2017 was received but he failed to give reply without any valid reason.

**AND WHEREAS** Appeal Committee is of the view that after allowing the appellant to remove deficiencies and submit reply to S.C.N. with enough time, E.R.C. was justified in refusing recognition. The building plan and B.C.C. submitted by appellant on the appeal day were got signed by government engineer on 03.04.2018 which shows that appellant was not ready with the required compliance even on a date when appeal memoranda dated 19.01.2018 was filed. B.C.C. submitted by appellant also does not contain required details. The forum of Appeal is not an extension of Regional Committee to submit documents at a belated stage without any valid reason. Committee therefore, decided to confirm the refusal order dated 13.11.2017.

**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 13.11.2017.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Nagina Devi Teachers Training College, Bal Vidya Niketan, Patel Nagar, Jehanabad – 804408, Bihar.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-34/E-60424/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Nagina Devi Teachers Training College, Bal Vidya Niketan, Patel Nagar, Jehanabad, Bihar dated 19/01/2018 is against the Order No. ERC /244.12(i).23 / 11299 / B.Ed. / ERCAPP201646267 /2017 / 54999 dated 13/11/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(a) Two Show Cause Notice were issued on 15.02.2017 & 05.04.2017 on the following grounds: i. Affidavit on Rs. 100/- non-judicial stamp paper in original is not submitted and not in the prescribed format. ii. As per building plan, the total built-up area mentioned as 3769.2 sq. mts. which is less than the required 4000 sq. mts. Stipulated for D.El.Ed. (two units) + proposed B.Ed. (two units) as per Regulations, 2014. iii. Building plan is not approved by Govt. Engineer. iv. Building Completion Certificate issued from Govt. Engineer / Authority is not submitted. v. Non-encumbrance certificate issued from Land Registering Authority is not submitted. (b) No reply received from institution till date. In view of the above, the Committee decided as under:- The Committee is of the opinion that application bearing Code No. ERCAPP201646267 of the institution regarding recognition of applied B.Ed. Programme is refused under section 14(3)(b) of NCTE Act, 1993."

**AND WHEREAS** Sh. Anil Kumar Singh, Secretary and Ms. Divya Prakash, Representative, Nagina Devi Teachers Training College, Bal Vidya Niketan, Patel Nagar, Jehanabad, Bihar presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "Due to mis-understanding I sent photo copy of the affidavit. The mistake of Engineer has been corrected. The Building plan will be sent to you approved by Engineer of State Govt. due to the Institution is located in rural area. Building Completion certificate will be sent with hard copy. Non encumbrance certificate were sent earlier. I will sent with hard copy. NOC is taken from B.S.E.B. I will submit the same."

**AND WHEREAS** Appeal Committee noted that impugned refusal order dated 13.11.2017 apart from mentioning five deficiencies is mainly on the ground that appellant has not replied to the Show Cause Notice (SCN) issued to it on 15.02.2017 and 05.04.2017. The S.C.N. dated 05.04.2017 issued on line was required to be replied within 21 days. The appellant during the course of appeal hearing on 06.04.2018 admitted that S.C.N. dated 05.04.2017 was received but he failed to give reply without any valid reason.

**AND WHEREAS** Appeal Committee is of the view that after allowing the appellant to remove deficiencies and submit reply to S.C.N. with enough time, E.R.C. was justified in refusing recognition. The building plan and B.C.C. submitted by appellant on the appeal day were got signed by government engineer on 03.04.2018 which shows that appellant was not ready with the required compliance even on a date when appeal memoranda dated 19.01.2018 was filed. B.C.C. submitted by appellant also does not contain required details. The forum of Appeal is not an extension of Regional Committee to submit documents at a belated stage without any valid reason. Committee therefore, decided to confirm the refusal order dated 13.11.2017.

**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 13.11.2017.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Nagina Devi Teachers Training College, Bal Vidya Niketan, Patel Nagar, Jehanabad – 804408, Bihar.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-36/E-60441/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Baba Ramdev Smarak Mahavidyalaya, Bartar, Nonhara Mohammdabad Road, Mohammdabad, Ghazipur, Uttar Pradesh dated 23/01/2018 is against the Order No. NRC/NCTE/NRCAPP-11404/277th Meeting/2017/185451 dated 12/12/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not submitted the reply of SCN issued to it on 06.09.2017."

**AND WHEREAS** Sh. Sanjay Kushwaha, Manager, Baba Ramdev Smarak Mahavidyalaya, Bartar, Nonhara Mohammdabad Road, Mohammdabad, Ghazipur, Uttar Pradesh presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "The recognition has been erroneously and wrongly refused Institute got faculty list from affiliation body university on 04th Jan 2018. Hence refusal of recognition is unwarranted."

**AND WHEREAS** Appeal Committee noted that Letter of Intent (L.O.I.) dated 24.05.2017 was issued to appellant institution seeking compliance on certain points within a period of two months. The points on which compliance was required inter-alia included selection/appointment of principal and 15 faculty members with the approval of affiliating university. Committee noted that appellant institution informed N.R.C. by its letter dated 04.08.2017 about the delay being caused at the end of affiliating university in giving final approval of faculty. The appellant institution by its above letter also requested for extension of time for doing the needful. N.R.C. without taking cognizance of the request made by appellant decided to issue Show Cause Notice (S.C.N) which was issued on 06/09/2017. Appellant during the course of appeal presentation stated that some delay occurred because affiliating body conveyed final approval to the appointment of faculty on 04.01.2018. Head of

Department was approved by Veer Bahadur Singh Purvanchal University, Jaunpur on 06.03.2018.

**AND WHEREAS** Appeal Committee noting that appellant institution is now in a position to submit list containing the names of faculty and HOD, decided to remand back the case to N.R.C. for further processing. Appellant institution is required to submit to N.R.C. full and final compliance of the L.O.I. within 15 days of the issue of Appeal 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 N.R.C. for further processing. Appellant institution is required to submit to N.R.C. full and final compliance of the L.O.I. within 15 days of the issue of Appeal order.

**NOW THEREFORE, the Council hereby remands back the case of Baba Ramdev Smarak Mahavidyalaya, Bartar, Nonhara Mohammdabad Road, Mohammdabad, Ghazipur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Baba Ramdev Smarak Mahavidyalaya, Bartar, Nonhara Mohammdabad Road, Mohammdabad, Ghazipur – 233303, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(32)

F.No.89-38/E-60457/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Bhagawan Budha Primary Teachers Education College, Bajrahia, Maharajajganj Tarwara Road, Maharajganj, Bihar dated 12/01/2018 is against the Order No. ERC/244.12(i)25/11396/B.Ed./ERCAPP201646295/2017/54998 dated 13/11/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(a) Two Show Cause Notice were issued on 15.02.2017 & 05.04.2017 on the following grounds: i. No Objection Certificate issued from concerned affiliating body is not submitted. ii. Multipurpose hall is not shown in the submitted building plan. iii. Building Completion Certificate issued from Govt. Engineer/Authority is not submitted. (b) No reply received from institution till date. In view of the above, the Committee decided as under:- The Committee is of the opinion that application bearing Code No. ERCAPP201646295 of the institution regarding permission of applied B.Ed. Programme is refused under section 15(3)(b) of NCTE Act, 1993."

**AND WHEREAS** Sh. Shiv Kumar, Head Clerk and Sh. Niraj Kumar Singh, Representative, Bhagawan Budha Primary Teachers Education College, Bajrahia, Maharajajganj Tarwara Road, Maharajganj, Bihar presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "NOC from affiliating body is submitted. Built up area is 3447 square meters and B.C.C. from Government Engineer is submitted"

**AND WHEREAS** Appeal Committee noted that applicant alongwith its application dated 30.06.2016 submitted a building plan approved by Executive Engineer, Building Construction Department, Siwan (Bihar). The building plan indicates a seminar hall of 28 x 13 Meters at second floor of the building. The above Seminar Hall is now shown as multipurpose hall which with its other infrastructure is

required to be verified by the Visiting Team at the time of inspection. Original building completion certificate is required to be submitted / shown to Visiting Team at the time of inspection. Appellant has submitted before the Committee N.O.C. dated 27.05.2016 issued by affiliating body i.e. Maulana Muzharul Haque Arabic and Persian University. Copy of the N.O.C. was also endorsed to E.R.C., Bhubaneswar by the affiliating body. Committee noted that all the deficiencies pointed out in the S.C.Ns, stood rectified before the date of S.C.Ns i.e. 15/02/2017 and 05/04/2017. Committee, therefore, decided to remand back the case to E.R.C. for further processing of the application. Appellant institution is required to get the B.C.C. in prescribed performa issued by Government Engineer for being made available to the Visiting Team as and when required.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for further processing of the application. Appellant institution is required to get the B.C.C. in prescribed performa issued by Government Engineer for being made available to the Visiting Team as and when required.

**NOW THEREFORE, the Council hereby remands back the case of Bhagawan Budha Primary Teachers Education College, Bajrahia, Maharajajganj Tarwara Road, Maharajganj, Bihar to the ERC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Bhagawan Budha Primary Teachers Education College, Bajrahia, Maharajajganj Tarwara Road, Maharajganj – 841238, Bihar.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-751/E-51007/2017 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of R.B.R. B.Ed. College, Shyampur Bairo, Imadpur Lalganj Road, Bhagwanpur, Bihar dated 12/02/2018 is against the Order No. ERC/234.10.3 (Part-1)/9226/D.El.Ed./Code Not Generated/2017/51760 dated 23/03/2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show Cause Notice was issued on the following ground on 22.10.2016: 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. In view of the above, the Committee decided as under: The Committee decided that recognition to the institution for D.El.Ed. is hereby refused under section 14/15 (3)(b) of NCTE Act, 1993."

**AND WHEREAS** Sh. Rajendra Rai, Chairman and Sh. Prashant Kumar, Assistant, R.B.R. B.Ed. College, Shyampur Bairo, Imadpur Lalganj Road, Bhagwanpur, Bihar presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "The applicant has submitted Demand Draft of Rs. 1.50 Lacs towards processing fee. The D/Draft for processing fee was submitted as per guidelines for filling up online application. Clause 6 of the guidelines mentions option of payment through Bank Draft.'

**AND WHEREAS** Appeal Committee noted that "Instructions for submitting online application" mention that 'Payment gateway will provide options for three

modes of payment Credit card, Debit Card and Net Banking. The applicant may select the available option and make payment.' The instructions further mention that on successful payment and completion of transaction, the system will generate an application number (for eg. NRCAPP20161263) for the application under reference. The applicant need to use the Application Number for further communication and the Application I.D. The guidelines for filling up online application clearly mentions that 'the applicant has to make the payment through online mode only. There are no provisions for the offline payment in the form of Demand Draft/Banker Cheque etc.

**AND WHEREAS** Appeal Committee noted that printout of the application submitted by the appellant does not contain application number which is generated on making successful payment of processing fee online. The application also, therefore, did not appear on the dashboard of the online NCTE portal. Appellant in its representation dated 12.11.2016 in response to the S.C.N. dated 22.10.2016 has wrongly quoted the instructions for filling up the online application which pertained to year 2015. There was a new set of guidelines for filling online application in 2016.

**AND WHEREAS** Committee noted that applicant had filed a case in the Hon'ble High Court of Judicature at Patna and the Hon'ble Court by its order dated 21/02/2018 (case no. 135, 136/2018) has disposed of the applications as NCTE has accepted the appeals made by appellant institution.

**AND WHEREAS** Appeal Committee not finding any merit in the averment made by appellant decided to confirm the impugned order dated 23.03.2017 issued by E.R.C., Bhubaneswar.

**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 order dated 23.03.2017 issued by E.R.C., Bhubaneswar.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, R.B.R. B.Ed. College, Shyampur Bairo, Imadpur Lalganj Road, Bhagwanpur – 844114, Bihar.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-757/E-53388/2017 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of R.B.R. B.Ed. College, Shyampur Road, Imadpur Lalganj Road, Bhagwanpur, Bihar dated 15/02/2018 is against the Order No. ERC/234.10.2 (Part-1)/9331/B.Ed. (Addl. Intake)/Code Not Generated/2017/51864 dated 26/03/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. (Addl.) course on the grounds that "a. Show Cause Notice was issued on the following ground on 22.10.2016: 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 is not appeared on the dashboard of the online NCTE Portal due to which online process cannot be carried out. In view of the above, the Committee decided as under: The Committee decided that recognition to the institution for B.Ed. (Additional Intake) is hereby refused under section 14/15 (3)(b) of NCTE Act, 1993."

**AND WHEREAS** Sh. Rajendra Rai, Chairman and Sh. Prashant Kumar, Assistant, R.B.R. B.Ed. College, Shyampur Road, Imadpur Lalganj Road, Bhagwanpur, Bihar presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "The demand draft as processing fee has been submitted as per guideline instruction for filing up the online application published on NCTE website. In this document of NCTE at clause 6 How to make online payment in which names of the bank for online submission of fee has been mentioned there is an option for payment through bank draft This guideline which has been released for on line application form cannot be said to be wrong and therefore money was forwarded through demand draft keeping in view of clause 6 of N.C.T.E Regulation 2014. The application id clearly mentioned on the hard copy which is 9175 and unless and until an application id number is not generated and form the same has been submitted to ERC and therefore the

application cannot be denied. The show cause notice ERC has mentioned grounds related to regulation 2014 and guidelines received from NCTE from time to time but has failed to take into consideration the guideline instruction for filing up the online application published on NCTE website in which payment of processing fee through bank draft is an option. On the basis of the above mentioned facts it cannot be said that the application does not fulfil the requirements laid down by NCTE because it is as per guidelines of regulation and guideline issued by the NCTE."

**AND WHEREAS** Appeal Committee noted that "Instructions for submitting online application" mention that 'Payment gateway will provide options for three modes of payment Credit card, Debit Card and Net Banking. The applicant may select the available option and make payment.' The instructions further mention that on successful payment and completion of transaction, the system will generate an application number (for eg. NRCAPP20161263) for the application under reference. The applicant need to use the Application Number for further communication and the Application I.D. The guidelines for filling up online application clearly mentions that 'the applicant has to make the payment through online mode only. There are no provisions for the offline payment in the form of Demand Draft/Banker Cheque etc.

**AND WHEREAS** Appeal Committee noted that printout of the application submitted by the appellant does not contain application number which is generated on making successful payment of processing fee online. The application also, therefore, did not appear on the dashboard of the online NCTE portal. Appellant in its representation dated 12.11.2016 in response to the S.C.N. dated 22.10.2016 has wrongly quoted the instructions for filling up the online application which pertained to year 2015. There was a new set of guidelines for filling online application in 2016.

**AND WHEREAS** Committee noted that applicant had filed a case in the Hon'ble High Court of Judicature at Patna and the Hon'ble Court by its order dated 21/02/2018 (case no. 135, 136/2018) has disposed of the applications as NCTE has accepted the appeals made by appellant institution.

**AND WHEREAS** Appeal Committee not finding any merit in the averment made by appellant decided to confirm the impugned order dated 23.03.2017 issued by E.R.C., Bhubaneswar.

**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 order dated 26.03.2017 issued by E.R.C., Bhubaneswar.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, R.B.R. B.Ed. College, Shyampur Road, Imadpur Lalganj Road, Bhagwanpur – 844114, Bihar.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

(35)

F.No.89-39/E-60987/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Shiv Shakti Institute, Khorsi, Chhattisgarh dated 19/01/2018 is against the Order No. WRC/APP1920/C.G./283rd/2017/192947 dated 20/11/2017 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "WRC noted the information received from the University. The University has also informed that the Shiv Shakti Institute, Village – Khorsi, District – Janjgir-Champa, Chhattisgarh – 495556 has still not appointed Principal till date. Hence, Recognition of the college is withdrawn from the academic session 2018-19."

**AND WHEREAS** Sh. Prashyant Dubey, Assistant Secretary, Shiv Shakti Institute, Khorsi, Chhattisgarh presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "Principal appointment process was pending from the University side, University has appointed Principal and informed to WRC and Headquarter also."

**AND WHEREAS** Appeal Committee noted that appellant institution is conducting B.Ed. programme since 2013. The Registrar of Bilaspur University by its letter dated 06/09/2017 informed W.R.C. that due to non-appointment of Principal by the appellant institution, it has not allotted students and obstructed affiliation of the Institution, for the year 2018-19. The W.R.C. Bhopal after issuing a S.C.N. dated 22.09.2017 decided to withdraw recognition for B.Ed. programme by issuing impugned order dated 20.11.2017.

**AND WHEREAS** appellant during the course of appeal presentation on 06.04.2018 informed the Committee that affiliating university has conveyed its approval on 26.02.2018 to the appointment of Dr. Anirban Choudhary as Principal and appointment has since been made. Considering the subsequent developments in the

case, affiliating university has also restored the affiliation of the appellant institution for academic session 2018-19. Appeal Committee decided to set aside the impugned order dated 20.11.2017 with directions to appellant to submit copies of approval letter of affiliating body and appointment order of Dr. Ariban Choudhary to W.R.C. within 15 days of the issue of Appeal order.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned order dated 20.11.2017 with directions to appellant to submit copies of approval letter of affiliating body and appointment order of Dr. Ariban Choudhary to W.R.C. within 15 days of the issue of Appeal order.

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Shiv Shakti Institute, Plot No. 657/1, Main Road, Khorsi – 495556, Chhattisgarh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.

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F.No.89-42/E-60981/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of College of Advance Studies, Village Bidiniya, Datiagird, M.P. dated 23/01/2018 is against the Order No. WRC/APP3092/223/284th/2017/193502 dated 01/12/2017 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "AND WHEREAS, the reply was placed before the WRC in its 284th Meeting held on November 28-29, 2017 and the Committee decided that "...Show Cause Notice was issued regarding Bank challans which the State Bank of India, Datia has confirmed as not having been deposited. Therefore, it appears that the Challans have been forged. Hence, Recognition is refused."

**AND WHEREAS** Dr. Mukesh Yadav, Secretary, College of Advance Studies, Village Bidiniya, Datiagird, M.P. presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "I was asked to deposit premium money but at that time I was facing health issues so our head clerk had to deposit the amount in my absence. Though premium amount need to deposited in Tehsil in general, but clerk deposited money in the Bank also send you some receipt with letter no. 3666/casd/2016 date 30/01/2017 which are not of the premium amount due to ignorance. Through CLU was not mentioned in the letter no. 3666/Casd/2016 date 30/01/2017 of deficiencies with need to be fulfilled by us. After receiving LOI, I was busy in recruiting the eligible staff members as per rules and depositing FDR of 12 lakhs. When I received letter from office of the WRC Bhopal no. WRC/APP3092/223/SCN/275/2017/18785, 786 dated 06/05/2017 in compliance of this letter I deposited the premium amount of land Rs. 41500/- in tehsil office myself. Till date there is no fee remaining on land of institution. The clerk who

caused the issue was suspended. I also sent you the letter no. 3700/Casd/2017 dated 29/11/2017 with all the copies of fee receipts to WRC Bhopal. I kindly request you that after receiving LOI we full filled all the requirements and processes as per your direction."

**AND WHEREAS** Appeal Committee noted that impugned refusal order dated 01/12/2017 was issued by W.R.C. subsequent to finding out after verification from the issuing authority (Bank) that appellant institution had submitted copies of challans for seeking 'Charge of Land Use Certificate (C.L.U.)'. The appellant's plea is that the Head Clerk of Institution who has now been terminated committed mistake of depositing fee for conversion of land into a Bank instead of depositing money in the Treasury. The deposit made by Head Clerk in the bank was also found to be bogus and not confirmed by Bank. Appellant has now submitted fresh receipts of payment made into Treasury, Datia. Committee noted that W.R.C. by its letter dated 30.01.2017 had asked the appellant to submit premium receipt for the C.L.U. before issue of L.O.I. and the appellant institution submitted required documents which were received in the office of W.R.C. on 02/02/2017. Committee observed that copy of Bank Challan dated 30.01.2017 bears the signatures of Sh. Mukesh Yadav, Secretary and State Bank of India by its letter dated 21.03.2017 has stated that above Challan was not deposited in the bank. Committee further observed that the statement dated 24.01.2018 made by Secretary of the society stating that the premium money was deposited by a Clerk during his absence and for the mistake and submission of bogus document, he should not be held responsible is factually incorrect. Onus of submitting a bogus and forged document rests on Secretary as he had put his signatures on the copy of challan and forwarded it to W.R.C. in reply to a S.C.N. The appellant just cannot be allowed to escape by shifting the responsibility of submitting forged documents on an office bearer and then rectifying the deficiency. Appeal Committee, therefore decided to confirm the impugned refusal order dated 01/12/2017.

**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 impugned refusal order dated 01/12/2017.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, College of Advance Studies, Khasra No. 2469/12, MIN-1 Village Bidiniya, Datiagird – 475661, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-45/E-61090/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of S.B.S. College, Javra, Mantm Mathura, Uttar Pradesh dated 24/01/2018 is against the Order No. NRC/NCTE/NRCAPP-201616581(ID-9562)/278th Meeting/2017/186385 dated 27/12/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institute has not submitted the reply of Show Cause Notice issued by NRC till date. Hence, the Committee decided that the recognition is withdrawn u/s 17 of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

**AND WHEREAS** Sh. Jitendra Singh, Representative, S.B.S. College, Javra, Mantm Mathura, Uttar Pradesh presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "Appellant was granted recognition vide recognition order dated 02.06.2017. Grant of recognition to an institution is itself sufficient to establish that the institution has available with it all required documents as well as infrastructure and facilities in conformity with applicable Regulations. On the basis of a complaint dated 25.05.2017, NRC had decided to seek comments from appellant and a letter was issued in this regard on 6.06.2017. The NRC thereafter issued a show cause notice dated 30.08.2017 seeking reply as to why it did not furnish reply to letter dated 6.06.2017. Thereafter, NRC decided to withdraw recognition of appellant while passing order dated 27.12.2017. The ground of withdrawal had been that institution did not furnish reply to show cause notice dated 30.08.2017 and consequently its recognition was withdrawn. Appellant was shocked to receive the order of withdrawal and wrote a letter dated 8.01.2018 to respondent stating that the documents sought vide letter dated 6.06.2017 could not be deposited because of fault of the staff who had given an impression that he had personally submitted the documents. Nevertheless, the appellant had available with it all the relevant documents pertaining to land and building for which alleged complaint was made to NRC. A copy of letter

dated 8.01.2018 along with all the enclosures is enclosed. Order dated 27.12.2017 has been passed in a very hasty and mechanical manner making it perverse, illegal and untenable in the eyes of law. Appellant was granted recognition after due scrutiny of entire land and building documents as well as after due verification and inspection by the visiting team. Appellant has available with it all necessary infrastructure and facilities as per with NCTE Regulations, 2014 and it is eligible and entitled for consideration and processing of its application. Because in various cases, NRC has kept matter deferred where reply to Show Cause Notice is not received but in instant case of appellant undue due haste has been caused by NRC to harass the appellant in an unwarranted manner. Because appellant could not submit its reply to letter dated 6.06.2017 because it was under bona fide impression that its staff who had been deputed for this purpose had personally deposited the documents whereas appellant was conceivably misinformed. However, appellant had available with it all the necessary documents which were in fact placed for consideration of NRC vide letter dated 08/01/2018. The appellant is ready to produce any further documents or compliance of NRC. Thus, it is evident even if timely response could not be submitted by appellant, it had not violated any condition of recognition and it had available with it all needful documents to run D.El.Ed. course. Appeal may be heard and decided on merits and withdrawal order dated 27.12.2017 be quashed and set aside and NRC may be directed to restore recognition for D.El.Ed. Course will all consequential benefits."

**AND WHEREAS** Appeal Committee noted that impugned withdrawal order dated 27.12.2017 is on the ground that 'Institution has not submitted reply to Show Cause Notice issued by N.R.C.' Committee noted that before recognition order dated 02/06/2017 was issued, N.R.C. had received a complaint on 25.05.2017 alleging that a number of institutions including the appellant institution do not have a building and other documents such a C.L.U., B.C.C. are forged and bogus. Immediately after grant of recognition, N.R.C. addressed a letter to appellant institution on 06/06/2017 seeking comments on the points raised in the complaint. Copy of the compliant dated 20.05.2017 was enclosed with this letter. The appellant did not submit its reply resulting in issue of a S.C.N. dated 30.08.2017 seeking reply within 30 days.

**AND WHEREAS** Appeal Committee after seeing the videography recorded at the time of inspection, prima-facie finds evidence of a two storey building where inspection was conducted on 24.04.2017. Committee observed that appellant institution had submitted a reply to S.C.N. on 08/01/2018 in the office of N.R.C. which could not be considered by N.R.C. as impugned order of withdrawal had already been issued on 27.12.2017. Appeal Committee decided to remand back the case to N.R.C. for revisiting the case after considering the submission made by appellant by its letter dated 08/01/2018 and if need arises, the documents relating to title of land, C.L.U., B.C.C. etc. should be got verified at appropriate levels. Appellant is required to submit to N.R.C. a Building Completion Certificate (B.C.C.) issued by concerned Government Engineer in performa prescribed by NCTE within 15 days of the issue of Appeal 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 N.R.C. for revisiting the case after considering the submission made by appellant by its letter dated 08/01/2018 and if need arises, the documents relating to title of land, C.L.U., B.C.C. etc. should be got verified at appropriate levels. Appellant is required to submit to N.R.C. a Building Completion Certificate (B.C.C.) issued by concerned Government Engineer in performa prescribed by NCTE within 15 days of the issue of Appeal order.

**NOW THEREFORE, the Council hereby remands back the case of S.B.S. College, Javra, Mantm Mathura, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, S.B.S. College, Javra, Mantm Mathura – 281202, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-46/E-61043/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Dev Kanya Shikshak Prashikshan Mahavidyalaya, Kuchalwada Kalan, Kota Byepass Road, Jahajpur, Rajasthan dated 24/01/2018 is against the Order No. NRC/APP201616470/B.Ed./SCN/RJ/2017-2018 (LSG Sl. No.) dated 13/12/2017 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not submitted the reply of SCN issued by NRC, NCTE for non-compliance of LOI on 14.09.2017. 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."

**AND WHEREAS** Sh. Ramesh Kumar, Secretary, Dev Kanya Shikshak Prashikshan Mahavidyalaya, Kuchalwada Kalan, Kota Byepass Road, Jahajpur, Rajasthan presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "N.R.C. decided to issue letter of intent prior to grant of recognition under clause 7 (16) of NCTE Regulations for teacher education programme for 2 units of B.Ed. course only subject to appointment of qualified staff selected through duly constituted selection committee and approved by the affiliating body as per norms of NCTE. Accordingly NRC, NCTE issued letter of Intent under Clause 7 (13) of NCTE Regulations 2014 for B.Ed. course for 2 units (100 seats) to this institution vide letter No. NCTE/NRC/NRCAPP-201616470/Bachelor of Education [B.Ed.]/ SCN/RJ/2017-2018/2 dated 02.06.2017. This institution appointed qualified and experienced teaching staff as per NCTE Regulation 2014 and applied to M.D.S. University, Ajmer for approval on 14.07.2017. This institution submitted a request letter to NRC, NCTE on 28.07.2017 for granting extension of time for making reply of L.O.I. NRC, NCTE did not consider the request of the institution and issued a show cause notice to institution vide letter No. NCTE/NRC/NRCAPP201616470/Bachelor of Education [B.Ed.]/ SCN/ RJ/ 2017-2018/3 dated 04.09.2017. NRC, NCTE had rejected the

application of the institution for B.Ed. course vide letter No. NCTE/NRC/NRCAPP-01616470/Bachelor of Education [B.Ed.]/ SCN/ RJ/ Sl_No}}, dated 13.12.2017. That M.D.S. University has approved the list of teaching staff for 2 units of B.Ed. course submitted by this institution vide letter No. F. 14 ( ) shaiksh.ll/ MDS VV/ 2018/2608 dated 15.01.2018. Copy of letter and list of teaching staff approved by M.D.S. University, Ajmer is enclosed. That from above fact and documents, it is clear that NRC, NCTE had did not consider the request of the institution for granting extension of time for making reply of L.O.I. and rejected the application of the institution on illegal, unlawful, unjustified, unconstitutional basis. That this institution had appointed qualified faculties for B.Ed. course well in time and applied for approval to affiliating body but affiliating body has taken time in granting approval letter. That delay in reply of L.O.I. occurred due to affiliating body. It is prayed that directions be issued to NRC, NCTE for further process of application for recognition of 2 units of B.Ed. course from the session 2018-2019."

**AND WHEREAS** Appeal Committee noted that Letter of Intent (L.O.I) dated 02.06.2017 was issued to appellant institution seeking compliance within a period of 2 months. After getting the L.O.I. appellant institution requested the affiliating university on 14.07.2017 for approval of selected faculty members. Appellant simultaneously requested N.R.C. by its letter dated 29.07.2017 to grant extension of time for submitting approved faculty list. Committee noted that affiliating body approved the list of faculty on 15.01.2018 and by that time N.R.C. had already issued a refusal order dated 13.12.2017. Committee observed that there has been some delay in getting the faculty approved by the affiliating university and the appellant institution has kept the N.R.C. apprised of the expected delay. Committee noting that the appellant has submitted in appeal, the approved faculty list, concluded that the matter deserved to be remanded to N.R.C. with a direction to consider the approved staff list to be submitted to them by the appellant and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to N.R.C., the approved list and other connected papers, within 15 days of the issue of appeal 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 N.R.C. with a direction to consider the approved staff list to be submitted to them by the appellant and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to N.R.C., the approved list and other connected papers, within 15 days of the issue of appeal order.

**NOW THEREFORE, the Council hereby remands back the case of Dev Kanya Shikshak Prashikshan Mahavidyalaya, Kuchalwada Kalan, Kota Byepass Road, Jahajpur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Dev Kanya Shikshak Prashikshan Mahavidyalaya, Kuchalwada Kalan, Kota Byepass Road, Jahajpur – 304804, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-47/E-61200/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Secred Heart Girls College for Education and Training, Bauribeer Singhpur, Ghazipur, Uttar Pradesh dated 29/01/2018 is against the Order No. NRC/NCTE/NRCAPP-12298/277th Meeting/2017/185441 dated 12/12/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution has not submitted the reply of SCN issued to it on 13.07.2017."

**AND WHEREAS** Sh. Shivchand Singh Kushwaha, Clerk, Secred Heart Girls College for Education and Training, Bauribeer Singhpur, Ghazipur, Uttar Pradesh presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "Institution submitted by hand a reply dated 11/08/2017 to S.C.N. It is further submitted that existing intake of 2 units of B.Ed. programme has been reduced to one by issue of order no NRCAPP-7614/279-Meeting/2018 dated 19/01/2018."

**AND WHEREAS** Appeal Committee noted that negating the ground of refusal, appellant stated that reply to S.C.N. dated 13/07/2017 was submitted by hand in the office of N.R.C. on 11.08.2017. Committee concluded that the case deserved to be remanded back to N.R.C. for considering the reply dated 11/08/2017 a copy of which (with enclosure) appellant is required to resubmit to N.R.C. within 15 days of the issue of Appeal order.

**AND WHEREAS** after perusal of the Memoranda of Appeal, documents on record and oral arguments advanced during the hearing, Committee concluded to remanded back to N.R.C. for considering the reply dated 11/08/2017 a copy of which (with enclosure) appellant is required to resubmit to N.R.C. within 15 days of the issue of Appeal order.

**NOW THEREFORE, the Council hereby remands back the case of Secred Heart Girls College for Education and Training, Bauribeer Singhpur, Ghazipur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Secred Heart Girls College for Education and Training, Bauribeer Singhpur, Ghazipur – 233310, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-50/E-61606/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Maharaja Agersain College, Birani, Bhadra, Rajasthan dated 26/01/2018 is against the Order No. NCTE/NRC/NRCAPP201615083/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 "Latest affiliation letter for running B.A./B.Sc. courses is not submitted. The Government lease is in the name of an individual. The institution has still not submitted the Non-Encumbrance certificate issued by the Competent Authority indicating that the land is free from all encumbrances. The institution has still not submitted the Land Use Certificate issued by the Competent Authority to use the land for educational purpose. 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. Anubhav Bansal, Chairman and Sh. Sushil Gupta, Secretary, Maharaja Agersain College, Birani, Bhadra, Rajasthan presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "We have already submitted. Our land is in the name of society, the name of the secretary was given before the name of the society which we have amended accordingly; the copy of the same was submitted earlier. Our Society has taken non-encumbrance certificate from the office of Tehsildar, Revenue Bhadra no. 2017/1795 dt. 15.03.2017 the same was submitted earlier. Our Society has taken the land use certificate from Nagar Palika Bhadra dt. 25.05.2010 which we will show at the time of hearing."

**AND WHEREAS** Appeal Committee noted that appellant institution has submitted several documents issued between 19/12/2011 to 16/05/2017 as evidence of being affiliated to Maharaja Ganga Singh University for conducting B.A. & B.Sc.,

B.Com & M.A. programmes. Appellant also submitted before the Committee copy of a Correction Deed by which land documents were corrected to bear the name of institution followed by the name of persons who executed the sale deed agreement. The N.E.C. dated 15.03.2017 issued by Sub-Registrar, Bhadra and C.L.U. dated 15.03.2017 is supported by a notice issued by Municipal Authority, Bhadra.

**AND WHEREAS** Committee noted that although N.E.C., C.L.U. and Correction deed documents were submitted by appellant at a belated stage yet there is no change in the land where the proposed programme was applied for. The case deserves to be remanded back to N.R.C. for consideration of the (i) affiliation documents, (ii) C.L.U., (iii) N.E.C. and (iv) Correction deed of title documents. Appellant is required to submit a copy of required documents to N.R.C. within 15 days of the issue of Appeal order.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to N.R.C. for consideration of the (i) affiliation documents, (ii) C.L.U., (iii) N.E.C. and (iv) Correction deed of title documents. Appellant is required to submit a copy of required documents to N.R.C. within 15 days of the issue of Appeal order.

**NOW THEREFORE, the Council hereby remands back the case of Maharaja Agersain College, Birani, Bhadra, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager/Secretary, Maharaja Agersain College, Bhadra Chack 9 Birani, Bhadra – 335501, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-117/E-65214/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Kishan Shikshak Prashikshan College, Pawta, Kotputli, Rajasthan dated 21/02/2018 is against the Order No. NRC/NCTE/RJ--------/278th Meeting/2018/186845-50 dated 08/01/2018 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The Petitioner Society has not submitted the application online electronically along with processing fees and relevant documents as per clause 5 of NCTE Regulations, 2014. No Objection Certificate issued by the concerned affiliating body has not been submitted by the petitioner Society alongwith the application. The institution has not submitted any proof / evidence of its being a composite institution as required under Clause 2(b) of NCTE Regulations, 2014."

**AND WHEREAS** Sh. Mahesh Kumar Yadav, Secretary and Sh. Ashok Kumar Sharma, Principal, Kishan Shikshak Prashikshan College, Pawta, Kotputli, Rajasthan presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "Institution has applied for grant of recognition of B.Ed. course to NCTE on 21.05.2008. That due to non-processing of the application of this institution by NRC, NCTE, this institution filed a S.B. Civil Writ No. 6988/2016 in the Hon'ble High Court of Rajasthan, Jaipur. Hon'ble Court had passed an order on 02.06.2016 in which court had directed the petitioner to move an application before NRC, NCTE for grant of recognition of B.Ed. course and also directed to NRC, NCTE to decide the recognition application in accordance with Regulations 2014 in a non-discriminatory manner. This institution has submitted the order of Hon'ble Court in the office of NRC, NCTE on 08.06.2016. That after satisfied from the documents and procedure of application, NRC, NCTE had constituted the visiting team for inspection of this college. Inspection was conducted on 12.10. 2016. That NRC, NCTE had also sent a letter to Principal Secretary, Department of Higher Education, Govt. of Rajasthan on 13.07.2016 for seeking state

recommendation. After inspection, NRC, NCTE had issued a Show Cause Notice vide letter No. OldApp/RJ..... /91/2017/169626-27 dated 24.03.2017. This institution submitted reply of SCN to NRC, NCTE on 05.06.2017. That instead of granting recognition for B.Ed. course to this institution, NRC, NCTE had rejected the application of this institution for grant of recognition of B.Ed. course on arbitrary, unjustified, illegal and unconstitutional basis. That being aggrieved from the order of NRC, NCTE, this institution has filed a S.B. Civil Writ Petition No. 3699/2018 in Hon'ble High Court of Rajasthan, Jaipur. Hon'ble High Court has passed an order on 16.02.2018 and directed to petitioner to file an appeal u/s 18 of NCTE Act. 1993 and Appellate Authority is directed to disposed of expeditiously the appeal filed by the petitioner. Copy of the order of Hon'ble High Court is annexed. That this institution is running B.A. and B.Sc. course in the college campus. So, this institution full-fills the requirement of composite institution. Copy of affiliation order and N.O.C. is annexed. That Appellate Authority, NCTE had already decided by its order dated 27.11.2017 that "Once applications are invited, the regional committee had no right to reject it on the grounds of ban imposed subsequently by the State Govt." Copy of Appeal Order is annexed. Appellate Authority, NCTE had already decided by its order dated 16.10.2017 that "The ground of non-submission of application online cannot be held against the appellant at this stage and therefore, the matter deserve to be remanded to the NRC for taking further action as per the NCTE Regulations 2014" Copy of Appeal Order is annexed. That disposing the S.B. Civil Writ Petition No. 12712/2017 Hon'ble High Court of Rajasthan, Jodhpur has passed an order on 17.02.2018 and directed to NRC, NCTE to re-consider the application of the petitioner dated 17.10.2008 in the meeting of 20-21.02.2018 of the committee which is stated to have already constituted for the purposed. Copy of order of Hon'ble High Court is annexed. It is prayed that the rejection order issued by NRC, NCTE be set aside and direction be issued to NRC, NCTE for further processing of the application of this institution for grant of recognition for B.Ed. course."

**AND WHEREAS** Committee noted that appellant institution had filed a S.B. Civil Writ Petition no. 3699 of 2018 in the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble Court vide order dated 16.02.2018 has remitted the petitioner Trust to the remedy of statutory appeal under Section 18 of the Act of 1993 and the appeal is required to be disposed of expeditiously.

**AND WHEREAS** Appeal Committee noted that appellant institution submitted application seeking recognition for B.Ed. programme in the year 2008. The application remained pending in N.R.C. till the appellant sought intervention of the High Court of Judicature for Rajasthan and Hon'ble Court in its order dated 02.06.2016 in W.P. No. 6988/2016 ordered that petitioner is at liberty to move an application before N.R.C. under Regulations, 2014. Committee noted that N.R.C. without obtaining a fresh application from the appellant institution under NCTE Regulations, 2014 opted to process its old application of 2008 and got conducted an inspection of the institution on 12.10.2016. It was after receiving the Inspection Report that a S.C.N. dated 24.03.2017 was issued on grounds of (i) online application, (ii) No Objection Certificate (N.O.C.) from affiliating body and (iii) evidence of being composite. While no reply to this S.C.N. is available on regulatory file, the N.R.C. issued refusal order dated 08/01/2018 on the grounds mentioned therein. Appellant during the course of appeal presentation on 06/04/2018 stated that an appeal pertaining to the D.El.Ed. programme applied by it is also pending and if the present case succeeds, the institution will become composite.

**AND WHEREAS** the Committee noted that all the three grounds mentioned in the show cause notice and the refusal order are the requirements, introduced for the first time, in the NCTE Regulations, 2014 and which are required to be fulfilled when applications are invited pursuant to these Regulations. The appellant submitted application in the year 2008 and the then existing Regulations did not contain the requirements mentioned in the show cause notice/refusal order. N.R.C. processed the same application submitted in 2008 by the applicant institution.

**AND WHEREAS** the Committee noted that the submissions of the appellant vis a vis the grounds of refusal deserved to be accepted and concluded that the matter be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be

remanded to N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

**NOW THEREFORE, the Council hereby remands back the case of Kishan Shikshak Prashikshan College, Pawta, Kotputli, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Kishan Shikshak Prashikshan College, Pawta, Kotputli – 303106, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-137/E-66154/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Deen Dayal Shikshak Prashikshan Mahavidhyalaya, Bari, Fatehpur Shekhawati, Rajasthan dated 21/02/2018 is against the Order No. NRC/NCTE/RJ------/278th Meeting/2018/186926 dated 08/01/2018 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The Petitioner Society has not submitted the application online electronically along with processing fees and relevant documents as per clause 5 of NCTE Regulations, 2014. No Objection Certificate issued by the concerned affiliating body has not been submitted by the petitioner Society alongwith the application. The institution has not submitted any proof / evidence of its being a composite institution as required under Clause 2(b) of NCTE Regulations, 2014."

**AND WHEREAS** Sh. Deen Dayal, Secretary, Deen Dayal Shikshak Prashikshan Mahavidhyalaya, Bari, Fatehpur Shekhawati, Rajasthan presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "The NRC erred in deciding the matter and did not make any effort to even look on the application in consonance of NCTE's Regulation under which the application was submitted offline. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was submitted offline. This fact was also submitted in our written representation dt. 25.04.2017 against Show Cause Notice which certainly was not considered. The institution been provided opportunity to file application afresh as per the directions of Hon'ble Court, it would have been done but due to the virtual impossibility, afresh submission the application online was totally impossible. In a similar matter while disposing of the appeal u/s

18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E8922/2017 Appeal/15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the Committee noted that the appellant could not have submitted the application on-line within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal." A copy of Order dated 16.10.2017 is annexed. "NOC to all other teachers training programmes i.e. B.P.Ed., M.P.Ed., four-year integrated B.A. B.Ed., B.Sc. B.Ed., 3 years integrated B.Ed.-M.Ed., Shiksha Shastry and Shiksha Acharya programme will be granted throughout the State only in existing colleges. This fact was also submitted in our written representation dt. 13.04.2017 against Show Cause Notice which certainly was not considered. The appellant institution is already running a B.Ed. Course since 2008 and the recognition was granted by the NRC vide order dated 17.09.2008 and the same is revised on 26.05.2015. Revised Recognition order is annexed. The NCTE had granted recognitions to the institutions for Teacher Education course which were already running single Teacher Training course or submitted two applications for grant of recognition of two Teacher Education courses (proposed composite)."

**AND WHEREAS** Committee noted that appellant institution has filed a S.B. Civil Writ Petition no. 4668/2018 in the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble High Court vide order dated 28.02.2018 has directed to expeditiously dispose of the appeal filed by petitioner institution.

**AND WHEREAS** Appeal Committee noted that appellant institution had submitted application seeking recognition for B.Ed. programme in the year 2008. The application remained pending in N.R.C. till the appellant sought order dated 13.04.2016 from the Court in Petition No. 4573/2016. Hon'ble High Court in its order dated 13.04.2016 had put the appellant institution on liberty to file an application for grant of recognition to its Shiksha Shastri course in accordance with Regulation, 2014. Committee noted that N.R.C. without obtaining a fresh application from the appellant institution under NCTE Regulations, 2014 opted to process its old application of 2008 and got conducted an inspection of the institution on 30.04.2016.

After getting the Inspection Report N.R.C. its 252nd Meeting held on 19 April to 2nd May, 2016 decided to issue a Letter of Intent (L.O.I.) under Clause 7 (13) of the Regulation. L.O.I. was accordingly issued on 13.05.2016. It was after receiving the compliance letter dated 20.05.2016 that N.R.C. issued impugned refusal order on grounds of (i) online application, (ii) No Objection Certificate (N.O.C.) from affiliating body and (iii) evidence of being composite. Several replies to S.C.N. issued are also available on regulatory file ignoring which the N.R.C. issued refusal order dated 08/01/2018 on the grounds mentioned therein. Appellant during the course of appeal presentation on 06/04/2018 stated that an appeal pertaining to the D.El.Ed. programme applied by it is also pending and if the present case succeeds, the institution will become composite.

**AND WHEREAS** the Committee noted that the grounds mentioned in the show cause notice and the refusal order are the requirements, introduced for the first time, in the NCTE Regulations, 2014 and which are required to be fulfilled when applications are invited pursuant to these Regulations. The appellant submitted application in the year 2008 and the then existing Regulations did not contain the requirements mentioned in the show cause notice/refusal order. N.R.C. processed the same application submitted in 2008.

**AND WHEREAS** the Committee noted that the submissions of the appellant vis a vis the grounds of refusal deserved to be accepted and concluded that the matter be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

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

**NOW THEREFORE, the Council hereby remands back the case of Deen Dayal Shikshak Prashikshan Mahavidhyalaya, Bari, Fatehpur Shekhawati, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Deen Dayal Shikshak Prashikshan Mahavidhyalaya, Bari, Bari Road, Fatehpur Shekhawati – 332301, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-138/E-66174/2018 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Deen Dayal Shikshak Prashikshan Mahavidhyalaya, Bari, Fatehpur Shekhawati, Rajasthan dated 21/02/2018 is against the Order No. NRC/NCTE/RJ------/278th Meeting/2018/186931 dated 08/01/2018 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The Petitioner Society has not submitted the application online electronically along with processing fees and relevant documents as per clause 5 of NCTE Regulations, 2014. No Objection Certificate issued by the concerned affiliating body has not been submitted by the petitioner Society alongwith the application. The institution has not submitted any proof / evidence of its being a composite institution as required under Clause 2(b) of NCTE Regulations, 2014."

**AND WHEREAS** Sh. Deen Dayal, Secretary, Deen Dayal Shikshak Prashikshan Mahavidhyalaya, Bari, Fatehpur Shekhawati, Rajasthan presented the case of the appellant institution on 06/04/2018. In the appeal and during personal presentation it was submitted that "The NRC erred in deciding the matter and did not make any effort to even look on the application in consonance of NCTE's Regulation under which the application was submitted offline. Further, it is also reiterated here that there was virtual impossibility in submitting the application online and after directions of Hon'ble Court narrated above the application was submitted offline. This fact was also submitted in our written representation dt. 25.04.2017 against Show Cause Notice which certainly was not considered had the institution been provided opportunity to file fresh application as per the directions of Hon'ble Court, it would have been done but due to the virtual impossibility, afresh submission the application online was totally impossible. In a similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-534/E8922/2017 Appeal/15th Meeting-2017 dt. 16.10.2017 titled "St. Meera T.T. College" directed the NRC to process further the application on the ground that "...the

Committee noted that the appellant could not have submitted the application on-line within the time frame allowed by the Hon'ble High Court on 10.12.2015 i.e. one month, which is a virtual impossibility due to closure of NCTE portal." A copy of Order dated 16.10.2017 is annexed herewith. Further, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-488/E9740/2017 Appeal/17th Meeting-2017 dt. 27.11.2017 titled "J.B.M. College of Education" directed the NRC to process further the application on the ground that ..Appeal Committee noted that the appellant applied in 2012, there was no ban by the State Government. Further The Appeal Committee is of the view that the blanket general ban imposed by the State Government can be taken into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular state for the prospective academic year(s), applications are invited, the Regional Committee has no right to reject it on grounds of ban imposed subsequently by the State Government." The NRC failed to consider the fact that the reply of LOI has already been submitted alongwith the faculty duly approved by the affiliating body meaning thereby that the No Objection of affiliating body is already included in approval of faculty of the institution. The NRC did not take care to implement its own Regulations specifically provision of 7(14) of NCTE Regulations, 2014 which is reproduced under: "*A* written communication alongwith a copy of the application form submitted by the institution shall be sent by the office of Regional Committee to the State Government or the Union Territory Administration and the affiliating body concerned within thrity days from the receipt of application, in chronological order of the receipt of the original application in the Regional Committee. The NRC failed in asking the affiliating body about its no objection as per provisions reproduced above and shifted its failure on the shoulders of institution which resulted in refusal of our application on this grounds. The appellant institution is already running a B.Ed. course since 2008 and the revised recognition was granted by the NRC vide order dated 17.09.2015. The NCTE had granted recognitions to the institutions for D.El.Ed. course which were already running single B.Ed. course or submitted two applications for grant of recognition of two courses (proposed composite)."

**AND WHEREAS** Committee noted that appellant institution has filed a S.B. Civil Writ Petition no. 4668/2018 in the Hon'ble High Court of Judicature for Rajasthan

Bench at Jaipur and the Hon'ble High Court vide order dated 28.02.2018 has directed to expeditiously dispose of the appeal filed by petitioner institution.

**AND WHEREAS** Appeal Committee noted that appellant institution had submitted application seeking recognition for D.El.Ed. programme in the year 2008. The application remained pending in N.R.C. till the appellant sought order dated 13.04.2016 from the Court in Petition No. 4573/2016. Hon'ble High Court in its order dated 13.04.2016 had put the appellant institution on liberty to file an application for grant of recognition to its D.El.Ed. course in accordance with Regulation, 2014. Committee noted that N.R.C. without obtaining a fresh application from the appellant institution under NCTE Regulations, 2014 opted to process its old application of 2008 and got conducted an inspection of the institution on 30.04.2016. After getting the Inspection Report N.R.C. its 252nd Meeting held on 19 April to 2nd May, 2016 decided to issue a Letter of Intent (L.O.I.) under Clause 7 (13) of the Regulation. L.O.I. was accordingly issued on 13.05.2016. It was after receiving the compliance letter dated 20.05.2016 that N.R.C. issued impugned refusal order on grounds of (i) online application, (ii) No Objection Certificate (N.O.C.) from affiliating body and (iii) evidence of being composite. Several replies to S.C.N. issued are also available on regulatory file ignoring which the N.R.C. issued refusal order dated 08/01/2018 on the grounds mentioned therein. Appellant during the course of appeal presentation on 06/04/2018 stated that an appeal pertaining to the B.Ed. programme applied by it is also pending and if the present case succeeds, the institution will become composite.

**AND WHEREAS** the Committee noted that the grounds mentioned in the show cause notice and the refusal order are the requirements, introduced for the first time, in the NCTE Regulations, 2014 and which are required to be fulfilled when applications are invited pursuant to these Regulations. The appellant submitted application in the year 2008 and the then existing Regulations did not contain the requirements mentioned in the show cause notice/refusal order. N.R.C. processed the same application submitted in 2008.

**AND WHEREAS** the Committee noted that the submissions of the appellant vis a vis the grounds of refusal deserved to be accepted and concluded that the matter

be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014.

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

**NOW THEREFORE, the Council hereby remands back the case of Deen Dayal Shikshak Prashikshan Mahavidhyalaya, Bari, Fatehpur Shekhawati, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Deen Dayal Shikshak Prashikshan Mahavidhyalaya, Bari, Bari Road, Fatehpur Shekhawati – 332301, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-338/E-2987/2017 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Shreepal Singh Smarak Mahila Mahavidyalaya, Garavpur, Lambhua, Sultanpur, Uttar Pradesh dated 20.04.2017 is against the Order No. NRC/NCTE/NRCAPP-13847/233rd (Part-I) Meeting/2016/150162 dated 08.06.2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the ground that "Non-submission of NOC from the affiliating body as required under clause 5(3) of the NCTE Regulations, 2014."

**AND WHEREAS** the submission of the appeal has been delayed by eight months and 13 days beyond the prescribed time limit of 60 days. The appellant, in their letter dt. 04.07.2017, submitted that on account of the ill-health of their Manager they could not appeal within the prescribed time and enclosed a medical certificate. The appellant sought excuse for the delay and requested that the appeal may be considered. The Committee decided to condone the delay and consider the appeal.

**AND WHEREAS** Sh. Ajay Pratap Singh, President, Shreepal Singh Smarak Mahila Mahavidyalaya, Garavpur, Lambhua, Sultanpur, Uttar Pradesh presented the case of the appellant institution on 04/07/2017. In the appeal and during personal presentation it was submitted that (i) NCTE introduced the Regulation 2014 in the month of the December 2014 and it was the first time that the NCTE introduced the provisions of the NOC; (ii) the appellant vide its letter dated 27.05.2015 applied to the affiliating body for issuance of the NOC as per the format provided by the NCTE; (iii) the appellant filed the online application on 23.06.2016 and submitted the Hard Copy of the application to the NRC; (iv) the institution also gave reminders dated 28/08/2016 and 20/11/2016 to the affiliating University for issuance of NOC; (v) the NRC issued its show cause notice dated 17.10.2015 which the petitioner replied on 10.12.2015 stating the fact that the NOC is still pending with the University; (vi) the University will grant the NOC for the B.ED Course by December 2016 as the meeting

of University is awaited; (vii) the NRC failed to process the application of the petitioner as per the time schedule stipulated in the Regulations 2014 and as per the time schedule laid down by Hon'ble Supreme Court in the matter of Maa Vaishno Devi Mahila Mahavidyalaya, and first time processed the application of the appellant with delay; (viii) so far the old institutions are concerned the NCTE has provided them an opportunity to convert themselves into the composite institution and therefore, NCTE should consider the delay in submission of the NOC by their institution. (ix) the Regional Committees of the NCTE have accepted the NOC after the cut-off date and processed the applications; (x) the liability of issuing of the NOC is on the affiliating body and the institution cannot be held liable for the same; and (xi) the issue of the NOC has been settled by Hon'ble Supreme Court in the (2006)9 SCC1 i.e. State of Maharashtra Vs. Sant Dnyaneshwar Shikshan Shastra Mahavidyalaya and Ors. It is also relevant to state that Hon'ble Supreme Court in the matter of Civil Appeal No. 8054 of 2013 (Arising out of SLP (C) No. 21788 of 2013) decided on 10.09.2013, in the matter of Royal Medical Trust (Regd.) Vs. Union of India (UOI) and Anr. held in para 11 to the following effect: In the instant case, the Appellant mindful of the aforesaid directions of this Court had applied in due time adhering to the statutory timelines. Its application in terms of necessary documents was in fact complete but for the Affiliation Certificate from KUHS which was awaited by the Appellant even after several reminders for its issuance to KUHS pressing upon the urgency of the matter. Since the Appellant was not at fault but constrained due to delay on part of KUCH, the Council was expected to have appropriately considered the facts and circumstances of the case pleaded by the Appellant and thereafter, reached a conclusion one way or the other on its merits instead of functioning in such mechanical manner by rejecting the application filed by the Appellant and, thereafter, forwarding it to the Central Government with its adverse recommendations. In our considered opinion, this aspect of the matter ought to have been noticed by the Writ Court in Writ Petition as well as the Writ Appeal. Since that has not been done, in our considered view, we cannot sustain the impugned judgment and order passed by the High Court. The appellant with their letter dt. 03.07.2017 forwarded a copy of the No Objection Certificate issued by Dr. Ram Manohar Lohiya Avadh University, Faizabad, U.P on 01.06.2017 for conducting B.Ed. course from the session 2017-18. The appellant also enclosed a copy of the order of the Hon'ble High Court of Delhi at New

Delhi dt. 25.04.2017 in W.P. © No. 722/2017 wherein the Court ordered consideration of the NOCs received after the prescribed date.

**AND WHEREAS** the Committee noted that the Council has not relaxed the last date of 15.07.2015 for submission of hard copies of the applications, with NOC for the academic session 2016-17. On the other hand the appellants are bringing to the notice of the Committee instances of (i) acceptance of the NOCs issued by the affiliating bodies after the prescribed last date, in some cases, by the Regional Committees and (ii) directions of the Hon'ble Courts in writ petitions filed by aggrieved institutions, for acceptance of the belated NOCs, sometimes for subsequent academic session. The order dated 25.04.2017 of the Hon'ble High Court of Delhi in W.P. (C) 722/2017 quoted by the appellant covers the case of three institutions wherein directions have been given for consideration of the NOCs issued after the prescribed date.

**AND WHEREAS** Committee decided to keep the instant appeal pending till a policy decision is taken to deal with the submission of N.O.C. issued at a belated stage. Appeal Committee was given to understand that orders of Hon'ble Supreme Court arising out of NCTE Vs. Rambha College of Education for acceptance of N.O.C. issued by affiliating bodies at a belated stage would have general applicability. Committee thereafter took a consensus decision that depending on the circumstances leading to delay in submission of N.O.C. henceforth such cases will be remanded back for condoning the delay where applicant was able to submit N.O.C. before issue of final refusal order. Wherever applicants have failed to submit N.O.C. even in reply to Show Cause Notice (S.C.N.) and refusal/rejection orders have been issued, such cases neither be considered by Regional Committee nor deserved to be remanded back by Appeal Committee.

Appeal Committee noted that applicant submitted application dated 23.06.2015 seeking recognition for B.Ed. programme. A Show Cause Notice dated 17/10/2015 was issued to applicant on ground of non submission of N.O.C. issued by affiliating body. Due to non submission of N.O.C. by the applicant institution, N.R.C. in its 253rd Meeting held on 30th May to 3rd June, 2016 decided to refuse recognition and accordingly & refusal order dated 08.06.2016 was issued. There is no evidence on

the Regulatory file in support of the applicant's submitting the N.O.C. by that time. Since the applications cannot be kept pending for want of required documents to be submitted by the applicant the issue of refusal order by N.R.C. was justified and is confirmed by the Committee.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded that refusal order dated 08.06.2017 deserves to be confirmed.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary/Correspondent, Shreepal Singh Smarak Mahila Mahavidyalaya, Garavpur, Kothara Pratapgarh Road, Lambhua, Sultanpur, Uttar Pradesh – 222302.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-558/2016 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Pravakaran B.Ed. College, Kolkata, South 24 Parganas, West Bengal dated 11/09/2016 is against the Order No. ERC/214.9.1/ERCAPP3562/D.El.Ed./2016/47911 dated 09/07/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show Cause Notice was issued on 09/02/2016 on the following grounds: (i) NOC for B.Ed. programme issued on 23/07/2015 i.e. after stipulated date 15th July, 2015. (ii) As NOC of B.Ed. programme is not considered, hence the D.El.Ed. programme comes under the category of standalone institution. Standalone institution is not considered as per NCTE Regulation 2014. No reply received from the institution till date. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3562 of the institution regarding recognition for D.El.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

**AND WHEREAS** Pravakaran B.Ed. College, Kolkata, South 24 Parganas, West Bengal was asked to present the case of the appellant institution on 01/12/2016 and 21.02.2017 but nobody from that institution appeared. Appeal Committee noted that appellant did not appear before the Committee on previous two occasions when opportunity was given to him on 01.12.2016 and 21.02.2017. During the 3rd opportunity appellant submitted before the Appeal Committee an order dated 25.04.2017 passed by Hon'ble High Court of Delhi in W.P. Case No. 3294/2017. Through the above order a reference is invited to orders of Hon'ble High Court in the case of (i) Rambha College of Education vs NCTE (W.P. no. 3231/2016) and (ii) Dr. C.C. Mahto Teacher Training College vs NCTE (7847/2016). Hon'ble Court has stated that the present case is covered by the judgements and impugned orders of respondents are set aside. The case of petitioner institution shall be considered by

ERC after taking into account the NOC dated 23.07.2015 for academic session 2017-18.

**AND WHEREAS** Appeal Committee is given to understand that orders of Hon'ble Supreme Court arising out of NCTE Vs. Rambha College of Education for acceptance of N.O.C. issued by affiliating bodies at a belated stage would have general applicability. In the instant case applicant society submitted online application dated 25.06.2015 seeking recognition for D.El.Ed. programme. Recognition of applied for course i.e. D.El.Ed. was refused on the ground that another application submitted by applicant seeking B.Ed. programme was refused on ground of belated issue of N.O.C. by a few days. Abiding by the verdict of Hon'ble Supreme Court, the B.Ed. application of Pravakaran B.Ed. College is being remanded back to E.R.C. for further processing of the application. This will render the D.El.Ed. applicaton also admissible for processing as rejection order dated 09/07/2016 was on ground of standalone status of the applicant.

**AND WHEREAS** Appeal Committee decided to remand back the case to E.R.C. for further processing of the application as per NCTE Regulations, 2014.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to E.R.C. for further processing of the application as per NCTE Regulations, 2014.

**NOW THEREFORE, the Council hereby remands back the case of Pravakaran B.Ed. College, Kolkata, South 24 Parganas, West Bengal to the ERC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The President, Pravakaran B.Ed. College, 760, 759, 758, Bastu and Shali, Khordo Sasan, Kolkata, South 24 Parganas, West Bengal – 743504.**
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.89-773/2016 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Ratan Devi College, Chomu, Jaipur, Rajasthan dated 23.11.2016 is against the Order No. NRC/NCTE/NRCAPP-15068/258th Meeting/2016/160745 dated 18.10.2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed. /B.Sc. B.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 07/12/2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice till date."

**AND WHEREAS** Sh. Sarvan Kumar Saine Secretary, Ratan Devi College, Chomu, Jaipur, Rajasthan presented the case of the appellant institution on 23.03.2017. In the appeal and during personal presentation it was submitted that "Institute had submitted the NOC when concerned University issued to all institution. NRC has considered all the institution's application who submitted the NOC issued on this date. Please consider our application."

**AND WHEREAS** Appeal Committee decided to seek clarifications from NRC which have since been received. Based on the clarification furnished by NRC, Appeal Committee decided to submit a note to NCTE (HQ) seeking advice on the matter of issue of No Objection Certificate by the affiliating bodies at a belated stage. The final decision in this case was kept pending.

**AND WHEREAS** Appeal Committee noted that applicant institution submitted online application dated 30.06.2015 seeking recognition for conducting B.A. B.Ed./B.Sc. B.Ed. programme and N.O.C. dated 25.04.2016 was submitted on 26.04.2016. Committee further noted that orders of Hon'ble Supreme Court of India arising out of NCTE Vs. Rambha College of Education for acceptance of N.O.C. issued by affiliating bodies at a belated stage have been given general applicability.

In the instant case the appellant institution was able to submit N.O.C. in response to the Show Cause Notice much before the issue of impugned refusal order. Appeal Committee therefore, decided to remand back the case to N.R.C. for further processing of the application as per NCTE Regulations, 2014.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for further processing of the application as per NCTE Regulations, 2014.

**NOW THEREFORE, the Council hereby remands back the case of Ratan Devi College, Chomu, Jaipur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Ratan Devi College, NH-11, Singod Road, Dhodhsor, Tehsil – Chomu, Jaipur, Rajasthan – 303712.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-480/2016 Appeal/5th Mtg.-2018/5th & 6th April, 2018

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 16/5/18

**ORDER**

**WHEREAS** the appeal of Shivbrat Singh Shikshan Prashikshan Sanathan, Argupur, Kalan, Jaunpur, Uttar Pradesh dated 05.08.2016 against the order No. NRC/NCTE/NRCAPP-14648/253rd (Part-1) meeting/2016/149975 dt. 17.06.2016 of the NRC refusing recognition for conducting B.Ed. course on the ground of non-submission of NOC from the affiliating body as required under clause 5(3) of the NCTE Regulations, 2014 was rejected and the refusal order was confirmed by the Council in their order F.No. 89-480/2016 Appeal/14th meeting-2016 dt. 02.12.2016 on the ground that the date of issue of NOC should be before the last date of receipt of hard copy of the application which was 15.07.2015 and the NOC was issued only on 04.08.2016, which is much after the refusal order.

**AND WHEREAS** the appellant aggrieved by the order of the Council, filed a W.P. © 3008/2017 before the Hob'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 20.09.2017, notice the submission of the Counsel for the petitioner that their case is covered by the Judgement in LPA No. 535/2017 National Council for Teacher Education and Anr vs. Rambha College of Teacher Education delivered on 09.08.2017, in which the Learned Singh Judge, in similar situation where the fact were identical remanded the matter to the Appellant Authority for reconsideration for the academic session 2017-18. The Hon'ble High Court further noting that the issue was non-filing of the NOC and the same issue has been decided in the case of Rambha College of Education, allowed the prayer in the petition directing the respondent to decide the case of the petitioner de-hors in their first meeting.

**AND WHEREAS** Appeal Committee decided to seek clarification from N.R.C., Jaipur and NCTE New Delhi regarding processing of the application. The clarifications have since been received and considered by the Committee.

**AND WHEREAS** Appeal Committee noted that applicant institution submitted online application dated 29.06.2015 seeking recognition for conducting B.Ed. programme. A Show Cause Notice (S.C.N) dated 17.10.2015 was issued to applicant institution on grounds of non submission of N.O.C. issued by affiliating body. N.R.C. subsequently issued refusal order dated 17.06.2016 on these grounds. The applicant aggrieved by the refusal order dated 17/06/2016 preferred an appeal dated 05.08.2016 which was heard on 26.10.2016. Appellate Authority in its order dated 02/12/2016 confirmed the impugned refusal order dated 17/06/2016. Committee also noted that appellant institution was able to submit N.O.C. before Appellate Authority which was not accepted as it was issued by affiliating body after the date of refusal. The appellant filed a Writ Petition (C) 3008/2017 in the Hon'ble High Court of Delhi and the Hon'ble Court in its order dated 20.09.2017 relying on the case of Rambha College of Education ordered that the case of petitioner should be decided (de-hors this objection).

**AND WHEREAS** Appeal Committee is now given to understand that orders of Hon'ble Supreme Court of India arising out NCTE Vs. Rambha College of Education for acceptance of N.O.C. issued by affiliating bodies at a belated stage have been given general applicability. In the instant case, the appellant institution was able to submit N.O.C. with its Appeal Memoranda. Appeal Committee, therefore, decided to remand back the case to N.R.C. for further processing of the application as per NCTE Regulations, 2014.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for further processing of the application as per NCTE Regulations, 2014.

**NOW THEREFORE, the Council hereby remands back the case of Shivbrat Singh Shikshan Prashikshan Sanathan, Argupur, Kalan, Jaunpur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Shivbrat Singh Shikshan Prashikshan Sansthan, Plot No. 2664, 2665, 2666, Argupur Kalan, Jaunpur District, Uttar Pradesh – 222101.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.