(1)

F.No.89-462/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Ch. Bharat Singh Institute of Teacher Education, Jhabrera, Haridwar, Uttarakhand dated 05/08/2016 is against the Order No. NRC/NCTE/NRCAPP-9872/252nd (Part-6) Meeting/2016/151093-96 dt. 17/06/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution has not submitted any reply of the show cause notice issued on 14/10/2015 by the NRC, NCTE. The NOC of the affiliating body has not been submitted."

AND WHEREAS No one from Ch. Bharat Singh Institute of Teacher Education, Jhabrera, Haridwar, Uttarakhand appeared before the Appeal Committee to present the case of the appellant institution on 25/10/2016 and 21/02/2017 and 28.04.2017. As the appellant failed to appear before Appeal Committee on all the three occasions, Committee decided to consider the appeal exparte on merits of the case.

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 14.10.2015 was issued to appellant institution on ground of 'failure to submit NOC issued by affiliating body'. Committee further noted that appellant had filed a Writ Petition in the Hon'ble High Court of Uttarakhand, Nainital praying for Court's directions to SCERT Uttarakhand for issue of NOC. Appellant in its appeal Memoranda dated 05.08.2016 has stated that the above court case is still pending till the Court Case is disposed of D.El.Ed. application should be kept pending. Appellant did not appear before the Committee on all the opportunities given to him and also did not inform of the status of Court Case. Appeal Committee, therefore, decided to confirm the refusal order dated 17.06.2016 which was on ground of non-submission of NOC issued by affiliating body in compliance with clause 5(3) of NCTE Regulation, 2014.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Ch. Bharat Singh Institute of Teacher Education Courses, 254/405/403, Proprietary, Jhabrera, Haridwar, Uttarakhand – 247665.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttarakhand, Dehradun.

(2)

F.No.89-470/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/8/17

ORDER

WHEREAS the appeal of Rani Channamma University, Vidya Sangam, Belagavi, Belgaum District Karnataka dated 12/08/2016 is against the Order No. APS08997/M.Ed./KA/2016/86406 dated 14/06/2016 of the Southern Regional Committee, withdrawing the L.O.I. issued on 18.09.2008 and refusing/ rejecting the application for starting of M.Ed. course on the ground that no reply has been received to the letter dt. 18.12.2013 even after 2 years in spite of several reminders.

AND WHEREAS Prof. Purnima P. Shethi, Representative and Dr. Navasimha Ayachit, Professor Rani Channamma University, Vidya Sangam, Belagavi, Belgaum District Karnataka presented the case of the appellant institution on 28/04/2017. In the appeal and during personal presentation it was submitted that "Govt. of Karnataka has established Rani Channamma University Balagavi by bifurcating erstwhile Karnataka University, Dharwad and Karnataka University was offering M.Ed. course through this P.G. Centre. Kittur Ravi Chennamma P.G. Centre applied for grant of recognition for M.Ed. course of one year. SRC issued refusal order dated 24.09.2009 on the ground that the institution had not appointed requisite faculty and also not submitted staff list and affidavits as per regulation 7(9) of NCTE. After establishment of the Appellant University in the year 2010, the Academic Council preferred an appeal before NCTE challenging the refusal order dated 24.09.2009. Appeal was accepted and the refusal order was reversed by council. The council also directed the appellant to submit a complete set of faculty profile to SRC but no time limit was prescribed. SRC on its own fixed the time limit of 45 days and after waiting for 45 days for the Appellant University to submit faculty profile decided in its 217th Meeting held on 08-09 February 2012 to close the file. Appellant University subsequently addressed letter to SRC in response to which SRC again asked the appellant to submit staff profile by 30.08.2012. The Appellant University submitted staff profile on 31.08.2012 on which SRC made an observation that Associate Professor is not

having prescribed qualification. Appellant institution was not specifically informed as to which of the Associate Professor is not having prescribed qualification. Thereafter, there has been a complaint made by Sri Basavaraj Godachi with respect to the appointment of (1) Dr. Purnima Pattana Shetty (2) Dr. Yerriswamy and (3) Dr. Maurtirao Nimbalkar. The issue raised by the complainant have been answered by Appellant Unviersity on several occasions and the SRC without considering all the facts have passed impugned order dated 14.06.2016 which is against the principles of natural justice. The faculty of the Appellant University was appointed as per the provision of Karnataka State University Act, 2000. M.Ed. course is presently offered by appellant university in perpetual succession of erstwhile Kittor Rani Channamma P.G. College, Belagavi. The Appellant University is newly established and covers backward area and delay or non compliance on part of appellant is neither intentional nor deliberate."

AND WHEREAS Appeal Committee noted that appellant institution i.e. Rani Channamma University had submitted application dated 12/09/2007 seeking recognition for conducting M.Ed. programme with an annual intake of 40 seats with institution name as "Kittur Rani Channamma Post Graduate Centre, Belgaum, first Letter of Intent was issued to the institution on 22/08/2008. Since the appellant could not comply with the terms and conditions relating to submission of faculty, recognition was refused by issue of an order dated 24.09.2009. The appellant University preferred Appeal and also submitted compliance and justification on different points. But crux of the case has been that the appellant could not submit compliance with regard to qualified and eligible faculty to the satisfaction of Regional Committee.

AND WHEREAS during the course of appeal presentation, Appeal Committee was given to understand that Appellant University had continued to conduct the M.Ed. programme as an unit of erstwhile unit of Karnataka University, Dharwad and by seeking recognition against its application made in year 2007 intends to regularise the degrees which may have already been awarded. Though this intention of the appellant university was not directly put forth in the Appeal Memoranda and oral submission, yet Appeal Committee would like to make it very clear that retrospective effect to any recognition granted by the Regional Committee is not permissible.

AND WHEREAS Appeal Committee further noted that SRC Bangalore while processing the application dated 12.09.2007 seeking recognition for M.Ed. programme issued Letter of Intent on 18.09.2008. After issue of Letter of Intent the NCTE Regulations have been revised twice; first in the year 2009 and secondly in the year 2014. The M.Ed. programme which used to be of one year duration has now become a 2 year programme with a revision in the course content for which increased number of faculty is now required to be appointed as required under the norms and standards given in appendix 5 of NCTE Regulation, 2014. The LOI issued in year 2008 under NCTE Regulations of 2005 has no relevance in the present context. The appellant University is a State Govt. University and by virtue of its being a government funded University is not required to pay any application fee. The appellant institution was found eligible to conduct M.Ed. programme. The Committee therefore, decided to remand back the case to SRC with a direction to issue LOI mentioning the terms and conditions as per extant NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to SRC with a direction to issue LOI mentioning the terms and conditions as per extant NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Rani Channamma University, Vidya Sangam, Belagavi, Belgaum District Karnataka to the SRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Registrar, Rani Channmma University, Vidya Sangam National Highway 04 Belagavi, Belgaum District Karnataka – 591156.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.

(3)

F.No.89-485/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Khalisani Basanti Teacher Academy, Chandannagar, Hoogly, West Bengal dated 16/08/2016 is against the Order No. ERC/214.8.83/ ERCAPP3903/D.El.Ed./2016/47894 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 10/02/2016 on the following grounds:- (i) As the NOC for B.Ed. programme issued from affiliating/examining body not submitted, hence the D.El.Ed. programme come under the category of standalone institution. As per NCTE Regulation 2014 standalone institution is not considerable. (ii) As per submitted building plan, the total built up area is 2342 SQM which is less than the required 3000 SQM stipulated for B.Ed. (one unit) + D.El.Ed. (one unit). b. The institution submitted its reply dated 01/05/2016 along with NOC and building plan. The building plan is not approved by any Govt. Engineer. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3903 of the institution regarding recognition for D.El.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. Indranil Ghoshal, Member, Khalisani Basanti Teacher Academy, Chandannagar, Hoogly, West Bengal presented the case of the appellant institution on 26/10/2016 and 28.04.2017. In the appeal and during personal presentation it was submitted that "We got NOC from Burdwan University dated 2nd July, 2015 but as per my illness I could not submit it then. No Objection Certificate was submitted on 1st May, 2016 and I was totally miss guided so that is why the building plan is signed by Municipality Architect but now it is signed by the Assistant Engineer."

AND WHEREAS Appeal Committee noted that the appellant institution had submitted two applications one each for B.Ed. and D.El.Ed. programme. The

appellant institution was issued a Show Cause Notice (SCN) dated 10.02.2016 on following two grounds:

(i) N.O.C. for B.Ed. programme was not submitted and as such D.El.Ed. programme will become a standalone programme.

(ii) Total built up area of 2342 sq. meters is inadequate for two programmes i.e. B.Ed. & D.El.Ed.

AND WHEREAS reply to S.C.N. was submitted by appellant institution and was received in the office of E.R.C. Bhubaneswar on 21.03.2016. Appellant institution was subsequently able to submit N.O.C. for B.Ed. course issued by the university of Burdwan on 02.07.2015. Appeal Committee further noted that N.O.C. issued by affiliating body before the cut off date for receipt of print out of applications is acceptable. The impugned order dated 09.07.2016 is therefore, presumably on the ground that building plan is not approved by any government engineer.

AND WHEREAS Appeal Committee noted that appellant had submitted to Eastern Regional Committee, Bhubaneswar, copy of a building plan showing a total covered area (existing and proposed) as 3442.89 sq.meters. The above building plan bears stamp and signature of the civic authority (back side of building plan) which is in vernacular (Bangla) language. As such it cannot be said to be not approved by government engineer. The appellant during the course of appeal presentation submitted copy of building plan approved by Municipal Authority. The Building plan is for an existing built up area of 780.66 Sq. Mts. each on ground, first and second floors and proposed built up area of 366.97 Sq. mts. each on ground, first and second floors. The total of existing and proposed covered areas come to 3442 Sq. mts. as per approved plan. Appellant during the course of Appeal presentation stated that its B.Ed. case has been remanded back for further processing of the applications.

AND WHEREAS Appeal Committee considered that refusal of D.El.Ed. application was mainly on two grounds i.e. inadequate built up area and building plan not being approved by Govt. Engineer. Committee further found that both the grounds are not substantiated as proposed built up area is adequate and building plan is

approved by Municipal Authority on 07.03.2015. Appeal Committee, therefore, decided to remand back the case to ERC for further processing of the application.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the case to ERC for further processing of the application.

NOW THEREFORE, the Council hereby remands back the case of Khalisani Basanti Teacher Academy, Chandannagar, Hoogly, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Khalisani Basanti Teachers Academy, 1042, 963, ACA, 495, 497, Khalisani Baganbati, Chandannagar, Hooghly, West Bengal – 712138.
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.

(4)

F.No.89-497/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Shri Bajarang Shikshan Prashikshan College, Bikapur, Ghazipur, Uttar Pradesh dated 17/08/2016 is against the Order No. NRC/NCTE/NRCAPP-13027/253rd (Part-1) Meeting/2016/150204 dated 18/06/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that"Non-submission of NOC from the affiliating body as required under clause 5(3) of the NCTE Regulation, 2014."

AND WHEREAS No one from, Shri Bajarang Shikshan Prashikshan College, Bikapur, Ghazipur, Uttar Pradesh appeared on behalf of the appellant institution on 26/10/2016 and 21.02.2017 and 28.04.2017. In the appeal memoranda it is submitted that "The refusal order is against facts and law. The NOC is under process in the University (Affiliating Body). The NOC will be issued by affiliating body soon. That the appellant now has all requisite documents required for recognition which may be considered, evaluated and appeal may be allowed in the interest of Justice."

AND WHEREAS appellant in his letter dated 18.10.2016 has expressed his inability to attend appeal hearing on 26.10.2016 and sought another opportunity. But no communication was received from the appellant institution in respect of the appeal hearing scheduled on 21.02.2017 and 28.04.2017. As per extant appeal rules, three opportunities were given to appellant to make oral and personal presentation before the Appeal Committee. Appeal Committee decided to take up the case on merits/exparte.

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 16.10.2015 was issued to appellant institution on ground of 'Failure to submit NOC of the affiliating body.' The appellant institution neither submitted reply to SCN not submitted NOC of the affiliating body as required under clause 5(3) of the NCTE

Regulation, 2014. Appellant in its appeal Memoranda dated 17.08.2016 stated that NOC is still to be issued by affiliating body. As condition laid down in clause 5(3) of NCTE Regulation is not fulfilled by the appellant institution, Appeal Committee decided to confirm the refusal order dated 18.06.2016 issued by NRC Jaipur.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Shri Bajarang Shikshan Prashikshan College, Plot No. 69, Village-Chauki Jeevdhar, Post – Bikapur, Distt. – Ghazipur, Uttar Pradesh – 233001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(5)

F.No.89-505/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of PNS Memorial College, Rajakhedi, Makronia, Sagar, Madhya Pradesh dated 15/08/2016 is against the Order No. WRC/APP3402/223/254th/2016/168999 dated 15.06.2016 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a Show Cause Notice was issued on 17/02/2016 and the reply was received on 30/03/2016. From the documents submitted, it is seen that:-(i) There are two land documents one for 0.40 hectares in the name of `PNS College' and the other for 0.46 hectares in the name of `PNS' Memorial College'. The names do not match. (ii) CLU is only for 25,500 sq. ft. which is less than the requirement of 3000 sq. mtrs. for one unit of B.Ed. and one unit of D.El.Ed. course (iii) Originally notarized copy of the building plan has not been submitted and (iv) In the Building Completion Certificate, the name of the College is mentioned `PNS Memorial D.Ed. College' while in the NOC from the affiliating University, the College name is mentioned as `PNS Shiksha Mahavidyalaya'. Also the Building Completion Certificate has been issued by the Sarpanch but not countersigned by the Engineer and it is not in the prescribed format. Khasra number, Plot area and built up area are also not mentioned in it."

AND WHEREAS PNS Memorial College, Rajakhedi, Makronia, Sagar, Madhya Pradesh was asked to present the case of the appellant institution on 27/10/2016, 21.02.2017 and 28.04.2017 but nobody from that institution appeared. The Committee decided to consider the case on merits/exparte. The appellant has stated in the appeal Memoranda that points given in the Show Cause Notice are different from Refusal order. The appellant also requested for return of inspection fee.

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 17.02.2016 was issued to appellant institution on following grounds:

i. CLU issued by competent authority is not notarised.

ii. Notarised copy of Non-Encumbrance Certificate not submitted.
iii. Approved building plan not notarised.
iv. Notarised copy of BCC not submitted.
v. NOC issued by affiliating body not submitted.
vi. Memoranda of Society Byelaws not submitted.

AND WHEREAS Appeal Committee noted that appellant institution noting the decision of WRC to issue a SCN submitted a minute based reply dated 12.02.2016.

AND WHEREAS WRC Bhopal after considering the reply to SCN submitted by appellant found that the name of institution applying for B.Ed. programme is not exactly matching in the NOC and land documents and also the area of converted land is less than what is required for a composite institution. The appellant has failed to appear before the Appeal Committee on all the three occasions and lost the opportunities given to him to explain the discrepancies. Appeal Committee further noted that NOC issued by affiliating body is not only in the name of PNS Memorial Shiksha Mahavidyalya, a different name but most importantly the date of issue of NOC is 02.03.2016. the NOC is invariably required to be submitted alongwith printout of application and the last date for receipt of printout of application in this case was 15.07.2015. The NOCs issued after the above cut off date were not found acceptable.

AND WHEREAS Appeal Committee, therefore, decided to confirm the refusal order dated 15.06.2016 issued by WRC Bhopal. As per clause 7(1) of the NCTE Regulation, 2014 if an application is not complete or requisite documents are not attached, the application shall be rejected and application fee forfeited. The appeal made by appellant to return fee of one lakh and fifty thousand is not acceptable in view of clause 7(1) of NCTE Regulations, 2014.

AND WHEREAS on perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the refusal order dated 15.06.2016 with forfeiture of application fee.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records, the Committee concluded that the WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected with forfeiture of application fee and the order of the WRC is confirmed.

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

(Sanjay Awasthi)
Member Secretary

1. The Appellant, PNS Memorial College, Near Old Panchayat Bhawan, Rajakhedi Mankonia, Sagar, Madhya Pradesh – 470004.
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.

(6)

F.No.89-522/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Sunrise College of Education, Kundli, Sonepat, Haryana dated 26.08.2016 is against the Order No. NRC/NCTE/NRCAPP-11460/251st (Part-1) Meeting/2016/152084 dated 29/06/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "the institution has not submitted (i) NOC from the affiliating body and (ii) proof/evidence regarding composite institution as per clause 2(b) of NCTE Regulations, 2014."

AND WHEREAS Shri Sandeep Kaushik, Director, Sunrise College of Education, Kundli, Sonepat appeared before Appeal Committee on 28.04.2017 and submitted that "affiliating bodies may develop their own norms and procedures for grant of NOC but primarily they have to give consent for the conduct of examination and for certification."

AND WHEREAS Appeal Committee noted that appellant in its appeal Memoranda has relied on various judgements passed by Hon'ble High Court in favour of the rights of an institution/ individual to opt for opportunities to select and choose a profession of its choice. Appeal Committee further noted that appellant has not been able to differentiate between seeking recommendation of the respective state government and issuing No Objection Certificate by the affiliating bodies. Onus of seeking recommendation from state government lies with the concerned Regional Committee and responsibility to make available the NOC of affiliating body is that of applicant institution. Clause 5(3) of NCTE Regulations 2014 says that printout of online application shall be accompanied by scanned copies of required documents such as NOC issued by concerned affiliating body. Clause 7(1) of the regulation further prescribes that an application which is not complete or requisite documents are not attached with the application, shall be treated as incomplete and rejected.

AND WHEREAS Appeal Committed noted that in the instant case, appellant has not submitted NOC issued by affiliating body for the proposed and applied for programme i.e. B.A.B.Ed/ B.Sc.B.Ed. Appeal Committee, therefore, decided to confirm the refusal order dated 29.06.2016 issued by NRC Jaipur.

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

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

(Sanjay Awasthi)
Member Secretary

1. The President, Sunrise College of Education, Plot No. 17//16/2/2 Street/Road – Nangal Patla Road, Village – Nangal Kalan PO-Kundli, Tehsil-Sonepat, City – TDI City, Kundli Distt. Sonepat – 131023, Haryana.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

(7)

F.No.89-538/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Narendra Singh Rawat (Sunrise Academy Management Society), Dehradun, Uttarakhand dated 30/08/2016 is against the Order No. NRC/NCTE/NRCAPP-10976/251st (Part-I) Meeting- 2016 dated 04/07/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. (Addl.) course on the ground that "the institution has not submitted reply of Show Cause Notice."

AND WHEREAS No one from Narendra Singh Rawat (Sunrise Academy Management Society), Dehradun, Uttarakhand appeared on behalf of the appellant institution on 30/11/2016, 21.02.2017 and 28.04.2017. In the appeal memorandum it is submitted that "Original NOC submitted on 28/05/2015. Receipt No. 105203 dated 29/05/2015. Photocopy of FDR & NOC again submitted on 29/10/2015. Receipt No. 121053 dated 30/10/2015. Photocopy of entire file, NOC & FDR submitted on 07/08/2016 by speed post No. EV562332386IN dated 23/08/2016. The institution has already submitted FDR & NOC."

AND WHEREAS As per extant appeal rules, three opportunities were given to the appellant for making personal presentation before the Appeal Committee. As the appellant failed to appear for making personal presentation of the case, Appeal Committee decided to take up the matter on merits/ exparte.

AND WHEREAS Appeal Committee noted that applicant institution submitted online application dated 28.05.2016 seeking increase in B.Ed. intake by one unit. The applicant alongwith its application submitted NOC dated 26.05.2015 issued by affiliating body. The NOC submitted by the applicant institution was neither on the letterhead of affiliating body nor did it mention the file number or reference number. The Show Cause Notice (SCN) dated 19.10.2015 issued by NRC rather than

mentioning the discrepancies noticed in the NOC only mentioned that NOC issued by affiliating body has not been submitted. The appellant institution did not submit reply to SCN within the stipulated time and submitted copy of NOC to NRC by a letter received in NRC on 25.08.2016.

AND WHEREAS Appeal Committee noted that appellant institution was deprived of the opportunity to explain the exact deficiency noticed in the NOC and SCN dated 19.10.2015 issued to appellant could not have been on the ground of non-submission of NOC as NOC was found available with the printout of application.

AND WHEREAS Appeal Committee, therefore, decided to remand back the case to NRC to re-examine the matter afresh and in case the NOC submitted by applicant is not acceptable, issue a fresh SCN on the exact deficiencies noticed in the said certificate.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC for reconsidering the matter.

NOW THEREFORE, the Council hereby remands back the case of Narendra Singh Rawat (Sunrise Academy Management Society), Dehradun, Uttarakhand to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President, Narendra Singh Rawat (Sunrise Academy Management Society), 296 (MIN) 298 (MIN) 299 (MIN), NA, Opp. Deal, Dehradun, Uttarakhand – 248001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttarakhand, Dehradun.

(8)

F.No.89-544/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Prabharani B.Ed. College (Additional D.El.Ed. Course), Berhampore, Murshidabad, West Bengal dated 31/08/2016 is against the Order No. ERC/214.8.48/ERCAPP2881/D.El.Ed./2016/47784 dated 04/07/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show cause notice was issued on 10/02/2016 on the following grounds: (i) As per submitted building plan, the built-up area is 23033.56 sq. ft. which is less that the required 3500 SQM for B.Ed. (two unit existing) + D.El.Ed. (one unit proposed) programmes. b. The institution vide reply dated 26/02/2016 submitted fresh building plan which is not signed by any Govt. Engineer. In view of the above, the Committee is of the opinion that application bearing code no. ERCAPP2881 of the institution regarding permission for D.El.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Smt. Madhumita, President and Shri Sujit Maih, Employee, Prabharani B.Ed. College (Additional D.El.Ed. Course), Berhampore, Murshidabad, West Bengal appeared on behalf of the appellant institution on 28.04.2017. in oral submission as well as in the appeal memoranda it is submitted that "ERC, NCTE has not verified built up area accurately. We sent two building plan sheets in original but they have found one and ignored the second which is not justified they have also mentioned the built-up area 23033.56 SQM in the show cause notice dated 10/02/2016 which is not actual but actually it will be 3610.372 SQM. We submitted fresh building plan on 26/02/2016 duly signed by Panchayet Pradhan and Panchayet Engineer which means authenticated by Govt. Authority."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 10.02.2016 was issued to applicant institution on the ground that 'as per submitted building plan, the built up area is 23033 Sq. mts. which is less than the required 3500 Sq. mts. for B.Ed. (2 Units existing) + D.El.Ed. (One unit proposed) programme. The applicant replied to above SCN vide letter dated 26.02.2016 and stated that it had annexed two building plan one of which might not have been seen by ERC. The appellant enclosed with its reply another consolidated building plan containing built up area of 2139 Sq. mts. and 1470 Sq. mts respectively in two blocks. Committee further noted that ERC issued impugned order dated 04.07.2016 on the ground that submitted building plan was not signed by any Govt. Engineer. Appeal Committee noted that ERC did not raise this objection while issuing SCN dated 10.02.2016 and as such appellant institution was deprived of opportunity to explain this point.

AND WHEREAS appellant during the course of Appeal presentation on 28.04.2017 submitted before the Appeal Committee copy of a consolidated building plan in respect of Building 'A' and Building 'B' which is signed and approved by Assistant Engineer, Murshidabad Sub Divn. No. III, PW Directorate, Govt. of West Bengal. Appeal Committee noted that had an opportunity been given to applicant to get the building plan signed by Govt. Engineer, it would have complied with the directions reasonable opportunity should be given to the applicant to rectify the deficiency by seeking approval of Govt. Engineer within 15 days of the receipt of appeal orders.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to ERC for further processing of the application. The appellant is required to submit copy of building plan approved by government engineer to ERC within 15 days of the receipt of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Prabharani B.Ed. College (Additional D.El.Ed. Course), Berhampore, Murshidabad, West Bengal to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. **The Secretary/Appellant, Prabharani B.Ed. College (Additional D.El.Ed. Course), 416, 425, 885, Own land, Banjetia, Berhampore, Murshidabad, West Bengal – 742102.**
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.

(9)

F.No.89-552/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Royal College of Education, Krishnagiri, Dharmapuri, Tamil Nadu dated 28/07/2016 is against the Order No. SRO/NCTE/SRCAPP2548/M.Ed./TN/2016-17/76970 dated 26/10/2015 of the Southern Regional Committee, summarily rejecting their application for grant of recognition for conducting M.Ed. course on the ground that"the institution has submitted land documents in individual name."

AND WHEREAS Royal College of Education, Krishnagiri, Dharmapuri, Tamil Nadu was asked to present the case of the appellant institution on 01/12/2016, 21.02.2017 and 28.04.2017 but nobody from that institution appeared. As no one appeared on behalf of appellant institution on all three occasions, Appeal Committee decided to take up the matter on merits/ exparte.

AND WHEREAS Appeal Committee noted that appellant institution first submitted an appeal which was received in the office of NCTE on 14.12.2015. As it was not an online appeal, it was returned to appellant institution on 04.02.2016. Online Appeal was made by appellant on 28.07.2015. Submission of online appeal was delayed by more than 7 months and should not have been admitted. But keeping in view the justification given for delay, Appeal Committee decided to admit the appeal for consideration on merits.

AND WHEREAS Appeal Committee noted that application dated 28.05.2015 seeking recognition for M.Ed. programme was rejected by SRC by issuing impugned order dated 26.10.2015 on the ground that "Institution has submitted land documents in individual name". Committee further noted that appellant institution had submitted copy of sale deed documents. Page 6 of the sale deed documents clearly state that 'whereas purchasers herein as Trustees of Sydhans Educational

Trust have approached the vendors to purchase the scheduled property for running their Teacher Training Institution by name and style 'Royal Teacher Training Institution'. Appeal Committee therefore, does not find any justification in rejecting of the application by SRC on the ground mentioned in the impugned order dated 26.10.2015. Moreover, rejection on the said ground without giving an opportunity to submit written representation was unjustified and not warranted.

AND WHEREAS Appeal Committee decided to remand back the case to SRC for processing the application further by keeping more important facts in view which relate to standalone status and non-existence of B.Ed. programme in the applicant institution as per details filled in the application Performa.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to SRC for further processing of the applications.

NOW THEREFORE, the Council hereby remands back the case of Royal College of Education, Krishnagiri, Dharmapuri, Tamil Nadu to the SRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Royal College of Education, 222, 223/1, own Land, Kattinayanapalli, Krishnagiri, Dharmapuri, Tamil Nadu – 635001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu, Chennai.

(11)

F.No.89-574/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of S M West Point B.Ed. and D.El.Ed. Institution, Jangipara, Hooghly, West Bengal dated 10.09.2016 is against the Order No. ER/7-214.8.82/ERCAPP/(B.Ed.)/2016/47987 dated 13.07.2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "a Show cause notice was issued on 09/02/2016 on the following grounds:(i) Building plan duly approved by Govt. Civil Authority mentioning plot no. khasra no., total land area and total built up area etc. not submitted.(ii) NOC vide No. Nil dated 19/06/2015 issued by Dr. D. Mondal, Joint Registrar University of Burdwan "putting signature for Registrar/Director" in the letter head of Department of Inspector of Colleges. In response to show cause notice, the institution submitted its reply dated 08/04/2016 along with a building plan which is not approved by any Govt. Engineer and total land area is not mentioned. In view of the above, the Committee decided that application bearing code No. ERCAPP3416 of the institution regarding recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Shri Pradip Maity, Representative, S M West Point B.Ed. and D.El.Ed. Institution, Jangipara, Hooghly, West Bengal appeared on behalf of the appellant institution on 28.04.2017. In the appeal and during personal presentation it was submitted that "All matters relating to land and requirement from District Offices was left on the Civil Engineer concerned as we are unaware of the Engineering requirements. We did not know about the vetting requirements and nor we were told by our Engineer. Though we were given a show cause notice by NCTE, ERC office but the time of 21 days within which we were supposed to submit the corrected documents was not sufficient and we failed to deposit the said documents

in the required time. We had submitted the application letter to the concerned person in University of Burdwan for NOC. The said issue has been informed to the University of Burdwan and they have confirmed that the required document will be handed over in next few days."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 09.02.2016 was issued to appellant institution on following two grounds:

i. Building Plan is not approved by Govt. Civil authority mentioning plot number, Khasra No. total land area and total built up area etc.
ii. NOC dated 19.06.2015 is signed by Joint Registrar on the letter head of inspector of College.

AND WHEREAS Appeal Committee noted that in reply to SCN dated 09.02.2016 the appellant submitted reply dated 08.04.2016 enclosing therewith copy of its earlier NOC countersigned by Registrar, University of Burdwan. So far as Building plan in concerned, appellant submitted building plan giving details of Khasra Number, Plot Number proposed built up area etc. but the plan was not approved by competent Civil Authority. The appellant institution got the building plan signed by a licensed/ registered engineer of Zila Parishad who cannot be termed as a competent government authority. During the course of appeal presentation on 28.04.2017 appellant submitted copy of same building plan which is not approved by any government authority. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 13.07.2017 issued by ERC for reason of appellant's failure to submit building plan approved by competent government authority.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, SM West Point B.Ed. and D.El.Ed. Institution, Plot No. 453, 458, 460, 461, Street No.1, Vill.-Gabtala, PO-Kulakash, Tehsil/Taluka-Jangipara, Town/City-Jangipara, Dist. – Hooghly, West Bengal – 712404.
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.

(12)

F.No.89-575/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of S M West Point B.Ed. and D.El.Ed. Institution, Jangipara, Hooghly, West Bengal dated 14.09.2016 is against the Order No. ERC/214.8.81/ERCAPP3435/D.El.Ed./2016/47912dated 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 10/02/2016 on the following grounds: (i) Building plan duly approved by Govt. Civil Authority mentioning plot no. khasra no., total land area and total built up area etc. not submitted. b. In response to show cause notice, the institution submitted its reply dated 08/04/2016 along with a building plan which is not approved by any Govt. Engineer and total land area is not mentioned. In view of the above, the Committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3435 of the institution regarding recognition for D.El.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Shri Pradip Maity, Representative, S M West Point B.Ed. and D.El.Ed. Institution, Jangipara, Hooghly, West Bengal appeared on behalf of the appellant institution on 28.04.2017. In the appeal and during personal presentation it was submitted that "All matters relating to land and requirement from District Offices was left on the Civil Engineer concerned as we are unaware of the Engineering requirements. We did not know about the vetting requirements and nor we were told by our Engineer. Though we were given a show cause notice by NCTE, ERC office but the time of 21 days within which we were supposed to submit the corrected documents was not sufficient and we failed to deposit the said documents in the required time. We had submitted the application letter to the concerned person in University of Burdwan for NOC. The said issue has been informed to the University of Burdwan and they have confirmed that the required document will be handed over in next few days."

AND WHEREAS Appeal Committee noted that building plan submitted by appellant in response to Show Cause Notice (SCN) dated 10.02.2016 and also during the course of appeal presentation on 28.04.2017 is not approved by government civil authority. Appeal Committee therefore, decided to confirm the impugned refusal order dated 09.07.2016 issued by ERC Bhubaneshwar.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, SM West Point B.Ed. and D.El.Ed. Institution, Plot No. 453, 458, 460, 461, Street No.1, Vill.-Gabtala, PO-Kulakash, Tehsil/Taluka-Jangipara, Town/City-Jangipara, Dist. – Hooghly, West Bengal – 712404.
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.89-576/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Venkateshwar Vidyapeeth, Solan, Himachal Pradesh dated 14/09/2016 is against the Order No. NRC/NCTE/NRCAPP-395/Emergency Meeting/2016/152542 dated 04/07/2016 of the Northern. Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that"The institution has not replied to the show cause notice dt. 20/12/2013 regarding faculty for the existing B.Ed. programme and their salary details."

AND WHEREAS Sh. Bharat Arora, President and Ms. Jyoti, Member, Venkateshwar Vidyapeeth, Solan, Himachal Pradesh presented the case of the appellant institution on 22/02/2017. In the appeal and during personal presentation it was submitted that "As before getting show cause notice dated 20/12/2013 regarding faculty for the existing B.Ed. programme we had already applied in University to conduct interview on 13/12/2013 but University delayed the matter. Then we again applied for same on 14/03/2014 but because of transfer of CDC Dean they did not consider our letter. Then finally on 20/02/2016 our interviews were conducted for the approval of staff against our letter dated 27/05/2015. As per salary record it is already submitted."

AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted on 05.10.2013 and based on the observations recorded in the V.T. report a Show Cause Notice (SCN) dated 20.12.2013 was issued. Whereas reply to SCN was required to be submitted within 30 days, the appellant institution did not furnish any reply. During the course of appeal presentation, the appellant orally stated that reply to S.C.N. was sent and given an opportunity documentary evidence to this effect will be submitted. Appeal Committee decided to grant opportunity to the appellant to submit before the Committee evidence in support of having sent a reply to S.C.N.

AND WHEREAS appellant appeared before the Appeal Committee on 28.04.2017 and submitted copy of letter dated 15.01.2014 which was sent to NRC Jaipur in reply to SCN dated 20.12.2013. The appellant also submitted copy of letter dated 18.03.2015 which was with reference to another Show Cause Notice issued on 21.03.2015 to appellant institution through file no. NRC APP-9220/225th Meeting/88055. The appellant submitted copies of courier receipts as evidence of having sent replies to Show Cause Notice.

AND WHEREAS Appeal Committee decided to remand back the case to NRC for examining the replies sent to NRC by the appellant vide letters dated 15.01.2014 and 18.03.2015. Appellant institution is required to submit to NRC copies of replies dated 15.01.2014 and 18.03.2015 alongwith necessary evidence of having sent these communications to NRC. Relevant documents should be submitted to NRC within 15 days of the issue of Appeal orders.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC for considering the replies dated 15.01.2014 and 18.03.2015 copies of which are required to be submitted by appellant institution to NRC Jaipur within 15 days of the issue of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Venkateshwar Vidyapeeth, Solan, Himachal Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President, Venkateshwar Vidyapeeth, Plot No.5, Street/Road – Sultanpur, Vill. – Dhillon Sultanpur Road, Kumarhatti Solan, Himachal Pradesh – 173229.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Himachal Pradesh, Shimla.

(14)

F.No.89-580/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Shri Datta Shikshan Prasarak Mandal, Panutre, Kolhapur, Maharashtra dated 11.09.2016 is against the Order No. WRC/APW02743/123337/B.Ed./255th/2016/170797dated 13/07/2016 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds tha t "a letter dt. 24/03/2016 was issued to obtain clarification. Vide letter dt. 02/05/2016 and 12/05/2016, the applicant has submitted two staff profiles. An examination of the staff profile shows the following two lacunae: The staff profiles are not approved by the affiliating body; The staff members shown at serial no.5 – Mr. Satish Vishnu Chandane, and serial no.6 Ms. VaishaliJaishingPatil have less than 55% in PG subject. The applicant has not fulfilled the requirements, in spite of adequate opportunity. Hence, Recognition is refused."

AND WHEREAS Shri. Nimbalkar Ramroa Tukaram, representative and Shri Vittal Shankar Patil, president, Shri Datta Shikshan Prasarak Mandal, Panutre, Kolhapur, Maharashtra presented the case of the appellant institution on 22/02/2017. In the appeal and during personal presentation it was submitted that "Staff profile of B.Ed. college is submitted in Shivaji University, Kolhapur but University has refused proposal so our institute has filed a writ petition in Hon'ble High Court of Bombay. Our institute can appoint two new Teachers with specified qualifications." In the course of presentation the appellant gave a letter dated 02.12.2016 in which it is submitted that the institute applied to Shivaji University, Kolhapur for counter signature on the staff profile but they refused the proposal due to perspective plan and that they have filed a Writ Petition No. 4925/2016 in the Hon'ble High Court of Bombay. The appellant requested that they may be given time of six months (up to May, 2017) for submitting of staff profile with the countersignature of the University."

AND WHEREAS Appeal Committee, noting the submissions made by the appellant, decided to give the appellant another opportunity i.e. the second opportunity to present their case. Appeal Notice dated 13.02.2017 was issued to appellant institution for the hearing scheduled on 22.02.2017 (10.30 am). The appellant neither appeared before the Appeal Committee nor any information was received from him.

AND WHEREAS Appeal Committee decided to grant another (third and final) opportunity to the appellant institution for submitting required information i.e. staff profile duly approved by the affiliating university. The appellant appeared before Appeal Committee on 28.04.2017 but could not submit any evidence to prove that list of faculty has been approved by the affiliating body. Appellant made a written request dated 26.04.2017 to hold the appeal proceedings as and when the affiliating University grants permissions to B.Ed. College or orders of Hon'ble High court are issued in this regard. Appeal Committee decided that appeal cannot be kept pending indefinitely unless the Hon'ble Court put it on hold. The appellant's case filed in the High court of Judicature at Bombay (WP no. 11342/2016) is against the state of Maharashtra and NCTE is not a party in the case. Appeal Committee has already allowed two adjournments to enable the appellant institution submit court verdict if any in the case. More than 18 months have passed after issue of LOI and it cannot be left open to appellant institution to complete necessary formalities such as selection and appointment of faculty with the approval of affiliating body. Appeal Committee therefore, decided to confirm the impugned refusal order dated 13.07.2016.

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

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

(Sanjay Awasthi)
Member Secretary

1. The President, Shri Datta Shikshan Prasarak Mandal Panutre, Kale. Tal-Panhala, Dist.-Kolhapur, Maharashtra – 416205.
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 Maharashtra, Mumbai.

(15)

F.No.89-592/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Jagadish Chandra Basu Sikshak Sikshan Mahavidyalaya, South 24 Parganas, West Bengal dated 16.09.2016 is against the Order No. ER/7-214.8.78/(ERCAPP1665)/(D.El.Ed.)/2016/48325dated 21/07/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "a. Show cause notice was issued on 16/11/2015 on the following grounds: (i) Inspection letter to the institution as well as VT experts issued on 11/06/2015. (ii) In response to the inspection letter the institution made its request vide letter dated 18/06/2015 to extend the time for inspection of the institution as the building is under construction. (iii) The Committee in its 191st meeting considered the request of the institution and allowed 30 days more time. Time extension letter was issued 27/07/2015. (iv) No reply received from the institution in response to time extension letter till date. In view of the above, the Committee is of the opinion that application bearing code No. ERCAPP1665 of the institution regarding recognition for D.El.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS No one from Jagadish Chandra Basu Sikshak Sikshan Mahavidyalaya, South 24 Parganas, West Bengal appeared on behalf of the appellant institution on 03/12.2016, 22/02/2017 and 28.04.2017. In the Appeal Memoranda, it is submitted that "Institution has neither received ERC, letter dated 27/07/2015 nor received show cause notice issued by ERC, on 16/11/2015. Since the submission of application bearing code No. ERCAPP1665 of the institution, the institution has submitted all the necessary documents."

AND WHEREAS as per extant appeal rules, three opportunities were given to the appellant to appear before the Committee for making a personal presentation. As the appellant did not appear before the Appeal Committee it was decided by the Committee to take up the appeal on merits/exparte.

AND WHEREAS Appeal Committee noted that appellant institution was issued a letter dated 11.06.2015 intimating that inspection of the institution will be conducted within 20 days from the date of communication. The applicant institution wrote back to ERC stating that construction of college building is under process and it requires some more time to complete construction. ERC, in response, granted extension of 30 days time vide its letter dated 27.07.2015. ERC subsequently issued a Show Cause Notice (SCN) dated 16.11.2015 to the appellant institution on grounds of having not responded to the letter dated 27.07.2015. The appellant institution was required to submit reply to SCN within 21 days. No reply to SCN was received by ERC.

AND WHEREAS after issue of the impugned refusal order dated 21.07.2016, appellant institution submitted a letter dated 12.08.2016 stating that the institution neither received the letter dated 27.07.2015 nor did they receive the SCN dated 16.11.2015. Appeal Committee noted that appellant institution had submitted online application seeking recognition for D.El.Ed. programme on 29.12.2012. Appellant's seeking extension of time for completing construction in 2015, therefore, does not seem justified. Having requested ERC vide letter dated 18.06.2015 for extension of time to complete construction, it was the duty of applicant to have confirmed it from time to time whether extension has been granted or not and if extension is given by which time the appellant should be ready for inspection. The appellant did not address any communication to ERC. The appellant also failed to appear before Appeal Committee on all three opportunities given to him. In these circumstances, Committee does not find any merit in the grounds of appeal and decided to confirm the impugned refusal order dated 21.07.2016 issued by ERC Bhubaneshwar.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Jagadish Chandra Basu Sikshak Sikshan Mahavidyalaya, 1381, 10168, 571, 572, 573, Kolkata, South 24 Parganas, West Bengal – 700150.
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.89-781/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of A and E Institute of Teachers Training, Baluahi, Mohiuddin Nagar, Hajipur, Vaishali, Bihar dated 23/11/2016 is against the Order No. ERC/225.8.10/8958/B.Ed./2016/50136 dated 29.11.2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "1. SCN was issued on 22/10/2016 on the following grounds: i.e. The applicant has submitted demand draft of Rs. 1.50 lacs towards processing fee. As per 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. 2. In response to SCN, the institution submitted reply dt. 03/11/2016 with a request to consider the D.D. of Rs. 1.50 lacs as processing fee and process the application as per rules. The ERC considered the representation of the institution and found that the institution is still deficient on the following grounds: i. The applicant has submitted Demand Draft of Rs. 1.50 lacs towards processing fee. As per the online NCTE portal, payment through online only is accepted. ii. As per the print out copy of the online application it is observed that application number is not available. iii. The application has not appeared on the dashboard of the online NCTE portal due to which online process cannot be carried out. In view of the above, the committee decided as under: The committee is of the opinion that application bearing ID No. 8958 of the institution regarding recognition for B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Shri Ashok Kumar, Chairman and Ms. Ejya Yadav, Secretary A and E Institute of Teachers Training, Baluahi, Mohiuddin Nagar, Hajipur, Vaishali, Bihar appear before the Appeal Committee on 28.04.2017. In the Appeal memoranda, it is submitted that "The demand draft issued on 25/05/2016 was submitted on 28/05/2016 along with the application. There is no deliberate and

willful delay, on the part of the applicant. It is relevant to mention that the institution is located in a very remote area and the server was down and not functioning properly. Money was forwarded through demand draft keeping in view Clause 6(ii) of NCTE Regulation 2014. The applicant has submitted his application."

AND WHEREAS Appeal Committee noted that applications made by A & E institution of Teacher Training, Samstipur, Bihar for seeking recognition of B.Ed. programme was refused by ERC Bhubaneshwar on following grounds:

i. As per NCTE portal, payment of processing fee through online is acceptable.
ii. Application Number is not available on printout of copy of application
iii. Application has not appeared on the dashboard of the NCTE portal.

AND WHEREAS Appeal Committee noted that unlike previous years, payment of processing fee for applications invited during the year 2016 was necessarily to be made through Net Banking/ Credit/ Debit Card. The process of submitting online application envisaged following steps:

Confirmation of Submission on Application and Payment:

Your application for recognition will be confirmed online. After you completely fill the Online Application Form & make payment of processing fee successfully. Further, the system will issue you a unique Transaction ID for future reference. We accept processing fee only through Online Payment on your Credit Card/ Debit Card/Net Banking processed by interlinked Payment Gateway. The Choice of payment mode lies with you. If any one of the mode is not functioning please try the other one available. Processing of Application is subject to realization of payment and the service charges (Including Service Tax) from concerned Bank through the Payment Gateway. You will be responsible for all charges, fees, duties, taxes and assessments arising out of your use of after pressing the "Pay" button, if the "Payment Processing Confirmation Page" is not displayed on your monitor due to power failure or internet link failure, you are also advised to check your e-mail or contact NCTE, at mail@ncte-india.org or contact us between 9.30 a.m. to 5.30 p.m. Monday to Friday at 011-23370151.

AND WHEREAS applicant in its reply dated 03.11.2016 to Show Cause Notice (SCN) dated 22.10.2016 has misquoted the instructions for filling up the application form which were in vogue up to the year 2015. Appeal Committee observed that print out of the application form submitted by appellant institution shows Application I.D. 8958 but it does not reflect the Application number which is generated by the system only when final submission of the application is made after payment of processing fee. As the appellant did not make payment of processing fee through admissible mode, the application did not appear on the dashboard of NCTE portal and hence was rejected by ERC Bhubaneshwar.

AND WHEREAS Appeal Committee, noted that payment of processing fee by the applicant institution was not made through permissible mode and the transaction done through demand draft was not an acceptable mode as per guidelines for making online application for the year 2016. Committee, therefore, decided to confirm the impugned refusal order dated 29.11.2016.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Appellant, A and E Institute of Teachers Training, Baluahi, Mohiuddin Nagar, Permanent Address – SDO Road, Hajipur, Vaishali, Bihar – 844101.
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.

(17)

F.No.89-782/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of A and E Institute of Teachers Training, Baluahi, Mohiuddin Nagar, Hajipur, Vaishali, Bihar dated 23/11/2016 is against the Order No. ERC/225.8.10/8958/D.El.Ed./2016/50136 dated 29.11.2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "1. SCN was issued on 22/10/2016 on the following grounds: i.e. The applicant has submitted demand draft of Rs. 1.50 lacs towards processing fee. As per 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. 2. In response to SCN, the institution submitted reply dt. 03/11/2016 with a request to consider the D.D. of Rs. 1.50 lacs as processing fee and process the application as per rules. The ERC considered the representation of the institution and found that the institution is still deficient on the following grounds: i. The applicant has submitted Demand Draft of Rs. 1.50 lacs towards processing fee. As per the online NCTE portal, payment through online only is accepted. ii. As per the print out copy of the online application it is observed that application number is not available. iii. The application has not appeared on the dashboard of the online NCTE portal due to which online process cannot be carried out. In view of the above, the committee decided as under: The committee is of the opinion that application bearing ID No. 8958 of the institution regarding recognition for D.El.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS Shri Ashok Kumar, Chairman and Ms. Ejya Yadav, Secretary A and E Institute of Teachers Training, Baluahi, Mohiuddin Nagar, Hajipur, Vaishali, Bihar appread before the Appeal Committee on 28.04.2017. In the Appeal memoranda, it is submitted that "The demand draft issued on 25/05/2016 was submitted on 28/05/2016 along with the application. There is no deliberate and willful

delay, on the part of the applicant. It is relevant to mention that the institution is located in a very remote area and the server was down and not functioning properly. Money was forwarded through demand draft keeping in view Clause 6(ii) of NCTE Regulation 2014. The applicant has submitted his application."

AND WHEREAS Appeal Committee noted that applications made by A & E institution of Teacher Training, Samstipur, Bihar for seeking recognition of D.El.Ed. programme was refused by ERC Bhubaneshwar on following grounds:

i. As per NCTE portal, payment of processing fee through online is acceptable.
ii. Application Number is not available on printout of copy of application
iii. Application has not appeared on the dashboard of the NCTE portal.

AND WHEREAS Appeal Committee noted that unlike previous years, payment of processing fee for applications invited during the year 2016 was necessarily to be made through Net Banking/ Credit/ Debit Card. The process of submitting online application envisaged following steps:

Confirmation of Submission on Application and Payment:

Your application for recognition will be confirmed online. After you completely fill the Online Application Form & make payment of processing fee successfully. Further, the system will issued you a unique Transaction ID for future reference. We accept processing fee only through Online Payment on your Credit Card/ Debit Card/Net Banking processed by interlinked Payment Gateway. The Choice of payment mode lies with you. If any one of the mode is not functioning please try the other one available. Processing of Application is subject to realization of payment and the service charges (Including Service Tax) from concerned Bank through the Payment Gateway. You will be responsible for all charges, fees, duties, taxes and assessments arising out of your use of after pressing the "Pay" button, if the "Payment Processing Confirmation Page" is not displayed on your monitor due to power failure or internet link failure, you are also advised to check your e-mail or contact NCTE, at mail@ncte-india.org or contact us between 9.30 a.m. to 5.30 p.m. Monday to Friday at 011-23370151.

AND WHEREAS applicant in its reply dated 03.11.2016 to Show Cause Notice (SCN) dated 22.10.2016 has misquoted the instructions for filling up the application form which were in vogue up to the year 2015. Appeal Committee observed that print out of the application form submitted by appellant institution shows Application I.D. 8958 but it does not reflect the Application number which is generated by the system only when final submission of the application is made after payment of processing fee. As the appellant did not make payment of processing fee through admissible mode, the application did not appear on the dashboard of NCTE portal and hence was rejected by ERC Bhubaneshwar.

AND WHEREAS Appeal Committee, noted that payment of processing fee by the applicant institution was not made through permissible mode and the transaction done through demand draft was not an acceptable mode as per guidelines for making online application for the year 2016. Committee, therefore, decided to confirm the impugned refusal order dated 29.11.2016.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, concluded to confirm the refusal order dated 29.10.2016 issued by ERC Bhubaneshwar.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Appellant, A and E Institute of Teachers Training, Baluahi, Mohiuddin Nagar, Permanent Address – SDO Road, Hajipur, Vaishali, Bihar – 844101.
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.

(18)

F.No.89-707/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/8/17

ORDER

WHEREAS the appeal of Haji Mazharuddin Mahavidhyalaya, Gursahaiganj, Kannauj, Uttar Pradesh dated 19.10.2016 is against the Order No. NRC/NCTE/NRCAPP-14396/256th (Part-2)/Meeting/2016/157160 dated 02.09.2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "NRC considered the reply of the institution dt. 27/07/2016 and found that the VT report indicated that the total built-up area in the possession of the institution is 2384 sq. mts. only which is not sufficient for the B.Ed. course being already run by the institution and the proposed D.El.Ed. course."

AND WHEREAS Dr. Ashish, Member and Shri Tahseen Seddqu , Staff Haji Mazharuddin Mahavidhyalaya, Gursahaiganj, Kannauj, Uttar Pradesh presented the case of appellant institution on 28.04.2017. In the appeal memoranda and oral submission, it is stated that "The institution is running B.A., B.Sc. and B.Ed. programmes. Building at 'B' block is exclusively constructed for D.El.Ed. programme. Earmarked land and built up area for proposed programme is 3640 Sq. mts and 2384 Sq. mts respectively and at present B.Ed. programme is not being conducted."

AND WHEREAS Appeal Committee noted that there is no mention of Block 'A' and Block 'B' in the building plan and BCCs submitted by appellant. Appeal Committee noted that applicant institution submitted a Building Completion Certificate (BCC) certified by Pradhan, Gram Panchayat which indicated land area of 3640 Sq. mts and built up area of 3870 Sq. mts. This BCC was submitted along with printout of the application for D.El.Ed. programme. Signatures of Nagar Niyojan Abhiyanta on this BCC is entirely different form the signature of same person on subsequent documents. Appeal Committee further noted that in another BCC which was submitted to Visiting Team, the built up area is shown as 2384 Sq. mts. and the columns relating to roofing details on ground plus other floors is left blank whereas in the earlier BCC it was mentioned that roofing (BCC) area is 1282 on Ground floor and 1101 on first floor. There are certain noticeable overwritings in the V.T. report (p.

20) and efforts have been made to change the built up area. The Visiting Team had noticed that graduation classes and B.Ed. programme is being conducted in the same campus but no mention has been made of different block for D.El.Ed. as stated by the appellant. Appeal Committee further observed that another BCC submitted by the appellant in reply to Show Cause Notice mentions the built up area of 3096 Sq. mts.

AND WHEREAS Appeal Committee noted that built up area mentioned in the building completion certificates submitted by appellant institution has varied from BCC to BCC and as such sanctity of these BCCs cannot be relied upon. The Visiting Team, nowhere in its report made a mention of Block 'B'. Appeal Committee therefore, decided to go by the observation of VT that total built up area available with the appellant institution is 2384 Sq. mts. which is not considered adequate for existing B.Ed. and proposed D.El.Ed. programme leaving apart the graduation classes.

AND WHEREAS Appeal Committee, therefore, decided to confirm the impugned refusal order dated 02.09.2016 issued by NRC

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

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, Haji Mazhiruddin Mahavidhyalaya, 1930 K, Sale Deed, Dundwa Bujurg, Gursahaiganj, Kannauj, Uttar Pradesh – 209722.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(19)

F.No.89-709/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Shri. R.N. Yadav Mahavidyalaya, Barnahal, Mainpuri, Agra, U.P. dated 26.10.2016 is against the Order No. NRC/NCTE/NRCAPP-13341/255th Meeting/2016/155820 dated 19.08.2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution was given show cause notice dated 03.06.2016 with directions to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Shri Ajay Yadav and Shri Dinesh Singh, Representative of Shri. R.N. Yadav Mahavidyalaya, Barnahal, Manipuri, Agra, U.P. presented the case of appellant institution on 28.04.2017. In the appeal and during personal presentation it was stated that "institution has not received any Show Cause Notice and rejection letter. Thus institution has not submitted any reply."

AND WHEREAS Appeal Committee noted that NRC Jaipur informed the appellant institution that it is proposed to conduct inspection of the institution between 17.01.2016 to 31.01.2016. The Visiting Team sent a note dated 25.01.2016 to NRC stating that since the institution not prepared for inspection, inspection was not got conducted. The above note was also signed by Sh. Rajit Yadav on behalf of appellant institution.

AND WHEREAS a Show Cause Notice (SCN) dated 03.06.2016 was issued to appellant institution on ground of its refusal to get inspected by the Visiting Team. As no reply to SCN was given, the impugned refusal order dated 19.08.2016 was issued.

AND WHEREAS appellant denied having received that SCN dated 03.06.2016 and refusal order dated 19.08.2016. From the regulatory file, Appeal Committee noted that SCN and refusal order issued by NRC have not been received back as 'undelivered' by the postal authorities. It is therefore, presumed that these letters were delivered to the appellant. Moreover, appellant institution has not addressed any communication to NRC Jaipur after it had refused inspection on 25.01.2016. The appellant has also not made efforts to know the status of its applications knowing well that as per NCTE Regulations, inspection of the institution is not subject to the consent of institution. Appeal Committee, therefore, decided to confirm the refusal order dated 19.08.2016 issued by NRC Jaipur.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Principal, Shri R N Yadav Mahavidyalaya, 625, 626, 627, 628, Ekahara, Barnahal, Mainpuri, Agra, Uttar Pradesh – 205261.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(21)

F.No.89-712/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Sanjay Gandhi College of Education, Jogner, Agra, Uttar Pradesh dated 26.10.2016 is against the Order No. NRC/NCTE/NRCAPP-15000/255th Meeting/2016/156221 dated 23/08/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution was given show cause notice vide letter dt. 27/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

AND WHEREAS Shri Jitender Lavania and Shri Sanjay Lavania, Representative Sanjay Gandhi College of Education, Jogner, Agra, Uttar Pradesh appeared before Appeal Committee on 28/04/2017 in the appeal and during personal presentation it was submitted that "The Institution has not received any Show Cause Notice."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 27.06.2016 was issued to the appellant institution on following three points:

i. Evidence of being a composite institution not submitted.
ii. Non-submission of certificate copy of land documents
iii. Non-submission of notarised copy of CLU.

The appellant institution was required to submit reply of SCN within a period of 30 days.

AND WHEREAS Appeal Committee noted that impugned refusal order dated 23.08.2016 is on the ground that appellant institution did not submit reply to SCN. Appeal Committee noted the submission made by appellant. Appellant has been able to submit certified copy of land documents which were earlier submitted to NRC along with printout of application. The copy of CLU was submitted by the appellant but it

was not originally notarised. The affiliating letter issued by Dr. Bhimrao Ambedkar University, Agra has been submitted by appellant as evidence of being a composite institution. Appeal Committee, considering the submission made by appellant that SCN was not received by them, decided to set aside the impugned refusal order dated 23.08.2016 and remand back the case to NRC for reissue of SCN. Appellant institution is required to submit reply to SCN to NRC Jaipur.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC for reissue of SCN dated 27.06.2016.

NOW THEREFORE, the Council hereby remands back the case of Sanjay Gandhi College of Education, Jogner, Agra, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Sanjay Gandhi College of Education, Jheetpura, Jagner, Agra, Uttar Pradesh – 283115.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(22)

F.No.89-724/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

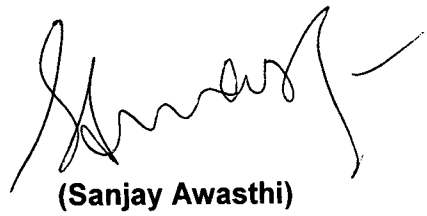
WHEREAS the appeal of Sri Babban Singh Shikasak Prashikshan Mahavidyalaya, Deoria, Uttar Pradesh dated 28.10.2016 is against the Order No. NRC/NCTE/NRCAPP-2344/248th (Part-12) Meeting/2016/159184 dated 27/09/2016 of the Northern Regional Committee, rejecting their application for grant of recognition for conducting D.El.Ed. course on the grounds that the institution has not submitted reply of show cause notice dated 29/07/2015.

AND WHEREAS Shri Bhanu Partap Singh, Representative Dr. Tejpal Singh, President, Sri Babban Singh Shikasak Prashikshan Mahavidyalaya, Deoria, Uttar Pradesh presented the case of the appellant institution on 28/04/2017. In the appeal and during personal presentation it was submitted that the institution has submitted the reply of SCN dated 25/08/2015 via speed post to the office of NRC, NCTE, Jaipur and enclosed a copy of that letter."

AND WHEREAS Appeal Committee noted that the impugned refusal order dated 27.09.2016 is on the ground that appellant institution did not submit reply to Show Cause Notice (SCN) dated 29.07.2015. The appellant during the course of appeal presentation on 28.04.2017 submitted that reply to SCN was sent on 25.08.2015 through speed post. The appellant also submitted evidence to prove that above reply was delivered at Rajasthan sectt Post Office, Jaipur on 31.08.2015. Apparently, the appellant cannot be blamed for not sending reply to SCN. Appeal Committee therefore, decided to set aside the impugned order dated 27.09.2016 and NRC should give another opportunity to appellant to resubmit its reply to SCN and consider the case accordingly.

AND WHEREAS on perusal of the memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee

concluded to set aside the impugned refusal order dated 27.09.2016. The appellant institution is required to resubmit to NRC its reply to SCN which should be considered on merits of the case.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Sri Babban Singh Shikasak Prashikshan Mahavidalaya, Plot/Khasra No.-822, Village & Post – Ratasia Kothi, Bhatparrani, Deoria, Uttar Pradesh – 274703.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(23)

F.No.89-738/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Jeet Bahadur Singh Mahavidyalaya, Sultanpur, Uttar Pradesh dated 1.11.2016 is against the Order No. NRC/NCTE/NRCAPP-13169/256th Meeting/2016/157283 dated 02/09/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution has not submitted letter of affiliation for B.A. course issued by the affiliating university. The NOC submitted by the institution can not be accepted as an affiliation letter/order."

AND WHEREAS Sh. K.K. Panday, Member and Dr. Santosh Singh, Member Jeet Bahadur Singh Mahavidyalaya, Sultanpur, Uttar Pradesh appeared before the Appeal Committee on 28/04/2017. In the appeal and during personal presentation it was stated that "After introduction of NCTE Regulation, 2014, this was the first time that requirement of NOC and 'Composite' status was introduced the institution informed NRC that its application for grant of NOC for B.A. (Arts) and proposed affiliation in pending with Dr. Ram Manohar Lohia Awadh University, Sultanpur."

AND WHEREAS Appeal Committee noted that NRC did not accept NOC dated 29.02.2016 as a valid evidence in support of composite status of the institution and issued a Show Cause Notice dated 08/07/2016. Appeal Committee further noted that Dr. Manohar Lohia Awadha University, Faizabad had issued a temporary affiliation to the appellant for conducting B.A.(Arts) programme on 11/09/2016. Considering that process of seeking affiliation was pending in the affiliating university and the appellant has informed the NRC of the progress of the case, Appeal Committee decided to remand back the case to NRC for processing of the application. The appellant institution is required to submit to NRC within 15 days of the issue of Appeal order evidence of having started the BA programme.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC for processing of the application. The appellant institution is required to submit evidence of having stated the BA programme to NRC within 15 days of the issue of Appeal order.

NOW THEREFORE, the Council hereby remands back the case of Jeet Bahadur Singh Mahavidyalaya, Sultanpur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Jeet Bahadur Singh Mahavidyalaya, Ashutosh Bhawan H.No.1370/9L Vivekanand Nagar Bank Colony Near Water Tank Sultanpur, Uttar Pradesh – 228001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(29)

F.No.89-742/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Pt. Tripurari Mishra Adarsh Mahavidyalaya, Rohuwa Mustafabad Azamgarh, Uttar Pradesh dated 30.10.2016 is against the Order No. NRC/NCTE/NRCAPP-15037/256th (Part-2) Meeting/2016/157156 dated 02/09/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Proof/evidence to prove that it is a composite institution as per Clause 2(b) of NCTE Regulations, 2014 has not been submitted."

AND WHEREAS Shri Ravi Kant Tewari, Clerk and Shri Prashant Mishra, Clerk Tripurari Mishra Adarsh Mahavidyalaya, Rohuwa Mustafabad Azamgarh, Uttar Pradesh appeared on behalf of the appellant institution on 28/04/2017. In the appeal and during personal presentation it was submitted that "The institution has submitted NOC for B.A/B.Sc. course issued by affiliating University to prove that it is a composite institution."

AND WHEREAS Appeal Committee noted that submission made by appellant that the appellant institution was granted affiliation vide University's letter dated 02/08/2016 for conducting B.A./B.Sc. course. Copy of the NOC dated 22.06.2016 and affiliating letter dated 02.08/.2016 has been made available to Appeal Committee. Appeal Committee therefore, decided to set aside the refusal order dated 02.09.2016 and remand back the case to NRC for further processing of the application. Appellant institution is required to submit to NRC evidence of having obtained affiliation for the course in the appellant institution within 15 days of the issue of Appeal Orders.

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

remanded to NRC evidence of having obtained affiliation from concerned affiliating body to start graduate course in the appellant institution within 15 days of the issue of Appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Pt. Tripurari Mishra Adarsh Mahavidyalaya, Rohuwa Mustafabad Azamgarh, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Pt. Tripurari Mishra Adarsh Mahavidyalaya, Rohuwa Mustafabad Azamgarh, 568, CHA 610, MI 611 Kha, Sale Deed, Gadaha, Azamgarh, Uttar Pradesh – 276302.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(27)

F.No.89-754/2016 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Pandit Siyaram Sharma College of Education, Bulandshahr, Uttar Pradesh dated 11/11/2016 is against the Order No. NRC/NCTE/APP-12239/258th Meeting/2016/161713-4 dated 02.11.2016 of the Northern Regional Committee, refusing recognition for conducting B.El.Ed. Course on the grounds that "The Show Cause Notice was issued on 11.08.2016 regarding the institution not fulfilling the institutional criteria for B.El.Ed. programme 1.2. The institution's reply that offering more than one unit of D.El.Ed. programme will be considered as multiple teacher education programme is not a satisfactory response. Offering D.El.Ed. programme at the time of application is considered as 'one' programme only and not 'multiple' programmes.

AND WHEREAS Shri. Pramod Kumar Sharma, Principal, Pandit Siyaram Sharma College of Education, Bulandshahr, Uttar Pradesh presented the case of the appellant institution on 25/02/2017. In the appeal and during personal presentation it was submitted that (i) the institution is running D.El.Ed. programme since 2013; (ii) for the session 2016-17 the institution applied for additional intake in D.El.Ed. and for conducting new B.El.Ed. programme; (iii) NRC in their order dated 02.05.2016 granted recognition for additional intake in D.El.Ed.; (iv) the NRC objected that for the proposed B.El.Ed. course, the institution cannot be treated as composite institution; (v) in the FAQ issued by NCTE, it has been mentioned that even a new institution applying for two or more programmes will be considered as a composite institution; (vi) while treating a new institution applying for two new course as a composite institution, denying the same status to an old institution

already running one course and applying for second course is against the principle of natural justice.

AND WHEREAS the Committee noted that according to para 1.2 of the norms and standards for B.El.Ed. programmes contained in Appendix-3 to the NCTE Regulations, 2014, the B.El.Ed. programme shall be offered only in a constituent or affiliated college of a University offering undergraduate studies in liberal arts, humanities, social science, commerce, mathematics and science or a constituent or affiliated college of a University offering multiple teacher education programmes or a University with multi-disciplinary faculty as defined in clause (b) of Regulation 2. The appellant is not a college affiliated to a university conducting undergraduate courses or a constituent college offering multiple teacher education programmes. The D.El.Ed. course being run by the appellant, is not under affiliation to any University.

AND WHEREAS the Committee decided to give the appellant an opportunity i.e. the second opportunity to provide evidence to show that they fulfil the requirements of the Norms and Standards for the applied for programme.

AND WHEREAS Shri Pramod Kumar Sharma, Principal, presented the case of the appellant institution on 29.04.2017 i.e. the second opportunity granted to them. The appellant did not furnish any further evidence to justify that they fulfil the requirements of the Norms and Standards for the applied for B.El.Ed. programme. In view of the position stated in para 3 above, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NCTE confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Chairman, Pandit Siyaram Sharma College of Education, 96, Birouli, Bulandshahr, Uttar Pradesh - 202390.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(29)

F.No.89-122/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Nageena Ramdhyan Shikshak Shiksha Mahavidyalaya, Taranagar, Chhatauni, Sheohar, Bihar dated 22.02.2017 is against the Order No. ERC/230.7.1/APP2861/B.Ed./2017/51279 dated 06/02/2017 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(i) Building is under construction. (ii) As per NCTE Regulations 2014, there is no provision for re-inspection of the under constructed building and; (iii) The demand draft No. 375292 dt. 17/12/2016 of Rs. 1,50,000/- be sent back to the institution.

AND WHEREAS the appellant filed a writ petition no. 2790 of 2017 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court in their order dated 31.03.2017, noting that the proxy counsel for the petitioner on the instructions of the petitioner has stated that the petitioner institution has submitted a representation on 27.03.2017 to the Appellate Committee for disposal of their appeal at the earliest, directed renotification on 13.04.2017.

AND WHEREAS Shri Harishchandra Kumar Sinha, Secretary and Shri T. Mishra, Head Cleark, Nageena Ramdhyan Shikshak Shiksha Mahavidyalaya, Taranagar, Chhatauni, Sheohar, Bihar presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that the Visiting Team did not examine the actual building, which was almost ready to enter with a little unfinished shape and at present it is quite well finished and furnished, which is a unique institutional building in area of its own. The appellant further submitted that actual position was not recorded by not taking the videography of the building which was termed as building under construction, whereas it was almost finished with very little unfinished/ unpainted portion and which should have been videographed and presented to the ERC. The appellant also confirmed the

building completion certificate given earlier. The appellant requested a re-inspection of the institution.

AND WHEREAS the Committee noted that the Visiting Team in their report dated 11.04.2016 inter-alia reported that while the main building is yet to be completed, videography was taken in the adjacent building, which was previously a residence and which was modified. The appellant on the other hand has submitted that the Visiting Team which was biased has not even examined the actual building which is reported to have been completed except for little finishing/ painting. The appellant submitted a copy of the building completion certificate signed by a Govt. Engineer showing that the building was constructed in 2015 having a total built up area of 42603 Sq. ft.

AND WHEREAS the Committee noted that the appellant applied for two courses, namely, B.Ed. and D.El.Ed. and the Visiting Team conducted a composite inspection for both the courses and submitted one report. Since there are disputes regarding the availability of a building for both the proposed courses and the reported videography was that of a building, which is not the building proposed for the courses, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to get a fresh inspection of the institution conducted for both the courses applied for by a new Visiting Team, on payment of the prescribed fee by the appellant, and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the ERC with a direction to get a fresh inspection of the institution conducted for both the courses applied for by a new Visiting Team, on payment of the prescribed fee by the appellant, and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Nageena Ramdhyan Shikshak Shiksha Mahavidyalaya, Taranagar, Chhatauni, Sheohar, Bihar to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Nageena Ramdhyan Shikshak Shiksha Mahavidyalaya, 1308, 1314, 1315, Ownership, 94, 96, Taranagar Chhatauni, Sheohar, Bihar - 843128.
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.

(30)

F.No.89-123/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Nageena Ramdhyan Shikshak Shiksha Mahavidyalaya, Taranagar, Chhatauni, Sheohar, Bihar dated 22.02.2017 is against the Order No. ERC/230.7.2/APP2844/D.El.Ed./2017. dated 06/02/2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "(i) Building is under construction. (ii) As per NCTE Regulations 2014, there is no provision for re-inspection of the under constructed building; and (iii) The demand draft No. 375291 dt. 17/12/2016 of Rs. 1,50,000/- be sent back to the institution.

AND WHEREAS the appellant filed a Writ Petition No. 2790 of 2017 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court in their order dated 31.03.2017, noting that the proxy counsel for the petitioner on the instructions of the petitioner has stated that the petitioner institution has submitted a representation on 27.03.2017 to the Appellate Committee for disposal of their appeal at the earliest, directed re-notification on 13.04.2017.

AND WHEREAS Shri Harishchandra Kumar Sinha, Secretary and Shri T. Mishra, Head Cleark, Nageena Ramdhyan Shikshak Shiksha Mahavidyalaya, Taranagar, Chhatauni, Sheohar, Bihar presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that copy the matter the Visiting Team did not examine the actual building, which was almost ready to enter with a little unfinished shape and at present it is quite well finished and furnished, which is a unique institutional building in area of its own. The appellant further submitted that actual position was recorded by not taking the videography of the building which was termed as building under construction, whereas it was almost finished with very little unfinished/ unpainted portion and which should have been videographed and presented to the ERC. The appellant

also confirmed the building completion certificate given earlier. The appellant requested a re-inspection of the institution.

AND WHEREAS the Committee noted that the Visiting Team in their report dated 11.04.2016 inter alia reported that while the main building is yet to be completed, videography was taken in the adjacent building, which was previously a residence and which was modified. The appellant on the other hand has submitted that the Visiting Team which was biased has not even examined the actual building which is reported to have been completed execpt for little finishing/ painting. The appellant submitted a copy of the building completion certificate signed by a Govt. Engineer showing that the building was constructed in 2015 having a total built up area of 42603 Sq. ft.

AND WHEREAS the Committee noted that the appellant applied for two courses, namely, B.Ed. and D.El.Ed. and the Visiting Team conducted a composite inspection for both the courses and submitted one report. Since there are disputes regarding the availability of a building for both the proposed courses and the reported videography was that of a building, which is not the building proposed for the courses, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to get a fresh inspection of the institution conducted for both the courses applied for by a new Visiting Team, on payment of the prescribed fee by the appellant, and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the ERC with a direction to get a fresh inspection of the institution conducted for both the courses applied for by a new Visiting Team, on payment of the prescribed fee by the appellant, and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Nageena Ramdhyan Shikshak Shiksha Mahavidyalaya, Taranagar, Chhatauni, Sheohar, Bihar to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Nageena Ramdhyan Shikshak Shiksha Mahavidyalaya, 1308, 1314, 1315, Ownership, 94, 96, Taranagar Chhatauni, Sheohar, Bihar - 843128.
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.

(32)

F.No.89-04/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Govt. District Institute of Education and Training, (DIET) Dist., Karimnagar, Thimmapur, Karimnagar, Telangana dated 28.12.2016 is against the Order No. NCTE/SRC/SRCAPP201630199/ (Course Code)/TL/2017-2018/1 dated 29.09.2016 of the Southern Regional Committee, refusing recognition for conducting D.E.C.Ed. course on the ground of "Late submission of hard copy."

AND WHEREAS Shri B. Jagan Mohan Reddy, Lecturer, Govt. District Institute of Education and Training, (DIET) Dist., Karimnagar, Thimmapur, Karimnagar, Telangana presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "due to lack of awareness on last date of submission of hard copy they could not submit the hard copy in time."

AND WHEREAS the Committee noted from the file of the SRC that the appellant submitted the hard copy of their online application dated 30.06.2016 to the NCTE Hqs. instead of the SRC with their forwarding letter dated 11.07.2016, which was received in the NCTE Hqs. on 19.07.2016. NCTE in turn forwarded the hard copy of the application to SRC with their letter dated 08.08.2016, which was received in the SRC on 16.08.2016. Since the hard copy reached the SRC late i.e. beyond 15 days of the online submission, the Committee concluded that the SRC was justified in rejecting their application and therefore, the appeal deserved to be rejected and the order of the SRC confirmed.

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

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

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

(Sanjay Awasthi)
Member Secretary

1. The Appellant, Govt. District Institute of Education and Training, LMD Colony, Dist., Karimnagar, Telangana State, Thimmapur, Karimnagar, Andhra Pradesh - 505527.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

(33)

F.No.89-05/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Aricent College of Education, Bina, Sagar, Madhya Pradesh dated 30.12.2016 is against the Order No. WRC/APW04618/223529/261st/2016/175340 dated 02/11/2016 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. course under Section 17 of the NCTE Act, from the end of the academic session next following the date of withdrawal on the ground that a Show Cause Notice was issued on 29.08.2016 and reply has not been received till date."

AND WHEREAS Shri Srikant Samele, Secretary and Shri Sunil Budholia, President, Aricent College of Education, Sagar, Madhya Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "a reply to Show Cause Notice was sent to WRC vide their letter dated 14th October, 2016 (copy enclosed). In the course of presentation, the appellant submitted a self-attested copy of 'On dot' Couriers receipt dated 14.11.2016 in support of their having sent a reply to the WRC".

AND WHEREAS the Committee noted from the reply of the appellant dated 14.10.2016 to the Show Cause Notice dated 29.08.2016 issued by the WRC that replies have been submitted to all the points mentioned in the show cause notice. This reply which was sent before the WRC considered that matter in their 261st meeting held on 26-28 October, 2016 and decided to withdraw recognition, is however, not available in the file of the WRC. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the reply of the appellant to the Show Cause Notice to be resubmitted by them, and take further action as per the NCTE Regulations 2014. The appellant is directed to send their reply to the show cause notice with all relevant documents

again to the WRC within 15 days of receipt of the order on the appeal. In the meantime, the withdrawal order shall be kept in abeyance.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to consider the reply of the appellant to the Show Cause Notice to be resubmitted by them, and take further action as per the NCTE Regulations 2014. The appellant is directed to send their reply to the show cause notice with all relevant documents again to the WRC within 15 days of receipt of the order on the appeal. In the meantime, the withdrawal order shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Aricent College of Education, Bina, Sagar, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Aricent College of Education, Nai Basti Kurwai Road, Bina, Sagar, Madhya Pradesh – 470113.
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.

(34)

F.No.89-06/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Guru Gobind Singh Khalsa College of Education, Sarhali Kalam, Taran-Taran, Punjab dated 01.01.2017 is against the Order No. NRC/NCTE/NRCAPP-6035/259 Meeting/2016/161858 dated 04/11/2016 of the Northern Regional Committee, rejecting their application for grant of recognition for conducting B.Ed. course on the grounds that "The reply of the institution dated 13/10/2015 to the show cause notice dated 17/09/2015 was considered by the Committee. The Committee observed that NOC submitted is from Govt. of Punjab (Special Secretary Hr. Education) and not from the affiliating University as required under NCTE Regulations, 2014."

AND WHEREAS Shri Jasbir Singh, AO, Guru Gobind Singh Khalsa College of Education, Sarhali Kalam, Taran, Punjab presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "the appellant society had applied for approval of B.Ed. course in the year 2012 when the NCTE Norms 2009 were in force and there was no requirement of NOC from the Affiliating University."

AND WHEREAS the Committee noted that the requirement of a No Objection Certificate (NOC) issued by the concerned affiliating body has been introduced for the first time in the NCTE Regulations, 2014. This requirement should therefore, be applicable for the applications submitted in accordance with the provisions of these Regulations and not for those applications submitted prior to their notification and pending. In these circumstances, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to process the application further as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the NRC with a direction to process the application further as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Guru Gobind Singh Khalsa College of Education, Sarhali Kalam, Taran-Taran, Punjab to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Guru Gobind Singh Khalsa College of Education, 241 & 252, Ownership, Sarhali Kalan Taran, Punjab – 143410.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Punjab, Chandigarh.

(35)

F.No.89-09/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Lalita Devi College of Higher Education, Khurd, Rudrapur, Deoria, Uttar Pradesh dated 29.12.2016 is against the Order No. NRC/NCTE/NRCAPP-6308/257th Meeting/2015/160407 dated 14/10/2016 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "The show cause notice was issued to the institution on 20/05/2016 regarding submission of fake list of teachers & HOD without valid approval of the concerned affiliating university. The institution has not submitted the reply to show cause notice."

AND WHEREAS Shri Rajeeva Singh, Vice President, Lalita Devi College of Higher Education, Khurd, Rudrapur, Deoria, Uttar Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that they had not received any show cause notice issued on 20/05/2016. Also had not submitted any file for formal recognition under clause 7(16) of NCTE, Regulations, 2014 in the office of NRC, NCTE Jaipur. They don't know how recognition has been issued to them. Their teacher approval is in process with the concerned affiliating University till date and is about to be completed. The delay has been caused by their concerned affiliating University."

AND WHEREAS the Committee noted from the file of the NRC that the appellant, while submitting a reply to the LOI with their letter dated 04.07.2015, enclosed a copy of a letter no. 15315 dated 30.06.2015 from Deen Dayal Upadhyaya Gorakhpur University, Gorakhpur addressed to them conveying the approval of the Vice-Chancellor for the selection of one HOD and seven teachers for the B.Ed. programme. The NRC in their combined recognition order dated 03.03.2016 inter alia granted recognition to the appellant for B.Ed. course with an intake of 50 (one unit). Thereafter NRC received a letter dated 22.04.2016 from the

Registrar, DDU University, in which it has been clearly mentioned that the letter No. 15315 dated 30.06.2015 has not been issued by the University and they have neither approved the HOD and Lectures nor issued any NOC for conducting B.Ed. course by the appellant.

AND WHEREAS the Committee also noticed that in the withdrawal order dated 14.10.2016, the NRC mentioned that the appellant was granted recognition for B.Ed. in their order dated 20.05.2015 for an intake of 100 students from the academic session 2015-16, whereas their file contains a combined recognition order dated 03.03.2016, which includes the appellant institution. The appellant has stated in the appeal that they do not know how recognition has been issued to them. The file also does not contain any recognition order dated 20.05.2015 cited in the withdrawal order after the issue of Letter of Intent dated 07.02.2015. In the circumstances the Committee concluded that the matter deserved to be remanded to the NRC with a direction to issue a fresh show cause notice, citing the correct date of the recognition order issued and pointing out that DDU University has denied having issued the letter dated 30.06.2015, copy of which was enclosed by the appellant to their letter dated 04.07.2015 and also stated that they have neither approved the faculty of the appellant for B.Ed. course nor issued a No Objection Certificate to the appellant and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the NRC with a direction to issue a fresh show cause notice, citing the correct date of the recognition order issued and pointing out that DDU University has denied having issued the letter dated 30.06.2015, copy of which was enclosed by the appellant to their letter dated 04.07.2015 and also stated that they have neither approved the faculty of the appellant for B.Ed. course nor issued a No Objection Certificate to the appellant and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Lalita Devi College of Higher Education, Khurd, Rudrapur, Deoria, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Lalita Devi College of Higher Education, Plot No. 136, Village and Post – USRI Khurd, Tehsil – Rudrapur, Gauri Bazar, Deoria, Uttar Pradesh – 274202.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(36)

F.No.89-10/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Pt. Shiv Sharan College of Education, Kunda, Pratapgarh, Uttar Pradesh dated 29.12.2016 is against the Order No. NRC/NCTE/NRCAPP-5739/260th Meeting/2016/162834 dated 05/12/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The applicant institution has not submitted the reply of show cause notice dt. 30/08/2016 issued by the NRC, NCTE within the stipulated time period."

AND WHEREAS Shri Shrawan Rajan, Member, Pt. Shiv Sharan College of Education, Kunda, Pratapgarh, Uttar Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "Reply to the show cause notice bearing no. 156884 dt. 30/08/2016 was sent on 14/09/2016 thru Registered/Speed Post No. EU739152607IN dt. 14/09/2016." The appellant submitted a copy of this letter with the speed post receipt dated 14.09.2016 embossed thereon.

AND WHEREAS the Committee noted that the reply of the appellant dated 14.09.2016 to the letter of the NRC dated 30.08.2016 with which a copy of the Letter of Intent was forwarded to the appellant at the latter's request, is not available in the file of the NRC. Since the appellant has submitted proof of despatching their reply by speed post, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the appellant's reply, to be resubmitted by them, and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit their reply with all the necessary documents again to the NRC within 15 days of receipt of the order on the appeal.

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

during the hearing, the Committee concluded that the appeal deserves to be remanded to the NRC with a direction to consider the appellant's reply to be resubmitted by them and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit their reply with all the necessary documents against to the NRC within 15 days of receipt of the order on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Pt. Shiv Sharan College of Education, Kunda, Pratapgarh, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Pt. Shiv Sharan College of Education, Plot No. 508, 509, Street No. Kunda-PHB, Village – Sabalgarh, P.O.-Derwa, Tehsil/Taluka-Kunda, Pratapgarh, Uttar Pradesh – 230128.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

37

F.No.89-11/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Shekhar Social Mahila Mahavidyalaya and Educational Foundation, Azamgarh, Uttar Pradesh dated 27.12.2016 is against the Order No. NRC/NCTE/NRCAPP-13985/260th Meeting/2016/162569 dated 30/11/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the institution was issued Letter of Intent under clause 7(13) of NCTE Regulations, 2014. The institution has not submitted the reply of Letter of Intent."

AND WHEREAS Shri Arvind Kumar Yadav, Clerk and Shri Umesh Chandra, Member, Shekhar Social Mahila Mahavidyalaya and Educational Foundation, Azamgarh, Uttar Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "The institution could not submit the reply to the Letter of Intent issued due to delay in the nomination of Expert Team for approval of HOD and Lecturers by the affiliating body i.e. Veer Bahadur Singh Purvanchal University, Jaunpur. After receiving the Letter of Intent dated 12.06.2016 under clause 7(13) of NCTE Regulation 2014, the institution on 1st July 2016, sent a letter to the Affiliating Body i.e. Veer Bahadur Singh Purvanchal University, Jaunpur for appointment of Expert Team for approval of HOD and Lecturers, but the University denied to appoint Expert Team by saying that the University did not receive the Letter of Intent under clause 7(13) of NCTE Regulation 2014 from NRC NCTE, Jaipur regarding this. On 11th August 2016, the institution sent a letter to the Regional Director, NRC NCTE, Jaipur, seeking some more time. Again on 24th October, 2016, the institution sent a letter to the Regional Director, NRC NCTE, Jaipur, seeking some more time. On 19th October 2016 (the correct date is 19th September, 2016), the University appointed the Expert Team for the interview of HOD and Lecturers. On 20th October 2016, the institution organised the interview for selection of HOD and Lecturers. The interview was conducted by the Expert Team (appointed by University) and on 17th December 2016, the institution received the

approval letter of Lecturers issued by the affiliating body i.e. Veer Bahadur Singh Purvanchal University, Jaunpur. The appellant enclosed copies of the letters referred to in the appeal."

AND WHEREAS the Committee noted that the letters of the appellant dated 11.08.2016 and 24.10.2016 seeking extension of time for submitting the approved list of faculty were received in the NRC and are available in the file. Since the appellant made the necessary efforts to select the faculty and get the same approved by the affiliating body, the Committee concluded that the matter deserved to be remanded to the NRC with a direction of consider the approved list of faculty and other relevant documents to be submitted by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to submit all the relevant documents required as per the Letter of Intent to the NRC within 15 days of receipt of orders on the appeal.

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

NOW THEREFORE, the Council hereby remands back the case of Shekhar Social Mahila Mahavidyalaya and Educational Foundation, Azamgarh, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. **The Manager, Shekhar Social Mahila Mahavidyalaya and Educational Foundation, 290 MI, Sammopur, Azamgarh, Uttar Pradesh – 276001.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(38)

F.No.89-12/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Basundhara Teachers Training College, Muzaffarpur, Bihar dated 03.01.2017 is against the Order No. ER-210.6.30/ERCAPP3468/4year B.A.B.Sc. B.Ed. integrated/2016/45794 dated 28.04.2016 of the Eastern Regional Committee, granting recognition for conducting B.A B.Ed./B.Sc. B.Ed. course with an intake of 50(one basic unit). The appellant wants recognitions for 100(two basic units) ."

AND WHEREAS the appellant aggrieved by the order of the ERC dated 28.04.2016 granting recognition for one unit of B.A. B.Sc. B.Ed., filed a Writ Petition WP (C) No. 8217 of 2016 before the Hon'ble High Court of Orissa, Cuttack. The Hon'ble High Court in their order dated 26.09.2016 disposed of the petitioner with the direction that in case the petitioner files a fresh comprehensive representation before the opposite party No. 1(ERC) annexing therein all the documents that the petitioner relies upon, the same shall be considered and decided by the said opposite party in accordance with law by a reasoned and speaking order as expeditiously as possible, preferably within a period of four weeks of filing the same. The petitioner submitted a representation which was received in ERC on 04.10.2016. The ERC, considering the representation and finding that the appointment of five teachers was invalid and 11 faculty members were only valid which are not sufficient for two units of B.A.B.Sc. B.Ed. programme as per the Norms and Standards, refused to grant the prayer of the petitioner for another unit for the academic session 2016-17 as the cut off date of 02.05.2016 is already over and issued a letter on 02.12.2016. The appellant thereafter filed the present appeal.

AND WHEREAS Shri Uma Shankar Roy, Chairman and Shri Sanjay Bhardwaj, Member, Basundhara Teachers Training College, Muzaffarpur, Bihar presented the case of the appellant institution on 29/04/2017. In the appeal and during personal

presentation and in a letter dated 29.04.2017 it was submitted that in the faculty list duly approved by the affiliating University, due to clerical mistake, subjects corresponding to some of the teachers as mentioned in their bio-data could not be reflected. The same faculty list after correcting the mistake and duly approved by the Registrar is enclosed. The appellant in their letter dated 29.04.2017, explaining how the mistakes have since been corrected, indicated the subject wise position of the teachers available for two units of B.A. B.Sc. – B.Ed. course. The appellant requested grant of recognition for two units from 2017-18 session.

AND WHEREAS the Committee noted that the appellant applied for two units of B.A. B.Sc.-B.Ed. and mentioned the same in the affidavit enclosed to the application dated 17.06.2015. The Visiting Team that inspected the institution on 17.02.2016, noting that the proposal was for two units (100 intake) recommended grant of recognition. The ERC issued a Letter of Intent (LOI) on 03.03.2016 in which the appellant was asked to intimate their willingness, in an affidavit, about the number of units- either one or two. The ERC in the LOI also mentioned that formal recognition will depend on the decision to offer one or two units. On receipt a reply to the LOI, ERC decided to grant recognition for an intake of 50 (one basic unit) of B.A. B.Sc.-B.Ed. from the academic session 2016-17 and issued necessary order on 28.04.2016.

AND WHEREAS the Committee noted that the ERC, while deciding to grant recognition for one unit did not record any reason for not agreeing for two units. The appellant in their letter dated 29.04.2017 has furnished detailed explanation regarding availability of teaching faculty for two units vis a vis the deficiencies mentioned in the ERC's letter dated 02.12.2016. which deserved to be considered in the light of the orders of the Hon'ble High Court of Orissa, Cuttack. In these circumstances the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the submissions of the appellant, which should be sent to the ERC by the appellant and take a decision on the request of the appellant for two units as per the NCTE Regulations, 2014. The appellant is directed to forward all the details of the faculty mentioned in their letter dated 29.04.2017 and all other relevant documents separately to the ERC within 15 days of receipt of the orders on the appeal the ERC should keep in view that the four-year

integrated course of B.Sc.B.Ed./ B.A.B.Ed. is not one course or a combined course but two different courses, namely B.Sc. B.Ed. and B.A. B.Ed. for which separate teaching faculty is required. Therefore, the final recognition order issued should always reflect the particulars of the courses unit wise separately.

AND Whereas after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the ERC with a direction to consider the submission of the appellant, which should be sent to the ERC by the appellant and take decision on the request of the appellant for two units as per the NCTE Regulations, 2014. The appellant is directed to forward all the details of the faculty mentioned in their letter dated 29.04.2017 and all other relevant documents separately to the ERC within 15 days of receipt of the orders on the appeal. The ERC should keep in view that the four-year integrated courses of B.Sc.B.Ed./ B.A.B.Ed. are not one course or a combined course but two different courses, namely B.Sc. B.Ed. and B.A. B.Ed. for which separate teaching faculty is required. Therefore, the final recognition order issued should always reflect the particulars of the courses, unit wise separately.

NOW THEREFORE, the Council hereby remands back the case of Basundhara Teachers Training College, Muzaffarpur, Bihar to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Appellant, Basundhara Teachers Training College, 924-29-26-15-23-30-14-28-22-26, Registered Deed, NA, Silout Bishunpur, Jainarayan, NA, Muzaffarpur, Bihar – 843119.
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.

(39)

F.No.89-13/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Raghav Prasad Mashali Devi Mahila Mahavidyalaya, Gorakhpur, Uttar Pradesh dated 04.01.2017 is against the Order No. NRC/NCTE/NRCAPP-6330/259th Meeting/2016/162049 dated 11/11/2016 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "In reply to Letter of Intent dated 24/02/2015 the institution submitted a list of 8 faculty members for B.Ed. on 29/06/2015. Recognition for B.Ed. programme was granted to the institution on 18/02/2016. Registrar, DDU University, Gorakhpur vide its letter dt. 22/04/2016 informed to NRC that only five faculty members for B.Ed. (1+4) had been approved by it. Hence, the list of eight faculty members purported to be approved by the affiliating body is fake and attempt by the institution to mislead the NRC by submitting fake documents. Accordingly, show cause notice was issued to the institution on 20/05/2016. The institution has not submitted the reply of show cause notice issued on 20/05/2016 till date. Therefore, the recognition granted for B.Ed. programme is hereby withdrawn."

AND Whereas Shri Shiv Kumar Shukla, Manager, Raghav Prasad Mashali Devi Mahila Mahavidyalaya, Gorakhpur, Uttar Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "as per the SCN, we had submitted the reply of it via speed post dt. 01/06/2016 from Gorakhpur (document is attached as proof for your kind consideration). Secondly the letter issued by Registrar, DDU University, Gorakhpur to the NRC dt. 22/04/2016 is totally wrong and on false ground as all the faculty members (1+7) has been approved by the affiliating body. Documents has been attached as proof. We had submitted the complete file along with the notarized copy of the list of the approved faculty (1+7) issued by the affiliating body in the office of NRC as compliance for B.Ed. course on May 16th, 2016."

AND Whereas the Committee noted that the appellant has submitted a copy of their reply dated 30.05.2016 to the Show Cause Notice indicating that it was sent by speed post on 01.06.2016. But this reply is not available in the file of the NRC. The appellant enclosed to this reply inter alia copies of three letters dated 12.08.2015, 05.04.2016 and 05.05.2016 issued by DDU University, Gorakhpur approving all eight faculty members of the appellant institution. It is also noted from the file that the appellant sent a letter dated 16.05.2016 enclosing a number of documents including copies of the three letters of DDU University referred to above. The NRC, observing that the appellant has submitted a fresh faculty list and not submitted a reply to the show cause notice withdrew recognition.

AND Whereas the Committee noted that the appellant in their reply to the show cause notice has mentioned that DDU University has presented totally wrong data in respect of the faculty approved by them and they have written about this to their affiliating University.

AND Whereas the Committee, in view of the position stated above and particularly in the context of the three letters of the DDU University approving eight faculty members, concluded that the matter deserved to be remanded to the NRC with a direction to consider the reply to the show cause notice, to be resubmitted by the appellant with all relevant documents, and take further action as per the NCTE Regulations, 2014. While doing so the NRC may obtain confirmation from DDU University that they have issued the three letters approving staff cited by the appellant. The appellant is directed to send a copy of their reply to the show cause notice along with all relevant documents to the NRC within 15 days of receipt of the orders of the appeal.

AND Whereas after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the NRC with a direction to consider the reply to the show cause notice, to be resubmitted by the appellant with all relevant documents, and take further action as per the NCTE Regulations, 2014. While doing so the NRC may obtain confirmation from DDU University that they have issued the three letters approving

staff cited by the appellant. The appellant is directed to send a copy their reply to the show cause notice along with all relevant documents to the NRC within 15 days of receipt of the orders of the appeal.

NOW THEREFORE, the Council hereby remands back the case of Raghav Prasad Mashali Devi Mahila Mahavidyalaya, Gorakhpur, Uttar Pradesh to the NRC, NCTE; for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Raghav Prasad Mashali Devi Mahila Mahavidyalaya, Plot/Khasara No.-113/1, Village-Viku Bhaisa, Post – Bhaisa Bazar, Tehsil – Khajani, Gorakhpur, Uttar Pradesh – 273212.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(40)

F.No.89-14/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Maharishi Institute of Master Management, Maharishi Shiksha Sansthan, Bangalore, Bangalore Urban District Karnataka dated 18.12.2016 is against the Order No. SRO/NCTE/SRCAPP2927/D.El.Ed/KA/2016/89808 dated 08/11/2016 of the Southern Regional Committee, rejecting their application for grant of recognition for conducting D.El.Ed. course on the ground that No reply has been received to the SCN.

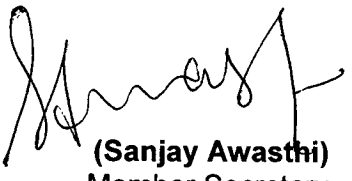
AND Whereas Prof. T.P.S. Kandra, National Coordinator and Shri Birendra Chaubey, Representative, Maharishi Institute of Master Management, Maharishi Shiksha Sansthan, Bangalore, Bangalore Urban District Karnataka presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "Reply of Show Cause Notice dated 18th May, 2016 was sent by post. Documents in support will be shown in person at the time of appeal."

AND Whereas the Committee noted that the show cause notice dated 18.05.2016 was issued on the ground that No Objection Certificate (NOC) from the affiliating authority was not submitted. The reply stated to have been sent by the appellant is not in the file. In the course of presentation, the appellant did not show any evidence of his having sent a reply. In the circumstances, the Committee concluded that the SRC was justified in rejecting the application and therefore, the appeal deserved to be rejected and the order of the SRC confirmed.

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

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

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



(Sanjay Awasthi)
Member Secretary

1. The Appellant, Maharishi Institute of Master Management, Maharishi Shiksha Sansthan, 41/1, 41/2, Heggadegere Vil, Bangalore, Bangalore Urban District Karnataka – 562109 .
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.

(41)

F.No.89-15/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Maharishi Centre for Educational Excellence, Lambakheda, Bhopal, Madhya Pradesh dated 18.12.2016 is against the Order No. WRC/APP2719/223/262nd/2016/176152 dated 25/11/2016 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that Show Cause Notice was sent to the institution on 31/05/2016. The institute has still not submitted notarized copies of Building Plan, Building Completion Certificate from competent authority. CLU, Non-Encumbrance Certificate. The NOC for running B.Com., MCA, BBA, B.A., etc. is only for session 2015-16. NOC for session 2016-17 has not been submitted. The institute has also not submitted certified land documents.

AND Whereas Prof. T.P.S. Kandra, National Coordinator and Shri Birendra Chaubey, Representative, Maharishi Centre for Educational Excellence, Lambakheda, Bhopal, Madhya Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "all the notarized documents were sent for B.Ed. course and B.A. B.Ed. (Integrated) course. Documents in support will be shown in person at the time of appeal." In the course of presentation, the appellant gave a letter enclosing copies of some documents.

AND Whereas the Committee noted that the appellant, in reply to the show cause notice, has not submitted all the required documents and enclosed only copies of some documents. Even the copies of the documents enclosed to the letter given during presentation are not in the required from or authentic or approved. For instance, the approved building plan has not been submitted. The building completion certificate is not in the prescribed format and duly signed by a Government Engineer. In the circumstances, the Committee concluded that the

WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the WRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. **The Appellant, Maharishi Centre for Educational Excellence, 11/2 (B), Maharishi Shiksha Sansthan, Lambakheda, Bhopal, Madhya Pradesh – 462038.**
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 - 4620024. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

42

F.No.89-16/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Maharishi Institute of Master Management, Maharishi Shiksha Sansthan, Bangalore, Bangalore Urban District Karnataka dated 18.12.2016 is against the Order No. SRO/NCTE/SRCAPP2926/B.A.B.Sc./KA/2016/89751 dated 07/11/2016 of the Southern Regional Committee, rejecting their application for grant of recognition for conducting B.A., B.Sc. course on the ground that No reply has been received to the SCN.

AND Whereas Prof. T.P.S. Kandra, National Coordinator and Shri Birendra Chaubey, Representative, Maharishi Institute of Master Management, Maharishi Shiksha Sansthan, Bangalore, Bangalore Urban District Karnataka presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that Reply of Show Cause Notice dated 18th May, 2016 was sent by post. Documents in support will be shown in person at the time of appeal.

AND Whereas the Committee noted that a Show Cause Notice dated 12.05.2016 was issued to the appellant on the ground the a No Objection Certificate (NOC) from the affiliating authority has not been submitted. The appellant, to a letter submitted in the course of presentation, enclosed a copy of their letter dated 18.05.2016 which is a response to the Show Cause Notice. This reply stated to have been sent by the appellant is not in the file. From the contents of their letter 18.05.2016 it is seen that the appellant did not have the NOC. According to the provisions of clause 5(3) of the NCTE Regulations 2014, a No Objection Certificate (NOC) issued by the concerned affiliating body has to be submitted along with the copy of the application. This requirement has not been fulfilled by the appellant. In the circumstances, the Committee concluded that the SRC was justified in rejecting

the application and therefore, the appeal deserved to be rejected and the order of the SRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Appellant, Maharishi Institute of Master Management, 41/1 & 2, Maharishi Shiksha Sansthan, Heggadegere Vil. Bangalore, Bangalore Urban District Karnataka – 560109.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.

(43)

F.No.89-17/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Vidyarthi P.G. College, Bardiha, Gagadishpur, Dharamdani, Kushinagar, Uttar Pradesh dated 24.12.2016 is against the Order No. NRC/NCTE/NRCAPP-543/248th (Part-12) Meeting/2016/162282 dated 21/11/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution has not submitted the reply of SCN dated 18/12/2015."

AND Whereas Shri Lokesh Pandey, Member and Shri Surendra Mishra, Member, Vidyarthi P.G. College, Bardiha, Gagadishpur, Dharamdani, Kushinagar, Uttar Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "as per the SCN, they had been asked to submit the NOC, issued from the affiliating body as required under NCTE Regulation, 2014. The institution has already submitted/received the NOC issued from the office of Secretary, Examination Regulatory Authority, Uttar Pradesh, Allahabad dated 24/02/2016 in the office of NRC, NCTE, Jaipur. The relevant documents have been attached as proof for consideration. They had applied for D.El.Ed. course under NCTE, Regulations, 2009. As per those Regulations, no NOC was required for application. But later on since the file has been further processed under NCTE, Regulations, 2014 they had been asked for obtaining the NOC for the proposed course i.e. D.El.Ed. The appellant also submitted a letter dated 29.04.2017 explaining the steps taken by them to obtain the NOC from the concerned affiliating body and which was submitted to the NRC. The appellant also pointed that after the issue of the show cause notice dated 18.12.2015 and even before the expiry of 30 days time given, NRC in their 248th meeting held form 11th to 31st January, 2016 decided to refuse recognition and the refusal order was issued only in November 2016 i.e. after 10 months.

AND Whereas the Committee noted that the requirement of submitting a No Objection Certificate (NOC) form the affiliating body alongwith the print out of the application has been introduced for the first time in the NCTE Regulations, 2014, which should be applicable for applications submitted in terms of these Regulations. Since the appellant submitted their application in 2010, this requirement of NOC should not be applicable to them. In any case the appellant has obtained the NOC and submitted to the NRC. In these circumstances, the committee concluded that the matter deserved to be remanded to the NRC with a direction to process the application further as per the NCTE Regulations, 2014.

AND Whereas after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the NRC with a direction to process the application further as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Vidyarthi P.G. College, Bardiha, Gagadishpur, Dharamdani, Kushinagar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Vidyarthi P.G. College, Plot/Khasra No.-8, 9, Village – Jagadishpur Bardiha, Post – Jagadishpur Dharamdani, Kushinagar, Uttar Pradesh – 274149 .
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(44)

F.No.89-18 (A)/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Shri College of Education, Birla Nagar, Gwalior, Madhya Pradesh dated 09.01.2017 is against the Order No. WRC/APW07964/222471/265th /(MP)/2016/178237 dated 09.01.2017 of the Western Regional Committee, withdrawing recognition for conducting D.El.Ed. course on the grounds that "Show Cause Notice was issued to the institution on the ground that staff and students were not found available on the day of inspection. Further, a CBSE school is being run for which area is not earmarked. The area is only 1444 sq. mts. The institution has not replied to the points of the Show Cause Notice regarding built-up area".

AND Whereas Shri Laxman Singh, Secretary, Shri College of Education, Birla Nagar, Gwalior, Madhya Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that " the Society already has completed land and built-up building area as per NCTE Rule & Regulation." In the course of presentation, the appellant submitted a letter in which it is stated that (i) the appellant got recognition for one unit of D.El.Ed. during 2009-10; (ii) in 2014 to follow the new regulations they have applied to the WRC for shifting after purchasing land and constructing new building but the WRC has not taken any action or conducted an inspection (iii) without taking any action on proposed shifting, WRC is proceeding only on the basis of a complaint and (iv) withdrawal of recognition without taking action on shifting is not according to any rules".

AND Whereas the Committee noted that the appellant with their reply dated 02.11.2016 to the show cause notice dated 18.10.2016 only forwarded documents relating to the staff without giving replies to other points mentioned in the show cause notice. To that extent the order of the WRC withdrawing recognition is justified.

However taking into account the submission of the appellant that they have applied for shifting in 2014 and no action has been taken by the WRC so far has a bearing on the observations in the show cause notice relating to existence of a CBSE school and availability of only 1444 Sq. mts (of built up area). In the circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to relook into the matter in the light of the submission of the appellant about their proposal for shifting and take a fresh decision as per the NCTE Regulations, 2014. Till such time, the withdrawal order dated 09.01.2017 shall be kept in abeyance.

AND Whereas after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to relook into the matter in the light of the submission of the appellant about their proposal for shifting and take a fresh decision as per the NCTE Regulations, 2014. Till such time, the withdrawal order dated 09.01.2017 shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Shri College of Education, Birla Nagar, Gwalior, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Shri College of Education, Infront of Community Hall, Kanch Mill Road, Birla Nagar, Gwalior, Madhya Pradesh – 474004.**
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.

(46)

F.No.89-20/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Snatkottar Mahavidyalaya, Bansdih, Ballia, Uttar Pradesh dated 10.01.2017 is against the decision of the NRC taken in their 253rd Meeting hald from 30.05.2016 to 03.06.2016 (Part 1) to grant recognition for conducting D.El.Ed. course of one unit (50 students). The appellant wants two units.

AND Whereas Shri Jitendra Kumar Singh, Lecturer, Snatkottar Mahavidyalaya, Bansdih, Ballia, Uttar Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that (i) the appellant submitted application for two units (100 students) of D.El.Ed. course; (ii) inspection of the institution was conducted, the VTR was found satisfactory and LOI dated 03.03.2016 was issued; (iii) NRC in their 253rd meeting held from 30.05.2016 to 03.06.2016 decided to grant recognition for one unit (50 students) instead of two units (100 students); (iv) the appellant submitted a representation to the NRC to modify their decision and increase the intake by 50 more students but no decision has been taken by them; (v) while applying they made necessary arrangements with regard to physical infrastructure and facilities and appointed faculty duly approved for 100 intake; (vi) NRC at no point of time indicated or informed that their application will be considered for an intake of 50 ; (vii) the appellant is in possession of 2922.3 Sq. mts. which is sufficient and as per norms for an intake of 100 students; (viii) if intake is not increased to 100 their investment and staff would suffer adversely; and (ix) other similarly placed institutions have been granted recognition for an intake of 100". The appellant also submitted that based on the decision taken in their 253rd meeting, NRC, till date has not issued a formal order of recognition to them.

AND Whereas the Committee noted that in the affidavit enclosed to the online application, the appellant requested recognition for D.El.Ed. course with an intake of 100 (two units). The Visiting Team that inspected the institution on 10.02.2016, in their report mentioned that the proposed intake is one unit (50) and recommended

that the institution is fit for D.El.Ed. course. The NRC issued a combined Letter of Intent covering 39 institution including the appellant on 03.03.2016, without indicating the intake. In response to the LOI, the appellant submitted replies in their letter's dated 02.05.2016 and 11.05.2016 mentioning two units of D.El.Ed. The documents submitted by the appellant include a letter of approval for 16 faculty members dated 28.04.2016 issued by the Examination Regulatory Authority, UP, Allahabad. The appellant in their letter dated 12.07.2016 requested the NRC to grant two units.

AND Whereas the Committee, noting the submissions of the appellant and finding no grounds adduced/ discussed in the file for granting recognition for one unit only instead of two units applied and for which the appellant furnished justification, concluded that the matter deserved to be remanded to the NRC with a direction to consider the request of the appellant for two units of D.El.Ed. course and take a decision in accordance with the NCTE Regulations, 2014.

AND Whereas after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the NRC with a direction to consider the request of the appellant for two units of D.El.Ed. course and take a decision in accordance with the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Snatkottar Mahavidyalaya, Bansdih, Ballia, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Snatkottar Mahavidyalaya, Bansdih Ballia, 206, 149, 157, 139, 140, Mahavidyalaya Bansdih, Ballia, Baghauli, Sujauli, Narla, Bansdih, Ballia, Uttar Pradesh – 277202 .
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

47

F.No.89-21/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Chaudhary Pratap Singh Memorial College of Education, Gurgaon, Haryana dated 10.01.2017 is against the Order No. NRC/NCTE/NRCAPP-14894/260th Meeting/2016/162793 dated 02/12/2016 of the Northern Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "the list of the teachers submitted by the institution reveals that faculty members have not been selected/appointed as per the provision of the NCTE Regulations, 2014. No teacher of the rank of a Professor has been selected and only one Associate Professor has been selected."

AND Whereas Shri Deepak Gehlot, Vice President, Chaudhary Pratap Singh Memorial College of Education, Gurgaon, Haryana presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "they have selected and submitted 2 approved Professors, 2 approved Associate Professors and 6 approved Asst. Professors by new affiliating University e.i. Ch. Ranbir Singh University, Jind, Haryana vide letter no. CRSU/College/2016/6883 dated 19/08/2016 and CRSU/College/2016/8573 dated 24/11/2016. They have appointed and fulfil M.Ed. faculty norms as per norms of NCTE 2014. They have submitted list of M.Ed. faculty vide letter no CPSM/M.Ed./004/29/11/ 2016, dt. 29/11/2016, NRC, NCTE diary no. 146812, dt. 30/11/2016. The appellant also submitted that they passed through transitional period for months in shifting from M.D. University Rohtak to new affiliating University, namely Chaudhary Ranbir Singh University, Jind. They had to adopt new procedure and in first interview they selected 7 faculty members and in the second interview they selected 3 faculty members for M.Ed. course and submitted the list to NRC on 30.11.2016, before the date of refusal i.e. 02.12.2016. The appellant in their letter dated 29.04.2017 submitted that they have appointed compete 10 M.Ed. approved faculty as per NCTE norms despite hardship faced by the college in their transfer

from M.D. University to CRS University Jind and again recently back to M.D. University, Rohtak".

AND Whereas the Committee noted that the appellant's letter dated 29.11.2016 giving the details of ten faculty members for M.Ed. course approved by the new affiliating university i.e. Chaudhary Ranbir Singh University, Jind has been received by the NRC and it is available in their file. The Committee, noting the efforts made by the appellant to get the teaching faculty approved by the changed affiliating university, concluded that the matter deserved to be remanded to the NRC with a direction to consider the appellant's letter dated 29.11.2016 and take a fresh decision in accordance with the NCTE Regulations, 2014.

AND Whereas after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the NRC with a direction to consider the appellant's letter dated 29.11.2016 and take a fresh decision in accordance with the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Chaudhary Pratap Singh Memorial College of Education, Gurgaon, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President, Chaudhary Partap Singh Memorial College of Education, Near Hero Honda Chowk, Behind Marble Market, Sec. – 34, Gurgaon – 122004, Haryana.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

48

F.No.89-22/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Shree Tulsi Ram Dhattarwal B.A. B.Sc. College, Jhunjhunun, Rajasthan dated 06.01.2017 is against the Order No. NRC/NCTE/NRCAPP-14411/258th Meeting/2016/160729 dated 17/10/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "the institution was given show cause notice vide letter dt. 12/12/2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice till date."

AND Whereas Shri Sandeep Kumar, Representative, Shree Tulsi Ram Dhattarwal B.A. B.Sc. College, Jhunjhunun, Rajasthan presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "Dhattarwal Education Society Lamba Mandrella submitted an application for grant of recognition of B.A. B.Ed./B.Sc. B.Ed. integrated course on name "Shree Tulsi Ram Dhattarwal B.A. B.Ed. under application ID NRCAPP-14411 on 28/06/2015. Northern Regional Committee did not issue any letter or deficiencies. Eventually affiliating body, Pandit Dindayal Upadhyay Shekhawati University, Sikar issued NOC number 2633 on dt. 25/04/2016 for the particular course to the applicant. The applicant institute submitted the NOC to NRC on 12.06.2016".

AND Whereas the Committee noted that the NRC issued a Show Cause Notice on 12.12.2015 to the appellant on the ground that NOC of the affiliating body has not been submitted with the hard copy of the application. The appellant was required to submit their written representation within 30 days from the date of issue of the notice. The appellant sent a letter dated 19.02.2016 to the NRC enclosing a copy of the order of the Hon'ble High Court of Judicature for Rajasthan at Jaipur Bench

dated 11.02.2016 in S.B. Civil writ petition No. 572 of 2016 filed by the appellant. The Hon'ble High Court in this order directed that the Director of Elementary Education/ Director of Higher Education should decide all applications for grant of NOC (in respect of teacher training courses in 12 districts notified by the State Govt. revoking its ban on grant of NOCs) filed and received before 30.06.2015 within 7 days from the date of receipt of a certified copy of this order and communicate all decisions to the Regional Director, NRC as also to each of the concerned applicant. The Hon'ble High Court further directed that on receipt of NOC by the successful institutions, Regional Director, NRC should carry out, conduct requisite inspections and take a decision by 29.02.2016 in accordance with NCTE Regulations of 2014. The appellant also enclosed a copy of their letter dated 20.05.2015 addressed to Rajasthan University Jaipur, and letter dated 18.02.2016 to Deen Dayal Upadhyaya Shekavati University, Sikar for NOC. The appellant got a NOC from Pandit Deendayal Upadhyaya University, Sikar on 25.04.2016 and forwarded a copy thereof to the NRC on 12.06.2016.

AND Whereas from the forgoing position, the Committee noted that appellant has not submitted any reply to the show cause notice and obtained a NOC from the concerned affiliating University only on 25.04.2016 and forwarded the same on 12.06.2016 to the NRC i.e. long after the deadline fixed by the Hon'ble High Court. In the circumstances, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and they order of the NRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shree Tulsi Ram Dhattarwal B.A./B.Sc. B.Ed. College, Lamba-Mandrella Road, Village – Hamirwaslamba, Post – Lamba, The.& Distt. – Jhunjhunu, Rajasthan - 333023.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

(49)

F.No.89-23/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Shivam College, Sarswati Shiksha Samati, Katangi, Balaghat, Madhya Pradesh dated 02.01.2017 is against the Order No. WRC/APP3026/222/262nd {M.P.}/2016/175965 dated 18/11/2016 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "AND WHEREAS, reply received from the institution was placed in the 262nd WRC Meeting held on November 10-11, 2016 and the Committee observed that "...Show Cause Notice was issued to the institution on 08/04/2016 and reply was received on 06/05/2016. The institution has submitted three land documents one of which is originally certified (survey no. 174/5 and 177/5). Two other land documents are notarized. Two similar documents have been submitted for khasra Nos. 171/6 and 172/6. The earlier of two documents (khasra Nos. 171/6 and 172/6) shows that the land is in the name of Smt. Reshma whereas; in the latter document an additional line has been added with different type to the effect "Sachiv, Saraswati Shiksha Samiti". This line has been added above the name of Smt. Reshma. This clearly shows that the latter document has been tampered with. There are two CLU's, one dt. 18/02/2013 and another dt. 18/06/2001. The quantum of diverted land is much less than what is required under NCTE Regulations, 2014. The NOC submitted by the Madhyamik Shiksha Mandal, Bhopal vide order dt. 30/06/2015 is issued by the "Deputy Registration" who is unauthorized. Notarized copy of the building plan has also not been submitted. In view of the above deficiencies, Recognition for additional intake in the D.El.Ed. course is refused."

AND Whereas Shri Ram Charitra Mishra, Representative, Shivam College, Sarswati Shiksha Samati, Katangi, Balaghat, Madhya Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal

presentation it was submitted that "the institution owns three lands in name of society. Smt. Reshma Mishra is signatory person of college The land document shows name of the Smt. Reshma Mishra, about the khasra nos. 171/6 and 172/6 the different type of the effect Sachiv Saraswati Shiksha Samiti, Katangi is the writing style of land registration office M.P. Govt. The institution has submitted three CLU also which are attached herewith. The diverted land fulfills NCTE Regulations 2014. The NOC of affiliating body Madhyamik Shiksha Mandal is enclosed. A notarized copy of the building plan is also enclosed.

AND Whereas the appellant with the appeal submitted various documents relating to land. The Committee noted that the objection relating to non-submission of a notarized copy of the building plan has not been mentioned in the show cause notice. Further from the copy of the No Objection certificate dated 30.06.2015 issued by Madhyamik Shiksha Mandal, Bhopal, and submitted by the appellant along with the application, it is seen, that it was signed by 'Panjiyak' and not 'UP Panjiyak' as mentioned in the refusal order. In the circumstances the Committee concluded that the matter deserved to be remanded to the WRC with a direction to re-examine, in the light of the documents submitted by the appellant including the building plan and NOC and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward all the relevant documents submitted in appeal and others to the WRC within 15 days of receipt of the order on the appeal.

AND Whereas after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to re-examine, in the light of the documents submitted by the appellant including the building plan and NOC and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward all the relevant documents submitted in appeal and others to the WRC within 15 days of receipt of the order on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shivam College, Sarswati Shiksha Samati, Katangi, Balaghat, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. **The Manager, Shivam College, 170/6, 171/6, 172/6, 174/6, 177/6, Sarswati Shiksha Samiti, Katangi, Balaghat, Madhya Pradesh - 481445.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

F.No.89-24/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Shree Dev Vidyapeeth Mahila Mahavidyalaya, Bhairpura, Bareilly, Uttar Pradesh dated 11.01.2017 is against the Order No. NRC/NCTE/NRCAPP-14238/260th Meeting/2016/162540 dated 30/11/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was issued Letter of Intent under clause 7(13) of NCTE Regulations, 2014. The institution did not submit any compliance/reply to Letter of Intent."

AND Whereas Shri Prem Shanker and Shri Vivekanand, Representative, Shree Dev Vidyapeeth Mahila Mahavidyalaya, Bhairpura, Bareilly, Uttar Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "the MJP Rohilkhand University passed guidelines in the month of November 2016 and that is why the list of faculty have now been approved. The appellant submitted that in compliance of the LOI, copies of Fixed Deposit Receipt, downloaded copy of the Fixed Deposit website and list of faculty approved by the affiliating body with related documents were to be submitted. While the FDRs and website were available at the time of issuing LOI, list of faculty approved by the affiliating body could not be completed. MPJ Rohilkhand University gave the panel of experts in December, 2016 January, 2017 and the University approved the faculty on 12.01.2017".

AND Whereas the Committee noted that the NRC issued the Letter of Intent to the appellant on 12.06.2016. As the appellant did not submit a reply within two months of this letter, NRC issued a Show Cause Notice on 02.09.2016. The appellant in their letter dated 24.09.2016 explaining the reasons for delay in getting the faculty approved by the University requested for some more time to submit all the documents. The NRC in their 260th meeting held on 21-23 November, 2016

decided to refuse recognition and issued the refusal order on 30.11.2016. The Committee, noting that the appellant sought time from the NRC and he ultimately got the University's approval for the faculty. The Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the list of faculty approved and other relevant documents to be submitted by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward the approved staff list and other documents required in the Letter of Intent to NRC within 15 days of receipt of the orders on the appeal.

AND Whereas after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the NRC with a direction to consider the list of faculty approved and other relevant documents to be submitted by the appellant and further action as per the NCTE Regulations, 2014. The appellant is directed to forward the approved staff list and other documents required in the Letter of Intent to NRC within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shree Dev Vidyapeeth Mahila Mahavidyalaya, Bhairpura, Bareilly, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. **The Trustee, Shree Dev Vidyapeeth Mahila Mahavidyalaya, Plot No. 601/1 348, Village – Pandari Halwa, PO – Bhairpura, Bareilly, Uttar Pradesh - 243202.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(51)

F.No.89-25/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of R.B. Sagar College of Education, Sabarmati, Ahmedabad, Gujarat dated 11.01.2017 is against the Letter No. WRC/313019/2016/168798-802 dated 14.06.2016 of the Western Regional Committee, addressed to the Registrar, Gujarat University, Ahmedabad, with a copy to the appellant, in which it is mentioned that in their letter dated 24.07.2008 they have rejected the application for shifting of premises and that shifting of premises, by a recognised teacher training institution, without prior approval of WRC (NCTE) is not permissible under the provisions of NCTE Regulations and any such act is a violation of the Regulations.

AND Whereas Shri Vasharambhai Parmar, Representative, R.B. Sagar College of Education, Sabarmati, Ahmedabad, Gujarat presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that they applied for shifting of premises in 2007-2010 for conducting B.Ed. course and they also removed the deficiencies pointed out. Despite a number of requests made through correspondence and payment of inspection fee, nothing has been done till 2016. The WRC wrote a letter dated 14.06.2016 to the Registrar of Gujarat University with a copy to the appellant wherein it has been stated that the application of the Trust has been rejected on 24.07.2008. But this decision has never been communicated to the appellant. If that decision was taken, Gujarat University would not have allotted students shown in brackets, to the appellant during the academic years 2012-13 (98), 2013-14(98), 2014-15(98) and 2015-16(50). In the meanwhile, based on the order of the WRC dated 14.06.2016, Gujarat University in their letter dated 28.06.2016 wrote to the convenor of the Central Admission Committee (B.Ed.) to put the appellant college

for the year 2016-17 under No Admission Zone. The appellant filed a Special Civil Application No. 11268 of 2016 before the Hon'ble High Court of Gujarat at Ahmedabad praying quashing of the decision of the Gujarat University contained in their letter dt. 28.06.2016, which is based on the letter the WRC dt. 14.06.2016. The Hon'ble High Court in their order dated 21.12.2016 disposed of the petition as withdrawn permitting the prayer of the petitioner to avail the alternative remedy before the Appellate Authority, under Section 18 of the NCTE Act. The Appellant has filed the present appeal for setting aside the WRCs order of 14.06.2016.

AND Whereas the Committee noted that the main point raised in the appeal is that no decision has been taken by the WRC on the request of the appellant for shifting of premises, eventhough many years have passed and on account of WRC communicating to the Gujarat University that the request for shifting has been rejected, the latter put the institution on hold for admissions for the academic year 2016-17. The Committee also noted that the WRC issued a revised order on 31.05.2015 granting recognition to the appellant for conducting one unit (50) of B.Ed. Course under the NCTE Regulations, 2014. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to take urgent action on the request of the appellant for shifting of their premises in accordance with the provisions of the NCTE Regulations, 2014 and communicate the decision to the appellant.

AND Whereas after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to the WRC with a direction to take urgent action on the request of the appellant for shifting of their premises in accordance with the provisions of the NCTE Regulations, 2014 and communicate the decision to the appellant.

NOW THEREFORE, the Council hereby remands back the case of R.B. Sagar College of Education, Sabarmati, Ahmedabad, Gujarat to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Managing Trustee, R.B. Sagar College of Education, Devbhoominagar D-Cabin, Sabarmati, Ahmedabad, Gujarat - 380019.
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, Ahmedabad.

(52)

F.No.89-26/2017 Appeal/7th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 29/5/17

ORDER

WHEREAS the appeal of Kisan Post Graduate College, Raksa Ratsar, Ballia, Uttar Pradesh dated 11.01.2017 is against the decision of the NRC taken in their 252nd meeting (part-14) held on 02.05.2016 to grant recognition for conducting D.El.Ed. course of one unit (50 students). The appellant wants recognition for two units (100 students)

AND Whereas Shri Jitendra Kumar Singh, Representative, Kisan Post Graduate College, Raksa Ratsar, Ballia, Uttar Pradesh presented the case of the appellant institution on 29/04/2017. In the appeal and during personal presentation it was submitted that "(i) they applied for grant of recognition for additional intake of 100 in D.El.Ed. on 29.05.2015; (ii) the Visiting Team verified the infrastructure and facilities and made no adverse observations with regard to availability of facilities for 100 students; (iii) they appointed duly approved staff for the additional intake of 100 students; (iv) at no point of time during the processing of the application, NRC objected or sought clarification for giving recognition with reduced intake; (v) they are already running B.Ed. with an intake of 100 and D.El.Ed. with an intake of 50; (vi) they are in possession of 3935 Sq. mts. which is sufficient and as per norms: (vii) they have invested huge amount for development of infrastructure and facilities and appointed permanent staff for the additional intake of 100; and (viii) similarly placed other institution have been granted additional intake of 100. The appellant also submitted that they, till date, no formal order of recognition has been served to them and the appeal is being preferred on the basis of the minutes that appeared on the website. The appellant further submitted that they approached the NRC to make appropriate modification in the decision for increasing the additional intake by 50 more students. The appellant has requested for grant of recognition for an additional intake of 100 instead of 50 already granted by the NRC".

AND Whereas the Committee noted that the appellant in the affidavit enclosed to the print out of the online application mentioned that the additional intake required was 100. The Visiting Team that inspected the institution on 08.02.2016 noted that the existing intake in D.El.Ed. is 50 and proposed intake is one unit (50) and recommended that the institution is fit for D.El.Ed. In the notarized affidavit enclosed to the VT report the appellant mentioned that their application was for an additional intake of 50 in D.El.Ed. course. After the minutes of the 252nd Meeting of the NRC were uploaded, the appellant in their letter dated 11.05.2016 stating that in their online application they sought recognition for an additional intake of 100, requested the NRC to reconsider their decision and grant recognition for an intake of 100 instead of the intake of 50 granted.

AND Whereas the Committee noted that the appellant, in the information submitted at the time of inspection on Rs. 100 stamp paper duly notarized mentioned that their application was for an additional intake of 50 in D.El.Ed. course. The Visiting Team also correctly by noted that the proposed intake was 50 and accordingly recommended the fitness of the appellant institution. The Committee also noted that according to para 3.1 of the Norms and standards for D.El.Ed. course contained in Appendix-2 to the NCTE Regulations, 2014 two basic units are permissible. Since the appellant has already one basic unit of 50 and in the affidavit submitted at the time of inspection mentioned the additional intake as 50 only, the Committee concluded that the decision of the NRC to grant recognition for and additional intake of 50 was justified and therefore, the appeal deserved to be rejected and the decision of the NRC confirmed.

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

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

(Sanjay Awasthi)
Member Secretary

1. The Manager, Kisan Post Graduate College, Raksa Ratsar Ballia, 72, 81, 83, 78, 33, Ballia, Uttar Pradesh – 277123.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.