(1)

F.No.89-62/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Rani Durgawati College, Vijaypur, Sheopur, Madhya Pradesh dated 27/01/2017 is against the Order No. WRC/APP3539/222/253rd/(MP)/2016/168834 dated 14.06.2016 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "Show Cause Notice was issued on 08.02.2016 and reply was received on 22.03.2016. An examination of the file shows that the institution has submitted all the required documents. The institution has replied that it is running B.A. and B.Com. courses but no documentary proof regarding affiliation by the University has been submitted. NOC from the affiliating body has also not been submitted. Hence, recognition is refused."

**AND WHEREAS** the appellant, aggrieved by the decision of the WRC filed a Writ Petition No. 326/2017 before the Hon'ble High Court of MP, Bench at Gwalior. The Hon'ble High Court, in their order dated 18.01.2017, disposed of the petition, giving liberty to the petitioner to file a statutory appeal, this being one of the alterative prayers in the Writ Petition itself, with a direction that if the appeal is filed within 15 days from 18.01.2017, the same shall be entertained and decided by the competent authority on merits as expeditiously as possible, without dismissing the same on the ground of limitation alone.

**AND WHEREAS** the appellant filed the appeal on 27.01.2017. The appellant in the appeal referred to the Show Cause Notice dated 08.02.2016 and not the refusal order dated 14.06.2016. In a letter dated 28.01.2017, the appellant submitted that the letter of rejection has not come in the knowledge of the appellant institution in time. From the file of the WRC it is seen that the refusal order dated 14.06.2016 was returned undelivered with the following remarks of the postman on the envelope. "There is no vidyalaya by this name in Gram Sehula, hence returned.".

**AND WHEREAS** the appellant in the appeal submitted that they had submitted the letter dt. 30.06.2015 alongwith the letter of composite course. before the W.R.C. In the letter dt. 28.01.2017 forwarding the appeal, the appellant submitted that their application for grant of recognition of D.El.Ed. course has been rejected only on the ground that the institution has not submitted the letter of composite course. The appellant has also submitted that they filed the letter of composite course before the W.R.C. on 06.06.2016.

**AND WHEREAS** No one from Rani Durgawati College, Vijaypur, Sheopur, Madhya Pradesh appeared on behalf of the appellant institution on 23.03.2017. The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

**AND WHEREAS** Sh. Naveen Garg, Secretary, Rani Durgawati College, Vijaypur, Sheopur, Madhya Pradesh presented the case of the appellant institution on 29.05.2017 i.e. the second opportunity granted to them. In the course of presentation, the appellant submitted a copy of their letter dt. 26.05.2015 addressed to the Board of Secondary Education, Madhya Pradesh, Bhopal requesting issue of NOC for the D.El.Ed. course. The appellant also submitted a copy of the letter dt. 26.08.2015 from the Registrar, Jiwaji University, Gwalior granting affiliation to the appellant institution for conducting B.A./B.Com courses.

**AND WHEREAS** the Committee noted from the refusal order dt. 04.06.2016 that the WRC refused recognition on two grounds, namely, (i) non-submission of documentary proof regarding affiliation of the university for running B.A. and B.Com courses; and (ii) non-submission of NOC from the affiliating body. The show cause notice dt. 08.02.2016 clearly indicated these two omissions besides the others. The appellant in their reply dt. 04.02.2016 merely stated that their institution is presently running B.A., B.Com courses and requested to treat their institution as a composite institution, but did not furnish any evidence of affiliation. The appellant in their reply, inter-alia submitted that they have applied for NOC to the affiliating body.

**AND WHEREAS** the Committee noted that the appellant has now submitted a copy of the affiliation letter from the university. There is no letter of composite nature stated to have been submitted on 06.06.2016 in the file of the W.R.C. The appellant has not submitted the NOC for D.El.Ed. course from the concerned affiliating body.

**AND WHEREAS** the Committee noted that according to the provisions of Clause 5(3) of the NCTE, Regulations, 2014, a No Objection Certificate issued by the concerned affiliating body shall be submitted alongwith the application. The Committee also noted that the Council issued instructions to their Regional Committees informing that, for 2016-17, 15th July, 2015 will be the last date for submission of hard copies of the applications, irrespective of the date of online submission. Since the appellant has not fulfilled this requirement, 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 Secretary, Rani Durgawati College, Vijaypur, Sheopur, Madhya Pradesh – 476337.**
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.

(3)

F.No.89-775/2016 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/8/17

**ORDER**

**WHEREAS** the appeal of National College of Education, Sirsa, Haryana dated 24/11/2016 is against the Order No. NRC/NCTE/NRCAPP-12947/257th (Part-3) Meeting/2016/159167 dated 27/09/2016 of the Northern Regional Committee, refusing recognition for conducting M.Ed. Course on the grounds that "The institution was given show cause notice vide letter dt. 21/06/2016 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice till date."

**AND WHEREAS** Dr. Punam Miglani, Principal and Smt. Laxmi Narain, Teacher Assistant, National College of Education, Sirsa, Haryana presented the case of the appellant institution on 23/03/2017. In the appeal and during personal presentation it was submitted that "the land documents had been sent vide their letter no. 6820/NCTE dated 08/02/2016 & 6844/NCTE dated 30/03/2016. The building completion certificate signed by the competent authority had been sent vide their letter no. 6895/NCTE dated 13/07/2016. The inspection of their college was already conducted by the orders of NCTE by inspection team composed of Dr. Dharmendra Bhadoria and Dr. Man Veer Singh on 28/04/2016. No other discrepancy was found in their college. Therefore, in the interest of justice and fair-play it is humbly submitted that a sympathetic view is solicited in this appeal at an early date."

**AND WHEREAS** the appellant, in the course of presentation, submitted a letter date 23.03.2017 stating that they could not present documentary proof of sending their reply through post to NRC Jaipur and the building completion certificate submitted in NCTE was not in the proper format prescribed by the NCTE. In these circumstances he requested grant of an opportunity to present their case again with valid documents. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

**AND WHEREAS** Dr. Punam Miglani, Principal and Smt. Laxmi Narain, Teacher Assistant, National College of Education, Sirsa, Haryana presented the case of the appellant institution on 29.05.2017 i.e. the second opportunity granted to them. In the course of presentation, the appellant submitted a copy of the postal receipt dt. 13.07.2016 about a document addressed to the N.R.C., Jaipur. The appellant also submitted a copy of a occupation certificate dt. 26.05.2017 issued by the Municipal Engineer, Municipal Council, Sirsa and a copy of the building completion certificate in the prescribed format.

**AND WHEREAS** the Committee noted that the N.R.C. issued a show cause notice to the appellant on 21.06.2016 on the ground that the institution has not submitted the building completion certificate signed by the Competent Government Authority while the appellant has claimed that he had sent the building completion certificate signed by the competent authority with their letter no. 6895/NCTE dt. 13.07.2016 and gave a copy of the postal receipt of that date in respect of a document addressed to N.R.C., Jaipur, no such letter is found in the file of the N.R.C. The Committee also noted that the copy of the occupation certificate now submitted indicated the total built up area as 45570 sq. ft. and the copy of the building completion certificate in the prescribed format, which has also been submitted also indicated the total built up area as 45570 sq. ft. though the latter has not been signed by any Government Engineer.

**AND WHEREAS** the Committee, however, finding that the built up area in the building completion certificate matches with that given in the occupation certificate issued by a Government Engineer, concluded that the matter deserved to be remanded to the N.R.C with a direction to consider these two documents, and take further action as per the NCTE, Regulations, 2014. The appellant is directed to forward these two certificates to the N.R.C within 15 days of receipt of the orders on the appeal.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to consider these two documents, and take further

action as per the NCTE, Regulations, 2014. The appellant is directed to forward these two certificates to the N.R.C within 15 days of receipt of the orders on the appeal.

**NOW THEREFORE, the Council hereby remands back the case of National College of Education, Sirsa, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Principal, National College of Education, 83/4, Own Building, B-Block, Near Durga Mandir, Sirsa, Haryana – 125055.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

(5)

F.No.89-779/2016 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Jai Mata Dulhami Tribhuwan Mahavidyalaya, Chogra, Ballia, Uttar Pradesh dated 26/11/2016 is against the Order No. NRC/NCTE/NRCAPP-14806/249th (part-5) Meeting/2016/149308 dated 25.05.2016 of the Northern Regional Committee, refusing recognition for conducting BA/B.Sc. Course on the grounds that the reply of the institution to the SCN dated 16/10/2015 has not been submitted by the institution. The institution in their letter dated 27/01/2016 requested to consider the application for B.El.Ed. instead of B.A., B.Ed. / B.Sc. B.Ed. course for which the institution has applied.

**AND WHEREAS** Sh. Ajendra Kumar, Representative, Jai Mata Dulhami Tribhuwan Mahavidyalaya, Chogra, Ballia, Uttar Pradesh presented the case of the appellant institution on 23/03/2017. In the appeal and during personal presentation it was submitted that "the documents were sent by post no. EU149715867 on 09/07/2015 NOC was submitted to NRC, Jaipur on 01/02/2016 vide receipt no. 130811." The appellant also submitted a letter dated 23.01.2017 (date should be 23.03.2017), requesting another opportunity as some documents have not become available.

**AND WHEREAS** the Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

**AND WHEREAS** Ms. Jyoti Prakash, Representative, Jai Mata Dulhami Tribhuwan Mahavidyalaya, Chogra, Ballia, Uttar Pradesh presented the case of the appellant institution on 29.05.2017 i.e. the second opportunity given to them. In the course of presentation, the appellant gave a letter dt. 28.05.2017. In this letter, the appellant submitted that NOC for B.A. B.Ed./B.Sc. B.Ed. programme was submitted

to N.R.C. on 13.04.2016 but N.R.C. in their 249th (Part – 5) meeting held between 1st and 10th February, 2016 refused recognition. The appellant enclosed a copy of their letter dt. 10.04.2016 bearing the N.R.C. receipt stamp no. 138879 dt. 13.04.2016 and a copy of the NOC dt. 27.02.2016 for B.A. B.Ed. programme issued by Mahatma Gandhi Kashi Vidyapith, Varanasi.

**AND WHEREAS** the Committee noted that the N.R.C. issued a show cause notice to the appellant on 16.10.2015 on the grounds that (i) the print out of the application was not submitted within 15 days of online; and (ii) NOC of the affiliating body was not submitted with the hard copy of the application. The appellant did not send any reply to the show cause notice. The appellant's letter dt. 10.04.2016 with which a NOC issued by the affiliating body for B.A. B.Ed. programme on 27.02.2016 is not in the file of the N.R.C.

**AND WHEREAS** the Committee noted that according to the provisions of Clause 5 (3) of the NCTE Regulations, 2014, a No Objection Certificate issued by the affiliating body shall be submitted alongwith the application. The Committee also noted that the Council issued instructions to their Regional Committees informing that, for 2016-17, 15th July, 2015 will be the last date for submission of the hard copies of the applications together with NOC, irrespective of the date of online application. The appellant applied for B.A. B.Sc. course online on 29.06.2015 and did not submit the NOC with the hard copy of their application. They got the NOC only on 27.02.2016. In these circumstances, the Committee concluded that the N.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Jai Mata Dulhami Tribhuwan Mahavidyalaya, 386, 445, onw, Chogra, 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.

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F.No.89-845/2016 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Babu Vasudev Singh Smarak Mahavidyalaya, Bahraich, Uttar Pradesh dated 13.12.2016 is against the Order No. NRC/NCTE/NRCAPP-5055/256th Meeting (Part-2)/2016/159766 dated 17/10/2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. Course on the grounds that "The institution was given show cause notice vide letter dt. 22/09/2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice."

**AND WHEREAS** Shri. Girijesh Kumar Singh, Member, Society for, Babu Vasudev Singh Smarak Mahavidyalaya, Bahraich, Uttar Pradesh presented the case of the appellant institution on 25/03/2017. In the appeal and during personal presentation it was submitted that after an inspection of their institution on 25.12.2013, no LOI was received from NCTE, Jaipur and suddenly the refusal order was received. The appellant further submitted that they have affiliation for running Degree course from Dr. Ram Manohar Lohia Avadh University, Faizabad and hence theirs is a composite institution. The appellant also submitted that at time of their application for B.Ed. course NOC was not required.

**AND WHEREAS** the appellant requested Appeal Committee for grant of another opportunity as he has failed to bring certain important documents. Appeal Committee, decided to grant another (second) opportunity to the appellant.

**AND WHEREAS** Sh. Dinesh Pratap Singh, Representative, Babu Vasudev Singh Smarak Mahavidyalaya, Bahraich, Uttar Pradesh presented the case of the appellant institution on 29.05.2017 i.e. the second opportunity given to them. In a letter dt. 29.05.2017 given during presentation the appellant stated that they neither received the LOI nor the SCN and hence could not send reply.

**AND WHEREAS** the Committee noted that the NRC issued the Letter of Intent (LOI) on 14.02.2015 and the Show Cause Notice (SCN) on 22.09.2015 to the appellant at the same address to which the refusal order dt. 07.10.2016 was sent. The Committee noted that neither the LOI nor the SCN were returned to the NRC undelivered. Further the minutes of the meeting of the NRC wherein decisions are taken or uploaded on their website for information of all concerned, including the applicants. The appellant does not seem to have made any efforts after their institution was inspected on 25.12.2013, to find out the status of their application till the NRC issued refusal order on 07.10.2016. In these circumstance, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC confirmed.

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

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Babu Vasudev Singh Smarak Mahavidyalaya, Village – Jaitapur, PO – Rupaidiha, Bahraich, Uttar Pradesh – 271881.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-223/E-117/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/8/17

**ORDER**

**WHEREAS** the appeal of Swapna Devi College of Education, Village – Chakat Gram, P.S. Nanoor Dist. – Birbhum, West Bengal dated 24.03.2017 is against the Order No. ER/7-ER-226.7.6/NCTE/ERCAPP3378/B.Ed./2016/50579 dated 23/12/2016 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(a) SCN was issued on 25/08/2016 on the following grounds: (ii) As per building plan and building completion certificate, three storied (G+2) building is available having total built up area 3051 sq. mts. but as seen in the CD, second floor is under construction. After deduction, the measurement of second floor, the total built up area of G+1 floor is 2034 sq. mts. which is less than the requirement of 3000 sq. mts. stipulated for running B.Ed. + D.El.Ed. programme. (b) The institution with its representation dated 26/08/2016 submitted the fresh CD. The ERC considered the representation and found that the institution is still deficient on the following grounds: (i) In the fresh CD, it is observed that the second floor has been completed, but the same VT members are moving, measuring and noting within the newly constructed building where the ERC has not assigned them to revisit the institution. (ii) As per NCTE Regulation 2014, there is no provision for re-inspection of the under constructed building. In view the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3378 of the institution regarding recognition of B.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

**AND WHEREAS** Sh. Ramkrishna Pal, Secretary and Sh. Minhajuddin, Representative, Swapna Devi College of Education, Village – Chakat Gram, Dist. – Birbhum, Nanoor, West Bengal presented the case of the appellant institution on 29/05/2017. In the appeal and during personal presentation it was submitted that in the fresh CD submitted by institution dated 26/08/2016 ERC observed that the second floor has been completed. ERC did not consider in the meeting no 226 for

re-inspection. As per ERC, NCTE, small part of the second-floor construction was not finished. Without measuring by any competent person how is it possible to say that built up area of the second floor of 1000 sq. mts. was not completed. The appellant required a re-inspection of the institution."

**AND WHEREAS** the Committee noting the submissions of the appellant and the observation the ERC that the second floor has been completed, concluded that the matter deserved to be remanded to the ERC with a direction to conduct a re-inspection of the institution, on payment of the prescribed fee by the appellant, and take further action as per the NCTE Regulations, 2014.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to ERC with a direction to conduct a re-inspection of the institution, on payment of the prescribed fee by the appellant, and take further action as per the NCTE Regulations, 2014.

**NOW THEREFORE, the Council hereby remands back the case of Swapna Devi College of Education, Village – Chakat Gram, P.S. Nanoor Dist. – Birbhum, West Bengal to the ERC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Swapna Devi College of Education, Village – Chakat Gram, SH-7 Dist. – Birbhum, Nanoor – 731215, West Bengal.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-224/E-98/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Shaheed Baba Deep Singh College of Education, Fatehabad Road, Ratia, Haryana dated 29.03.2017 is against the Order No. NRC/NCTE/NRCAPP-4951/262nd (Part-8) Meeting/2017/166776 dated 06/02/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. (Addl.) course on the grounds that "The institution was issued show cause notice on 29/12/2016 with regard to the ban on D.El.Ed. course imposed by the State Government. The reply of the institution to the show cause notice received on 10/01/2017 by NRC was considered and it was not found satisfactory. Further, "As directed by the NCTE Hqrs. Vide its letter no. F.No. 49-01/2015/NCTE/N&/40229 dt. 24/08/2016. NRC decided to take up the matter with the Haryana Govt. to sort out impasse of applications received prior to the promulgation of the Regulation, 2014 by allowing restricted exception to their current stand i.e. ban in respect of application pertaining to the years 2013-14." As copy of this letter be forwarded to the Haryana Govt. of their comments so that adequate decision may be taken by the NRC. The NRC sent a letter to the Chief Secretary, Higher Education Haryana, Chandigarh on 16/09/2016 stating that to kindly revisit its policy decision of imposing ban in respect of applications for grant of recognition for B.Ed./D.El.Ed. Course categorically for the applications received by NRC prior to the promulgation of the Regulations, 2014. The NRC sent 1st reminder to Chief Secretary Secretariat, Higher Education, Haryana Chandigarh on 6th October 2016, followed by IInd reminder on 27th October 2016. However, the State Government has not responded in the matter so far." Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

**AND WHEREAS** Sh. Harmeet Singh, Secretary and Dr. Mamta Choudhary, Principal, Shaheed Baba Deep Singh College of Education, Fatehabad Road, Ratia,

Haryana presented the case of the appellant institution on 29/05/2017. In the appeal and during personal presentation it was submitted that "their institute is a Sikh Minority Education Institute under article 30(1) of the constitution of India. As per the Public Notice dated 27.03.2015, issued by the NCTE Hqrs ban is not applicable in case of minority institutes. In these circumstance, the appellant requested consideration of the application.

**AND WHEREAS** the Committee noted that the Hon'ble High Court of Punjab and Haryana in their order dt. 03/08/2015 in CWP No. 12482 of 2015 held "that the NCTE is the appropriate authority to take a decision for the opening of new colleges and the State Government or the University cannot act contrary to the decision of the NCTE. It was also observed that the contention of the State Government is only to supply data and material to the NCTE to enable it to take a decision, but the State had no power to decide, by way of a policy decision, not to grant permission to open new B.Ed. college for a particular period."

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

**AND WHEREAS** in view of the position stated above, the Committee concluded that the matter deserved to be remanded to the N.R.C to process the application further as per the NCTE Regulations, 2014.

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

during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to process the application further as per the NCTE Regulations, 2014.

**NOW THEREFORE, the Council hereby remands back the case of Shaheed Baba Deep Singh College of Education, Fatehabad Road, Ratia, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Shaheed Baba Deep Singh College of Education, Aherwan, Ratia-Fatehabad Road, Ratia – 125051, 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.

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F.No.89-226/E-56/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Shree Shivcharan Yadav Shiksha Samiti, Manakbara Garderwara, Madhya Pradesh dated 24.3.2017 is against the Order No. WRC/APP2932/223/266th/2016/178780-787 dated 18/01/2017 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "...Clarification letter/Show Cause Notice dt. 19/10/2016 was issued to the institution. Reply has not been received till date. Hence, Recognition is refused."

**AND WHEREAS** Sh. Parmod Kumar, Representative, Shree Shivcharan Yadav Shiksha Samiti, Manakbara Garderwara, Madhya Pradesh presented the case of the appellant institution on 29/05/2017. In the appeal and during personal presentation it was submitted that "their institution has not received show cause notice".

**AND WHEREAS** the Committee noted that, before the Visiting Team could conduct inspection of the College, the management informed that they are not ready for inspection. The WRC thereafter issued a clarificatory letter to the institution on 19.10.2016 asking them to submit (i) a sum of Rs. 1.50 Lakhs for constituting another VT and (ii) building completion certificate signed by the sarpanch as well as a Govt. Engineer. A reply to this letter was to be received within 15 days from the date of its issue. The decision taken by the WRC in this regard was also displayed on their website for information of applicants. The letter dt. 19.10.2016 has not been returned to the WRC undelivered. The appellant in the appeal merely stated that they did not receive this letter. He did not make any submission on the grounds contained in the clarificatory letter, which were reproduced in the refusal order. The Committee also noted that the refusal order dt. 18.01.2017 was returned to the WRC undelivered with the remarks person by this name is not available, hence returned

on 02.02.2017 by the postman. This clearly indicates that either the institution is not existing at the address provided or is not interested in getting it inspected.

**AND WHEREAS** in the above circumstance, the Committee concluded that the WRC was justified is 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 Manager, Shree Shivcharan Yadav Shiksha Samiti, Manakbara Bhamon 211/3, Garderwara – 487551, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

(20)

F.No.89-227/E-54/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Birnagar Kabi Nabin Chandra Sen Teachers Training Institute, Village – Nazirpur, Ranaghat, Dist. – Nadia, West Bengal dated 23.3.2017 is against the Order No. ER-227.6.41/ERCAPP3830/D.El.Ed./2016/51011 dated 17/01/2017 of the Eastern Regional Committee, granting recognition for conducting D.El.Ed. course with an intake of 50 (one basic unit). The appellant wants recognition for two units (100 intake).

**AND WHEREAS** Sh. Subodh Kumar Mandal, Secretary and Sh. Sandip Das, Representative, Birnagar Kabi Nabin Chandra Sen Teachers Training Institute, Village – Nazirpur, Ranaghat, Dist. – Nadia, West Bengal presented the case of the appellant institution on 29/05/2017. In the appeal and during personal presentation it was submitted that the institute had applied for two units and is eligible to get approval for two units. The institute has appointed and submitted 16 approved faculties to get recognition for two units as per NCTE norms 2014. The institute have adequate infrastructures and instructional facilities to get approval for two units. So please consider the matter."

**AND WHEREAS** the Committee noted that the appellant in their affidavit enclosed to the hard copy of the application mentioned that the recognition sought for it 50, though the name of the course was wrongly mentioned as B.Ed. The visiting Team in their report dt. 21.03.2016 mentioned the proposed intake as 50 (one unit) and recommended grant of recognition for one unit only. In the affidavit submitted by the appellant at the time of inspection also it was mentioned that intake in D.El.Ed course is 50. The ERC in their letter of Intent dt. 29.06.2016 asked the institution to intimate their willingness in affidavit about the number of unit either one or two. The appellant while furnishing a reply to the Letter of Intent dt. 30.07.2016 enclosed an affidavit dt. 28.06.2016 opting for an intake of 100 (two units). The ERC, after

examining the documents submitted by the appellant including the details of faculty and also noting that the appellant applied for one basic unit of D.El.Ed. and B.Ed. courses, decided to grant recognition for one unit of D.El.Ed. only.

**AND WHEREAS** since the institution initially applied for only one unit of D.El.Ed., the Visiting Team also recommended one unit and the ERC examined the faculty position in detail before deciding to grant recognition for one unit, the Committee concluded that the appeal deserved to be rejected and the order of the ERC confirmed.

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

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Birnagar Kabi Nabin Chandra Sen Teachers Training Institute, Village – Nazirpur, Taherpur Birnagar Road, Ranaghat, Dist. – Birnagar- 741127, West Bengal.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

(22)

F.No.89-229/E-175/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of B.S. Patel College, Meghpura Road, Distt. Bhind Mehgaon, Madhya Pradesh dated 27.3.2017 is against the Order No. WRC/APP3365/B.A. B.Ed./B.Sc. B.Ed./266th/{M.P.}/2017/179005 dated 27/01/2017 of the Western Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that clarification letter/Show Cause Notice dt. 20/04/2016 was issued to the institution. Reply has not been received till date. Hence, Recognition is refused."

**AND WHEREAS** Sh. Abhilakh Singh, Secretary, B.S. Patel College, Meghpura Road, Mehgaon, Distt. Bhind, Madhya Pradesh presented the case of the appellant institution on 29/05/2017. In the appeal and during personal presentation it was submitted that the society president's death was the reason for the institution not replying to the letter of the NCTE, WRC. In a letter dt. 29.05.2017 given at the time of presentation, the appellant submitted that due to some special circumstance, they could not reply to the WRC but they are now prepared to deposit Rs. 1,50,000/- for inspection and their building is complete in all respects as per the NCTE norms.

**AND WHEREAS** the Committee noted that when the WRC proposed an inspection of the appellant institution between 25.02.2016 and 02.03.2016, the appellant in their letter dt. 27.02.2016 and 28.02.2016 informed the VT members that their building is not yet ready and it is impossible to conduct inspection. In their letter dt. 27.02.2016 the appellant asked for two months' time for inspection. The VT members in their letter dt. 03.03.2016 informed the Regional Director WRC that the institution refused for inspection when they were asked for the date for the visit. Thereafter the WRC sent a letter dt. 20.04.2016 to the appellant institution asking then to deposit Rs. 1.50 Lakhs for Inspection, which will be carried out after receipt

of the amount. The institution, which was asked to submit a reply within 21 days from the date of that letter, did not send any reply.

**AND WHEREAS** in view of the position stated above 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 Secretary, B.S. Patel College, 344, Jarpura, Meghpura Road, Mehgaon – 477557, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

(23)

F.No.89-230/E-173/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Marwar Mahavidyalaya, Palara Station Road, Kuchamancity, Rajasthan dated 22.03.2017 is against the Order No. NCTE/NRC/NRCAPP201615355/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-2018/2; dated 03/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./ B.Sc. B.Ed. course on the grounds that "SCN dated 30/01/2017 reply received 09/02/2017 has the following observations: - The institution has not submitted copy of the affiliation letter issued by affiliating university in support of its claim of running B.A./B.Sc. courses. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

**AND WHEREAS** Sh. Sunil Kumar Bijarniya, Treasurer, Marwar Mahavidyalaya, Palara Station Road, Kuchamancity, Rajasthan presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "The MDS University has not issued current Affiliation for any college. So we are not able to submit but affiliation under process certificate is attached."

**AND WHEREAS** Appeal Committee noted that appellant institution submitted online application dated 30.05.2016 seeking recognition for B.A. B.Ed./ B.Sc B.Ed. programme. The application contained the details pertaining to B.A., B.Com, B.Sc and B.CA course being conducted by the appellant institution since 2011. In support of above, applicant submitted copies of temporary / provisional affiliation granted by Maharishi Saraswati University, Ajmer on 08.10.2011 and 31.12.2014. Appeal Committee further noted that a Show Cause Notice (SCN) dated 30.01.2017 was issued to appellant institution inter alia mentioning that latest proof of application of liberal arts course not submitted. The appellant in its reply dated 09.02.2017

informed NRC that institution has paid the affiliation fee to the University for issue of letter of affiliation. Appellant further submitter to NRC on 17.03.2017 a certificate issued by affiliating University that provisional application of the aforesaid college for sessions i.e. 2013-14 to 2016-17 is under process. Appeal Committee is convinced that appellant institution by virtue of its conducting courses in liberal arts is eligible to apply for B.A. B.Ed./ B.Sc. B.Ed. and subject to being assessed successful by the Visiting Team is also entitled to L.O.I. In case the appellant institution is not able to submit affiliation letter issued by concerned affiliating University, a conditional L.O.I may be issued to appellant institution which may include an additional clause requiring affiliation letter to be submitted to NRC before issue of a formal order of recognition under clause 7(16). The impugned refusal order dated 03.03.2017 is set aside. The application should be processed further in accordance with NCTE Regulations.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing, Appeal Committee concluded to set aside the impugned refusal order dated 03.03.2017 and remand back the case to NRC for further processing of the application.

**NOW THEREFORE, the Council hereby remands back the case of Marwar Mahavidyalaya, Palara Station Road, Kuchamancity, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Treasure, Marwar Mahavidyalaya, Palara, Station Road, Kuchamancity – 341508, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

(24)

F.No.89-231/E-178/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Shri Kashi Chandradev Yadav Mahavidyalaya, Bamhaur, Hazipur, Azamgarh, Uttar Pradesh dated 31.03.2017 is against the Order No. NRC/NCTE/NRCAPP-13997/Recognition/D.El.Ed./262nd Meeting (part 8 – Meeting/2017 dated 17.02.2017 of the Northern Regional Committee, granting recognition for conducting D.El.Ed. course with an intake of one unit on the grounds that "College has infrastructure and institutional facilities, teacher's approval for 2 units."

**AND WHEREAS** Sh. Sandeep Kumar Yadav, Member, Shri Kashi Chandradev Yadav Mahavidyalaya, Bamhaur, Hazipur, Azamgarh, Uttar Pradesh presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "College was granted one unit for D.El.Ed. programme whereas it was eligible to get two units."

**AND WHEREAS** Appeal Committee noted that appellant institution submitted online application dated 25.06.2015 seeking recognition for conducting D.El.Ed. programme. As per affidavit enclosed with the application, the applied for intake was two units (100 seats). Inspection of the appellant institution was conducted on 22.09.2016 with a proposed intake of 100 seats in view and Visiting Team recommended grant of recognition for 2 units. The letter of Intent (LOI) dated 18.01.2017 mentioned that 'As per Regulations 2014 an institution can be given maximum two units for D.El.Ed. and B.Ed. programme.

**AND WHEREAS** Appeal Committee further noted that appellant institution submitted compliance report dated 23.12.2016 in response to L.O.I. The appellant submitted an affidavit requesting for grant of recognition for 2 units. The list of faculty submitted by appellant institution in response to L.O.I. included the names of one

Principal and 15 faculty members. Appeal Committee further noted that NRC while deciding to grant recognition for one unit of D.El.Ed. did not specify any reason for granting only one unit and not granting two units as applied for by the appellant institution.

**AND WHEREAS** Appeal Committee, therefore, decided to remand back the case to NRC for granting recognition for one more unit of D.El.Ed. programme.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for granting recognition for one more unit of D.El.Ed. programme.

**NOW THEREFORE, the Council hereby remands back the case of Shri Kashi Chandradev Yadav Mahavidyalaya, Bamhaur, Hazipur, Azamgarh, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Shri Kashi Chandradev Yadav Mahavidyalaya, Bamhaur, Hazipur, Sadar, Azamgarh – 226021, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(25)

F.No.89-232/E-176/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of SPS Janta College of Education, Mustafabad, Haryana dated 31.03.2017 is against the Order No. NRC/NCTE/NRCAPP-261st Meerting/2016/163933 dated 28/12/2016 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The reply of the institution dated 22/11/2016 in response to the show cause notice issued by the NRC on 14/10/2016 was considered by the Committee. The Committee observed that the institution has not yet submitted the compliance to letter of intent dated 25/04/2016. The reply submitted is not acceptable."

**AND WHEREAS** Sh. Ashwani Singla, Technical Assistant, SPS Janta College of Education, Mustafabad, Haryana presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "The LOI under clause 7(13) was not received by this office even till date. However, a reply of the show cause notice bearing No. F.NRC/NCTE/NRCAPP-12109/257th (Part-3) Meeting/2016/160435 dated 14/10/2016 which was received in this office on 11/11/2016 was submitted to the NRC, NCTE, Jaipur on 18/11/2016 vide letter No. SPSJCE/2016/226 dated 12/11/2016 stating that no letter regarding LOI was received by this college. In case LOI would have been received in this office, the College must had complied the LOI, because the college has appointed teaching faculty on 15/02/2016 and the selection proceedings of the teaching faculty for approval was sent to the Kurukshetra University, Kurukshetra vide letter No. SPSJCE/2016/605 on 23/02/2016. List of the faculty appointed for teaching of B.A. B.Sc. B.Ed. (4 year integrated course) is sent herewith with the request to set aside the refusal orders of NRC, NCTE bearing No. F.NRC/NCTE/NRCAPP-12109/261st Meeting/2016/163934 dated 28/12/2016. A copy the letter sent to the Kurukshetra University, Kurukshetra regarding approval of selection proceedings of faculty

recruited for teaching of B.A. B.Sc. B.Ed. (4 year integrated course) is sent herewith with the request to consider our approval".

**AND WHEREAS** Appeal committee noted a Letter of Intent (LOI) dated 25.04.2016 was issued to appellant institution under clause 7(13) of the NCTE Regulation, 2014. Subsequently a Show Cause Notice (SCN) dated 14.10.2016 was issued to appellant institution on the ground that 'Institution has not submitted reply to LOI within the stipulated time'. The appellant institution submitted reply dated 12.11.2016 to SCN stating that LOI was not received by the appellant institution.

**AND WHEREAS** Appeal Committee noted that appellant institution is an established institution conducting B.Ed., D.El.Ed., B.A., B.Com, B.B.A, M.B.A. etc and had it received the LOI dated 25.04.2016, it would have taken necessary steps to fulfil the conditions stipulated in the LOI. Appeal Committee, therefore, decided to remand back the case to NRC for reissue of the LOI and grant 60 days time afresh to the appellant institution for submitting compliance.

**AND WHEREAS** after perusal of the Memoranda of Appeal affidavit, documents on record and arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for reissue of Letter of Intent granting 60 days time afresh to the appellant institution for submitting compliance.

**NOW THEREFORE, the Council hereby remands back the case of SPS Janta College of Education, Mustafabad, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, S.P.S. Janta College of Education, Mustafabad – 133103, 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.

(26)

F.No.89-233/E-1078/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Paras Baba Sahab Ambedkar Sahid Faujdar Ram Mahavidyalaya, Paraspura, Maunath Bhanjan, Uttar Pradesh dated 10.04.2017 is against the Order No. NRC/NCTE/NRCAPP-14202/264th (Part-1) Meeting/2017/168200 dated 17/03/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "In the reply dated 30/01/2017 in response to SCN, the institution has submitted NOC of affiliation for B.A. programme, but affiliation letter of the concerning university to grant affiliation as proof of composite institution has not been submitted."

**AND WHEREAS** Sh. Rajkishor Prasad, Manager and Sh. Anil Kumar, Head Clerk, Paras Baba Sahab Ambedkar Sahid Faujdar Ram Mahavidyalaya, Paraspura, Maunath Bhanjan, Uttar Pradesh presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "The institution has submitted B.A. program affiliation letter as proof of composite institution, But NCTE is not accepted to B.A. Program of affiliation."

**AND WHEREAS** Appeal Committee noted that NRC in its 262nd Meeting held from 16 to 24 January, 2017 decided to issue a Show Cause Notice (SCN) to the appellant institution on the ground that 'The Institute has not submitted any proof/ evidence to prove that it is a composite institution as per clause 2(b) of NCTE Regulation, 2014".

**AND WHEREAS** appellant in reply the Show Cause Notice submitted copy of a letter 16.11.2013 issued by Annu Sachiv, U.P. Administration addressed to Vice Chancellor, Veer Bahadur Singh Puravnchal University, Jaunpur conveying its approval to the start of graduate level programme in the subjects of Hindi, Sanskrit,

Home Science, Geography, Sociology, History and English etc. The letter conveys the approval to affiliate the institution for a period of 3 years from 01.07.2013. It is however, not clear whether the affiliation granted by U.P. Administration vide its letter dated 16.11.2013 was final or subject to the approval and issue of an unconditional affiliation letter by the concerned University. In case NRC was having any doubt, the appellant institution should have been asked to clarify as to from which academic session it has started conducting the graduate level course with yearly pass out results. This would have facilitated to find out whether the state government approval was required to be followed up by issue of a separate letter of affiliation by the concerned University.

**AND WHEREAS** Appeal Committee noted that neither appellant institution filled up the details of other course in its application form nor did the Visiting Team mention in its report that some other course such as B.A. B.Com, B.Sc etc is being conducted at the proposed site. It is therefore, necessary for the appellant to show some concrete evidence to prove that B.A. B.Sc. B.Com etc courses are being conducted with necessary affiliation from the concerned university.

**AND WHEREAS** Appeal Committee, therefore, decided to remand back the case to NRC to revisit the matter and give the appellant another chance to provide evidence in support of its conducting graduate level classes at the site where it proposes to conduct the D.El.Ed programme.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for giving the appellant institution another chance to provide evidence in support of its conducting graduate level classes at the site where it proposes to conduct the D.El.Ed. programme.

**NOW THEREFORE, the Council hereby remands back the case of Paras Baba Sahab Ambedkar Sahid Faujdar Ram Mahavidyalaya, Paraspura, Maunath Bhanjan, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Paras Baba Sahab Ambedkar Sahid Faujdar Ram Mahavidyalaya, Paraspura, Maunath Bhanjan – 275101, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-235/E-742(1)/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Bindeshwari Mahavidyalaya BTC, Bardha Bhiura, Akbarpur, U.P. dated NIL is against the Order No. NRC/NCTE/NRCAPP-10393/261th Meeting/2016/166199 dated 02/02/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The institution was given show cause notice vide letter dt. 16/11/2015. The institution failed to submit NOC of the affiliating body."

**AND WHEREAS** Sh. Ashok Kumar, Director, Bindeshwari Mahavidyalaya BTC, Bardha Bhiura, Akbarpur, U.P. presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "We really apologize for not submitting the NOC with a hard copy of application because at that time SCERT did not provide us NOC. Now we have received NOC and we are submitting the application. Kindly refer to our application and proceed on with further process with all the desired information provided to you."

**AND WHEREAS** Appeal Committee noted that as per provision of clause 5(3) of NCTE Regulation, 2014, application shall be submitted alongwith processing fee and scanned copies of the required documents such as NOC issued by the affiliating body. Clause 7(1) of the regulation further provides for rejection of such application which are not complete or requisite documents are not attached with the application.

**AND WHEREAS** Appeal Committee noted that appellant institution was not having NOC at the time of submission of application and failed to submit it even in response to the Show Cause Notice dated 06.11.2015. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 02.02.2017 issued by NRC Jaipur.

**AND WHEREAS** after perusal of the Memoranda Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 02.02.2017 issued by NRC Jaipur.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Bindeshwari Mahavidyalaya BTC, Bardha Bhiura 101, Akbarpur – 224122, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-236/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/8/17

**ORDER**

**WHEREAS** the appeal of Gyanodaya Mahavidyalaya, Bissau, Jhunjhunu Churu Road, Malsisar, Rajasthan dated 13.04.2017 is against the Order No. NCTE/NRC/NRCAPP201616143/BA B.Ed./ B.Sc. B.Ed – 4 year Integrated/SCN/RJ/2017-18(LSG-SL No.) dated 16.02.2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./ B.Sc. B.Ed. course on the grounds that "The institution submitted application online on 31/05/2016 and hard copy of the application received in NRC on 20/12/2016. As per clause 7(2)(b) of NCTE Regulations, 2014, the hard copy of the application is to be submitted within 15 days of the submission of the online application. As per NCTE Hqrs. Direction, the hard copy was acceptable up-to 15th July which was the last date for submission of hard copy irrespective of online submission. The hard copy of the application has been received in NRC on 20/12/2016 i.e. beyond 15th July 2017. Hence, the Committee decided that the application is summarily rejected."

**AND WHEREAS** Sh. Ishwar Singh, Secretary and Sh. Dharm Pal Singh, Manager, Gyanodaya Mahavidyalaya, Bissau, Jhunjhunu Churu Road, Malsisar, Rajasthan presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "Your appellant had gone through the advertisement published by NCTE in the newspapers whereby it has invited applications for running teacher training courses from desirous applicants. Your appellant had also very carefully and minutely gone through the NCTE (Recognition Norms & Procedure) Regulation 2014 in-vague since 27/11/2014 and the Norms & Standards for B.Ed. course (Appendix-4) annexed thereto. Your appellant, had made best efforts to arrange all the requisite essential

documents stipulated in the NCTE Regulations before making the online application. Thereafter, your appellant had submitted the online application on 31/05/2016. However, due to a technical problem occurring in NCTE server, we were not able to take a print- out despite repeated efforts. The institution submitted application online on 31st May, 2016 and hard copy of the application received in NRC on 20/12/2016. As per clause 7(2)(b) of NCTE Regulations 2014, the hard copy of the application is to be submitted within 15 days of the submission of online application."

**AND WHEREAS** appellant during the course of appeal presentation on 30.05.2017 as well as in the appeal Memoranda stated that hard copy of the application was submitted to NRC on 07.07.2016 through registered post. As evidence of having sent the hard copies of application by post, the appellant had also submitted zerox copy of a postal receipt. The above copy of receipt is for a parcel weighing 88 grams booked in favour of NRC, Jaipur.

**AND WHEREAS** Appeal Committee noted from the regulatory file that 3 sets of hard copy of application which were received definitely weigh much more than 88 grams. Appellant was asked to show original postal receipt which he could not.

**AND WHEREAS** Appeal Committee after noting that appellant could not support his statement of having submitted hard copies of the application on 07.07.2016 by showing original postal receipt, decided to confirm impugned refusal order dated 16.02.2017.

**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, Gyanodaya Mahavidyalaya, Bissau, Jhunjhunu Churu Road, Malsisar, Rajasthan – 331027.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

F.No.89-237/E-1208/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Lal Bahadur Shastri Shiksha Mahavidyalaya, Village – Baloda, District – Janjgir-Champa, Chhatisgarh dated 26.03.2017 is against the Order No. WRC/APP3197/M.Ed./269th/C.G.2017/181699 dated 08/03/2017 of the Western Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "And Whereas, reply of clarification dt. 17/02/2017 received in this office on 17/02/2017, was placed before the WRC in its 269th meeting held on 20th – 22nd February 2017 and Committee decided to issue Refusal order to the institution on following points: - "The case file was seen. Show Cause Notice was issued to the institution regarding the submission of NAAC certificate. The institution has not submitted any document other than the one which was submitted on 29/05/2015. Hence, Recognition is refused."

**AND WHEREAS** Sh. Rajesh Kumar Mishra, President, Lal Bahadur Shastri Shiksha Mahavidyalaya, Village – Baloda, District – Janjgir-Champa, Chhatisgarh presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "Appellant is an educational society registered under the statutory provisions. The appellant is a degree college which is running various courses. The appellant had applied to the respondent for grant of recognition to conduct M.Ed. course. The appellant had submitted all the requisite documents before the respondent; (ii) it would not be out of place to mention here that according to the regulation of the NCTE, there is a clause which says that an existing B.Ed. college would be permitted for offering M.Ed. programme, if the existing B.Ed. College fulfil infrastructural/instructional and financial norms as per NCTE (Recognition Norms and Procedure) Regulations, 2014. The aforesaid Regulation further enumerates that the institution offering Teacher Education Programme for a minimum period of 5 years, being affiliated to a university and having applied for accreditation from NAAC or any other accrediting

agency approved by NCTE; (iii) it would not be out of place to mention here that the appellant is running B.Ed. course for the last 10 years. It is further submitted by the appellant that the appellant No. 2 is affiliated with Bilaspur University which is a State University. The appellants had applied to the National Assessment and Accreditation Council, the said institution is an autonomous institution of University Grants Commission. The appellant had applied in the month of April, 2015, the same is evident from the letter dated 29.12.2015. The copy of letter dated 29.12.2015 is hereby annexed as Annexure – A- 3. The appellants say and submit that there are steps which are to be initiated by the NAACfor the purpose of granting a certificate of Gradation. The first step is track ID, the said step is indicative of that the application is reached to NAAC. The second step is LOI, in order to complete the formality of LOI, the appellants have already submitted their requisite documents. The third step is IEQA, in the aforesaid process the appellants were required to submit certain documents. The aforesaid formality was completed by the appellants, as a result of which the IEQA Evaluation Status was granted to the petitioner. The copy of IEQA evaluation result is hereby annexed as Annexure A-4. Even after passage of substantial time, the remaining formality is not being completed by the NAAC; (iv) the further reiterates that the bare perusal of the Regulation would indicate that the appellants were only required to apply to NAAC and to get the final grading from NAAC for the purpose of recognition to run M.Ed. course is not mandatory. The relevant extract of the Regulation, 2014 is hereby annexed as Annexure-A-5 for the kind perusal. The aforesaid facts and circumstances patently makes evident that the appellants possess all the requisite qualification to get a recognition to run M.Ed. course. The reason assigned by the respondent for refusal to grant permission to run M.Ed. course was that the appellants have not submitted any document other than the one which was submitted on 29.05.2015. It is clarified by the appellant that the application for accreditation was already submitted by the appellant to the competent authorities way back in the month of April, 2015. Even as on today, the status of the appellants with regard to issuance of certificate of accreditation is showing that the application is not yet decided. In view of the aforesaid facts and circumstances, it is respectfully submitted by the appellants that the order impugned may kindly be quashed and the permission may be granted to the appellants to run M.Ed. course for the academic session of 2017-18."

**AND WHEREAS** Appeal Committee noted that appellant institution submitted online application dated 29.06.2015 seeking recognition for conducting M.Ed. programme. The applicant in its online application submitted information at page 4 thereof relating to B.Ed. and D.El.Ed. programme being conducted by the appellant institution since the year 2006 and 2014 respectively. The Visiting Team in its Inspection Report dated 30.04.2015 has confirmed B.Ed. programme since 2012.

**AND WHEREAS** Appeal Committee further noted that appellant institution in reply to a letter dated 03.11.2016 of WRC Bhopal informed WRC vide its letter dated 23.11.2016 that its application seeking accreditation from NAAC is under process. Appeal Committee further noted that Show Cause Notice (SCN) dated 20.12.2016 was on two grounds i.e. (i) inadequacy of land for three programmes and (ii) non satisfactory answer to NAAC accreditation status. The impugned refusal order dated 08.03.2017 is however only on one ground i.e. 'Institution has not submitted any documents other than one which was submitted on 29.05.2015.'

**AND WHEREAS** Appeal Committee noted that as per NCTE Regulation, 2014 and clarification given by NCTE (HQ) to its regional offices from time to time, existing B.Ed. Colleges are permitted to apply for M.Ed. programme having applied for accreditation from NAAC or any other accreditation agency approved by NCTE. The appellant institution has furnished enough evidence to prove that it has made an application to seek NAAC accreditation which is under process by that agency. Para 2 of Appendix 5 of the Norms and Standards for M.Ed. programme also states that 'Institution having applied for accreditation from NAAC or any other accrediting agency approved by NCTE' are eligible to apply for M.Ed. programme.

**AND WHEREAS** Appeal Committee, therefore, decided to set aside the impugned refusal order dated 08.03.2017 issued by WRC Bhopal.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during hearing, Appeal Committee concluded to set aside the impugned refusal order dated 08.03.2017 and remand back the case to WRC Bhopal for further processing of the application.

**NOW THEREFORE, the Council hereby remands back the case of Lal Bahadur Shastri Shiksha Mahavidyalaya, Village – Baloda, District – Janjgir-Champa, Chhatisgarh to the WRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Lal Bahadur Shastri Shiksha Mahavidyalaya, Plot/khasra No. 2651/2, 2651/3, Village – Baloda, Tehsil/Taluka – Baloda, District – Janjgir-Champa, Chhattisgarh – 495559.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Chhattisgarh, Raipur.

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F.No.89-238/E-1058/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Prabhat Academy, Vill. – Lohangpur, PO - Biharganj, Tehsil – Sadar, Dist. – Pratapgarh, Uttar Pradesh dated 19.04.2017 is against the Order No. NRC/NCTE/NRCAPP-10096/263th Meeting/2016/168320 dated 08.03.2016 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution was given show cause notice. The institution did not submit reply of SCN."

**AND WHEREAS** Shri Prabhat Sharma, Member, Prabhat Academy, Vill. – Lohangpur, PO - Biharganj, Tehsil – Sadar, Dist. – Pratapgarh, Uttar Pradesh presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "NOC is not issued by affiliating body due to composite unit, that I applied to the Registrar that Prabhat Academy is having B.T.C. affiliation and I have applied for B.Ed. so B.T.C. and B.Ed. should be considered composite unit."

**AND WHEREAS** Appeal Committee noted impugned refusal order dated 08.03.2017 was issued on the ground that 'Institution did not submit reply to Show Cause Notice (SCN) dated 09.11.2015 which was issued to applicant institution for its failure to submit NOC of the affiliating body. Appeal Committee further noted that clause 5(3) of NCTE Regulation, 2014 provide for submission of N.O.C. issued by affiliating body alogwith application. Clause 7(1) of the Regulation further provide for rejection of such application which are not complete or requisite documents are not attached with the application.

**AND WHEREAS** as appellant has failed to submit NOC of affiliating body issued on or before the last date for submission of application for the applied for

programme, Appeal Committee decided to confirm the impugned refusal order dated 08.03.2017.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 08.03.2017 issued by NRC Jaipur.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Prabhat Academy, Plot No. 145 & 146, Vill. – Lohangpur, PO-Biharganj, Tehsil – Sadar, Dist. – Pratapgarh – 230502, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-240/E-1077/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Narayan Memorial Girls College of Education, Baskhari, Akbarpur, Uttar Pradesh dated 01.04.2017 is against the Order No. NRC/NCTE/NRCAPP-10132/261th Meeting/2016/165988 dated 02/02/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The show cause notice no. 128611 dated 29/12/2015 was issued about failure to submit NOC of the affiliating body. The institution has not submitted the NOC of the affiliating body of D.El.Ed. course so far. The reason given by the institution vide letter no. 97/2015 dated 04/01/2016 is not satisfactory."

**AND WHEREAS** Sh. Ashok Kumar, Director, Narayan Memorial Girls College of Education, Baskhari, Akbarpur, Uttar Pradesh presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "We really apologize for not submitting the NOC with a hard copy of application because at that time SCERT did not provide NOC. Now we have received NOC and we are submitting the application. Kindly refer to our application and proceed on with further process with all the desired information provided to you."

**AND WHEREAS** Appeal Committee noted that appellant institution was issued Show Cause Notice (SCN) dated 06.11.2015 on grounds of 'failure to submit NOC of the affiliating body with the hard copy of application.' Appeal Committee further noted that clause 5(3) of the NCTE Regulation, 2014 provided for submission of NOC issued by the affiliating body alongwith application. Clause 7(1) of the Regulation further provide for rejection of such applications which are not complete or requisite documents are not attached with the application.

**AND WHEREAS** as appellant has failed to submit NOC of affiliating body issued on or before the last date for submission of applications, Appeal Committee decided

to confirm the impugned refusal order dated 02.02.2017 issued by NRC Jaipur. The NOC issued by affiliating body on 27.03.2017 and submitted to Appeal Committee on 30.05.2017 can't be held as a valid document which otherwise should have been submitted to NRC at the time of submission of application dated 21.05.2015.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 02.02.2017 issued by NRC Jaipur.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, Narayan Memorial Girls College of Education, Asauwapar Baskhari R, Akbarpur – 224110, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-241/E-1059/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of J.B. Teachers Training Institute, Hathiyanwala, Sadulshahar, Rajasthan dated 08/04/2017 is against the Order No. NRC/NCTE/NRCAPP-15264/261st Meeting/2016/166890 dated 17/02/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "The institution was issued SCN on 17/08/2016 regarding failure to (1) submit the faculty list approved by the affiliating university, (2) evidence of composite institution as per NCTE Regulation 2014 2(b). So for the institution has neither submitted the approved list of faculty members, nor the evidence of running teacher education programme/general courses at present."

**AND WHEREAS** Sh. Naveen Kumar, President, J.B. Teachers Training Institute, Hathiyanwala, Sadulshahar, Rajasthan presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "NRC had not objectively considered and appreciated the detailed reply submitted by appellant in response to the show cause notice. The impugned order dt. 7/02/2017 is not sustainable for the reason that the appellant is already running D.El.Ed. and B.Ed. courses meaning thereby that appellant is running multiple teacher training courses which duly satisfy requirement of "composite institution". This aspect had also been mentioned in reply to show cause notice but same has been completely overlooked. It is reiterated that appellant satisfies the requirements contained under Regulation 2.1 and clause 1.2 of Appendix 13 of NCTE Regulations, 2014. So far as submission of list of faculty duly approved by the affiliating bodies is concerned, it is stated that immediately upon receipt of communication from respondent regarding issuance of LOI, appellant had approached the affiliating body to carry out needful exercise of granting approval to the faculty and staff vide communication dated 10/06/2016. However, despite repeated requests and communications, the University did not approve the staff.

Further, even in the clause 7(13) of NCTE Regulations, 2014, it has been provided that the said exercise must be carried out within 2 months by the University concerned. Thus, the inaction of the University cannot be a ground for rejection of application of appellant. Because there is no fault or delay which is attributable to appellant. Further, Hon'ble Rajasthan High Court in SB CWP No. 10808/2016 decided on 01/12/2016 in similar circumstances granted directions to University to carry out needful exercise in a time bound manner. Because the Humble appellant has all the necessary infrastructure and facilities available with it for running the course as per the NCTE Regulations, 2014. Appellant is in possession of all the documentary evidence and proof as required by NRC, NCTE and is ready and willing to disclose the same for the perusal and consideration of appellate body. Appellant has made full compliance of the NCTE Regulations, 2014 and appellant has invested huge amount for development of infrastructure and facilities at its institution which would suffer adversely and same would remain unutilized for the entire academic session. Appellant craves indulgence of appellate body to prefer and apply said decision at the time of arguments of present appeal. Because other appropriate grounds and submission shall be made at the time of arguments / hearing."

**AND WHEREAS** Appeal Committee noted that N.R.C. in its 252nd Meeting held from 19.04.2016 to 02.05.2016 (Part – II) decided to issue a Letter of Intent (L.O.I) to appellant institution. Regulatory file, however, does not contain a formal L.O.I as was required to be issued under Clause 7 (13) of the NCTE Regulation, 2014. The appellant institution submitted part compliance in response to the decision of NRC to issue L.O.I. vide its letter dated 30.06.2016. In the letter it was stated that process of selection of faculty is completed and as soon as affiliating university approves the faculty, the same will be sent.

**AND WHEREAS** Appeal Committee further noted that a Show Cause Notice (S.C.N.) dated 17.08.2016 was issued to appellant institution on following two grounds:

(i) Institutions has not submitted list of faculty duly approved by affiliating University.

(ii) Evidence to prove that institution is offering graduate or post graduate programmes of study in field of liberal Arts or Humanities or Science or

Math for getting recognition of 4 year integrated programme has not been submitted.

**AND WHEREAS** in reply to the S.C.N. dated 17.08.2016, appellant institution informed vide its letter dated 28.09.2016 that approval of affiliating university is still awaited and will be sent as and when received. As regards composite status, the appellant relied on the definition of composite institution as given in Clause 2 (b) of the Regulations and the existing B.Ed. and D.El.Ed. programmes in the institution.

**AND WHEREAS** Appeal Committee, having gone into the details of the case, felt that N.R.C. should have considered the deficiency relating to non existence of graduate or post graduate programme of study in the field of liberal Arts or Humanities or Science or Math before deciding to issue a Letter of Intent and once it was decided to issue a L.O.I. formal L.O.I. must have been issued with copies to all concerned authorities. So far as eligibility to apply for 4 year integrated B.A. B.Ed./B.Sc. B.Ed. programme is concerned para 1.1 of the Norms and Standards (Appendix 13) is very important which lays down that the programme aims at integrating general studies and professional studies. Appeal Committee is therefore, of the view that without having courses of general studies integration is not possible and an institution applying for 4 year integrated programme must have graduate level courses in Liberal Arts, Humanities, Science and Maths etc.

**AND WHEREAS** Appeal Committee found that appellant institution as on date does not qualify for a 4 year integrated course of B.A. B.Ed./ B.Sc. B.Ed. as well as it has failed to seek approval of affiliating university to the selection and appointment of faculty. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 17/02/2017 issued by N.R.C. Jaipur.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 17/02/2017 issued by N.R.C., Jaipur.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Manager, J.B. Teachers Training Institute, 23 PTP Hathiyanwala 13 HMH Road, Sadulshahar – 335062, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-242/E-1092/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Ramadavi Mahila PG Mahavidyalaya, Harnathpura, Nua, Jhunjhun, Rajasthan dated 28/03/2017 is against the Order No. Nil dated Nil of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that:-

"(i) Certified copy of land document show that land is in favour of Rama Devi Memorial Charitable Trust but name of organisation mentioned in the application is 'Rama Devi Charitable Trust.

(ii) Non-Encumbrance Certificate regarding Khasra No. 110/81 not submitted.

(iii) Copy of N.O.C. is manually corrected. (Reference Minutes of 266th Meeting (21-24th March, 2017)"

**AND WHEREAS** Dr. Ashok Godara, Principal, Ramadavi Mahila PG Mahavidyalaya, Harnathpura, Nua, Jhunjhun, Rajasthan presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that:-

"(i) The land document Lease Deed (Patta-Vilekh) is in the name of Ramadevi Memorial Charitable Trust, Jhunjhunu But in the online application "Memorial word was found missing on account of computer operator technical mistake.

(ii) Formerly, in compliance of show cause notice. Non-Encumbrance Certificate of Naib Tehsildar, Mandawa was produced but Tehsildar was said to be Competent Authority, hence, the Certificate of Tehsildar, Jhunjhunu regarding Khasra No. 110/181, New Khasra No. 540/487

measuring 30 Acres is free from all liabilities, mortgage, rent, loans etc. submitted.

(iii) The NOC of affiliating university Pandit Deendayal Upadhyaya Shekhawati University, Sikar, issued on 24th May, 2016, in which the "Manually" P. G. Mahavidyalaya word was found objectionable but on 27th March, 2017, it was attested by Competent Authority with his Signature, Seal and Date."

**AND WHEREAS** Appeal Committee noted that online application dated 30.05.2016 seeking recognition for 4 year integrated programme of B.A. B.Ed./ B.Sc. B.Ed. was made by Rama Devi Memorial Charitable Trust whereas as land documents are in the name of Rama Devi Memorial Charitable Trust. The authorised signatory signing the application and land documents remains the same i.e. Shishu Pal Singh. Appellant has submitted in its appeal memoranda that inadvertently the word 'Memorial was omitted while filling up the online application. The submission seems logical and acceptable. The appellant further alongwith its appeal memoranda submitted Non-Encumbrance Certificate (N.E.C) pertaining to Khasra No. 110/181 issued by Tehsildar, Jhunjhunu and N.O.C. where handwritten addition is attested by Asstt. Vice Chancellor, Pt. D.D.U. University, Sikar. Appeal Committee, therefore, decided to remand back the case to N.R.C for further processing of the application. Appellant institution is required to submit copy of N.E.C. and corrected/attested copy of N.O.C to N.R.C. Jaipur within 15 days of the issue of Appeal order.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. for further processing of the application. Appellant institution is required to submit to N.R.C., Jaipur copy of N.E.C. issued by Tehsildar and N.O.C. duly corrected and attested by Competent authority within 15 days of the issue of Appeal order.

**NOW THEREFORE, the Council hereby remands back the case of Ramadavi Mahila PG Mahavidyalaya, Harnathpura, Nua, Jhunjhun, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Chairman, Ramadevi Mahila P.G. Mahavidyalaya, Harnathpura, Nua, Jhunjhunu – 333041, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-243/E-1060/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Bal Sadhana Teacher Training College, Todi Bhorki Road, Udaipurwati, Rajasthan dated 07/04/2017 is against the Order No. NRC/NCTE/NRCAPP-13346/246th (Part- I) Meeting/2017/175760 dated 16/05/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "Institute has not submitted any proof that the applicant institution is a composite institution as per clause 2(b) of NCTE Regulations, 2014. Institute has submitted a copy of affiliation order of the University but name of the institution mentioned in it differs from the applicant institution."

**AND WHEREAS** Sh. Mahesh Kumar, Representative, Bal Sadhana Teacher Training College, Todi Bhorki Road, Udaipurwati, Rajasthan presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "The Bal Sadhana Vidyalaya Sansthan institution is composite institution as per clause 2(b) of the NCTE Regulation 2014. The query raised by NCTE that the affiliation order of University differs from the name of the applicant institution is only technically correct as the "Bal Sadhana Girls College" is being run since 2010 and this college is a "Composite institute" with B.A. (120 seats) & B.Sc. (120 seats) programme. As usually and generally it has been a settled practice to suffix the name of college as "Teacher's Training College". Hence under this impression, the name was mentioned as "Bal Sadhana Teachers Training College". Accordingly, Bal Sadhana Girls College and Bal Sadhana Teachers Training College is same and one institution entity. It may be treated as "Bal Sadhana Teachers Training College."

**AND WHEREAS** Appeal Committee noted that appellant institution submitted online application dated 07/06/2015 seeking recognition for Conducting 4 year integrated course of B.A. B.Ed./B.Sc. B.Ed. Appeal Committee further noted that

applicant institution did not disclose information of any other course/programme being conducted by the institution. Apart from this applicant institution did not submit No Objection Certificate (NOC) issued by affiliating body at the time of submission of application. Subsequently, a Show Cause Notice (SCN) dated 11.12.2015 was issued to appellant institution on the ground of non submission of N.O.C. The appellant in reply to S.C.N. submitted copy of N.O.C. dated 14.03.2016 issued by Pt. Deen Dayal Upadhyay University, Sikar. N.R.C. should not have accepted this N.O.C. which was issued by affiliating university much after the closing date for receipt of application. Accepting N.O.C. issued after the cut off date for receipt of applications was against the laid down policy and N.R.C. has already refused recognition in many such cases.

**AND WHEREAS** Appeal Committee further observed that appellant institution has submitted copy of a C.L.U. dated 11.05.2012 issued by Sub Divisional officer. This C.L.U. is for land measuring 2500 sq. meters for Bal Sadhna Vidyalaya, Sansthan, Todi. Even if it is accepted that a Girls College is located on this land, the area of converted land is not adequate enough for a composite institution. So apart from the difference of name in the proposed institution and the existing Bal Sadhna Girls College, two main deficiencies still persist i.e.

(i) N.O.C. of affiliating body is of date much after the closing date for receipt of application.

(ii) Converted land is not adequate enough for Bal Sadhna Girls College and proposed Bal Sadhna Teacher Training College.

**AND WHEREAS** Appeal Committee, therefore, decided to remand back the case to N.R.C. for issuing a fresh S.C.N. on the above grounds so that appellant institution gets an opportunity to make written representation against the proposed grounds.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C for issuing a fresh S.C.N. on the grounds mentioned in para 4 above so that appellant institution gets an opportunity to submit written representation.

**NOW THEREFORE, the Council hereby remands back the case of Bal Sadhana Teacher Training College, Todi Bhorki Road, Udaipurwati, Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Bal Sadhana Teacher Training College, Todi Bhorki Road, Udaipurwati – 333022, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-244/E-1326/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/8/17

**ORDER**

**WHEREAS** the appeal of Vinayak Vidyapeeth, Sardhana, Meerut, Uttar Pradesh dated 18/04/2017 is against the Order No. NRC/NCTE/NRCAPP-9445/262th (Part -8) Meeting/2017/166499 dated 04/02/2017 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Reply to the SCN 19/10/2016 not submitted."

**AND WHEREAS** Sh. Sohanveer, Representative, Vinayak Vidyapeeth, Sardhana, Meerut, Uttar Pradesh presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "the Appellant submit (s) that the approval ought to have been granted by the Regional Committee. The appellant is a renowned No. Profit Trust popularly known as Shri Vinayak Educational & Social Welfare Trust, Plot No. 1688, 1689, street/road NH-58, Village/Town, Pawlikhas, Post Office-Modipuram, Tehsil – Sardhana, Meerut, Uttar Pradesh – 250100, and has an appreciable contribution in the promotion of general, professional education in the District. The Trust has not received any Show Cause Notice from the Northern Regional Committee of the NCTE. That we have sent about 7 emails to the NCTE office stating that we have not received any SCN. Therefore, a copy of the SCN may be again sent to us but to no avail. That we have also written a letter dated 03/02/2017 to the NRC office (delivered by hand with diary no. 161989 dated 03/02/2017) stating that no SCN has been received by us. It may be appreciated that impugned order of the NRC in its 241st Meeting cannot form any bona-fide and prima face ground for the closure of D.El.Ed. course file."

**AND WHEREAS** Appeal Committee noted that earlier the case of appellant institution was refused by issue of an order dated 14.08.2015 on the ground that

'Institution has not submitted reply to Show Cause Notice (SCN) dated 06.06.2015. The above S.C.N. was issued on four grounds i.e.

(i) FDRs of Rs. 5 lakh and 7 lakh towards Endowment and Reserve Fund not submitted.

(ii) Non Submission of approved building plan indicating the name of institution, course, Khasra No., Plot No., Total area of land, proposed built up area, size of multipurpose hall, classrooms, library and different resource centres.

(iii) N.O.C. issued by affiliating university not submitted.

(iv) Affidavit declaring that society is non-profit and declaring land and built up area etc.

**AND WHEREAS** Appeal Committee observed that appellant filed appeal against the refusal order dated 14.08.2015 and submitted that no SCN whatsoever was received by him. Appeal order dated 15/01/2016 was issued remanding back the case to N.R.C with direction to reissue the S.C.N. Appeal Committee observed that while complying with the Appeal order dated 15/01/2016, the N.R.C. issued a fresh S.C.N. dated 19/10/2016 in which the four grounds mentioned in the earlier S.C.N. dated 06.06.2015 were neither reproduced nor copy of earlier S.C.N. was enclosed. The appellant's submission that the institution neither received the S.C.N. dated 19.10.2016 nor did he know as to which are the deficiencies required to be rectified are therefore tenable.

**AND WHEREAS** Appeal Committee, therefore, decided to remand back the case to N.R.C for again issuing the S.C.N. dated 06/06/2015 in toto and allowing 30 days time to the appellant for submitting reply. Appellant also must take note that deficiencies are as given in para 3 above and even if S.C.N. reissued by N.R.C. is not received must submit a compliance report to N.R.C. within 45 days of the issue of appeal order.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on records and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to N.R.C. to reissue the S.C.N. dated

06.06.2015 in toto and allow 30 days time to appellant to submit compliance. Appellant also must note that deficiencies are as given in para 3 of the present Appeal order and even if no S.C.N. is received by the appellant, compliance report must be submitted to N.R.C. within 45 days of the issue of Appeal order.

**NOW THEREFORE, the Council hereby remands back the case of Vinayak Vidyapeeth, Sardhana, Meerut, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Chairman, Vinayak Vidyapeeth, Pawli Khas NH-58, Sardhana, Meerut – 250100, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-245/E-1422/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Vivekananda College of Education, Duranagar Road, Adilabad, Telangana dated 18/04/2017 is against the Order No. SRO/NCTE/SRCAPP2702/B.Ed.-AI/AP/2016-17/92010 dated 23/02/2017 of the Southern Regional Committee, refusing recognition for conducting B..Ed. – Addl. course on the grounds that "1. we have given them enough time to appoint the Asst. Prof./Persp.). 2. We cannot wait indefinitely. 3. Reject the application. 4. return FDR's if any. 5. Close the file."

**AND WHEREAS** Dr. Kisto, Member and Sh. T. Lingaiah, Adm. officer, Vivekananda College of Education, Duranagar Road, Adilabad, Telangana presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "we have appointed 16 faculty members including four Asst. Professors under perspective in Education of foundations English version) taking post – graduate in Social Sciences with minimum 55% marks and Master in Education with minimum 55%. However, the deficiency pointed out was also fulfilled in the appointment of faculty. Our reply where in, we have stated that the staff was appointed according to NCTE New Regulations in respected of Asst. Professor (Perspectives) who are post graduates of Social Sciences and M.Ed. with minimum 55% each. More over the professors under perspectives of Education, we have 3 lecturers with a post-graduation degree in Sociology/Psychology/Philosophy as per note under para 5.28 of New NCTE Regulations. We appealed that we have fulfilled the conditions according to the rules (NCTE New Regulations) and there is no need of appointment of one more Asst. Prof. (Perspectives) after verification of our staff list 23 Asst. Professors (for 2+1 Sections). In addition to that we also mentioned that Management is ready to appoint another Asst. Professor (perspectives), if found deficient after verification of our staff list, given time for processing and obtaining approval of university

authorities. Neither our stand on Appointment on Asst. Professor (Perspectives) clarified duly verifying our staff list nor given time to appoint another Asst. Professor (perspectives), but SRO out rightly rejected our request. Ours is exclusive teacher training institution with all infrastructure and staff. The appointment of one Asst. Professor (Perspective) is not a big issue given time, for a Teacher Training Institution of 16-17 years standing. More over our institution is in the most backward part of Telangana State. Hence, we sincerely submit to your kindness to consider the appeal and grant."

**AND WHEREAS** Appeal Committee noted that appellant institution is already recognised for conducting B.Ed. and D.El.Ed. programmes with an annual intake of 100 seats each. The B.Ed. programme is being conducted in the institution since the year 2001 and D.El.Ed. since the year 2008. The online application dated 29.05.2015 was for seeking an additional intake of 50 seats to B.Ed. programme. While processing of the application, a Show Cause Notice (SCN) dated 1.12.2016 was finally issued to the appellant on the ground that "one Asstt. Prof. (Perspective) is required to be appointed."

**AND WHEREAS** Appeal Committee further noted that appellant institution submitted reply which was received in the office of S.R.C. on 17/12/2016. In his reply appellant had drawn reference to many lists of faculty submitted to S.R.C. through Speed post and personally between 20.08.2016 to 06.10.2016. The appellant also assured S.R.C. that 'Management is ready to appoint another Prof. (Perspective) in addition to the staff list already submitted, if given time.

**AND WHEREAS** Appeal Committee noted that wording used in the S.C.N. was suggestive i.e. "one Asstt. Professor (Perspective) is required to be appointed". As such S.R.C. should have allowed some more time to the appellant institution in case the list of faculty was short by one faculty. Appellant during the course of appeal also submitted that its communications addressed to S.R.C. and submitted by hand and by post were not taken on record and placed in the relevant file. The list of faculty approved by Dean Academic Audit Kakaiya University was submitted to S.R.C. by the appellant institution (received in the office of S.R.C. on 26.10.2016. This list included seven lecturers in the subject 'Perspective of Education whose

name appear at serial no. 2,3,4,5,17,18,19. Broadly speaking this list contained 7 faculty in perspective as against the requirement of six. Further the regulations provide for utilisation of faculty in a flexible manner so as to optimise academic expertise available. Appeal Committee is therefore of the view that ground of refusal i.e. 'appointment of one Asst. Prof./Pers.' is not substantiated. The impugned refusal order dated 23.02.2017 deserved to be set aside with directions to S.R.C. to process the application further.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on records and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned refusal order dated 23.02.2017 with directions to S.R.C. to process the application further.

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Vivekananda College of Education, Mavala Duraganaga Adilabad – 504001, Telangana.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Telangana, Hyderabad.

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F.No.89-246/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Adarsh Mahavidyalaya, Station Road, Kuchaman City (Nagaur) Rajasthan dated 11.04.2017 is against the Order No. NCTE/NRC/NRCAPP201615526/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 03/03/2017 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. course on the grounds that "SCN dated 11/02/2017 meeting 263rd (Part-6) item no. 19 (dated 06-11 February, 2017) reply received 21/02/2017 has the following observations: - The institution has not submitted the certified registered land documents issued by the Registering authority or civil authority concerned. The LUC submitted is for residential purpose and not for Educational purpose, which is not acceptable. The institution has not submitted any proof / evidence to prove that it is a composite institution as per clause 2(b) of NCTE Regulations, 2014. The institution has not submitted the legible approved building plan signed by the Competent Govt. Authority indicating the name of the course, name of the institution, Khasra No. / Plot No., total land area, total built-up area and the measurements of the Multi-purpose Hall as well as the other infrastructural facilities such as class rooms etc. hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

**AND WHEREAS** Dr. Rajaram, Chairman, Adarsh Mahavidyalaya, Station Road, Kuchaman City (Nagaur) Rajasthan presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "(i) the society submitted registered land documents with certified copy documents issued by registering authority - Sub Registrar daily registered on 30/03/2010, 10/09/2010 in book no. 1 volume no. 153, 159 on page no. 93, 94, 173, 174, (complete details of registration) in the office of sub registrar office kuchaman city (Khasra No. 2982/548); (ii) The LUC submitted for educational purpose by the institute patta no. 1690/09, 1691/09, 1692/09 on date 11/01/2010 issued by

Executive officer, Municipal board, Kuchaman city certified copy submitted and also a separate certificate from executive office municipal board, Kuchaman City. Sn. न.पा. कु./2014-15/298 on 12/05/2014 is issued. Land used for educational purpose; (iii) The institution has submitted PNOC Copy issued by Director, College Education Rajasthan, Jaipur Sr. No. एफ 4(283) नि. का. शि./ नि. स./ 09-10/318 on date 14/10/2013 and issued affiliation certificate/letter by the MDS University, Ajmer S.No. 626 on date 23/03/2017; (iv) The institution has submitted the legible approved building plan signed by the authorized engineer/architect Kalakriti consultants registered no. 577/2001 and signed by government authority EXEN and AEN, PWD division Kuchaman City. The name of the course – B.A. B.Ed. /B.Sc. B.Ed. 4 years integrated. Name of the College – Adarsh Mahavidhayalaya Society – Adarsh Shikshan Sansthan, Kuchaman City, Khasra No./Plot No. 2982/548, Total Land Area – 40412 sq. ft. , Total Built up area – 49181.08 sq. ft., Measurement of multipurpose hall – 2107.50 sq. ft. Other infrastructure facilities – Classrooms, library reading room, girls common room, seminar room, store room, separate toilet facilities and all over the other facilities are shown in the map".

**AND WHEREAS** Appeal Committee noted that appellant institute made online application dated 31.05.2016 seeking recognition for conducting B.A. B.Ed./ B.Sc. B.Ed. programme, the address on which the programme is proposed to be conducted is mentioned as Kuchaman City, Station Raod, Nagour. In the details of building plan, it is mentioned as Survey No. 2982/548. Appeal Committee noted that land documents enclosed with the application pertained to land located at Khasra No. 147, 148, 1411/148, 142/148. Khasra number of land mentioned in the affidavit is 2982/548. Transfer Certificate dated 12.05.2014 does not mention any plot number and Patta Number is mentioned as 1690/9, 1691/9 and 1692/9.

**AND WHEREAS** Appeal Committee noted that a Show Cause Notice (SCN) dated 15.02.2017 was issued to appellant institution inter-alia mentioning that land identification numbers in different documents do not match. Appeal Committee further noted that appellant in its reply dated 21.02.2017 made efforts to sort out the issues raised in the S.C.N.

**AND WHEREAS** impugned refusal order is made on the ground that the appellant institution has not submitted:-

(a) Evidence to prove that it is a composite institution.

(b) Legible building plan mentioning required details such a plot no., Khasra No. and measurement of different facilities.

**AND WHEREAS** Appeal Committee further noted that appellant submitted documents to prove the composite nature of the institution during the appeal hearing on 30.05.2017. Copy of building plan and building completion certificate submitted before Appeal are additional documents as the previous building plan was for only one Block whereas the revised building plan is for Block 1 and Block 2. The B.C.C submitted does not mention availability of two blocks. Appeal Committee, however, decided to remand back the case to NRC for consideration of the building plan, B.C.C and affiliation letter submitted by the appellant institution during appeal presentation on 30.05.2017. Appellant is required to submit a copy of these documents to NRC within 15 days of the issue of Appeal order.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing concluded to remand back the case to NRC for consideration of the documents mentioned in para 5 above to be submitted by appellant to NRC within 15 days of the issue of Appeal Order.

**NOW THEREFORE, the Council hereby remands back the case of Adarsh Mahavidyalaya, Station Road, Kuchaman City (Nagaur) Rajasthan to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Adarsh Mahavidyalaya, Station Road, Kuchaman City Nagaur, Rajasthan – 341508.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-248/E-1911/2017 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Debnarayan Shiksha Sansthan (B.Ed. College), Natagachhi S.T. Road, Sonarpur, West Bengal dated 10.04.2017 is against the Order No. ER. 232.12.1/ERCAPP/B.Ed./2017/52707 dated 02.05.2017 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. (Addl.) course on the grounds that "The permission granted to the institution for B.Ed. (additional intake) of one unit from the academic session 2017-18 has been withdrawn and order F.No. ER-220.6.36/ERCAPP3399/(B.Ed.-Addl. Intake)/2016/49112 dated 30/08/2016 shall be treated as null and void. The decision shall be communicated to the affiliating body to withdraw affiliation for this particular B.Ed. (additional intake) of one unit"."

**AND WHEREAS** Sh. Narayan Debnath, Secretary and Sh. Probir Kr. Dey, Member, Debnarayan Shiksha Sansthan (B.Ed. College), Natagachhi S.T. Road, Sonarpur, West Bengal presented the case of the appellant institution on 30/05/2017. In the appeal and during personal presentation it was submitted that "The appellant Debnarayan Shiksha Sansthan (hereinafter referred to as 'the said appellant') by an application applied for grant of recognition/permission for B.Ed. (Additional Intake) course before the Eastern Region, NCTE. By an order dt. 30/08/2016 such application was allowed and the appellant was informed that the Eastern Region, NCTE had granted permission / recognition for B.Ed. (Additional Intake) course. The ERC in its 220th meeting held on 10th – 11th August 2016 granted permission to the institution for conducting B.Ed. course with an additional intake of 50 (one basic units) from the academic session 2017-18 vide order no. 49112 dated 30/08/2016."

**AND WHEREAS** Appeal Committee noted that appellant institution submitted online application dated 06.06.2015 seeking recognition for one additional unit of

the B.Ed. programme. Appeal Committee further noted that appellant institution did not submit NOC issued by affiliating university and a Show Cause Notice dated 09.02.2016 was issued in this regard. E.R.C. without waiting for the NOC decided to get the appellant institution inspected and based on the recommendation of Visiting Team decided to issue Letter of Intent in 212th meeting of ERC held on 19-20 April, 2016. After appellant's furnishing compliance report in response to the decision to issue LOI, another SCN dated 09.07.2016 was issued to appellant institution on grounds of non appointment of Lectures of Physical Education & Arts and Music Team. Appeal Committee further noted that appellant institution furnished a list of a faculty members which included faculty of Physical Education and Music & Ars. This list was approved by Registrar, the West Bengal University of Teacher Training Education Planning and Administration and forwarded to ERC on 23.06.2016.

**AND WHEREAS** Appeal Committee noted that in between these developments relating to inspection, issue of LOI, issue of SCN and reported compliance, ERC lost track of the NOC issue and issued a recognition order dated 30.08.2016 which was obviously a wrong decision taken by default. Clause 5(3) read with clause 7 (1) of NCTE Regulation make NOC issued by affiliating university mandatory to be submitted alongwith application.

**AND WHEREAS** Appeal Committee further noted that a SCN dated 22.11.2016 was issued to appellant institution stating that as appellant institution prima-facie does not fulfil the requirement of norms and standards of NCTE Regulation, the permission for additional unit (50 seats) is proposed to be withdrawn as recognition granted was obliviously a result of oversight and was inadvertently granted. Thereafter appellant institution submitted copy of NOC issued by affiliating body on 21.12.2016.

**AND WHEREAS** Appeal Committee noted that though this inadvertent error has put the appellant institution in an awkward position, yet it was the duty of appellant institution to have submitted NOC at the earliest possible as was assured by him in para 2 of its letter dated 05.02.2016 addressed to R.D. ERC. It is difficult for the Appeal Committee to let continue a recognition order which is a result of

erroneous processing of a case and has been issued by default. The subsequent recertification of the default by ERC is confirmed. However, it shall be the endeavour to avoid such defaults by taking suitable necessary action against the authority concerned. Appeal Committee decided to confirm the impugned order dated 02.05.2017 issued by ERC Bhubaneswar.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned order dated 02.05.2017 issued by ERC Bhubaneswar.

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

**(Sanjay Awasthi)**
Member Secretary

**1. The Secretary, Debnarayan Shiksha Sansthan (B.Ed. College), Natagachhi S.T. Road, Sonarpur – 743613, West Bengal.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-196/2015 Appeal/11th Meeting-2017

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 24/6/17

**ORDER**

**WHEREAS** the appeal of Muh Jain College of Education, Tohana, Fatehabad, Haryana dated 04/11/2015 is against the Order No. NRC/NCTE/NRCAPP-3204/243rd/Meeting/2015/126283 dated 17/10/2015 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. (A) course on the grounds that "the reply of the institution dated 30/06/2015 does not contain the list of lecturers for additional intake for D.El.Ed. course duly approved by competent affiliating body. The institution has not submitted (i) the approval of SCERT dated 26/06/2015 as mentioned in the affidavit attached with its letter dated 30/06/2015; (ii) No Objection Certificate issued by the concerned affiliating body as required under clause 5(3) of the NCTE Regulations, 2014 (iii) a proof/evidence to the effect that it is a composite institution as per provisions of the NCTE Regulation, 2014."

**AND WHEREAS** Sh. Rajesh Nawal Jain, Chairman and Sh. Naresh Kumar Jain, Secretary, Muh Jain College of Education, Tohana, Fatehabad, Haryana presented the case of the appellant institution on 12/01/2016. In the appeal and during personal presentation it was submitted that "it is wrong to state that the institute has not attached the list of lecturer for additional intake for D.El.Ed. course dully approved by competent affiliating body because vide this institute letter (reply to the show cause) No. MUHJCE/06/2015/815 dated 30/06/2015 the proposed staff approval order from SCERT have been attached from page no. 30 to 33 and also affidavit's on Rs. 10/- stamp paper dully notarized regarding willingness for joining from the proposed staff is attached at page no. 34 to. The approval dated 26/06/2015 from SCERT is regarding the proposed faculty for the additional intake which is attached at page no. 30 to 33 as already mentioned above. No such type of condition/requirement have been mentioned in the show cause notice dated 11/06/2015. No such type of condition/requirement have been mentioned in the show cause notice dated 11/06/2015."

**AND WHEREAS** Appeal Committee noted that appellant institution had submitted application for D.El.Ed. (Additional) on 18/12/2012 under NCTE Regulations, 2009. Earlier the institution was granted recognition for conducting D.El.Ed. course (basic unit) on 14.05.2008. It is observed from the relevant documents that inspection of the appellant institution for D.El.Ed. (Additional) course was conducted on 26.03.2014 and therafter a Show Cause Notice (S.C.N) dated 05/01/2015 was issued on the ground that SCERT Gurgaon, Haryana has informed that 'No recognition be given even to Minority Institutions for D.El.Ed. & B.Ed.' It is further observed that N.R.C. Jaipur in its 238th Meeting reversing its earlier decision taken in 237th Meeting (item no. 87) decided to issue Letter of Intent (L.O.I.) under Clause 7(13) of the NCTE Regulations, 2014. The Institution was required to submit list of faculty duly approved by affiliating alongwith salary and bank statement.

**AND WHEREAS** Appeal Committee also noted that there is no evidence on record that a formal Letter of Intent (L.O.I.) was issued to the appellant institution. The appellant institution taking note of the minutes of 237th & 238th Meeting of the N.R.C. submitted a compliance report to N.R.C. on 28.05.2015 which was received in the office of N.R.C. on 31.05.2015. It is also quite surprising that the minutes of the N.R.C. meeting which were referred to by the appellant was held between May 20 to 31st, 2015 and compliance was reported even before the Meeting was over and before the issue of formal L.O.I. The list of faculty furnished by the appellant institution contains following names:

| | | | | |
|---|---|---|---|---|
| (1) | Ms. Anju | Principal | Page 1 | Countersigned on 06/06/2012 |
| (2) | Mrs. Sheela | Lecturer | | |
| (3) | Mr. Navdeep Singh | Lecturer | Page 2 | Countersigned on 24.03.2013 |
| (4) | Mr. Rajeev Chopra | Lecturer | | |
| (5) | Mr. Manjeet Mirdha | Lecturer | Page 3 | Countersigned on 21.10.2014 |
| (6) | Mrs. Sunita Kamboj | Lecturer | | |

| | | | | |
|---|---|---|---|---|
| (7) | Ms. Bhatia | Lecturer | Page 4 | Signatures of the Registrar of affiliating body on 06.06.2012. |

Appeal Committee further noted that a Show Cause Notice (S.C.N.) was issued to the appellant institution on 11.06.2015 on the ground that 'The institution has not submitted list of faculty approved by the competent affiliating University.'

**AND WHEREAS** normally applicant institutions are allowed a time of 60 days in the L.O.I. for submitting list of faculty approved by the affiliating body and affiliating bodies too render necessary assistance to the institutions only after issue of the L.O.I. In this case no L.O.I. was issued and the institution tried to furnish compliance even before the meeting of Regional Committee concluded. The Show Cause Notice was also issued within 15 days. Moreover, in the final refusal order 2 new grounds were included. The appellant at the time of appeal presentation furnished a list of faculty which includes the names of Ms. Anju, Mr. Anil Kumar, Mr. Rajesh, Mrs. Santosh Kumari, Mr. Kuldeep Singh, Ms. Santosh Devi, Ms. Karuna Jain, Mr. Subhash and Ms. Siya. This list of faculty is seen as approved on 04.06.2015. There is no way this list could have been enclosed with the compliance letter dated 29.05.2015. The appellant had submitted a reply dated 30.06.2015 to the S.C.N. issued on 11.06.2015. This reply contains three faculty lists for the session 2011-12, 2013-14 and 2014-15. For session 2015-16 only one name of Ms. Rina Rani seems to have come forward on 10.06.2015. Before Appeal Committee comes to a conclusion in this case N.C.T.E. may seek clarification/information from N.R.C. Jaipur and SCERT Gurgaon on following points:

(i) Whether the appellant institution was issued a formal L.O.I. as per decision taken in the 238th Meeting.

(ii) In what context the appellant institution submitted a compliance vide letter dated 29.05.2015.

(iii) In which context the appellant institution was issued a S.C.N. dated 11.06.2015 on the ground to submit faculty approved by competent affiliating University.

(iv) The affiliating body i.e. SCERT Gurgaon, Haryana may be requested to verify the genuineness of the all the lists of faculty approved by the

affiliating body and submitted by the appellant institution from time to time.

**AND WHEREAS** the above information shall be collected by NCTE and put up before Appeal Committee within 15 days for facilitating decision in the appeal case.

**AND WHEREAS** the case of Muh Jain College of Education, Tohana, Haryana was put before the Appeal Committee on 2.5.2017 in its 8th Meeting. The Committee noted that NCTE had addressed a letter dated 28.4.2016 to NRC, Jaipur seeking information on following points:-

(i) Whether the appellant institution was issued a formal L.O.I. as per decision taken in the 238th Meeting.

(ii) In what context the appellant institution submitted a compliance vide letter dated 29.05.2015.

(iii) In which context the appellant institution was issued a S.C.N. dated 11.06.2015 on the ground to submit faculty approved by competent affiliating University.

(iv) The affiliating body i.e. SCERT Gurgaon, Haryana may be requested to verify the genuineness of the all the lists of faculty approved by the affiliating body and submitted by the appellant institution from time to time.

**AND WHEREAS** Appeal Committee noted that NRC furnished reply to NCTE after a lapse of more than one year and informed that a letter has been sent to SCERT, Gurgaon on 2.5.2017 for verification of the faculty appointed by the appellant institution.

**AND WHEREAS** Appeal Committee noted that NRC has delayed submitting reply to the points raised by the committee in its meeting held on 12.1.2016. Appeal made by appellant institution cannot be kept pending indefinitely. Committee therefore, desires that NRC may be instructed to seek reply from SCERT, Gurgaon by taking up the matter at personal level. Disposal of the appeal is required to made expeditiously, and as such NRC may be required to send clarifications required within 30 days from 25.5.2017.

**AND WHEREAS** the matter was placed before the Committee in its meeting held on 22.6.2017 and noted that the NRC sent a reply to the NCTE on 22.05.2017. In this letter, the NRC replied to the four point mentioned in the NCTE's letter dt. 28.04.2016 as follows:

i) No formal LOI was issued as the institution itself submitted the reply on the basis of the decision to issue LOI.

ii) The institution vide their letter dt. 29.05.2015 submitted their letter dt. 29.05.2015 submitted compliance of LOI as per the NRC's decision uploaded on their website

iii) Show Cause Notice dt. 11.06.2015 was issued after considering the reply to the LOI

iv) Letter has been issued to SCERT, Gurgaon on 02.05.2017 for verification of faculty appointed but no reply has been received

**AND WHEREAS** the Committee noted that the NRC sent an e-mail dated 20.06.2017 to the NCTE informing that the SCERT, Gurgaon, in response to their letter dt. 02.05.2017, informed NRC in their Memo dated 08.06.2017 that the lists of staff submitted by the appellant from time to time have been countersigned by the office of the SCERT and also verified the genuineness of the lists of the appellant institution. NRC enclosed a copy of the SCERT's memo dt. 08.06.2017, but did not enclose the list attached to that memo.

**AND WHEREAS** the Committee noted that while NRC issued the Show Cause Notice dt. 11.06.2015 only on the ground that the institution has not submitted lists of faculty approved by the competent affiliating body, the refusal order contained, besides certain deficiencies in the staff lists submitted by the appellant, (i) NOC by the concerned affiliating body and (ii) Proof of evidence to the effect that the appellant is a composite institution as per the provisions of NCTE Regulations, 2014. The appellant in their appeal, while making submissions regarding the faculty lists, submitted that the two additional requirements were not mentioned in the show cause notice.

**AND WHEREAS** the Committee noted that submission of NOC from the concerned affiliating body is a requirement introduced in the NCTE Regulations 2014 for the first time and therefore, it cannot be made applicable to the appellant, who applied for additional intake in D.El.Ed. on 24.12.2012, when there was no such requirement. Regarding the ground that proof of evidence of being a composite institution has not been provided, the Committee noted that appellant, on page – 4 of their on-line application dt. 18.12.2012 mentioned that they are running B.Ed., D.Ed. and C.P.Ed courses, which makes the appellant a composite institution.

**AND WHEREAS** the Committee noted that the only remaining issue is approval of faculty by the concerned affiliating body. The memo at 08.06.2017 of the SCERT, Gurgaon sent to NRC clarified the position. In the circumstances, the Committee concluded that the matter deserved to be remanded to the NRC with a direction of consider the reply of the SCERT, Gurgaon dt. 08.06.2017 and take further action as the NCTE Regulation, 2014.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing concluded to remand back the case to NRC with a direction of consider the reply of the SCERT, Gurgaon dt. 08.06.2017 and take further action as the NCTE Regulation, 2014.

**NOW THEREFORE, the Council hereby remands back the case of Muh Jain College of Education, Tohana, Fatehabad, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(Sanjay Awasthi)**
Member Secretary

**1. The Principal/Appellant, Muh Jain College of Education, 40//20(7-12), 21(6-15), 52//4(1964, 1965, 1966, 1967, 40//20(7-12), 21(6-15), 52//4 Chander Kalan, Tohana, Fatehabad, Haryana - 125120.**
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.