



E.No.89-292/E-126924/2019 Appeal/27th Mtg.-2019/27th August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/09/2019

ORDER

WHEREAS the appeal of Sri Raghavendra Integrated College of Education, Narasimhapuram, Kovvada-Annavaram, Bhimavaram, West Godavari, Andhra Pradesh dated 26/07/2019 is against the Order No. SRO/NCTE/SRCAPP3434/B.Sc.B.Ed/AP/2019-102961 dated 05.04.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Sc. B.Ed. Course on the grounds that "The institution has not created the required infrastructural facilities exclusively for B.Sc. B.Ed. programme. Further, the recent staff list is also not furnished as per the Amended NCTE Regulations, 2017. As per the Encumbrance Certificate submitted by the institution, the land is on private lease. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act."

AND WHEREAS Sh. T.R. N. Murty, Joint Secretary and Sh. U. Venugopala Raju, Secretary and Correspondent, Sri Raghavendra Integrated College of Education, Narasimhapuram, Kovvada-Annavaram, Bhimavaram, West Godavari, Andhra Pradesh dated presented the case of the appellant institution on 27/06/2019. In the appeal and during personal presentation it was submitted that "Appellant Institution applied to SRC, NCTE seeking recognition for B.Ed. Course and SRC, NCTE after being satisfied of the infrastructural and instructional facilities granted recognition to the Appellant Institution for B.Ed. Course from academic session 2007-2008 with annual intake of 100 students. Accordingly, recognition order dated 26.10.2007 was issued to the Appellant Institution. Appellant Institution applied to SRC, NCTE seeking recognition for D.El.Ed. Course and SRC, NCTE after being satisfied of the infrastructural and instructional facilities granted recognition to the Appellant Institution for D.El.Ed. Course from academic session 2011-2012. Appellant Institution increased its built-up area upto 65876.80 sq. ft. and building completion certificate dated 12.05.2013 was issued by the Mandal Engineering Officer,

Bhimavaram. A true copy of the Building Completion Certificate dated 12.05.2013 is annexed. Adikavi Nanaya University, Rajahmundry, Andhra Pradesh vide its letter dated 28.10.2015 issued its No Objection Certificate for establishment of the Appellant Institution for running B.A. B.Ed. and B.Sc. B.Ed. integrated course. A true copy of the NOC dated 28.10.2015 issued by the Adikavi Nanaya University, Rajahmundry, Andhra Pradesh is annexed. Appellant Institution submitted online application to the NCTE seeking recognition for B.A. B.Ed. / B.Sc. B.Ed. Course and submitted the hard copy of the application along with relevant annexures to the SRC, NCTE as per regulation 2014. The expert team of the SRC conducted the inspection of the Appellant Institution. SRC after being satisfied regarding the infrastructural and instruction facilities as prescribed in the norms issued letter of intent dated 04.04.2016 for B.Sc. B.Ed. Course to the Appellant Institution. It is relevant to state that letter of intent directed the Appellant Institution to get the approval for the faculties by the affiliating university. Accordingly, University approved the faculties of the Appellant Institution as per the norms. A true copy of the letter of intent dated 04.04.2016 issued by the SRC, NCTE for B.Sc. B.Ed. Course is annexed. Appellant Institution submitted the approved staff list along with FDRs and other compliances to the SRC and requested to issue a recognition order. SRC, NCTE after scrutinizing the application and expert report, the certificate issued from the university, etc. issued its recognition order dated 02.05.2016 to the Appellant Institution for running B.Sc. B.Ed. Course with annual intake of 50 students. SRC, NCTE on the request of Appellant Institution reduced the intake of B.Ed. Course from two unit to one unit vide its order 21.07.2017. SRC, NCTE issued a Show Cause Notice dated 13.11.2018 directing the Appellant Institution to submit the reply within 15 days. Appellant Institution vide its reply dated 02.12.2018 responded to the Show Cause Notice of the SRC and also submitted the relevant documents including staff list. SRC, NCTE again sent a reminder for a reply to the Show Cause as the Appellant reply dated 02.12.2018 was not received in SRC. Appellant Institution vide its reply dated 22.12.2018 informed the SRC that reply to the show cause has been sent to SRC by a mail followed by registered letter. SRC, NCTE vide its order dated 05.04.2019 withdrew the recognition of the Appellant Institution for B.Sc. B.Ed. Course without considering the reply to the Show Cause Notice on frivolous grounds. It is relevant to state that

withdrawal order dated 05.04.2019 was received by the Appellant Institution on 21.05.2019 and thereafter the Appellant has been approaching the SRC for review of the decision. Appellant Institution in response the Show Cause Notice submitted its reply however, the same was never considered by the SRC while passing the impugned order. That it is submitted that the withdrawal order passed by the SRC is not as per the Show Cause Notice issued to the Appellant Institution. It is also relevant to state that no inspection report being referred in the withdrawal order and refusal order was forwarded to the Appellant Institution. It is submitted that the Show Cause Notice referred to affiliated institution of Acharya Nagarjuna University and Krishna University however, Appellant Institution was affiliated neither of these universities. On the direction of the Commissioner of School Education, Andhra Pradesh an inspection was conducted and there was positive report of the Appellant Institution. SRC cannot reviewed its decision without any specific deficiencies verified by the inspection team of the SRC, NCTE under the provisions of NCTE Act, 1993. It is submitted that on the same infrastructure the SRC granted the recognition after verifying the infrastructure and approved faculty list and in light of supra SRC cannot pass a withdrawal order. It is submitted that the Appellant institution filed W.P. (C) No. 7855 of 2019 before Hon'ble High Court of Delhi wherein Hon'ble High Court vide its Order dated 22.07.2019 directed as under: "Notice of the petition and the application is issued to the respondents and is accepted on behalf of the respondents in as much as the petitioner has filed the present petition assailing the impugned order dated 5.4.2019 of the Southern Regional Committee of the NCTE for filing of the appeal requisite provision of Section 18 of the NCTE Act, 1993, with it having been submitted on behalf of the petitioner that the petitioner could not seek redressal in accordance with law in time in as much as the petitioner was served very late with the withdrawal order. At this stage, it has been brought forth on behalf of the respondents No. 1 and 2 that as per the list of dates itself, it has been mentioned by the petitioner that the petitioner institute was served with the order of withdrawal on 21.5.2019. The period of 60 days even if it be contemplated to be computed from the date of receipt of the order as being 21.5.2019, has since ended with it being 22.7.2019 today. However, in terms of the Proviso to Section 18(2) of the NCTE Act, 1993, it is open to the petitioner to seek redressal in

relation thereto. Learned counsel for the petitioner submits that he would file the appeal and the requisite application seeking condonation of delay explaining the reasons for non-institution of the appeal within the stipulated period of 7 days. In the event of the appeal being filed by the date 29.7.2019, the respondent No.1 shall consider the appeal and take up the same for consideration inclusive of the application seeking condonation of the delay in institution of the appeal. In the event of the appeal being filed by the petitioner by the date 29.7.2019, the operation of the impugned order dated 5.4.2019 of the Southern Regional Committee of the NCTE shall stand stayed till the appeal is taken up for consideration. The petitioner may participate in the counselling process subject to outcome of the appeal. The petition is disposed of accordingly." A True Copy of the Order dated 22.07.2019 passed in W.P. (C) No. 7850/2019 passed by Hon'ble High Court is annexed. Hon'ble Court directed for filing the application seeking condonation of delay in terms of Section 18(2) of NCTE Act, 1993. Therefore, appellant is filing a separate application for condonation of delay. That it is submitted that the Appellant herein is producing all the documents before the Appeal Committee. NCTE may graciously be pleased to:- Restore the Recognition of the Applicant Institution for B.Sc. B.Ed. withdrawn by the SRC vide its order dated 05.04.2019."

AND WHEREAS Appeal Committee noted that based on a report sent by Andhra Pradesh State Council for Higher Education (APSCHE) vide its letter no. APSCHE/AC/BSc. B.Ed. & B.A. B.Ed./2016 dated 02/05/2017 and subsequent consideration of the case by SRC, a Show Cause Notice (SCN) dated 13/11/2018 was issued to appellant institution which was required to be replied within 15 days. The SCN dated 13/11/2018 was for seeking documents regarding (i) creation of infrastructural facilities (ii) creation of instructional facilities (iii) Approved faculty list and (iv) Proof of FDRs.

AND WHEREAS Appeal Committee further noted that another SCN dated 13/12/2018 was issued which was just a reminder to appellant institution stating that it had not replied to the earlier SCN dated 13/11/2018. Perusal of the relevant regulatory

file reveals that appellant institution had replied to both the SCNs and replies were received in the office of SRC on 17/12/2018 and 22/12/2018 respectively.

AND WHEREAS Appeal Committee noted that SCNs issued to appellant institution did not clearly and specifically mention as to which documents were required to be submitted by appellant to prove creation of infrastructural and instructional facilities. Appellant with its reply to SCN had submitted (i) copy of list of faculty for the year 2018-17 approved by affiliating body, (ii) Provisional N.O.C. and (iii) a Certificate dated 26/05/2016 issued by Regional Joint Director stating that the management has provided sufficient infrastructural and instructional facilities.

AND WHEREAS Appeal Committee noted that affiliating university of appellant institution is 'Adikavi Nannaya University, Rajahmundry, Andhra Pradesh whereas letter dated 02/05/2017 of Andhra Pradesh State Council of Higher Education which led to reconsideration of certain cases refers to inspection of certain colleges falling in area of Acharya Nagarajna University and Krishna University.


AND WHEREAS Appeal Committee after being apprised of the order dated 22/07/2019 issued by the Hon'ble High Court of Delhi in W.P. (C) no. 7847/2019 which allows the appellant institution to participate in the current counselling process is of the opinion that SRC ought to have examined the case more carefully and in case there was any deficiency on part of the appellant institution in complying with the NCTE Regulations and Norms and Standards for the said course, these deficiencies should have been clearly and specifically mentioned in the S.C.N. so as to enable the appellant submit a pointed written representation.

AND WHEREAS Appeal Committee also perused the inspection report dated 30/01/2018 available on regulatory file and noted that Visiting Team in its overall observation had stated that "Institution has enough and adequate facilities for starting B.Sc. B.Ed. programme for 2 units (100) students."

AND WHEREAS Appeal Committee taking note of the facts narrated above decided to remand back the case to SRC for revisiting the matter and if necessary, a reinspection should be conducted to verify the findings of earlier Visiting Team report with regard to availability of adequate land, built up area and labs/library etc. Expeditious follow up action is required to be taken.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the case deserves to be remanded back to the SRC for revisiting the matter and if necessary, a reinspection should be conducted to verify the findings of earlier Visiting Team report with regard to availability of adequate land, built up area and labs/library etc. Expeditious follow up action is required to be taken.

NOW THEREFORE, the Council hereby remands back the case of Sri Raghavendra Integrated College of Education, Narasimhapuram, Kovvada-Annavaram, Bhimavaram, West Godavari, Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sri Raghavendra Integrated College of Education, Narasimhapuram, 81, Kovvada-Annavaram, Bhimavaram – 534202, West Godavari, Andhra Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.



F.No.89-293/E-126920/2019 Appeal/27th Mtg.-2019/27th August. 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 26/09/2019

ORDER

WHEREAS the appeal of P. Narayana Reddy College of Education, Pebbair, Mahabubnagar, Telangana dated 24/07/2019 is against the Order No. SRO/NCTE/SRCAPP-3195/B.Ed/TS/2019/106836 dated 15.07.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the Committee observed that the Management instead of furnishing the documents to substantiate the claim they are making a statement that the Govt. report are false. This is not expected from the Management interested to run Teacher Education Programme."

AND WHEREAS Sh. P. Narayana Reddy, President and Sh. Kishore, Joint Secretary, P. Narayana Reddy College of Education, Pebbair, Mahabubnagar, Telangana dated presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "Appellant institution submitted the online application dated 30.05.2015 to the SRC, NCTE for starting the B.Ed. course and also submitted the hard copy of the application alongwith its letter dated 12.06.2015 alongwith documents as per the NCTE Regulations 2014. SRC, NCTE after conducting the expert visit and verifying the Appellant infrastructural and instructional facilities vide its order dated 09.02.2016 issued LOI and directed the appellant to get the staff approval, etc. Affiliating body constituted the selection panel for the appointment of the faculties and the panel on 19.02.2016 selected the candidates. Necessary compliance was submitted by the Appellant to the SRC requesting it to issue the recognition order. SRC after scrutiny of the documents and all relevant factors granted permission for running the B.Ed. Course from academic session 2016-2017. SRC, NCTE issued show cause notice dated 18.12.2018 to the Appellant institution as under: 1. This is a B.Ed. (2 units) case cleared by us. 2.1 The

Telangana Govt. had pointed out many deficiencies. 2.2 The SCERT's name has wrongly come into this B.Ed. case. This will be a complaint from the Higher Education wing of the Telangana Govt. 3. The Telangana Govt. has not issued clearance for this B.Ed. programme subject to the outcome in the court – case concerned. Let us issue a SCN to the Narayana Reddy College W.R.T. the inspection report sent by the Telangana Govt. Keep the State Govt. and the affiliating University informed. Put up in the February 2019 meeting. Petitioner institution vide letter dated 11.02.2019 replied to the show cause notice. SRC, NCTE vide its withdrawal order dated 15.07.2019 withdrew the recognition of the Appellant institution on some other grounds not included in show cause without giving any opportunity to the institution. SRC vide its order dated 15.07.2019 withdrew the recognition of the Appellant Institution pointing out certain other point also which was not a part of show cause notice and Appellant had no opportunity to justify. It is submitted that the Appellant herein is producing all the documents before the Appeal Committee. It is most respectfully prayed that NCTE may graciously be pleased to:- (i) Restore the Recognition of the Applicant Institution withdrawn by the SRC vide its order dated 15.07.2019 and allow the instant Appeal and for this Act of kindness, the applicant is in duty bound shall for ever pray."

AND WHEREAS Appeal Committee perused the Show Cause Notice (SCN) dated 18/12/2018 issued by SRC to the appellant institution. SRC in the above SCN has referred to certain letters of the State Government pointing out following deficiencies: -

- (a) Four members of the faculty of the college found working in other colleges.
- (b) Faculty members not having required teaching experience.
- (c) No administrative and professional staff such as Librarian, Lab Assistant, Account Assistant.
- (d) No play equipment.

AND WHEREAS Appeal Committee further noted that the concluding para of SCN does not conclusively mention as to what is required to be done by the appellant

institution particularly when it is mentioned that 'Telangana Government has now issued clearance for B.Ed. programme subject to outcome of in the court case concerned.

AND WHEREAS Appeal Committee further noted that impugned order of withdrawal dated 15/07/2019 issued by SRC is on the basis of report sent by Government of Telangana and the Management's failure to furnish documents to substantiate that report of State Government was not correct. Appellant in its reply dated 11/02/2019 to the SCN had stated that the four faculty working in other institutions were selected and their appointment was to start only when the course commences i.e. after State Government permission is granted through a G.O. Appellant further in reply to the S.C.N. stated that L.O.I. was issued after verifying the infrastructural facilities.

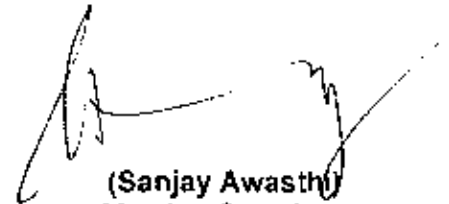
AND WHEREAS Appeal Committee after perusing the regulatory file, inspection report dated 25/01/2016, reply dated 11/02/2019 to the S.C.N. dated 18/12/2018 decided that S.R.C. need to revisit the case thoroughly, if necessary, by conducting another inspection. Recognition was granted for conducting B.Ed. course on 02/05/2016 and the commencement of course could not take place for want of Government orders for a long time. In such a position the selected faculty which at a particular time was working in other institutions may or may not be available at present when the course actually commences. Appellant institution is therefore, required to submit to SRC within 15 days evidence in support of possessing adequate faculty approved by affiliating body and all other administrative staff. The evidence should also be supported by statements of salary paid to faculty and staff through bank.

AND WHEREAS Appeal Committee decided to remand back the case to SRC for revisiting the matter by seeking relevant information from the appellant institution.

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

concluded to remand back the case to SRC for revisiting the matter by seeking relevant information from the appellant institution.

NOW THEREFORE, the Council hereby remands back the case of P. Narayana Reddy College of Education, Pebbair, Mahabubnagar, Telangana to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The President, P. Narayana Reddy College of Education, Pebbair, 4, 2nd Street, Pebbair, Mahabubnagar – 509104, Telangana.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Telangana, Hyderabad.



F.No.89-294/E-126778/2019 Appeal/27th Mtg.-2019/27th August, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 26/09/2019

ORDER

WHEREAS the appeal of Danta Shikshak Prashikshan Sansthan, Danta Dantaramgarh, Sikar, Rajasthan dated 17/06/2019 is against the Order No. NRC/NCTE/NRCAPP-11926/257th (Part-3) Meeting/2016/159823 dated 10.10.2016 of the Northern Regional Committee, refusing recognition for conducting for D.El.Ed. Course on the grounds that "the institution was given show cause notice vide letter dt. 30.11.2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice within stipulated time."

AND WHEREAS Sh. Rajkumar, Secretary and Sh. Narendra, Member, Danta Shikshak Prashikshan Sansthan, Danta Dantaramgarh, Sikar, Rajasthan dated presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "Office of Director Primary Education, Rajasthan, Bikaner has issued a N.D.C. dated 20/06/2019 which is enclosed with the present appeal."

AND WHEREAS Appeal Committee noted that appellant institution had filed a S.B. Civil Writ Petition No. 8917 of 2019 in the High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble High Court by its order dated 21/05/2019 has issued directions to NCTE to decide the appeal on merits ignoring the limitation period.

AND WHEREAS taking cognisance of the order of Hon'ble High Court referred to in the preceding para Appeal Committee decided to consider the appeal ignoring the delay of more than 2 years and six months.

AND WHEREAS Appeal Committee noted that impugned refusal order dated 10/10/2016 was issued on the ground that appellant institution could not submit reply to Show Cause Notice (SCN) dated 30/11/2015 within 30 days. By issue of the SCN dated 30/11/2015 the appellant was required to submit No Objection Certificate issued by affiliating body as required under Clause 5 (3) of NCTE Regulations, 2014. Appeal Committee noted that appellant during the appeal hearing on 27/08/2019 submitted a copy of NOC issued by affiliating body on 20/06/2019. Obviously, the NOC, issued after more than 4 years of having submitted application, and 2 years and 8 months of having been refused recognition cannot be accepted for reviving the rejected case. Appellant is however, free to apply afresh for the course as when NCTE issues Notification inviting applications for the said programme. Impugned refusal order dated 10/10/2016 stands 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 order of the NRC is confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Danta Shikahak Prashikshan Sansthan, Danta Near BSNL office Jaipur Road, Dantaramgarh, Sikar – 332702, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-296/E-126791/2019 Appeal/27th Mtg.-2019/27th August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/09/2019

ORDER

WHEREAS the appeal of College of Education, Dispur, Amarawati Path, Kamrup, Assam dated 18/07/2019 is against the Order No. ER-273.2.5/(AS-S/E-12/96)/B.Ed./2019/60922 dated 27.06.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "show Cause Notice u/s 17(1) were issued on 20.04.2018, 14.12.2018, 21.02.2019 & 16.05.2019. Principal does not possess Ph.D. qualification. Faculty in Fine Arts appointed on part-time basis is not accepted. FDR Rs. 5 lakh is not in joint made with RD, ERC, NCTE. Building completion certificate is not submitted."

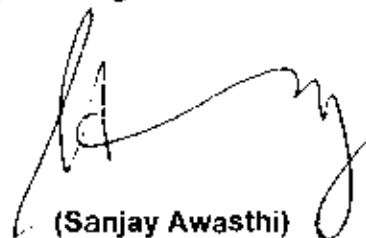
AND WHEREAS Sh. Mandira Bordoloi, Principal and Dr. Horendra Ch. Das, G.B. Member, College of Education, Dispur, Amarawati Path, Kamrup, Assam dated presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that 1. That, the show cause notices given u/s 17(1) issued on 20.02.2018, 14.12.2018, 21.02.2019 and 16.05.2019 by Eastern Regional Committee, National Council for Teacher Education, Bhubaneswar were duly replied by the appellant. Principal of the college viz. Mrs. Lucky Malakar who did not possess Ph.D. (although pursuing the course) had resigned. The senior most faculty member is now holding the post of Principal in-charge in addition to her other duties. For filling up the post of regular Principal, advertisement is published in newspapers and college website. Moreover, with a view to fill up another post of faculty member to maintain number of faculties 1+15 as per NCTE Norm, a post of lecturer in Teaching of Mathematics has also been published in newspapers and college website. the process of filling the said post is also expected to be completed at the earliest. Faculty in Fine Arts was earlier appointed on part-time basis. in response to the observation made by the respondent in its meeting held on 30th-31st may and 1st June, 2019 services of Shri

Bhaben Ch. Das, part-time faculty in fine arts has been regularized as a full time faculty and the appellant has complied with the requirement of NCTE Norms. FDR for Rs. 5.00 lakhs on Central Bank of India, Bhangagarh Branch, Guwahati, Assam vide a/c no.-3630371647 in joint mode of College of Education, Guwahati and Regional Director, ERC, NCTE Bhubaneswar has been duly affected as per NCTE Guidelines. Building Completion Certificate from the Competent Authority i.e. Public Works Department, Guwahati, Assam has been obtained, for 7650.36 sq. ft (711 sq. meter). Another plot of land with a 4 story RCC Building measuring 8495 sq. ft. (789.50 sq. meter) has been hired, which will meet the necessary requirement for total built up of the College of Education, Guwahati. at present the total built up area stands at 16145.36 sq. ft. (1500.50 sq. meter)."

AND WHEREAS Appeal Committee noted that revised recognition order dated 22/05/2015 was issued permitting the appellant institution to conduct B.Ed. programme with 2 basic units of 50 seats each under the NCTE Regulation, 2014. The revised recognition order was subject to fulfilment of certain conditions and reporting compliance thereof to the ERC. Appeal Committee noted that a number of Show Cause Notices (SCNs) were issued to appellant institution and most of these SCNs were replied to also by the appellant institution. Appeal Committee further noted that inspite of the correspondence exchanged between the Regional Committee and appellant institution, all the deficiencies particularly the deficiency of academic faculty and the required built up area have not been complied to so far. The appellant institution as on the date of appeal has still not been able to appoint a qualified regular Principal and faculty appointed is also short by 3 members. Appellant has stated that deficiency in the required built up area is made good by hiring another building. The statement is not found acceptable as any new place where the institution purpose to conduct the course is to be inspected and declared suitable after being assessed as adjacent and conducive for conducting the programme. Appeal Committee, considering that appellant is still deficient in faculty/Principal and adequate built up area of its own, decided to confirm the order of withdrawal dated 27/06/2019.

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 order of withdrawal dated 27/06/2019.

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



(Sanjay Awasthi)
Member Secretary

1. The Principal, College of Education, 87, Dispur, Amarawati Path, Oispur, Kamrup – 781005, Assam.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.



F.No.89-297/E-126747/2019 Appeal/27th Mtg.-2019/27th August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/09/2019

ORDER

WHEREAS the appeal of Smt. Bansraji Devi Shikshan Prashikshan Mahila Mahavidyalaya, Asarafpur, Dhanghata, Sant Kabir Nagar, Uttar Pradesh dated 23/07/2019 is against the Order No. NRC/NCTE/NRCAPP-13049/301st Meeting/2019/203449 dated 27.05.2019 of the Northern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "the institution has not submitted the faculty list even for one unit as per NCTE Regulations, 2014. The institution website link <http://www.sbdspmm.in> is not functional as mandatory under clause 7(14) of NCTE Regulations, 2014. Hence, the Committee decided that the application is rejected, and permission is refused u/s 15(3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Sh. Ram Lalit Yadav, Trustee and Sh. Dharmendu Rai, Member, Smt. Bansraji Devi Shikshan Prashikshan Mahila Mahavidyalaya, Asarafpur, Dhanghata, Sant Kabir Nagar, Uttar Pradesh dated presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "we had submitted the approved and certified list of Faculty members issued by our affiliating University, Siddharth University, Kaplivastu Siddharth Nagar. Affiliating University has issued two letters for the approval of the teaching staff as per NCTE norms. First approval was done by the University on 06/06/2017 and the second was issued on 08/10/2018. (List Attached). Out of the approval of 8 teaching staff in the first list only two of the teaching staff i.e. Dr. Arshad Ali (HOD) and other Ajit Kumar Yadav were NET qualified. Since NCTE demanded the list of teaching staff which are NET qualified only, so rest of the approved teaching staff does not remain void. After that we had approached the University for Approval of remaining 6 teaching staff who are NET qualified as per NCTE norms. University then approved 6 more staff

in the second phase on 08/10/2018. After is the issue of show cause notice in 297th Meeting of NRC, demanding the revised faculty list as per NCTE norms we had requested to our University for the issue of the same. The affiliating University has issued a certified list of the faculty members approved by them under-signed and sealed by the Registrar of the University. The certified letter of the University for the approval of the faculty as per NCTE norms dated 06/03/2019 is attached here for your kind consideration. Respected sir, the website link is active. The online print of the home page of the institution website is attached here with for your kind consideration.

AND WHEREAS Appeal Committee noted that impugned refusal order dated 27/05/2019 is basically on two grounds i.e. (i) appellant institution has not submitted faculty list even for one unit and (ii) its website link is not functional. Appellant during the course of appeal hearing submitted before Appeal Committee a revised list of faculty approved by the affiliating university on 06/03/2019. Affiliating university i.e. Sidharth University in its certificate dated 06/03/2019, which is available on regulatory file, has stated that out of total 14 faculty approved by the university two faculty (one H.O.D. + one faculty) approved on 06/06/2017 and 06 faculty approved on 08/10/2018 are Net qualified. Appellant has further, with its appeal memoranda, enclosed printout of its website.

AND WHEREAS appellant institution is required to submit to NRC particulars of faculty verified and attested by the affiliating university alongwith adequate evidence of a functional website to NRC within 15 days of the issue of Appeal order. Appeal Committee considering the submission made by appellant, decided to remand back the case to NRC for revisiting the matter.

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

NOW THEREFORE, the Council hereby remands back the case of Smt. Bansraji Devi Shikshan Prashikshan Mahila Mahavidyalaya, Asarapur, Dhanghata, Sant Kabir Nagar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Managing Trustee, Smt. Bansraji Devi Shikshan Prashikshan Mahila Mahavidyalaya, Plot No. 101, Asarapur, Dhanghata, Sant Kabir Nagar – 272162, Uttar Pradesh.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh. Lucknow.**



F.No.89-300/E-127274/2019 Appeal/27th Mtg.-2019/27th August, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 26/09/2019

ORDER

WHEREAS the appeal of Srimaan Dharamsingh B.Ed. College, Ambika Nagar, Behind P & T Quarters, Old Jewargi Road, Gulbarga, Karnataka dated 18/06/2019 is against the Order No. SRO/NCTE/APSO2145/B.Ed/KA/2019/103809 dated 26.04.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "The Encumbrance Certificate indicate that the land is in favour of individual. Therefore, the land documents are not in order and complete as per provisions of the NCTE Regulations, 2014. Even the Building Plan and BCC are varying from time to time. Hence, the Committee decided to withdraw the recognition u/s 17 of the NCTE Act, 1993."

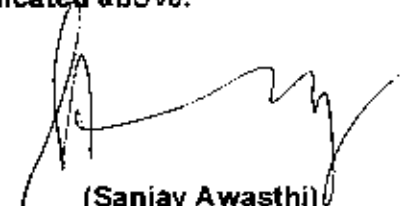
AND WHEREAS Sh. Nagraj R. Kamble, President and Sh. Patlikar MH, Administrator, Srimaan Dharamsingh B.Ed. College, Ambika Nagar, Behind P & T Quarters, Old Jewargi Road, Gulbarga, Karnataka dated presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "Land bearing Sy. No. 62 measuring 05 Acres 15 Guntas is in the name of President, Praveen Education Society, Gulbarga. In this context latest encumbrance certificate issued by the sub registrar Gulbarga, is uploaded for your kind perusal. Latest building plan obtained by the concerned authority and also building completion certificate is being uploaded for your perusal. During the visit of Hon'ble VT members, the college has fully complied the deficiencies pointed out in SCN. For which college has fulfilled the deficiencies as shown in the index of booklet submitted to them during the visit. However, another set of booklets showing the details of enclosures are submitted today through hard copy for your kind observations."

AND WHEREAS Appeal Committee noted that appellant institution was granted recognition for conducting secondary (B.Ed.) course from academic session 2004-05 by issue of an order dated 10/12/2004. Appellant institution was informed by SRC on 01/09/2007 to remit an amount of Rs. 40,000/- for conducting inspection of the premises of appellant institution. Appellant institution by its letter dated 09/10/2007 and 10/11/2009 submitted its proposal for shifting with the requisite fee of Rs. 40,000/-. SRC by its letter dated 02/03/2010 asked the appellant institution to revalidate the demand draft of Rs. 40,000/- which was earlier remitted by appellant institution in the year 2007 and then revalidated in 2009. From the Show Cause Notice (SCN) dated 05/02/2013 issued by SRC to appellant institution it is evident that appellant institution had twice revalidated the demand draft of Rs. 40,000/- submitted on account of shifting fee.

AND WHEREAS Appeal Committee further noted that revised recognition order as per NCTE Regulation, 2014 was issued on 20/05/2015 and appellant institution submitted its compliance on 26/10/2015 in fulfilment of conditions prescribed in the revised recognition order. It was thereafter, decided by SRC to cause inspection by obtaining Inspection fee of Rs. 1,50,000/-. Inspection of the appellant institution was finally conducted on 16th – 17th August, 2016 and in the overall assessment Visiting Team has made many adverse comments relating to building plan, site plan, library, labs and sale deed documents which were not submitted in English version etc. Ownership of land previously accepted. So, the deficiency remaining to be rectified should only be the production of encumbrance certificate issued by revenue authority in name of the appellant society or institution. Appeal Committee is of the opinion that appellant should have been asked in clear terms to submit (i) authenticated and latest English version of required N.E.C., (ii) Approved building plan compatible with Building Completion Certificate (iii) evidence of possessing infrastructural and instructional facilities as per NCTE norms. Appeal Committee decided that the case requires to be revisited by SRC and resultant order should specifically justify each and every point so as to enable the appellant institution to submit written representation appropriately.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the case requires to be revisited by SRC and resultant order should specifically justify each and every point so as to enable the appellant institution to submit written representation appropriately.

NDW THEREFORE, the Council hereby remands back the case of Srimaan Dharamsingh B.Ed. College, Ambika Nagar, Behind P & T Quarters, Old Jewargi Road, Gulbarga, Karnataka to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Srimaan Dharamsingh B.Ed. College, Ambika Nagar, Behind P & T Quarters, Old Jewargi Road, Gulbarga – 585103, Karnataka.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi-110075.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.



F.No.89-302/E-127723/2019 Appeal/27th Mtg.-2019/27th August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/09/2019

ORDER

WHEREAS the appeal of Shree Vinayak BSTC School, Renewal Manji, Phagi, Jaipur, Rajasthan dated 01/08/2019 is against the Order No. New Appl./RF/Raj./NRCAPP-9135/2013-14 dated 13.06.2013 of the Northern Regional Committee, thereby returning the application for conducting for D.El.Ed. Course on the grounds that "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulations 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it is clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC decided that the recommendations of the State Govt. of

Rajasthan i.e. not to allow setting up of new D.El.Ed. institutions in the State be accepted and the applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants."

AND WHEREAS Appeal Committee noted that appellant institution had filed a S.B. Civil Writ Petition No. 11135 of 2019 in the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble High Court by its order dated 05/07/2019 has granted liberty to the petitioner to avail remedy of appeal which is required to be dealt with expeditiously in accordance with law.

AND WHEREAS Sh. Kailash Chand, Secretary and Sh. Harphool Choudhary, Staff, Shree Vinayak BSTC School, Renewal Manji, Phagi, Jaipur, Rajasthan presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "The application of the petitioner was returned with reference to the subsequent ban imposed by the state of Rajasthan in relation to granting permission/recognition for running the D.El.Ed. Course. Hon'ble Supreme Court in SLP No. 4247-4248/2009 Rashtrasant TMS and SBVMCA.VID and others had passed an interim order dated 10.09.2013 wherein the Hon'ble Supreme Court, while granting time to NCTE for notifying the new Regulations had held "Those who are desirous of establishing teacher education colleges/institutions shall be free to make applications in accordance with the new regulations. Their applications shall be decided by the competent authority keeping in view the relevant statutory provisions. All the pending applications shall also be decided in accordance with the new regulations." Petitioner has invested huge amount and manpower for development of infrastructure and facilities at its institution and it has been continuously litigating for securing its rights and for running teacher education course but respondent is illegally blocking it from running the course. Appellant has available with it all the infrastructure and facilities for running D.El.Ed. course as per applicable norms. Under Regulations, 2014 the "Council" has "powers to relax" any condition/regulation which causes undue hardship. This is a fit case for relaxation and giving benefit to appellant who substantially satisfies norms and standards under Regulations, 2014. Because the decision has been taken

by NRC-NCTE without application of mind and without appreciating the reply submitted by institution."

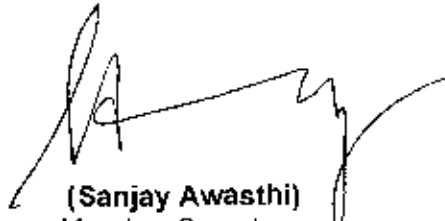
AND WHEREAS the relevant regulatory file of the N.R.C. is not available. It has been brought to the notice of the Committee in the meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in the above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

AND WHEREAS the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout

the country, are applicable to all States/UTs. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed. The appellant institution is free to submit a fresh application as and when NCTE issue notification inviting application for the desired courses.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the position stated in paras above, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shree Vinayak BSTC School, 2898 to 2956, Renewal Manji, Phagi, Jaipur – 303904, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-304/E-127934/2019 Appeal/27th Mtg.-2019/27th August, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 26/09/2019

ORDER

WHEREAS the appeal of Supreme Mahavidyalaya, Hingonia, Kishangarh Renewal, Jaipur, Rajasthan dated 26/07/2019 is against the Order No. NCTE/NRC/NRCAPP201616607/B.A.B.Ed/B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 17.04.2017 of the Northern Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "Reply dated 23.02.2017 to SCN dated 19.01.2017 was considered: - The institution has not submitted the certified registered land documents issued by the Registering Authority or civil authority concerned. The institution has not submitted the Land Use Certificate issued by the Competent Authority to use the land for educational purpose. The institution has not submitted the Non-Encumbrance certificate issued by the Competent Authority indicating that the land is free from all encumbrances. 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 Appeal Committee noted that appellant institution has filed a S.B. Civil Writ Petition no. 9654 of 2019 in the High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble High Court vide order dated 31/05/2019 has granted liberty to the petitioner to file an appeal which is required to be decided on merits.

AND WHEREAS Sh. Rameshwar Lal Jat, Secretary, Supreme Mahavidyalaya, Hingonia, Kishangarh Renewal, Jaipur, Rajasthan dated presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "NRC, NCTE has issued a Show Cause Notice on 19.01.2017 in which certain deficiencies were mentioned. This institution submitted reply of show cause notice to NRC, NCTE on 23.02.2017 vide diary No. 163242. NRC, NCTE had

rejected the application of this institution on ground that deficiencies still persisted vide letter no. NCTE/NRC/NRCAPP201616607/B.A.B.Ed. / B.Sc.B.Ed. – 4 Years Integrated/RJP2017-2018 date 17.04.2017. Although this institution had submitted all required documents to NRC, NCTE on 23.02.2017. That being aggrieved from the order of NRC, NCTE, this institution has filed a S.B. CW1 Writ Petition No. 9654/2019 in Hon'ble High Court of Rajasthan, Jaipur. Hon'ble High Court has passed an order on 31-05-2019 and directed to petitioner to file an appeal u/s 18 of NCTE Act, 1993 and Appellate Authority is directed to hear and decide on merits. That copy of registered land documents has been submitted to NRC, NCTE along with application form and reply of show cause notice. Copy of certified registered land documents are annexed. That copy of Land Use Certificate issued by SDM, Sambhar Lake, Jaipur (Raj.) has been submitted to NRC, NCTE along with application form and reply of show cause notice- Copy of Land Use Certificate is annexed. That Non-Encumbrance Certificate has been submitted to NRC, NCTE along with hard copy of application and reply of Show Cause Notice. Copy of Non-Encumbrance Certificate is annexed and marked as Annexure 11. Thus NRC, NCTE has rejected the application of this institute for grant of recognition of B.A., B.Ed./B.Sc., B.Ed. course on the ground that deficiencies still persisted while this institution had already submitted reply of Show Cause Notice along with all required documents to NRC, NCTE prior to rejection of application. Thus, the rejection of application of this institution made by NRC, NCTE on illegal, unlawful, arbitrary, unjustified and unconstitutional basis. Therefore, it is prayed that the rejection order issued by NRC, NCTE be set aside."

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 19/01/2017 was issued to appellant institution seeking written representation on the points of deficiencies within 21 days. The deficiencies pointed out in the S.C.N. related to non-submission of (i) Certified copy of land documents (ii) Land Use Certificate issued by Competent Authority. (iii) Non Encumbrance Certificate.

AND WHEREAS Appeal Committee noted that the documents submitted by appellant institution did not meet the requirement as were indicated in the S.C.N.

Appellant had not submitted certified registered land documents issued by Registering Authority. Appeal Committee noted that as per Clause 7 (2) (b) of NCTE Regulation, 2014 failure to submit printout of application alongwith land documents as required under Sub-regulation (4) of Regulation shall result in summary rejection of the application. Clause 8 (5) of the NCTE Regulation, 2014 further prescribe that affidavit shall be accompanied with the certified copy of land ownership documents. The appellant has failed to submit the required documents even in reply to the S.C.N. dated 19/01/2017. Appeal Committee, therefore, decided that impugned refusal order dated 17/04/2017 was justified and thus confirmed.

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 17/04/2017.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Supreme Mahavidyalaya, 710/54, 712/54, Hingonia, Khirwa Road, Kishangarh Renewal, Jaipur – 303328, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-305/E-127861/2019 Appeal/27th Mtg.-2019/27th August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/09/2019

ORDER

WHEREAS the appeal of Shree Nath B.Ed. College Run by Vivekanant Shikshan Sanstha's, Paithan Road, Paithan, Maharashtra dated 26/11/2018 is against the Order No. WRC/APW04855/123597/B.Ed./297th/2018/200370 dated 28.09.2018 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "and whereas, the reply was placed before the WRC in its 297th meeting held on September 13-14, 2018 and the Committee decided that "...Consequent to the issue of Revised Recognition order, Show Cause Notice dated 04.01.2017 followed by a compliance letter dated 31.05.2018 were issued. The institution replied on 18.06.2018. An examination of the staff shows that the Principal and the faculty members at S.No. 2-5 are approved by the University. Faculty members at s.no. 6-8 are selected by the local body and not by the duly constituted Selection Committee constituted by the University. The institution has not submitted FDRs for Rs. 12.00 lakhs. Hence, Recognition is withdrawn from the end of the academic session."

AND WHEREAS Dr. Dandge Samadha Baburao, Principal, Shree Nath B.Ed. College Run by Vivekanant Shikshan Sanstha's, Paithan Road, Paithan, Maharashtra presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "List containing the names of Principal (Incharge), nine faculty and a librarian approved by affiliating university for the year 2019-20 is submitted. Copy of previous list approved for the year 2018-19 is also submitted. FDRs for Rs. 5 lakh, 3 lakh and 4 lakhs (Additional) are also submitted.

AND WHEREAS Appeal Committee noted that for an existing institution conducting B.Ed. course since 2008 submission of additional amount of FDR is a grey area and withdrawal of recognition for that reason is not justified until and unless its previous FDRs are valid and held in joint name with Regional Director of the concerned

Regional Committee. Appellant institution has however, submitted an additional FDR of Rs. 4 lakh which was prepared in October, 2015 itself.

AND WHEREAS from the list of faculty submitted by appellant, Appeal Committee observes that most of the faculty neither possess requisite NET/SET qualification nor possess Ph.D. degree as per amended NCTE Regulation of May, 2017. The impugned order of withdrawal dated 26/11/2018 is however, on the ground that faculty members at serial no. 6 to 8 are not selected by the duly constituted Selection Committee. Appellant institution has been able to get approval of affiliating university to the appointment of two of the faculty which were earlier stated to be approved by local body.

AND WHEREAS the appellant is required to submit to WRC revised list of faculty approved by affiliating body within 15 days of the issue of appeal order. Appeal Committee considering the submissions made by appellant decided to remand back the case to WRC for revisiting the matter and issuing a fresh appropriate order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the case deserves to be remanded back to WRC for revisiting the matter and issuing a fresh appropriate order.

NOW THEREFORE, the Council hereby remands back the case of Shree Nath B.Ed. College Run by Vivekanant Shikshan Sanstha's, Paithan Road, Paithan, Maharashtra to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Shree Nath B.Ed. College Run by Vivekanant Shikshan Sanstha's, Paithan Road, Paithan – 431107, Maharashtra.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.



F.No.89-306/E-128026/2019 Appeal/27th Mtg.-2019/27th August, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 26/09/2019

ORDER

WHEREAS the appeal of Krishna Bora B.Ed. College, Lanka, L.P. Road, Lanka, Nagaon, Assam dated 29/07/2019 is against the Order No. ERC/272.14.150/APE00212/B.Ed./2019/60715 dated 14.06.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "show cause notice u/s 17(1) were issued on 28.11.2018, 17.01.2019 & 14.05.2019. Faculties (Art Education and Physical Education) mentioned at sl. No. 15 & 16 of the approved list have been appointed after 09.06.2017 do not possess requisite NET/Ph.D. qualification as per Gazette Notification No. 237 of NCTE published on 09.06.2017. In view of the above, the Committee decided as under:- The Committee is of the opinion that recognition granted to B.Ed. course of the application bearing Code No. APE00212 is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021."

AND WHEREAS Sh. Mustafizur Rahman, Principal, Krishna Bora B.Ed. College, Lanka, L.P. Road, Lanka, Nagaon, Assam dated presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "We have appointed faculties for performing Art (Sl. 15 as per approved list) on 01.11.17 without having NET/ Ph. D. because of non-availability of NET/ Ph.D. candidate. The sl. No. 16 (as per approved list) was appointed on 25.10.18 for the subject Philosophy. In the said post also no NET qualified candidates applied but there was only one candidate who qualified State Level Eligibility Test (SLET). So, she was appointed with the hope that NCTE may consider SLET as equivalent to NET. It may be mentioned here that the UGC recognizes SLET/SET as equivalent to NET for appointment as Asst. Professors in degree colleges of Assam. That sir, as per our submitted teacher list, the faculty of Physical education was appointed on 26.04.17 and

placed at sl. No. 14 in the said list. But in the order no. ERC/272.14.150/APE00212/B.Ed./2019/60715 dt. 14.06.19 of ERC Bhubaneswar, it is mentioned that sl. No. 16 is Physical Education which is a clear mismatch with the teacher list submitted by us. After receiving order no. ERC/272.14.150/APE00212/B.Ed./2019/60715 dt. 14.06.19 from ERC, Bhubaneswar the Governing Body of the college resolved to appoint 2 (two) qualified faculties against the sl. No. 15 and 16. Accordingly after following all the required procedure as laid down by the Gauhati University the college authority appointed Raju Das and Abhay Singh for the posts of Performing Art and History respectively on 10.07.19. Both the faculties are NET qualified. Their names are included in the new teacher list at sl. No. 15 and 16 and the said list is duly approved by the Registrar, Gauhati University. Since the time of recognition our college has followed all the rules and regulations as laid down by NCTE from time to time. It is to be mentioned that college has fulfilled all other norms and standard as per NCTE guidelines 2014. We undertake that we will always strictly follow the rules and regulations framed by NCTE in future. The appeal is Bonafied and for the end of justice."

AND WHEREAS Appeal Committee noted the submission made by appellant along with a revised list containing the names of Principal and faculty approved by affiliating university in July, 2019. Appeal Committee, further noted that appellant institution is conducting B.Ed. course since 2004-05 and has been able to replace the two faculty which were earlier found to be not qualified as per amended NCTE Regulation of 2017. Appeal Committee decided that appellant institution is required to submit to ERC the revised list of faculty approved by affiliating university within 15 days of the issue of appeal order. Committee further decided to remand back the case to ERC for revisiting the matter.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the case deserves to be remanded back to ERC for revisiting the matter after the appellant submits revised list of faculty within 15 days of issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of Krishna Bora B.Ed. College, Lanka, L.P. Road, Lanka, Nagaon, Assam to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Principal, Krishna Bora B.Ed. College, 1154, Lanka, L.P. Road, Lanka, Nagaon – 782446, Assam.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar – 751012.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.**



F.No.89-307/E-128029/2019 Appeal/27th Mtg.-2019/27th August, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 26/09/2019

ORDER

WHEREAS the appeal of Adarshabani Teacher Training College, Bagsarai, Majhra, Malda, West Bengal dated 28/07/2019 is against the Order No. ER-272.14.161/ERCAPP187/B.Ed./2019/60700 dated 14.06.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "show cause notice u/s 17(1) were issued on 08.02.2019, & 21.02.2019. Faculties viz. Moumita Chakraborty and Bhaskar Hore mentioned at sl. No. 11 and 12 of approved list have been appointed after 09.06.2017 and do not possess requisite NET/Ph.D. qualification as per Gazettee Notification No. 237 of NCTE published on 09.06.2017. In view of the above, the Committee decided as under:- The Committee is of the opinion that recognition granted to B.Ed. course of the application bearing Code No. ERCAPP167 is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021."

AND WHEREAS Sh. Ashutosh Sarkar, Secretary and Sh. Anushko Sarkar, Member, Adarshabani Teacher Training College, Bagsarai, Majhra, Malda, West Bengal dated presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that have been deposited toward endowment/ reserve fund in addition to previous. Whereas affiliating body of this institution is the West Bengal University of Teacher Training, Education, Planning and Administration (WBUTTEPA) has conducted all the formalities of appointment of faculties as per the norms of NCTE and approved the faculty list also, if there has been a mistake we are helpless. In case of Moumita Chakraborty (Music) we regret that we had committed an unwanted printing/ clerical mistake related to her date of appointment

and joining in the faculty list what were actually conducted before 09.06.2017. We have rectified the mistake in faculty list with the University. (Copy of proof, scoresheet of Selection Committee, ANNEX-VI) 7. In consequence of withdrawal of Recognition of the institution we have now recruited a NET qualified Fine Art faculty in place of Bhaskar Hore, as per ERC requirement and a recently approved faculty list is being submitted for your kind consideration. All the clarifications and action taken by us is our obedience to the NCTE, HQ, Delhi, and all the facts mentioned here are true to the best of my knowledge & belief, and we wish, you would be kind enough to restore the Recognition of the institution as per regulation of NCTE. Therefore, I pray a relief in reversal of the order of ERC to restore the Recognition of the institution. -- Ashutosh Sarkar, Secretary, Adarshabani T.T. College."

AND WHEREAS Appeal Committee noted that appellant institution alongwith its appeal memoranda submitted a list containing the name of Principal and 17 faculty members approved by West Bengal University of Teacher Training Education Planning and Administration. Appeal Committee observes that this list was approved by affiliating body on 24/07/2019 and the faculty shown as appointed after 08/06/2017 are NET qualified. Appeal committee decided that appellant, being an existing institution, is required to submit to ERC the revised list approved by affiliating university to ERC within 15 days of the issue of appeal order. Appeal Committee further decided to remand back the case to ERC for revisiting the case after the appellant submits the revised list containing the names of Principal and faculty.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the case deserves to be remanded back to ERC for revisiting the case after the appellant submits the revised list containing the names of Principal and faculty.

NOW THEREFORE, the Council hereby remands back the case of Adarshabani Teacher Training College, Bagsarai, Majhra, Malda, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Adarshabani Teacher Training College, 568/720, Bagsarai, NH-34, Majhra, Malda – 732124, West Bengal.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.**
- 4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.**



F.No.89-308/E-128027/2019 Appeal/27th Mtg.-2019/27th August, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 26/09/2019

ORDER

WHEREAS the appeal of Karimpur Anita B.Ed. College, Madhyagopalpur, Tahatta, Karimpur, West Bengal dated 28/05/2019 is against the Order No. ER-239.6.82(Part-3)/ERCAPP3614/B.Ed./2017/52702 dated 02.05.2017 of the Eastern Regional Committee, granting recognition for one unit for conducting B.Ed. course.

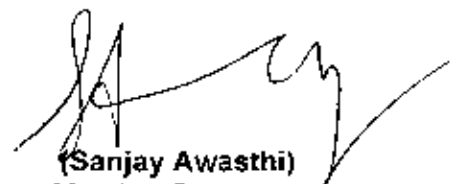
AND WHEREAS Sh. Dhananjoy Sarkar, Member and Malay Biswar, Vice President, Karimpur Anita B.Ed. College, Madhyagopalpur, Tahatta, Karimpur, West Bengal dated presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "consider the condonation of delay, the hard copy of the Appeal Application (APPL1325) filed on 28.05.2019 was mistakenly submitted to the ERC-NCTE on 31.05.2019, Immediate after approval of teaching staff format by the Affiliating University - WBUTTEPA. The Applicant Trust, was set-up with the objective to build up an academic environment of higher education of the district "Nadia" in West Bengal, after a long efforts and arrangement of funds, the office-bearer of the trust decided of applying B.Ed. (ERCAPP3614) course along-with the existing D.El.Ed. (ERCAPP1714) course to becomes a composite institute as per NCTE Regulation 2014. The Applicant Trust "Sri Ramkrishna Trust Board" submitted the online application in the name of "Karimpur Anita B.Ed. College" for grant of recognition for the academic session 2016-17 with annual intake of 100 students (two basic units) for B.Ed. (ERCAPP3614) on 26/06/2015. The Application for B.Ed. (ERCAPP3614) was complete in all respect as per NCTE Regulation 2014, whereas in all the affidavits/undertakings/documents it was clearly mentioned that the proposed B.Ed. Application (ERCAPP3614) for an annual intake of 100 students (two basic units). The Applicant Trust/institution, in compliance with the Letter of Intent (LOI) as per NCTE Regulation 2014 submitted its reply along with all other relevant documents including affidavit/undertaking and Teaching Staff Approval

for B.Ed. (ERCAPP3614) with an annual intake of 100 students (two basic units). The Applicant Trust/institution, submitted documents before the ERC-NCTE against 16 faculties duly verified and selected and approved by the Affiliating University - WBUTTEPA, but unfortunately one faculty namely Sh. Golok Sardar appointed as Lecturer in Education, whose M.A. (Education) degree was from Eillm University, not recognized by the UCC, it was not accepted by the ERC-NCTE and eliminated the faculty accordingly. The ERC-NCTE without providing any opportunity to the Applicant Trust/institution issued Formal Recognition Order under clause 7(16) of NCTE Regulation 2014 for one basic unit each against B.Ed. (ERCAPP3614) application form the academic session 2017-18. However, the B.Ed. (ERCAPP3614) application was applied for an annual intake of 100 students (two basic units). It is noted, that the entire selection process of faculties is under the jurisdiction of the Affiliating University as per NCTE Act 1993 -and/or- NCTE Regulation 2014. The University is sole responsible for proper verification/scrutinizing the academic documents submitted by the faculty members at the time of physical verification and interview. The Affiliating University upon proper verification/scrutinizing the academic documents as per IJGC and NCTE norms, interviewed the candidates and finally select the qualified faculties for TEI's. The Applicant Trust/institute was not responsible for any kind of mistakes on faculties selection. However, replacement of the faculty/(s) is a continuous process which can also be complete after getting the recognition order from ERC-NCTE. The ERC-NCTE without consideration of the facts and documents by the Applicant Trust / institution including affidavit / undertaken / Teaching Staff Approval, issued Formal Recognition Order under clause 7(16) of NCTE Regulation 2014 for one basic unit for B. Ed.(ERCAPP3614) application Vide Order No. F.No.ER-239.6.82(Part3)/ERCAPP3614)/B.Ed./2017/ 52702 dated 02/05/2017, However, the Applicant Trust/institution was truly entitled for an annual intake of 100 students (two basic units) against B.Ed. (ERCAPP3614) application as per NCTE Regulation 2014. The Applicant Trust/institution also appointed one new faculty member (Sh. Minarui Islam Mondal) as Lecturer in Education under Serial No. 11, duly approved by the Affiliating University -WBUTTEPA dated 18.04.2019 in replacement of Sh. Golok Sardar. Hence all the 16 faculties are presently working in the Institution. The Applicant

Trust/institution has all the necessary documents related to Land/Building and Teaching Staff Format approved by the Affiliating University to establish its claim and may satisfy the Hon'ble Appeal Committee in favour of the institution against the Order No. F.No.ER239.6.82(Part-3)/ERCAPP3614)/B.Ed./2017/ 52702 dated 02/05/2017 passed by the ERC-NCTE. Hence, the Applicant Trust/institution had no other alternative but to file an Appeal under Section 18 of the NCTE Act to reconsider the case and remands back to the ERC for issuing a fresh formal recognition order against B.Ed. (ERCAPP3614) with an annual intake of 100 students."

AND WHEREAS Appeal Committee noted that the appellant institution had submitted its application seeking recognition for an intake of 2 units of B.Ed. course. ERC in compliance of the Norms and Standards for B.Ed. course observed that built up area earmarked for the course was inadequate and thus issued recognition order for only one unit which further enabled the appellant institute to achieve the status of a composite institution and get recognition for D.El.Ed. course. The present appeal filed by appellant is delayed by more than a year and 10 months without any reason for the inordinate delay. Appeal Committee decided not to condone the delay. Appeal of the appellant which is also devoid of merit is accordingly not admitted on ground of delay.

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 not to admit the appeal.


(Sanjay Awasthi)
Member Secretary

1. The President, Karimpur Anita B.Ed. College, Madhyagopalpur, 64, Tahatta, Karimpur – 741152, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.