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F.No.89-43/2015 Appeal/5th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

26/05/2015

ORDER

WHEREAS the appeal of Ram Krishna Dharmarth College of Education, (R.K.D.F), Bhopal, Madhya Pradesh dated 20/04/2015 is against the Order No. WRC/APP2405/223/220th/2015/133444 dated 31/03/2015 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that the matter was placed before WRC in its 220th meeting held on March 23-24, 2015 and the Committee decided that "DL was issued on 31/07/2013 and Show Cause Notice was also issued on 29/11/2013 to the institution to furnish various documents in either as originally certified or as notarized copies. The institution has submitted only photocopies of all documents namely By-laws of the Society, land documents, building plan, Change of Land use Certificate, Building Completion Certificate and Non-Encumbrance Certificate. Hence, the application is rejected. FDRs be returned."

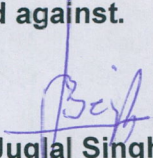
AND WHEREAS Dr. Alok Sharma, Administrative Officer and Sh. G.G. Ladha, Representative, Ram Krishna Dharmarth College of Education, (R.K.D.F), Bhopal, Madhya Pradesh presented the case of the appellant institution on 22/05/2015. In the appeal and during personal presentation it was submitted that "we lately received the certified copies of the documents by various government offices. Because of this we are now submitting all the original certified/notarized bye laws of the society, land documents, building plan, change of land use certificate, building completion certificate and non- encumbrance certificate. Kindly accept our submission we will be grateful for this."

AND WHEREAS Appeal Committee noted that the appellant institution applied online for B.Ed. course on 31.12.2012 under the NCTE Regulations, 2009. The online application under the 2009 regulations was to be considered as complete with separate submission within 7 days of a) certified copy of registered land document, b) Notarised copy of change of land use certificate, c) approved building plan Committee noted that a deficiency letter dated 31.07.2013 was issued to the appellant institution intimating certain deficiencies and seeking removal of these deficiencies within 60 days. The appellant institution did not submit compliance report to the regional Committee. The appellant was issued a Show Cause Notice dated 29.11.2013 on account of non submission of reply of the Deficiency letter. The appellant institution furnished reply to the Show Cause Notice dated 29.11.2013 on account of non submission of reply to the Deficiency letter. The appellant institution furnished reply to the Show Cause Notice 28.12.2013 but furnished zerox copy of the land documents and C.L.U instead of certified copy and original notarised copy respectively. The W.R.C. issued another letter dated 24.12.2014 to the appellant institution seeking its consent within 15 days for processing of its application under NCTE Regulations, 2014. The appellant institution while conveying its consent dated 07/01/2015 again failed to furnish certified copy of the land document, original notarised copy of C.L.U, copy of approved building plan, original non encumbrance certificate. Committee noted that though requisite documents have not been listed in the NCTE Regulations, 2014 as were specifically mentioned in the 2009 regulations, there is a mention in clause 5 (4) of the 2014 regulations that copy of registered land document issued by competent authority shall be attached with the application. Instructions/guidelines for filling up application forms issued under 2014 regulations very clearly mention that certified copy of Land documents shall be enclosed with the hard copy of application and attested or notarised copy of land documents shall not be treated as the certified copy. Similarly building plan should be approved by competent authority.

AND WHEREAS Committee after considering the relevant documents on record came to the conclusion that the appellant failed to submit certified copy of the land documents and copy of approved building plan to the W.R.C. even after the S.C.N. letter dated 29.11.2013 and letter dated 24.12.2014. Copy of building plan furnished by the appellant institution is not legible and the plan is for proposed Medical Institute and Institute of Science & Technology. The refusal order dated 31.03.2015 issued by W.R.C. is therefore justified and hence 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.


(Juglal Singh)
Member Secretary

1. The Administrative Officer, Ram Krishna Dharmarth College of Education, 39, 40, 41/1/1, Jatkheri, Bhopal, Madhya Pradesh -462026.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

F.No. 89-44/2015 Appeal/5th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

26/05/2015

ORDER

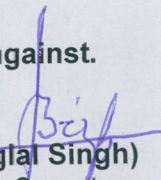
WHEREAS the appeal of Sardar Patel Institute of Higher Education, Kurukshetra, Haryana dated 28/04/2015 is against the Order No. NRC/NCTE/NRCAPP-2551/232ndmeeting/2015/91760 dated 26/03/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the show cause notice was issued to the institution on 20.01.2014 because the institution did not possess any land on ownership basis. In reply to the show cause notice, the Trust agreed that at the time of application it did not possess land as the process of land conversion was not complete."

AND WHEREAS Ms. Manisha, Member and Sh. Alope Basu Roy, Representative, Sardar Patel Institute of Higher Education, Kurukshetra, Haryana presented the case of the appellant institution on 22/05/2015. In the appeal and during personal presentation it was submitted that "the impugned order dated 26.03.2015 passed by the Regional Committee, NCTE in its 232nd meeting/2015, rejecting/dismissing the application of the appellant for grant of recognition for B.Ed. Course against the appellant/applicant is wrong, against law and facts, arbitrary and the same is liable to be set aside. The Learned Regional Committee wrongly disbelieved the fact that the appellant/applicant completed or removed all the deficiencies as and when intimated by them and served their detailed replies against all the show cause notices received by the appellant from the Regional Committee. The Learned Regional Committee duly made consideration over the detailed replies of the appellant/applicant against the show cause notice regarding deficiencies and at that respective time it did not find deficiency or objection. But as per rejection order dated 26.03.2015 the appellant/ applicant feeling aggrieved from the ground of rejection of application, since the appellant had removed the deficiency which later the ground of rejection of application becomes. Thus, the order dated 26.03.2015 is illegal, null and void and liable to be set aside. The Learned Regional Committee did not appreciate this fact that the visiting team which made inspection over the premises of the appellant/applicant did not find any discrepancy in documents, infrastructure, faculty etc. The Learned Regional Committee has erred while deciding the application of the appellant. The replies to the show cause notice which are placed on record has not been correctly and legally appreciated. Even the material documents have been ignored and have not been given due consideration. The documents on record have been mis-interpreted. The Learned Regional Committee has also failed to consider the entire pleadings of the appellant/applicant. The Learned Regional Committee did not consider this fact that the appellant/applicant has invested a huge amount in establishing the infrastructure and other essential factors. The order dated 26.03.2015 passed by the Learned Regional Committee is not a speaking order.

AND WHEREAS Appeal Committee noted that appellant institution applied for B.Ed. course by submitting online application on 30.09.2011 under NCTE Regulations, 2009. The land documents furnished by the appellant included copies of three sale deeds of different plots and two lease deeds in individual name. The deficiency on account of land documents was not pointed out by the N.R.C. in the deficiency letter dated 16.10.2012. It was only through a Show Cause Notice dated 20.01.2014 that appellant institution was informed that land on ownership basis on the date of submission of application is required under clause 8(7)(1) of the NCTE Regulations, 2009. The requirement of land on ownership basis as on the date of application is persisted with under NCTE Regulation of 2014 also. As the appellant institution did not possess the required land on ownership basis as on the date of application, Committee concluded to confirm the refusal order dated 26.03.2015 issued by N.R.C.

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.


(Juglal Singh)
Member Secretary

1. **The President, Sardar Patel Institute of Higher Education C/o Sardar Patel Institute of Higher Education, Near Umri Chowk, G.T. Road, Kurukshetra, Haryana – 136131**
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.

F.No. 89-46/2015 Appeal/5th Meeting-2015**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

26/05/2015

ORDER

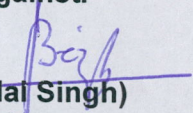
WHEREAS the appeal of Riward Post Graduate College (Institute of Wasteland Reclamation & Rural Development) Sultanpur, Uttar Pradesh dated 05/05/2015 is against the Order No. NRC/NCTE/NRCA^{PP}-2904/234th Meeting/2015/92745 dated 09.04.2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution has not submitted the certified copy of land documents."

AND WHEREAS Prof. H.R. Yadav, Director, Riward Post Graduate College (Institute of Wasteland Reclamation & Rural Development) Sultanpur, Uttar Pradesh presented the case of the appellant institution on 22/05/2015. In the appeal and during personal presentation it was submitted that "the Certified copies of land documents had already been submitted. However, original certified copies of land documents, i.e. sale deed, khatauni and CLU etc. are submitted for further necessary action."

AND WHEREAS Appeal Committee noted that the appellant institution had submitted online application for B.Ed. course on 12.09.2012. N.R.C. through a Deficiency letter dated 03.04.2013 informed the appellant institution about 11 deficiencies one of which was non submission of certified copy of land document. The appellant institution in reply to the deficiency letter furnished a zerox copy of sale deed registered in favour of the society in the year 2003. N.R.C. without noting that the copy of land document is not a certified copy got the institution inspected. N.R.C. subsequently issued a Show Cause Notice dated 14.02.2014 to the institution on grounds of certified copy of land document and original C.L.U. Certified copy of land documents is an essential document to be furnished alongwith the application as per NCTE Regulation, 2009 & 2014. The appellant in its reply dated 28.08.2014 to the S.C.N. furnished an attested copy of the land documents instead of furnishing a certified copy. Committee, therefore, decided to confirm the refusal order dated 09.04.2015 made on ground of non submission of a certified copy of land documents.

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.


 (Juglal Singh)

Member Secretary

1. The Director, Riward Post Graduate College (Institute of Wasteland Reclamation & Rural Development) Hanumanganj, Sultanpur, Uttar Pradesh – 228001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No. 89-47/2015 Appeal/5th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

26/05/2015

ORDER

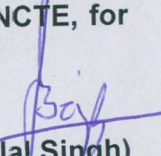
WHEREAS the appeal of Herank Business School, Noida, Gautam Buddha Nagar, Uttar Pradesh dated 30/04/2015 is against the Order No. NRC/NCTE/NRCAPP-5997/231st Meeting/2014/91555 dated 20/03/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the reply of the institution is not substantiating with the approving authority."

AND WHEREAS Prof. Rajesh Sahay, Chairman and Sh. Sachin Sachdeva, System Admin., Hierank Business School, Noida, Gautam Buddha Nagar, Uttar Pradesh presented the case of the appellant institution on 22/05/2015. In the appeal and during personal presentation it was submitted that "at the time of V.T. Visit, the institution had multipurpose hall measuring 2088 sq. ft. The reply in this regard along with photographs was submitted to NRC on 24th Feb, 2014. The ground of the refusal is "The reply of the institution is not substantiating with the approving authority" and the show cause notice was issued by the NRC on the point that As per V.T. report, the institute does not have multipurpose hall. Both the points are contradictory with each other. The institute is having a large building on the land measuring 4944.75 sqm. The total built up area is 5468.61 sqm. The photographs of the building and Multipurpose Hall are enclosed for reference. The reply which was not properly considered by the NRC is also enclosed. Keeping in view the above facts and documents attached, you are requested to consider our appeal and issue necessary instructions/directions to the NRC, Jaipur to reconsider our case on merit basis."

AND WHEREAS Appeal Committee noted that an inspection of the institution under Section 14 of the Act was conducted on 17/10/2013. Analysis of the inspection report revealed that there is no multipurpose hall on the actual location. The appellant contested that the institution had an auditorium at the time of inspection and photographs of this auditorium were also furnished to the inspection team. As regards construction of a multipurpose hall specifically for B.Ed. programme, it has also been done by removing some partition walls and providing space adequate for the purpose of a Multipurpose Hall. Committee decided to remand back the case to N.R.C. with a direction to have a relook into the case by conducting another inspection for verifying the availability of a multipurpose hall on payment of fee by the appellant institution.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to have a relook into the case by conducting another inspection for verifying the availability of a multipurpose hall on payment of fee by the appellant institution.

NOW THEREFORE, the Council hereby remands back the case of Hierank Business School, Noida, Gautam Buddha Nagar, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

1. The Chairman, Hierank Business School A-42, Institutional Area, Sector-62, Noida, Gautam Buddha Nagar, Uttar Pradesh – 201307.
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.89-48/2015 Appeal/5th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

26/05/2015

ORDER

WHEREAS the appeal of Kapi College of Education, Nagamalai, Madurai, Tamil Nadu dated 06/05/2015 is against the Order No. SRO/NCTE/APS06128/B.Ed/TN/2014-15/58895 dated 07/08/2014 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "the institution was served with a show cause notice on 16.01.2014 for non-submission of staff list duly approved by affiliating body/university. In response to the show cause notice, the institution stated in their letter dated 17.02.2014 that, they will submit the staff list to Tamilnadu Teachers Education University, Chennai, for approval and requested SRC NCTE to give them one month time to submit the approved staff list. The institution failed to furnish the approved staff list even after a lapse of time period of more than one month, from 17.02.2014. Approved staff list is still not furnished. The request for one month's time was on 17 Feb,2014."

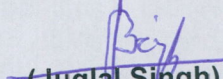
AND WHEREAS Sh. G. Arumugam, Member Trustee, Kapi College of Education, Nagamalai, Madurai, Tamil Nadu presented the case of the appellant institution on 22/05/2015. In the appeal and during personal presentation it was submitted that "the Kapi College of Education has immediately after the withdrawal of affiliation approached the Tamil Nadu Teacher Education University for permission for Admission of students alongwith the approved staff list. The request of the appellant to restore the affiliation was placed before the syndicate of Tamil Nadu Teacher Education University on 18.10.13 which resolved that no inspection should be conducted at the appellant's premises and team has to file report before the syndicate immediately. As per the inspection report, the syndicate of Tamil Nadu Teacher Education University resolved that the re-affiliation be granted to the appellant as per its resolution dated 21.02.2014. The Tamil Nadu Teacher Education University has already approved the qualified staff list furnished by the Kapi College of Education, Madurai, vide official Communication No. TNTEU/R/Quali. Approval/CC11207/2014 dated 21.07.2014 long before the Southern Regional Committee, Bangalore, order of withdrawal of recognition dated 07.08.2014. The Kapi College of Education, Madurai has replied properly to show cause notice sent by the Southern Regional Committee of NCTE, Bangalore as per the minutes of 253rd meeting held on 30th September and 1st October of 2014. The said reply was sent by the Appellant with clear mentioning of above said proceedings before the TNTEU, Tamilnadu and requested for time to furnish the approved qualified staff list. But the Appellant could not furnish the same in time because the Tamil Nadu Teacher Education University proceedings has taken much more time to complete and the approved staff list proceedings was passed by Tamil Nadu Teacher Education University only on 21.07.2014. In the meantime the SRC-NCTE, Bangalore has resolved in its meeting dated 4th and 5th of June 2014, to withdraw the recognition granted to the Appellant for non furnishing of approved staff list. In the meantime the SRC-NCTE, Bangalore has passed an order which has withdrawn the recognition conferred to Kapi College of Education and barred the Admissions for the B.Ed. course from the Academic Year 2015-16 vide letter F.SRO/NCTE/APS06128/B.Ed./TN/2014-15/58895 dated 07.08.2014. Further, the Tamil Nadu Teachers Education University has also passed an order of grant of permission for admission of students by Kapi College of Education, Madurai for the Academic Year 2014-15 vide official communication no. TNTEU/R/Syn.Feb21-Item No. 14/2014/1405 dated 12.09.2014 as per the decision of the syndicate of Tamil Nadu Teacher Education University resolution dated 21.04.2014. But the said letter was received by the Appellant on 12.08.2014 only with mentioning that in the operating portion of the said order it was stated that the recognition accorded to Kapi College of Education, Madurai District, Tamil Nadu for B.Ed. course (APSO 6128) is hereby withdrawn from the academic year 2014-15. It is pertinent to note that in that order it is wrongly mentioned as for the academic year 2014-15 instead of

academic year 2015-16. The respondent/SRC-NCTE Bangalore has passed the withdrawal of the recognition for the sole reason of not furnishing approved qualified staff list. The said order of withdrawal was passed only after two weeks of approval of qualified staff list by Tamil Nadu Teacher Education University. The Tamil Nadu Teacher Education University has passed order of re-affiliation on 12.09.2014 and its copy of officials' communication was already sent to SRC-NCTE, Bangalore. The appellant, therefore, prays that the order appealed against may be set aside and appropriate relief granted to the appellant".

AND WHEREAS Committee noted that a Show Cause Notice (SCN) dated 16.01.2014 was issued to the appellant institution on the grounds that 'institution has not submitted staff list duly approved by the affiliating University.' The appellant institution submitted its written representation dated 17/02/2014 intimating that the staff list has been submitted to Tamil Nadu Teachers Education University, Chennai for approval and they need more time to submit the approved staff list. Committee also noted that the appellant institution was facing certain affiliation issues and has addressed letters to the affiliating University for re-affiliation after paying necessary fee. The appellant institution had also requested the S.R.C. vide its letter dated 20.06.2014 to extend the time limit for submission of the approved staff list till September, 2014. Appeal Committee further noted that Tamil Nadu Teacher Education University had conveyed to the appellant institution its approval for appointment of principal and staff vide letters dated 21.7.2014. The affiliation earlier withdrawn was also restored by the T.T.E.U vide letter dated 12.09.2014 and by this time S.R.C. had already withdrawn the recognition. Appeal Committee after considering the circumstances of the case decided to remand back the case to SRC with a direction that withdrawal order dated 07/08/2014 issued by S.R.C. be reversed and recognition for B.Ed. course be restored. The appellant should furnish the approved list of faculty to S.R.C. which may be considered.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to SRC with a direction that withdrawal order dated 07/08/2014 issued by S.R.C. be reversed and recognition for B.Ed. course be restored. The appellant should furnish the approved list of faculty to S.R.C. which may be considered.

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


(Juglal Singh)
Member Secretary

1. The Secretary, Kapi College of Education, 46-47, Vaithiyalingam Street, Melakuilkudi Road, Nagamalai, Madurai, Tamil Nadu – 625019.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu, Chennai.

F.No. 89-49/2015 Appeal/5th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

26/05/2015

ORDER

WHEREAS the appeal of Atul Institute, Sirsaganj Road, Mainpuri, Uttar Pradesh dated 30/04/2015 is against the Order No. NRC/NCTE/NRCAPP-6234/235th/Meeting/2015 dated 24/04/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the institution refused for inspection. Reply of the Show Cause Notice is not acceptable".

AND WHEREAS Sh. Jatir Parsad Singh, Vice-President, Atul Institute, Sirsaganj Road, Mainpuri, Uttar Pradesh presented the case of the appellant institution on 22/05/2015. In the appeal and during personal presentation it was submitted that "as per this letter the inspection of the institute of appellant was proposed for 05.03.2014 but the said letter was received by the appellant after the inspecting date and due to this the inspection could not be conducted. The show cause notice was duly replied by the appellant on 09.04.2015 and alongwith reply a CD of the institution was also sent showing complete infrastructure of the institution".

AND WHEREAS Appeal Committee noted that NRC had issued a letter dated 25/02/2014 intimating a number of institutions including the appellant institution that inspection of their institution is scheduled to be conducted between 25/02/2014 to 10/03/2014. The appellant during the course of appeal presentation stated that the above letter was not received by them and accordingly they were not prepared for the inspection on the particular day when Inspection Team approached them for inspection. The appellant requested that inspection be conducted on some other day for which the institute is prepared to pay costs.

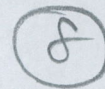
AND WHEREAS Committee, considering that advance intimation is required to be given to the institution to be inspected and the appellant institution has denied having received the intimation, decided to remand back the case to NRC with a direction to conduct fresh inspection after receiving necessary fee from the appellant.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to conduct fresh inspection after receiving necessary fee from the appellant.

NOW THEREFORE, the Council hereby remands back the case of Atul Institute, Sirsaganj Road, Mainpuri, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Juglal Singh)
Member Secretary

1. The Chairman/Secretary, Atul Institute, Plot No. 1307, Sirsaganj Road, Mainpuri - 205001, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No. 89-41/2015 Appeal/5th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

26/05/2015

ORDER

WHEREAS the appeal of H S Memorial College, Bisara, Aligarh, Uttar Pradesh dated 14/04/2015 is against the Order No. NRC/NCTE/NRCAPP-6251/234th Meeting/2014/92967-970 dated 10/04/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the ground that in reply to the show cause notice, the institution again submitted Building Completion Certificate. No other proof has been submitted. The reply submitted by the institution, therefore, is not acceptable.

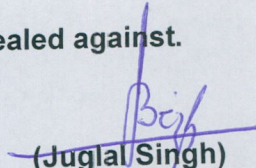
AND WHEREAS Sh. Pramod Kumar Singh, Chairman, H S Memorial College, Bisara, Aligarh, Uttar Pradesh presented the case of the appellant institution on 06/05/2015. In the appeal and during personal presentation it was submitted that at the time of inspection building was not completed, but soon after they have completed all infrastructural facilities. The same also has been informed to NCTE, Jaipur on 17/03/2015 with Building Completion Certificate and college photographs but their reply was not accepted by the N.R.C. The appellant enclosed a copy of his reply dt. 14.03.2015 to the show cause notice, which was received in the N.R.C. office on 17.03.2015. In the copy of the building completion certificate enclosed the year of completion of construction was shown as 2013.

AND WHEREAS the relevant file of the N.R.C. was not available at the time of consideration of the appeal on 06.05.2015. The Committee, therefore, decided to consider the matter again in their next meeting, when the file of N.R.C. becomes available.

AND WHEREAS the Committee, in their meeting held on 22.05.2015, perused the file of the N.R.C., which became available. The Committee noted from the file that an inspection of the appellant institution was conducted on 08.03.2014 and the Visiting Team reported that the building (only seven rooms) was under construction. The Committee also noted that in response to the show cause notice, the appellant submitted to the N.R.C. an undated building completion certificate showing that the construction of the building was completed in 2013. In the appeal, the appellant admitted that at the time of inspection, the building was not completed. According to the provisions of NCTE Regulations of 2009 and also of 2014, at the time of inspection the building of the institution shall be complete in the form of permanent structure, on the land possessed by the institution equipped with all necessary amenities. Since the construction of the building of the appellant institution was not completed at the time of inspection, 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.


(Juglal Singh)
Member Secretary

1. The Chairman, H S Memorial College, 487/3, Ownership Basis, 487/3, Bisara, Aligarh, Uttar Pradesh – 202138.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

F.No.89-320/2014 Appeal/5th Meeting-2015**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

26/05/2015

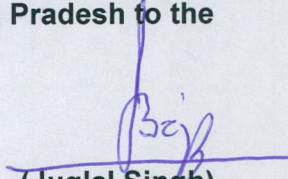
ORDER

WHEREAS the appeal of Shiksha Vibhag, (Atal Bihari Vajpayee Hindi Vishwavidhyalaya) Bhopal, Madhya Pradesh dt. 04.09.2014 against the order of the W.R.C., Bhopal dt. 20.01.2014 refusing recognition for conducting B.Ed. course alongwith D.Ed. and M.Ed. courses on the ground that according to Clause 8(2) of the NCTE Regulations, 2009, no institution can apply for two courses simultaneously, was not admitted as the delay of five months and fifteen days in making the appeal was not condoned vide Council's order dt. 19.02.2015.

AND WHEREAS the Committee, in their meeting held on 22.05.2015, noted that Atal Bihari Vajpayee Hindi Vishwavidyalaya, Bhopal in a letter dt. 09.03.2015, highlighting the urgent need for making available B.Ed. trained teachers in Madhya Pradesh, made a strong plea for considering the University's application for grant of recognition for conducting B.Ed. course. The Committee also noted the request for reconsideration and the NCTE Regulations, 2014 which have come into force and which do not contain any provisions similar to those contained in Clause 8(2) of the NCTE Regulations, 2009, which stand repealed. In these circumstances, the Committee in supersession of their earlier decision, concluded that the matter deserved to be remanded to the W.R.C. with a direction to consider the application of the appellant institution for conducting B.Ed. course as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and documents available on records, the Committee concluded that the appeal deserves to be remanded to WRC with a direction to consider the application of the appellant institution for conducting B.Ed. course as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Shiksha Vibhag, (Atal Bihari Vajpayee Hindi Vishwavidhyalaya) Bhopal, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

1. The Secretary/Correspondent, Shiksha Vibhag, (Atal Bihari Vajpayee Hindi Vishwavidhyalaya), Enclosure-1, 2, Bhopal – 462016, 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.

(11)

F.No.89-54/2014 Appeal/5th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

26/05/2015

ORDER

WHEREAS the appeal of Sri Balaji Venkateswaraswamy College of Elementary Education, Tooparan, Medak, Te angana dated 10/02/2014 against the Order of the SRC dt.18/05/2013 refusing recognition for conducting D.El.Ed. course on the grounds mentioned in that order was not admitted as the delay of six months and 23 days was not condoned vide Council's order dt.29.05.2014.

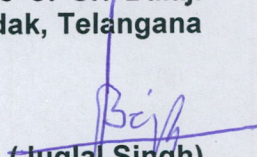
AND WHEREAS aggrieved by the order of the Council, the appellant filed a writ petition no. 9927 of 2015 before the Hon'ble High Court of Judicature at Hyderabad from the States of Telangana and Andhra Pradesh. The Hon'ble High Court in their order dt. 08/04/2015, observing that the impugned order was passed considering the petitioner's request under old regulations set aside the same and remitted the matter to the first respondent, namely, the NCTE, for fresh consideration and for passing appropriate orders expeditiously. The Hon'ble High Court in their above cited order gave liberty to the first respondent, to remit the matter to the second respondent, namely, the SRC, if it deemed appropriate.

AND WHEREAS Sh. V. Pavan Kumar, Correspondent, Sri Balaji Venkateswaraswamy College of Elementary Education, Tooparan, Medak, Telangana appeared before the Committee on 22.5.2015, gave a letter dt. 22.5.2015 enclosing a copy of the order of the Hon'ble High Court and requested favourable consideration of their application.

AND WHEREAS the Committee after due consideration concluded that the matter deserved to be remanded to the SRC with a direction to consider the application of the appellant afresh with reference to the NCTE Regulations, 2014 and take an appropriate decision.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to SRC with a direction to consider the application of the appellant afresh with reference to the NCTE Regulations, 2014 and take an appropriate decision.

NOW THEREFORE, the Council hereby remands back the case of Sri Balaji Venkateswaraswamy College of Elementary Education, Tooparan, Medak, Telangana to the SRC, NCTE, for necessary action as indicated above.


(Juglal Singh)

Member Secretary

1. The Secretary/Correspondent, Sri Balaji Venkateswaraswamy College of Elementary Education, H. No. 1-4/1, Toopran, Medak-502334, Telangana, 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, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

26/05/2015

ORDER

WHEREAS the appeal of Doon Ghati College of Elementary Education, Doiwala, Dehradun, Uttarakhand dated 17/03/2015 is against the Order No. NRC/NCTE/NRCAPP-8186/223rd Meeting/2013/69744-747 dated 15/02/2014 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "all the applications received from Uttarakhand regarding D.El.Ed. programme in Private /Self Financing institution shall not be processed since there is no provision for opening D.El.Ed. programme in Self Financing institution's as stated by State Govt. representative of Uttarakhand."

AND WHEREAS the submission of the appeal has been delayed by 11 months and 12 days beyond the prescribed time limit of 60 days. The Committee noted that the appellant filed a Writ Petition No. 567 of 2015 before the Hon'ble High Court of Uttarakhand at Nainital. The Hon'ble High Court in their order dt. 10.03.2015, while permitting withdrawal of the petition, directed that if the petitioner preferred an appeal under Section 18 of the NCTE Act within ten days from that day, it shall not be dismissed on the ground of limitation and it shall be decided at its own merits in accordance with law preferably within 60 days from the date of filing of the appeal. In these circumstances, the Committee decided to consider the appeal filed on 17.03.2015.

AND WHEREAS Ms. Archana, Director, Doon Ghati College of Elementary Education, Dehradun, Uttarakhand presented the case of the appellant institution on 14/04/2015. In the appeal and during personal presentation it was submitted that "the State Government has given approval and therefore the rejection is against facts and law. In support of his claim, the appellant enclosed a copy of letter dt. 17.07.2013 from the Government of Uttarakhand addressed to the Regional Director, NRC. The appellant also submitted that while their application was not processed, applications of two other institutions for D.El.Ed. course, namely, Harish Chandra Ramkali B.Ed. College, Distt. Haridwar and Mangal Jyoti Sansthan were processed and visiting teams constituted".

AND WHEREAS the Committee noted from the order of the NRC dt. 05.02.2014 that the appellant did not furnish a reply to the deficiency letter and that the representative of the State Government of Uttarakhand stated that there is no provision for opening D.El.Ed. Programme in self-financing institutions. The Committee also noted from the copy of the letter dt. 17.07.2013 from the State Government that after explaining the demand and supply position of D.El.Ed teachers, they advised the Regional Director that in case recognition for D.El.Ed. course is to be granted it may be only for a limited number and limited duration.

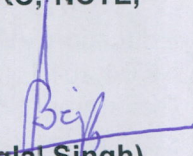
AND WHEREAS the Committee concluded that before taking a decision on the appeal clarification may be sought from the NRC whether (i) the application was considered in the light of the State Govts' letter dt. 17.07.2013; (ii) there was any other communication from the State Government in support of the statement of the their representative as mentioned in the refusal order; and (iii) the circumstances under which the applications of the two institutions mentioned by the appellant were processed.

AND WHEREAS the Committee, in their meeting held on 22.05.2015, perused the letter dt. 21.05.2015 received from the N.R.C. on the points mentioned in para 5 above. The Committee noted from that letter that (i) the application of the appellant institution was not considered by the N.R.C. in the light of Uttarakhand Govt's letter dt. 17.07.2013, as it was not received at the time of refusing recognition; (ii) there was no communication from the State Government in support of the statement of their representative as mentioned in the refusal order; (iii) the application of Mangal Jyoti Sansthan was processed after the institution submitted a copy of the State Govt's letter dt. 17.07.2013; and (iv) the applications of the two institutions (referred to in para 3 above) have been put on hold till the receipt of further clarification from the State Govt. of Uttarakhand to provide the exact number of institutions which may be granted recognition for D.El.Ed. course from the session 2015-16.

AND WHEREAS the Committee noting the above position, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the application of the appellant institution in the light of the State Govt's letter dt. 17.07.2013, further clarifications sought from that Government and the provisions of NCTE Regulations, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit and documents available on records, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to consider the application of the appellant institution in the light of the State Govt's letter dt. 17.07.2013, further clarifications sought from that Government and the provisions of NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Doon Ghati College of Elementary Education, Doiwala, Dehradun, Uttarakhand to the NRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

1. The Chairman/Correspondent, Doon Ghati College of Elementary Education, Plot No. 159, Street No. 159, Vill.-Markham Grant, Dehradun, Uttarakhand - 248140
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttarakhand, Dehradun.