(1)

F.No.89-151/2015 Appeal/13th Meeting-2015 20243

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Ruma Shikshan Prashikshan Mahavidyalaya, Gobari, Pratapgarh, Uttar Pradesh dated 02/10/2015 is against the Order No. NRC/NCTE/NRCAPP-3207/240th Meeting/2015/120830 dated 13/08/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that in its reply of SCN issued to the institution by letter no. NRC/NCTE/NRCAPP-3207/238th meeting/2015/110980 dated 5th June, 2015, list of the faculty approved by the affiliating university has not been submitted.

AND WHEREAS Sh. Nagendra Kumar Dubey, Member, Ruma Shikshan Prashikshan Mahavidyalaya, Gobari, Pratapgarh, Uttar Pradesh presented the case of the appellant institution on 16/12/2015. In the appeal, during personal presentation and in a letter dt. 16.12.2015 submitted at the time of hearing it was submitted that they have been pursuing the matter relating to approval of the faculty with the affiliating university and kept the N.R.C. also informed about their efforts. In support thereof the appellant submitted a copy of their letter dt. 30.06.2015 addressed to the Regional Director, N.R.C., which is available in the file of the N.R.C. The appellant enclosed a copy of the letter dt. 11.09.2015 from Ram Manohar Lohia Avadh Vishwavidyalaya, Faizabad in which approval of the teaching faculty was communicated to their Mahavidyalaya. The appellant also enclosed a copy of his letter dt. 30.09.2015 addressed to the Regional Director inter-alia enclosing, the list of approved faculty, which is however, not found in the N.R.C's file.

AND WHEREAS The Committee, taking into account the efforts made by the appellant for securing the approval of the affiliating University for the faculty and also the fact that he kept the N.R.C. informed about their efforts for getting the requisite approval, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the list of faculty approved by the University and take further action as per the Regulations. The appellant is also directed to submit all the relevant documents relating to approval of the faculty to the N.R.C. within 15 days of the issue of appeal order.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to consider the list of faculty approved by the University and take further action as per the Regulations. The appellant is also directed to submit all the relevant documents relating to approval of the faculty to the N.R.C. within 15 days of the issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of Ruma Shikshan Prashikshan Mahavidyalaya, Gobari, Pratapgarh, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Jagjiat Singh) 16/1/16
Member Secretary

1. The Manager, Ruma Shikshan Prashikshan Mahavidyalaya, 292KA 306MI Village Gobari, PO.- Gobari, Tehsil – Sadar, Dist. – Pratapgarh Uttar Pradesh – 230502.
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.

(2)

F.No.89-152/2015 Appeal/13th Meeting-2015 20947

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Ekta Shikshan Sansthan, Hardi, Faizabad, Uttar Pradesh dated 02/10/2015 is against the Order No. NRC/NCTE/NRCAPP-6283/240th Meeting/2015/120097 dated 04/08/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that the institution has not submitted reply of SCN dated 04/06/2015. The institution has not submitted faculty duly approved by affiliating body, printout of website and joint FDRs.

AND WHEREAS Sh. Ashok Kumar Tiwari, Manager and Sh. Krishn Kumar Sriwastava, Member, Ekta Shikshan Sansthan, Hardi, Faizabad, Uttar Pradesh presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation and in a letter dt. 16.12.2015 submitted at the time of hearing it was submitted that (i) the institution received the letter of intent dated 5th February, 2015; (ii) the institution applied on 15.02.2015 for sending the panel for selection of faculty to the Registrar Dr. Ram Manohar Lohia Awadh University, Faizabad; (iii) the University constituted panel and the names of experts were sent to the institution vide letter dated 19/02/2015; (iv) the institution persistently requested the experts to fix the date for selection of faculty, but no positive answer was given by them, perhaps due to lack of co-ordination amongst the members; (v) the panel visited the institution and selection was completed on 08.04.2015 and thereafter the University was requested to give their approval; (vi) factual information was sent by post to the NRC vide letter dated 03/07/2015; (vii) the University is not under the control of the institution and at the most request could be made for granting approval without taking time; (viii) the NRC was under the legal obligation to consider the difficulty which was faced by the institution i.e. while there was fixed time for sending the reply on the one hand and there is no fixed time for granting approval though the entire formalities were completed by the institution; (ix) after making frantic endeavour the University gave their approval only on 11.09.2015. The institution has spent enormous amount in setting up the infrastructure of the institution. In the circumstances, the appellant requested that the order of the N.R.C. be set aside and recognition granted. The appellant enclosed copies of their correspondence with the University including a copy of the University's letter dt. 11.09.2015 granting approval to the faculty.

AND WHEREAS the Committee taking into account the efforts made by the appellant for securing the approval of the University for the faculty and also the fact that he kept the N.R.C. informed about their efforts for getting the requisite approval, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the list of faculty approved by the University and take further action as per the Regulations. The appellant is also directed to submit the list of approved faculty and all other relevant documents namely, jointly held F.D.Rs and printout of their website to the N.R.C. within 15 days of the issue of the appeal order.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to consider the list of faculty approved by the University and take further action as per the Regulations. The appellant is also directed to submit the list of approved faculty and all other relevant documents namely, jointly held F.D.Rs and printout of their website to the NRC within 15 days of the issue of the appeal order.

NOW THEREFORE, the Council hereby remands back the case of Ekta Shikshan Sansthan, Hardi, Faizabad, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Jugal Singh)
Member Secretary

1. The Manager, Ekta Shikshan Sansthan, 117, 118, Hardi, Faizabad, Uttar Pradesh – 224234.
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.

(3)

F.No.89-153/2015 Appeal/13th Meeting-2015 90251

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/11/16

ORDER

WHEREAS the appeal of J.S. PG College, Sikandrabad, Bulandshahr, Uttar Pradesh dated 02/10/2015 is against the Order No. NRC/NCTE/NRCAPP-5964/240th Meeting/2015/119936 dated 13/08/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that the show cause notice dated 04/06/2015 was issued to the institution. The institution has not submitted faculty duly approved by affiliating body and copy of printout of website.

AND WHEREAS Sh. Santosh Kr. Singh, Representative and Sh. Adeshwar Pd. Jain, Representative, J.S. PG College, Sikandrabad, Bulandshahr, Uttar Pradesh presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that (i) the institution received the letter of intent on 20th March, 2015; (ii) the institution applied for sending the panel for selection of faculty to the Registrar Chaudhary Charan Singh University, Meerut much before the letter of intent; (iii) the University constituted panel and the names of experts were sent to the institution vide letter dated of 11/02/2014; (iv) the institution persistently requested the experts to fix the date for selection of faculty, but no positive answer was given by them, perhaps due to lack of coordination amongst the members; (v) subsequently at later stage one member of the panel Prof. Indira Dhull, MD University, Rohtak refused to participate in the selection vide her letter dated 07/05/2015; (vi) the institution informed to the NRC also vide letter dated 10/06/2015; (vii) the institution again wrote to the University on 08/05/2015 informing the that one of the experts Prof. Indira Dhull declined to participate in the selection process and requesting therein to nominate another expert in her place; (viii) the university formed new panel and informed to the institution vide letter dated 25/06/2015; (ix) thereafter selection of faculty was made and the list with all documents was sent to the University for approval; (x) the position was duly infomated to the N.R.C. in their letter dt. 04.07.2015 and a request made for grant of 30 days time for submitting the approved faculty list; (xi) the University is not under the control of the institution and at the most request could be made for granting approval without taking time; (xii) the N.R.C. was under legal obligation to consider the difficulty faced by the institution i.e. while there was a fixed time for sending a reply there is no fixed time for granting approval although the entire formalities were completed by the institution; and (xiii) after making frantic efforts, the University gave their approval only on 1.10.2015. The institution has spent enormous amount in setting up the infrastructure of the institution. In the circumstances, the appellant requested that the order of the N.R.C. be set aside and recognition granted. The appellant enclosed copies of the correspondence with the University including a copy of the university's letter dt. 1.10.2015 granting approval to the faculty.

AND WHEREAS the Committee taking into account the efforts made by the appellant for securing the approval of the University for the faculty and also the fact that he kept the N.R.C. informed about their efforts for getting the requisite approval, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the list of faculty approved by the University and take further action as per the Regulations. The appellant is also directed to submit the list of approved faculty and all other relevant documents including printout of their website to the N.R.C. within 15 days of the issue of the appeal order.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to consider the list of faculty approved by the University and take further action as per the Regulations. The appellant is also directed to submit the list of approved faculty and all other relevant documents including printout of their website to the N.R.C. within 15 days of the issue of the appeal order.

NOW THEREFORE, the Council hereby remands back the case of J.S. PG College, Sikandrabad, Bulandshahr, Uttar Pradesh dated to the NRC, NCTE, for necessary action as indicated above.

(Jugal Singh)
Member Secretary

1. The Secretary, J.S. PG College Sikandrabad, 347/116, No. 2244, Kayasthwara, Sikandrabad, Bulandshahr, Uttar Pradesh – 203205.
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.

(4)

F.No.89-154/2015 Appeal/13th Meeting-2015 20855

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of A.R. Institute of Management and Technology, Jalalpur, Meerut, Uttar Pradesh dated 08/10/2015 is against the Order No. NRC/NCTE/NRCAPP-3376/238th Meeting (Part-III)/2015/107082 dated 30/05/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that the institution has not submitted the list of faculty duly approved by the affiliating body. FDRs of Rs. 12.00 lakhs in joint account not submitted. Printout of the website of the institution not submitted.

AND WHEREAS the submission of the appeal has been delayed by two months and 8 days beyond the prescribed time limit of 60 days. The appellant submitted that the delay was on account of delay in getting the approval of the University to the faculty. The Committee accepted the submission and decided to condone the delay and consider the appeal.

AND WHEREAS Dr. Lalit Mohan Sharma, Office Assistant and Sh. Amit Kumar Gupta, Registrar, A.R. Institute of Management and Technology, Jalalpur, Meerut, Uttar Pradesh presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that the institution was issued the LOI and all formalities for the approval of faculty were duly completed in the stipulated time and forwarded to the affiliating University but because of some internal problems within the University the approved faculty list has been received by us only on the 07/10/2015. The delay in submission of reply to LOI is only because of the delay on the part of the affiliating University and the institute is not at fault. Several reminders to the affiliating University have been sent. In a letter dt. 16.12.2015 given at the time of hearing, the appellant submitted that they will furnish the necessary F.D.Rs to N.R.C. They enclosed a print out from their Website.

AND WHEREAS the Committee noted that in response to the Show Cause Notice dt. 11.05.2015, the institution in their reply dated 'Nil' received in N.R.C. on 24.05.2015 explained in detail the steps taken by them for selecting and getting approval of CCS University to their faculty with that reply they also enclosed all their correspondence with the University and requested the N.R.C. to give them time to submit the approved faculty and also to request the University to expedite their approval – with the appeal, the appellant enclosed a copy of the University's letter dt. 07.10.2015 in which their faculty was approved.

AND WHEREAS the Committee noted that even after receipt of a reply to the Show Cause Notice N.R.C. decided to refuse recognition. The Committee noting the efforts made by the appellant to secure the approval of the University for their faculty and the fact that they kept N.R.C. informed about the developments, concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider the University approved staff list and take further action as per the Regulations. The appellant is also directed to submit the approved faculty list and all other required documents to the N.R.C. within 15 days of the issue of the appeal order.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to consider the University approved staff list and take further action as per the Regulations. The appellant is also directed to submit the approved faculty list and all other required documents to the N.R.C. within 15 days of the issue of the appeal order.

NOW THEREFORE, the Council hereby remands back the case of A.R. Institute of Management and Technology, Jalalpur, Meerut, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Jugal Singh)
Member Secretary

1. The Manager/Secretary, A.R. Institute of Management and Technology, 185/4, 186/3, Sale Deed, Shalarpur, Jalalpur, Meerut, Uttar Pradesh – 250001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

(5)

F.No.89-156/2015 Appeal/13th Meeting-2015 20259

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Sita Devi Memorial Institute of Education and Technology, Jwalapur, Haridwar, Uttarakhand dated 02/10/2015 is against the Order No. NRC/NCTE/F-3/UR-15/163rd Meeting/2010/27138 dated 03/09/2010 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed. course following the decision to implement the NRC decision taken in 146 Meeting dated 5-7 August, 2009 i.e. to withdraw recognition on the ground that the institution has not replied within stipulated time to Show Cause Notice issued under Section 17.

AND WHEREAS the appellant, in the appeal, has made the following submissions, leading to the filling of this belated appeal. Briefly stated, the institution was granted recognition on 27.5.2005 for an intake of 100 and on 11.03.2008 for an additional intake of 100. The N.R.C., following conduct of an inspection of the institution under Section 17 of the NCTE Act, withdrew recognition on 06.10.2009. The N.R.C. in the light of the order of the Hon'ble High Court of Uttarakhand in PIL 44/2009 re-considered the matter in their 163rd meeting held from July, 29-31, 2010 and decided to implement the NRC's decision taken in their 146th meeting held on Aug. 5-7, 2009 i.e. to withdraw recognition. Accordingly another order dt. 03.09.2010 was issued withdrawing recognition. The appellant thereafter approached the Hon'ble High Court of Uttarakhand with Writ Petitions No. 1334 (MS) of 2009 and 1188 (MS) of 2013 for relief against both the orders of the N.R.C. dt. 06.10.2009 and 03.09.2010. The Hon'ble High Court, in their order dt. 07.10.2014 dismissed the Writ Petition and upheld the decision of the N.R.C. taken in their meeting of Aug. 5-7, 2009. The appellant filed a Special Appeal No. 58 of 2015 before a Division Bench of the Hon'ble High Court of Uttarakhand against the order of the Single Judge dt. 07.10.2014. The Hon'ble High Court, in their order dt. 29.07.2015, dismissing the appeal observed that if the appellant moves a de novo application, the same may be considered by the NCTE as per their New Regulations of 2014. The appellant thereafter filed a Special Leave to Appeal (C) No. 25538/2015 before the Hon'ble Supreme Court of India against the Hon'ble High Court's order dt. 29.07.2015. The Hon'ble Supreme Court in their order dt. 11.09.2015, accepting the plea of the petitioner to withdraw the petition with liberty to seek redress in such other proceedings as may be open to the petitioner in law, including redress by way of appeal, dismissed the petition with liberty prayed for. The Hon'ble Supreme Court did not express any opinion on the maintainability of the appeal or on the merits of the contentions. The appellant has filed the present appeal on 02.10.2015. As the appeal has been preferred following the orders of the Hon'ble Supreme Court, the Committee decided to consider the same.

AND WHEREAS Sh. Shivam Sharma, Cashier and Sh. Ramakant Yadav, Office Assistant, Sita Devi Memorial Institute of Education and Technology, Jwalapur, Haridwar, Uttarakhand presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation the appellant has made detailed submissions in regard to the various actions taken by the N.R.C. and the HBN Garhwal University. He has also drawn attention to the various orders of the Hon'ble High Court of Uttarakhand. One of the submission made is that the

ground adduced in the withdrawal order dt. 06.10.2009 i.e. that the institution has not replied within stipulated time to the Show Cause Notice issued under Section 17 is not correct. His contention is that a reply to the Show Cause Notice dt. 03.07.2009 was sent on 16.07.2009. The appellant has submitted that the affiliating University in their letter dt. 22.09.2014 extended the affiliation of their institution after physical verification for the sessions 2012-13 and 2013-14 with 200 students in the B.Ed. course. The NAAC has given accreditation certificate to their institution with Grade 'B' on 27.03.2011. The appellant also submitted that Dranas College of Management & Technical Education, Dehradun, which is similarly placed and whose recognition was withdrawn on the ground that the norms in respect of B.Ed. admissions were not complied by the institution, appealed to the Council and the Council in their order dt. 26.06.2011 reversed the withdrawal order. The appellant also enclosed copies of the orders of the N.R.C granting recognition to certain colleges in Uttarakhand for conducting B.Ed. course as per the NCTE Regulations, 2014. The appellant also submitted that the institution had inadvertently taken admissions in complete 100 seats and the Hon'ble High Court of Uttarakhand in their order dt. 20.05.2009 in W.P. (M) 255 of 2009 directed the appellant to surrender the students admitted against State Quota. In these circumstances, the appellant requested setting aside the withdrawal orders dt. 06.10.2009 and 03.09.2010.

AND WHEREAS the Committee noted that the Hon'ble High Court of Uttarakhand (Single Judge) in their order dt. 07.10.2014 in W.P. 1334 (MS) of 2009 and W.P. 1188(MS) of 2013 in which the State of Uttarakhand, HNB Garhwal University and N.R.C, NCTE were respondents, have extensively dealt with all the relevant issues relating to admissions and failure of the appellant to reply to the issues raised in Show Cause Notice within the time limit and the various submissions made by the parties to the Writ Petition. In that order the Hon'ble High Court dismissed the petition holding the withdrawal order intact. The Committee also noted that the appellant's Special Appeal No. 58 of 2015 against the Hon'ble Single Judge's order dt. 07.10.2014 was also dismissed by the Hon'ble High Court of Uttarakhand in their order dt. 29.07.2015 holding that the Hon'ble Single Judge took his view after going through each and every aspect of the matter. The Council's appellate order dt. 26.06.2011 in respect of Dranas College to which a reference has been made is prior to the disposal of the Writ Petitions Nos. 1334 of 2009 and 1188 of 2013 by the Hon'ble High Court on 07.10.2014. At that time appellant did not file any appeal to NCTE. Further the fresh recognition orders issued in respect of certain colleges under the NCTE Regulations, 2014 have no relevance to the appeal.

AND WHEREAS in view of the above position, particularly after the Hon'ble High Court of Uttarakhand having dealt with the matter extensively and finally dismissed the appellant's Writ Petitions, the Committee did not find any justification to interfere in the matter. The Committee therefore concluded that the appeal deserved to be rejected and the orders of withdrawal dt. 10.06.2009 and 3.09.2010 of the N.R.C. upheld.

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.

(Jugla Singh)
Member Secretary

1. The Principal, Sita Devi Memorial Institute of Education and Technology, Idgah Road, Jwalapur, Haridwar, Uttarakhand – 249407.
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.

(7)

F.No.89-158/2015 Appeal/13th Meeting-2015 20963

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 15/1/16

ORDER

WHEREAS the appeal of IGNOU (Indira Gandhi National Open University), Maidan Garhi, New Delhi dated 05/10/2015 is against the Order No. NRC/NCTE/DH-11/238th Meeting/2015/114095 dated 21/07/2015 of the Northern Regional Committee, refusing permission of additional intake beyond 1200 in Diploma in Primary Education Course (Distance Mode) on the ground that the reply on the points of Show Cause Notice dt. 05/04/2015 has not been submitted by the University.

AND WHEREAS the submission of the appeal has been delayed by 14 days beyond the prescribed time limit of 60 days. The Committee decided to condone the delay, which is very short, and consider the appeal.

AND WHEREAS Sh. N.K. Dash, Director and Ms. Vibha Joshi, Professor, IGNOU (Indira Gandhi National Open University), Maidan Garhi, New Delhi presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that the D.El.Ed. programme through distance mode proposed to be conducted by the University is an independent programme and is not to be equated with the DPE (Diploma in Primary Education) earlier recognised by the NCTE and which is no longer on offer. The appellant submitted copies of the e-mail and other communications sent to the N.R.C. on 14.08.2015 and 17.09.2015 clarifying the proposal of D.El.Ed. programme through distance mode. But these communications were sent after the issue of the refusal order dated 21.07.2015.

AND WHEREAS the Committee noted that while the appellant is pursuing their proposal for D.El.Ed. programme, the refusal order issued stated that permission of additional intake beyond 1200 in Diploma Primary Education Course (distance mode) has been refused. Obviously there is some mismatch between the proposal of the appellant and the refusal order issued by the N.R.C. Since the e-mail and other communications were sent after the issue of the refusal order, the N.R.C in their reply e-mail dt. 18.09.2015 (copy furnished by the appellant) rightly mentioned that after having taken a decision, the N.R.C. cannot review its own decision and the alternative remedy left was an appeal to the Council.

AND WHEREAS under the NCTE Regulations, 2014, the nomenclature of the distance mode teacher education course is D.El.Ed. and not D.P.Ed. The conditions for grant of recognition for this course are clearly mentioned in these Regulations and these are to be met fully by any applicant. From what happened till now it appears that the appellant is yet to convincingly explain the implications of their current proposal to the N.R.C. In these circumstances, the Committee concluded that the appellant may be given one opportunity to send a detailed and self-explanatory communication in support their current proposal to the N.R.C. within a period of 15 days after the issue of the orders on the appeal, for their reconsideration.

For the purpose of completing this exercise, the Committee decided to remand the matter to the N.R.C. for taking a fresh decision on receipt of a further communication 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 for taking a fresh decision on receipt of a further communication from the appellant.

NOW THEREFORE, the Council hereby remands back the case of IGNOU (Indira Gandhi National Open University), Maidan Garhi, New Delhi to the NRC, NCTE, for necessary action as indicated above.

(Juglal Singh)
Member Secretary

1. **The Registrar (Admn), IGNOU (Indira Gandhi National Open University), Maidan Garhi, New Delhi – 110068.**
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 Delhi.

(8)

F.No.89-159/2015 Appeal/13th Meeting-2015 20867

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 15/11/16

ORDER

WHEREAS the appeal of D.B.M.S. College of Education, Jamshedpur, Purba Singhbhum, Jharkhand dated 09/10/2015 is against the Order No. ERC/7-194.9.32/2015/35725 dated 08/10/2015 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that the land is on private lease basis and as per the provision of Clause 8(4) of the NCTE Regulations 2014, lease of land from Government or Government institutions only is acceptable.

AND WHEREAS the Committee noted that while the institution submitted an appeal dt. 09.10.2015 against the E.R.C's order dt. 08.10.2015, the E.R.C. reconsidering their earlier decision issued a show cause notice dt. 31.10.2015 stating that the land is on private lease basis. On receipt of a reply dt. 12.11.2015 to the show cause notice, the E.R.C. issued a fresh refusal order on 30.11.2015 on the grounds that (i) the land is on private lease basis between Tata Steel Limited and DBMS Board of Trustee, Jamshedpur; (ii) As per Clause 8(4)(i) no institution shall be granted recognition under these regulation unless the institution or society sponsoring the institution is in possession of the required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Government or Government institutions; and (iii) show cause notice was issued on 31.10.2015 and reply of the institution is not satisfactory.

AND WHEREAS Sh. B. Chandra Shekhar, Jt. Chairperson, D.B.M.S. College of Education, Purba Singhbhum, Jharkhand presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that the entire land on which the town of Jamshedpur has been established by Tata Steel in the Steel City of Jamshedpur was originally in absolute ownership of Tata Steel. Pursuant to land reforms in the country, under statutory provisions, the lands utilised by Tata Steel stand leased to the Company since 1956. The lease under the provisions of statute continues and has been confirmed by the State of Bihar and now the State of Jharkhand. The Government of Bihar confirmed the arrangement of lease under the statute by a formal lease document, the period of which expired on 31st December, 1995, which was further renewed for 30 years by the Government of Jharkhand with an option with Tata Steel for subsequent renewal. The entire township has been set up and is administered by Tata Steel. The lease is long term perpetual arrangement prescribed by the statute in view of the fact that the township has been developed by the Company. However, after vesting, the land fulfils the criteria of Government Land and hence the arrangement of lease by the Government in favour of Tata Steel. Tata Steel has also the right to grant lease to institutions like ours. The inspecting officials from Kolhan University have also examined the matter and the affiliating body has granted N.O.C. based on the documents submitted by us. It is also relevant to state that under similar conditions specified for affiliation by CBSE, they have granted affiliation to all CBSE schools in Jamshedpur including recently for the appellant's +2 level school in Jamshedpur viz DBMS Kadma High School. It is thus evident that DBMS Board of Trustees (the appellant) is in legal possession of land and construction of building as per recognition guidelines is nearing completion.

AND WHEREAS the Committee noting the submissions of the appellant and taking into consideration that there is no agency other than Tata Steel, who owns land in that area, to give land for any institution, concluded that the matter deserved to be remanded to the E.R.C. with a direction to process the application further as per the Regulations.

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

NOW THEREFORE, the Council hereby remands back the case of D.B.M.S. College of Education, Jamshedpur, Purba Singhbhum, Jharkhand to the ERC, NCTE, for necessary action as indicated above.

(Jugla Singh)
Member Secretary

1. The Chairman, D.B.M.S. College of Education, 1397 (P) Khasra No. 1217, Farm Area, Jamshedpur, Purba Singhbhum, Jharkhand – 831005.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

(10)

F.No.89-161/2015 Appeal/13th Meeting-2015 90271

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Sarswati Shikshan Prasarak Mandal's Sant Gadage Baba Adhyapak Vidyalaya, Bambawade, Shahuwadi, Kolhapur, Maharashtra dated 08/10/2015 is against the Order No. WRC/APW05815/1221642/227th/2015/8664-8669 dated 12/06/2015 of the Western Regional Committee, refusing recognition for conducting D.Ed.(M) (Co-ed) course on the grounds that "Show Cause Notice dated 28/04/2015 was issued to the Management on the grounds of:

(i) The building does not match the available building plan;
(ii) The Management has taken the VT to three different places which were not in the original map submitted by the Management;
(iii) There were no shelves in the library and books were kept in open;
(iv) Laboratories and academic infrastructure were not available; and
(v) FDRs not submitted in original.

Vide letter dated 13/05/2015, the Management has admitted that, the building is only a temporary adjustment; the institute proposes to construct ultramodern building as per the NCTE norms and proposed plan; the plan submitted to the committee is a proposed plan and it will be implemented as and when Recognition order is granted; only as a temporary adjustment, the college is situated in three different buildings and it is assured that with the implementation of the proposed plan, this inconvenience will automatically be done away with....." amongst others. As per the NCTE Regulations, 2014, it is necessary for a Society proposing to run a teacher training institution to be ready in all respects at the time of submitting the online application. Hence, Recognition is refused u/s 14(3)(b) of NCTE Act, 2993. FDRs be returned."

AND WHEREAS the submission of the appeal has been delayed by one month and 26 days beyond the prescribed time limit of 60 days. The appellant in his letter dt. 11.12.2015 submitted that the delay was due to slowness of the internet and other problems in uploading the information. The Committee noting those submissions agreed to condone the delay and took up the appeal for consideration.

AND WHEREAS Sh. Ashok Shivaram Patole, Principal and Sh. Shivaji Shankar Parit, Secretary, Sarswati Shikshan Prasarak Mandal's Sant Gadage Baba Adhyapak Vidyalaya, Bambawade, Shahuwadi, Kolhapur, Maharashtra presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that as per show cause notice the institution have completed all the requirements and by ignoring all the requirements the WRC decided the matter and issued refusal order which is against the law and facts. The appellant therefore prays that the order appealed against may be set-aside and an appropriate relief granted to the appellant.

AND WHEREAS the Committee noted that the appellant in their reply to the show cause notice admitted all the shortcomings in the infrastructural facilities pointed out. The appellant's simple claim in the appeal that they have completed all the requirements has no substance. Further as per the provisions contained in clause 8(7) of the NCTE Regulations, 2014, at the time of inspection, the building of the institution shall be complete in the form of a permanent structure on the land possessed by the institution, equipped with all necessary amenities and fulfilling all such requirements as prescribed in the norms and standards. The Inspection Team did not find the requisite infrastructure in place at the time of inspection. In these circumstances, the Committee concluded that the W.R.C. was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the W.R.C. dt. 12.06.2015 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.

(Jugal Singh)
Member Secretary

1. The Manager/Secretary, Sarswati Shikshan Prasarak Mandal's Sant Gadage Baba Adhyapak Vidyalaya, A/P - Bambawade, Tal. - Shahuwadi, Distt. – Kolhapur – 416114, Maharashtra.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

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F.No.89-162/2015 Appeal/13th Meeting-2015 20875

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Seva Sadan Shiksha Samiti, Amagird, Burhanpur, Madhya Pradesh dated 13/10/2015 is against the Order No. WRC/APP2934/222/232nd/2015/153791 dated 07/10/2015 of the Western Regional Committee, summarily rejecting the application for grant of recognition for conducting D.El.Ed. course on the grounds that "in this case, the institute has submitted the printout of the application after 15 days of the submission of the online application. Regulation 7 of NCTE Regulations, 2014 mandates that the printout of the application should be submitted within 15 days of the submission of the online application. Hence, the "application is summarily rejected and application fee paid be forfeited."

AND WHEREAS Sh. Virendra Singh Thakur, Chairman and Sh. Mahendra Singh Thakur, Director, Seva Sadan Shiksha Samiti, Amagird, Burhanpur, Madhya Pradesh presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that delay in submission of hard copy was on account of delay in receipt of NOC from MP Board of Secondary Education Bhopal and not due to internal reasons. As such the delay in submission of hard copy may kindly be condoned and permission for new D.El.ed College may please be allowed. Barring this technical fault due to external reasons, there is no other deficiency in the application and there is dire need of Diploma in Education College at Burhanpur hence the request.

AND WHEREAS the Committee noted that according to the provisions contained in clause 7(2)(b) of the NCTE Regulations, 2014, failure to submit print out of the application made online alongwith the land documents as required under sub-regulations (4) of Regulations 5 within fifteen days of submission of the online application results in summary rejection of the application. The appellant has admitted delay in the submission of the hard copy of the application. In these circumstances, the Committee concluded that the W.R.C. was justified in summarily rejecting the application and therefore, the appeal deserved to be rejected and the order of the W.R.C. confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the WRC was justified in summarily rejecting the application 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.

(Jugtal Singh)
Member Secretary

1. The Chairman, Seva Sadan Shiksha Samiti, Plot No. 542/1, Street/Road Station Road, Village/Town/City Amagird, Post/Office/Tehsil/Taluka/Town/City – Burhanpur, Distt. – Burhanpur – 450331, 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.

(12)

F.No.89-163/2015 Appeal/13th Meeting-2015 90279

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 15/11/16

ORDER

WHEREAS the appeal of Thakur College of Education, Dhaliara, Dehra, Kangra, Himachal Pradesh dated 13/10/2015 is against the Order No. F. NRC/NCTE/HP-299/210th Meeting/2012/40064-67 dated 05th April, 2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that the Committee discussed and considered the case in detail and noted that in compliance of the Court order, the NRC wrote a clarification letter to the institution No. HP-299/17th/5010 dated 18th Feb., 2011. The institution did not give any clarification within stipulated period of 30 days of issue of the letter. Instead, the institution submitted two replies vide ref. no. 1320-TCED-2012 dated 12/12/2012 and no. 1327/TECD-2012 dated 22/12/2012 respectively. In the letter 12/12/2012, the institution has cited about its office letters no. 888-TECD-2010-11 dated 17/02/2011 and reminder letter no. 955 TECD/2010-11 dated 21/06/2011. The institution has not enclosed any substantive proof of despatch of such letters to NRC, Jaipur. The institution has enclosed zeroxed copy of a letter dated 17/02/2011 bearing no signature and annexure. The institution has misled the NRC, NCTE by not giving facts and evidences as per NCTE's clarification letter. The application for D.El.Ed. course is rejected.

AND WHEREAS the Committee noted that the appellant aggrieved by the order of the N.R.C., filed a S.B. Civil Writ Petition No. 14356 of 2015 before the Hon'ble High Court of Judicature for Rajasthan at Jaipur. The Hon'ble High Court in their order dt. 06.10.2015, at the request of the petitioner to withdraw the Writ Petition as the impugned order is amenable to appeal, dismissed the petition with a direction that in case the appeal is preferred within a period of seven days, the same shall be deemed to be within limitation. The appellant preferred the present appeal to the Council on 13.10.2015.

AND WHEREAS Sh. Dinesh Kumar, Secretary and Sh. Manjit Singh, Superintendent, Thakur College of Education, Dhaliara, Dehra, Kangra, Himachal Pradesh presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that the required clarification was supplied within the stipulated period on 21/02/2011 vide speed post receipt No. EE743718889IN dated 21/02/2011. The letter sent was enclosed duly with annexure / proof as required pertaining to copy of land use certificate, attested copy of land documents and clearly marked map of building. The letter bears authenticated signature of the Principal sent on 21/02/2011. Our institution has never mislead the NRC, NCTE, and we have given clearly all facts and evidence within time. In the light of the above stated facts/clarification/explanation it is humbly submitted every requirement was met within the stipulated period. Therefore it is prayed that the rejection may be set aside and an appropriate relief may be given to the appellant.

AND WHEREAS the Committee noted that on the rejection of an appeal of the institution dt. 12.05.2009 against an earlier refusal order of the N.R.C. dt. 6.05.2009 by the Council in their order dt. 07.08.2009, the appellant filed a Writ Petition No. 1663 of 2010 before the Hon'ble High

Court of Himachal Pradesh at Shimla and the Hon'ble High Court in their order dt. 07.09.2010 directed that the case of the petitioner be considered for grant of recognition on production of a copy of the State Government recommendation. The N.R.C. examined the matter in the light of the directions of the Hon'ble High Court and in their letter dt. 18.02.2011 sought clarifications on certain points from the appellant. The appellant was required to respond within 30 days from the date of issue of that letter.

AND WHEREAS the Committee noted that after the issue of the clarification letter dt. 08.02.2011, the earliest letter dt. 12.12.2012 from the appellant was received in N.R.C. office was only on 18.12.2012. This shows that no reply was received for nearly one year and nine months after the expiry of the time limit of 30 days from 08.02.2011. A copy of the appellant's letter dt. 17.02.2011, which was enclosed to their letter dt. 12.12.2012, is without copies of the enclosures mentioned therein. The appellant has now furnished a copy of his letter dt. 17.02.2011 affixing thereon a copy of speed post Receipt dt. 21.02.2011 in proof of dispatch of their communication dated 17.02.2011. With this letter the appellant enclosed copies of the various documents related to land building plan. The originals of the reminders dt. 21.06.2011 and 19.10.2011 reported to have been sent to N.R.C. (vide their letter dt. 22.12.2012) are not available in the N.R.C's file.

AND WHEREAS in view of the above position the Committee concluded that the appellant neither submitted a reply to the clarification letter dt. 18.02.2011 nor earlier furnished any proof of having despatched his letter dt. 17.02.2011 by speed post nor enclosed the requisite documents to the copies of his letter sent to N.R.C. on 12.12.2012. The Committee, in these circumstances, further concluded that the N.R.C. was justified in refusing recognition and therefore the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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

(Jugal Singh)
Member Secretary

1. The Secretary, Thakur College of Education, Dhaliara, The. – Dehra, Distt. – Kangra, Himachal Pradesh – 177103.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Himachal Pradesh, Shimla

(13)

F.No.89-164/2015 Appeal/13th Meeting-2015 20283

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Vinayak Vidyapeeth, Pawli Khas, Meerut, Uttar Pradesh dated 14/10/2015 is against the Order No. NRC/NCTE/NRCAPP-9445/241st Meeting/2015/120990 dated 14/08/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the ground that the institution did not submit reply of Show Cause Notice.

AND WHEREAS Dr. Anvita Bansal, Administrative Officer, Vinayak Vidyapeeth, Pawli Khas, Meerut, Uttar Pradesh presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that no letter was received at the college address or the Trust office from NCTE from the period from 30.03.2015 to 08.08.2015. The institute was unaware of any Show Cause Notice being issued hence no reply was sent. They have also filed applications under RTI to the concerned post office and Head Office to corroborate their claim that no letter has been received by them from the NCTE during the period from 30.03.2015 to 08.08.2015 and enclosed copies of their communications. In the course of personal presentation the appellant submitted a copy of the letter no. RTI/2015/1148 dt. 05.11.2015 received by them from the office of the Sr. Supdt. of Post Offices, Meerut Mandal, Meerut in which it is stated that no registered post addressed to Vinayak Vidyapeeth has been received from NCTE, Jaipur during the period from 30.03.2015 to 08.08.2015.

AND WHEREAS the Committee noting the submissions of the appellant concluded that the matter deserved to be remanded to the N.R.C. with a direction to re-issue the show cause notice to the appellant institution and take further action as per the Regulations.

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 re-issue the show cause notice to the appellant institution and take further action as per the Regulations.

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

(Jugal Singh)
Member Secretary

1. **The Chairman, Vinayak Vidyapeeth, 1688, 1689, Pawli Khas, Meerut, Uttar Pradesh – 250100.**
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.

(15)

F.No.89-166/2015 Appeal/13th Meeting-2015 30287

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 15/1/16

ORDER

WHEREAS the appeal of Raja Trilochan Prasad Mahavidyalaya, Kunda, Pratapgarh, U.P. dated 16/10/2015 is against the Order No. NRC/NCTE/NRCAPP-6216/241st Meeting(Part-VI)/2015/121528 dated 20/08/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the ground that the institution has not submitted reply of SCN dated 05/06/2015.

AND WHEREAS Sh. Santosh Kumar Srivastava, Member, Raja Trilochan Prasad Mahavidyalaya, Kunda, Pratapgarh, U.P. presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that they have not received the show cause notice dated 05.06.2015. When they personally delivered a letter dated 16.09.2015 in N.R.C. office requesting for a copy of the letter dt. 05.06.2015, they were given a copy of that letter in which their address was shown as Village Kandai, post office and Teh. Dayalbagh, District Agra – 283122 whereas the correct address was located in Pratapgarh district – 229408. The appellant enclosed copies of his letter dt. 16.09.2015 and copy of the N.R.C's show cause notice dt. 05.06.2015 in which Agra district's address is given.

AND WHEREAS the Committee noted that while the copy of the show cause notice dt. 05.06.2015 reported to have been obtained from the N.R.C. showed the Agra district address, the copy thereof available in N.R.C. file showed the Pratapgarh district address. Since both the documents are identical excepting the postal address and the copy reported to have obtained by the appellant showed a wrong address, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to re-issue the show cause notice to the appellant institution at their correct address and take further action as per the Regulations.

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 re-issue the show cause notice to the appellant institution at their correct address and take further action as per the Regulations.

NOW THEREFORE, the Council hereby remands back the case of Raja Trilochan Prasad Mahavidyalaya, Kunda, Pratapgarh, U.P. to the NRC, NCTE, for necessary action as indicated above.

(Jugal Singh)
Member Secretary

1. The Manager, Raja Trilochan Prasad Mahavidyalaya, Village Kandai Post Office – Lala Bazar, Tahshil – Kunda, Pratapgarh, Uttar Pradesh – 229408.

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.89-166/2015 Appeal/13th Meeting-2015 90891

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Raghukul College of Education, Kotra Sultanabad, Bhopal, M.P. dated 24/09/2015 is against the Order No. WRC/APP2241/222/184/2013/103713-718 dated 05.06.2013 of the Western Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the case file was seen. As per clause 7(2)(3) of NCTE Regulations, 2009 it is mandatory to request the concerned State Govt. to give their opinion/recommendation on the opening of a Teacher Education course in private institutions. This Regulation has been further confirmed by the Hon'ble Supreme Court vide its judgment dated 31/01/2011 in SLP No. 17165-168/2009. The ruling in this case has been reiterated in the letter No. 49-7/2012/NCTE/N&S dated 20/03/2013, of the Member Secretary, NCTE Hqrs. In the present case, the Society – Tanmay Shiksha Evam Samaj Kalyan Samiti, Bhopal had applied for opening new D.El.Ed. (Co-Ed) course in Raghukul College of Education, Bhopal. The State Government through the Rajya Shiksha Kendra vide their letter No. 1562 dated 16/05/2013 has informed that in Bhopal district already 52 private institutions are conducting the D.Ed./D.El.Ed. course. Hence, opening of new course has not been recommended in Bhopal District. The application cannot be considered for recognition. Hence, it is rejected."

AND WHEREAS Sh. Jitendra Joshi, Director and Sh. Raghnendra Singh, Secretary, Raghukul College of Education, Kotra Sultanabad, Bhopal, M.P. presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation and in their letter dt. 15.10.2015 it has been submitted that after making an online application on 29.12.2012, they did not receive any communication from the W.R.C. excepting the letter dt. 23.07.2015 with which the F.D.Rs were returned and a copy of their refusal order was enclosed. The appellant also submitted that prior to the issue of the W.R.C's letter dt. 23.07.2015 and during the previous three years, no information was given to them by the Regional Committee and no reply was given to their many written communications. The appellant further submitted that (i) when they applied for recognition online there was no communication about any ban on D.El.Ed. course and the W.R.C. did not display any information about the ban on their Website; (ii) the conditions of the State Government will not apply to their application as they were issued after submission of their application; and (iii) ADS College (code WRC-APP114/222230) in the district Morena; applied for additional intake in D.El.Ed. and following the letter the Government of Madhya Pradesh, recognition was refused. But on their appeal, the Council directed the W.R.C. to consider their application and subsequently an inspection of the institution was conducted. The appellant also enclosed copies of the minutes of the W.R.C. meetings culminating in their decision on 14.03.2015 to conduct an inspection of this institution, namely, ADS College. The appellant also submitted that they have land, building and other materials even before three years for conducting this course.

AND WHEREAS the submission of the appeal has been delayed by two years, one month and 20 days beyond the prescribed time limit of 60 days. The submissions made in the appeal are that after their online application dt. 29.12.2012 they did not receive any communication from the W.R.C. despite their writing several letters and they came to know about the refusal only when

they received a copy of the refusal order with W.R.C's letter dt. 23.07.2015, returning the F.D.Rs. The Committee noted from the file of the W.R.C. that the refusal order dt. 05.06.2013 sent by Speed Post to the postal address of the applicant's Samiti, namely, Tanmaya Shiksha Evam Samaj Kalyan Samiti, as given in the online application, was returned undelivered with the remarks that there is no such Samiti in Ratibad B.O. The Committee also noted that in the W.R.C's file there are two letters of the appellant dt. 11.05.2015 and 14.07.2015 in which he has stated that he has not received any communication from the W.R.C. and even after two years no action has been taken by them on his application. In those two letters he requested for conduct of inspection.

AND WHEREAS the Committee noted that in the online application, two different addresses were given – one that of the Secretary (as authorised applicant) and the other as that of the Tanmay Shiksha Evam Samaj Kalyan Samiti. While the refusal order was sent to the address of the Samiti, the letter dt. 23.07.2015 forwarding a copy of the refusal order (alongwith the F.D.Rs) was sent to the address of the Secretary with an endorsement to the Samiti. The Committee noted that (i) the refusal order which was duly sent to the postal address furnished in the application was returned undelivered; and (ii) the applicant has written to the W.R.C. only in May and July, 2015 while the decision to refuse was taken in May, 2013 and has not produced proof of having written any letters to the W.R.C. upto May, 2015, after submission of his application in Dec., 2012. In these circumstances the Committee concluded that the delay in preferring the appeal cannot be condoned and therefore the appeal is not admitted.

(Jugal Singh)
Member Secretary

1. The Secretary, Raghukul College of Education, LIG 145, Kotra Sultanabad, Bhopal, Madhya Pradesh – 462003.
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.

(17)

F.No.89-168/2015 Appeal/13th Meeting-2015 20295

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/11/16

ORDER

WHEREAS the appeal of Salasar Institute of Education, Khaspur, Agra, Uttar Pradesh dated 14/10/2015 is against the Order No. NRC/NCTE/NRCAPP-3842/242nd Meeting/2015/123941 dated 17/09/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that the institution has not submitted faculty duly approved by affiliating body. The institution has not submitted FDRs in respect of Endowment Fund and Reserve Fund in joint name. The downloaded copies of the website of the institution with the hyperlink of the same as per provision of clause 7(14) of the NCTE Regulations, 2014. No Objection Certificate issued by the concerned affiliating body as required under clause 5(3) of the NCTE Regulations, 2014. A proof/evidence to the effect that it is a composite institution as per provisions of the NCTE Regulations, 2014.

AND WHEREAS Sh. Anand Agarwal, President and Dr. Amita Agarwal, Principal, Salasar Institute of Education, Khaspur, Agra, Uttar Pradesh presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that the institution has already conducted interviews for appointment of faculty on 7 & 8 May, 2015 according to Dr. B.R. Ambedkar University, Agra norms and file of selected candidates was submitted in University on 13th May, 2015 with Ref. No. SE/382/15 against which University has issued teacher approval letter on 15/09/2015 with Ref. No. Affi/2146. (copy enclosed). The FDRs in respect of Endowment Fund and Reserve Fund in joint name have already been made by the institution on dated 16/05/2015 for Rs. 5,00,000/- "0984000QP00000453"and for Rs. 7,00,000/- "098400QP000462"with Form "A". (copy enclosed) The website of the institution has already been made and hard copy of same was submitted with original file NRCAPP3842, link is www.salasarinstitute.org. (copy enclosed). The issue of procurement of NOC from the affiliating body in our case, is infructuous and extraneous as in accordance with the NCTE Regulation 7(13) of Regulations, 2014 the institution/college has already obtained the approval of Teaching Staff, for its applied B.Ed. course, from the affiliating body i.e. Dr. B.R. Ambedkar University, Agra vide its letter no. Affi/2146 dated 15/09/2015. The institution is already running Graduation courses (B.Com, B.Sc) which are affiliated to Dr. B.R. Ambedkar University, Agra (copy of affiliation letters has enclosed).

AND WHEREAS the Committee noted that the appellant replied to the show cause notice dt. 12.08.2015 on 21.08.2015 informing the N.R.C. that they have already submitted their file for approval of teachers for B.Ed. course to B.R. Ambedkar University, Agra on 12.05.2015 and the file is under process. The appellant also informed N.R.C. they will send a copy of the approval letter of the University as soon as they receive. The Committee also noted from the submissions made that the appellant has fulfilled all the requirements. In the circumstances, the Committee concluded that the matter deserved to be remanded to the N.R.C. with a direction to consider all the relevant documents and take further action as per the Regulations. The appellant is also directed to submit all the requisite documents to the N.R.C. within 15 days from the date of issue of the orders on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to consider all the relevant documents and take further action as per the Regulations. The appellant is also directed to submit all the requisite documents to the N.R.C. within 15 days from the date of issue of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Salasar Institute of Education, Khaspur, Agra, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Jugtal Singh)
Member Secretary

1. The Secretary, Salasar Institute of Education, 76, Khaspur, Agra, Uttar Pradesh – 282005.
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.89-171/2015 Appeal/13th Meeting-2015 90899

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Lalaram Prashikshan Mahavidhyalaya, Etawah, Uttar Pradesh dated 15/10/2015 is against the Order No. NRC/NCTE/NRCAPP-5706/241st Meeting/2015/121601 dated 20/08/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the ground that no reply of SCN submitted by the institution after LOI.

AND WHEREAS Sh. Ram Singh Shakya, Manager, Lalaram Prashikshan Mahavidhyalaya, Etawah, Uttar Pradesh presented the case of the appellant institution on 16/12/2015. In the appeal and during personal presentation it was submitted that the delay for B.Ed. (2Years) course was on account of non-receipt of teacher approval of CSJMU, Kanpur. The appellant alongwith the appeal submitted a letter dt. 17.10.2015 stating that after issue of the letter dt. 23.02.2015 (i.e. letter of intent), selection of teaching staff by the Selection Committee was completed and the papers were submitted in CSJMU, Kanpur on 15.05.2015 for the approval of the University. In spite of his repeated requests to the Assistant Registrar of the University pointing out that they have to submit the papers to NCTE, Jaipur, the University's approval was received only on 25.09.2015 by ordinary post. The appellant also submitted that thereafter he uploaded all the documents on their Web-site and forwarded the printout to the N.R.C. Jaipur.

AND WHEREAS the Committee noted from the papers forwarded by the appellant to N.R.C. Jaipur on 17.10.2015 that while the CSJM University, Kanpur conveyed their approval to the teaching staff of the institution in their letter dt. 25.06.2015, the appellant is stating that their approval was received only on 25.09.2015. However the fact remains that after issue of the show cause notice dt. 04.06.2015, which was to be responded to within 30 days from the date of issue, the appellant did not send any communication to the N.R.C. either explaining the efforts he made for getting the faculty approved by the affiliating University or seeking exptension of time to comply with the requirements of the Letter of Intent. In these circumstances the Committee concluded that the N.R.C was justified in refusing recognition and therefore the appeal deserved to be rejected and the order of the N.R.C. confirmed.

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

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

(Jughal Singh)
Member Secretary

1. The Manager, Lalaram Prashikshan Mahavidhyalaya, Vill. Champaner Post Santoshpurghat Etawah, Uttar Pradesh – 206253.
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.89-172/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Shaheed Baba Deep Singh College of Education, Aherwan, Ratia, Fatehabad, Haryana dated 12/10/2015 is against the Order No. NRC/NCTE/NRCAPP-4951/241th Meeting/2015/122872 dated 08/09/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "Reply of the show cause notice has not been submitted by the institution. Hence, the Committee decided that recognition/permission to the institution is refused u/s 14/15 (3)(b) of the NCTE Act, 1993, FDRs, if any be returned to the institution."

AND WHEREAS Sh. Harmeet Singh, Secretary and Sh. Kuldeep Singh, Office Assistant, Shaheed Baba Deep Singh Medical Science & Welfare Society, Shaheed Baba Deep Singh College of Education, Aherwan, Ratia, Fatehabad, Haryana presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "after the receipt of show cause notice dated 05/01/2015, a public notice dated 27/02/2015 was issued by NCTE, regarding non-applying restrictions in case of Minority Educational institutions, which cleared our path to make a revised request. So we requested to process our file vide letter no. COEA/15/202, dated 02/04/2015 which does not appear to have received at NCTE, NRC by chance, sending the same copy again. So, it is humbly requested that our application already under process may kindly be processed."

AND WHEREAS Appeal Committee noted that appellant institution submitted application for D.El.Ed. (Additional) course in December, 2012. N.R.C., Jaipur after processing of application issued a Deficiency letter on 23.08.2013 to which the appellant replied on 20.09.2013. N.R.C. after considering the reply to the deficiency letter issued a Show Cause Notice (S.C.N.) dated 25.02.2014 on grounds of non submission of the certified copy of registered land documents.' (after noting the decision taken by the N.R.C. in its meeting held between 28.01.2014 to 02.02.2014.) the appellant institution furnished reply to S.C.N. on 22.02.2014 It is however, noted that the certified copy of land document furnished in reply to S.C.N. by the appellant was only a Zerox attested copy of certified land document. It is further observed that SCERT, Haryana vide its letter dated 14.03.2014 conveyed its negative recommendation for opening of new D.El.Ed. institution in the State of Haryana N.R.C., Jaipur, again vide its letter dated 05.01.2015 conveyed its decision not to grant recognition even to Minority institution for D.El.Ed. course.

AND WHEREAS during the course of appeal presentation, the appellant stated that it had requested N.R.C. vide its letter dated 22.01.2015 to furnish a copy of the letter of SCERT denying recognition even to Minority institutions. The above letter is not found available on N.R.C. file. Committee further noted that NCTE issued a public notice on 27.02.2015 inviting applications for various teacher education programmes. In para 3 of the above notice it is mentioned that restriction will not apply in case of Minority Educational institutions established under Section 30 of the constitution. Committee takes cognigence of the facts that appellant institution has asked for a copy of SCERT's letter on 22.01.2015 which was as good a reply to the S.C.N. dated

05.01.2015 and there was a subsequent Public Notice issued by NCTE declaring non applicability of general restrictions to the Minority institutions. Committee, therefore, decided to remand back the case to N.R.C. for reconsideration of the application keeping in view the extant stand taken by NCTE to grant or to refuse recognition to Minority institutions in the State of Haryana.

AND WHEREAS on perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Committee concluded to remand back the case to N.R.C. for reconsideration of the matter keeping in view the extant policy of NCTE to grant or refuse recognition to Minority institution in the State of Haryana.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC for reconsideration of the matter keeping in view the extant policy of NCTE to grant or refuse recognition to Minority institution in the State of Haryana.

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

(Jugal Singh)
Member Secretary

1. The President, Shaheed Baba Deep Singh Medical Science & Welfare Society, Shaheed Baba Deep Singh College of Education, Aherwan, Ratia, Fatehabad, Haryana – 125051.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana Chandigarh.

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F.No.89-174/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Thakur Matiber Singh Mahavidyalaya, Jamalapur, Jaunpur Uttar Pradesh dated 13/10/2015 is against the Order No. NRC/NCTE/NRCAPP-3119/242nd Meeting/2015/123935 dated 17/09/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that the institution was given SCN on 12/08/2015. The institution has not submitted faculty approved by affiliating body. The institution has not submitted FDRs Rs. Five lacs and seven lacs in respect of endowment fund and Reserve Fund in joint name. No Objection Certificate issued by the concerned affiliating body as required under clause 5(3) of the NCTE Regulations, 2014. A proof/evidence to the effect that it is a composite institution as per provisions of the NCTE Regulations, 2014."

AND WHEREAS Dr. S. K. Singh, Principal, Thakur Matiber Singh Mahavidyalaya, Jamalapur, Jaunpur Uttar Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "institution had vide its reply dated 20/08/2015 informed that the faculty approval was pending before the affiliating body and letter of appointment of experts by the University was annexed with the reply dt. 20/08/2015. As such, since the matter was under process, extension of time as requested for 2 months was warranted and there was no default on the part of the institution. As for FDR's, the institution vide its letter dated 20/08/2015 had submitted 'Form A' along with the copies of the FDR's in joint name. As for NOC by affiliating body, it is submitted that the same body has process of teacher appointment pending before it, hence deemed NOC needs to be inferred. As far as, Clause 5(3) of the NCTE Regulation, 2014 it is submitted that NOC need be given on fresh online application and as such the application was filed way back in 2012, hence need did not arise. However, if the same is needed, the institution will submit the same at the earliest. As regards to composite institution, it is submitted that neither in LOI dt. 09/04/2015 nor in SCN dated 12/08/2015 did the NRC, NCTE ask for the institution to submit any proof regarding the status of the institution. It is submitted that the institution is complying with the provisions as it already has Degree College affiliated with the University running along with the proposed B.Ed. course."

AND WHEREAS Committee noted that Letter of Intent (LOI) dated 09/04/2015 was issued to the appellant institution seeking compliance of certain conditions including recruitment of faculty with the approval of affiliating University within 2 months. A Show Cause Notice (S.C.N.) was issued to the appellant institution on 12.08.2015 on grounds of non submission of the reply to L.O.I. The appellant institution in response to the S.C.N. submitted a letter dated 20.08.2015 received in the office of N.R.C. on 20.08.2015 seeking two months time for getting approval of the affiliating University for selection/appointment of faculty. The appellant alongwith above letter furnished copies of F.D.Rs and certificate of bank for joint holding of the F.D.Rs and certificate of bank for joint holding of the F.D.Rs . The appellant also enclosed copies of correspondence exchanged between the appellant institution and the affiliating University regarding nomination of experts for the selection Committee Meeting.

AND WHEREAS keeping in view that appellant institution had been making efforts for getting the faculty approved by the affiliating University and has also timely responded to S.C.N. and sought extension of time from N.R.C. for fulfilment of the conditions laid down in the L.O.I., Appeal Committee decided to remand back the case to N.R.C. for reconsideration. Appellant is required to furnish list of faculty duly approved by the affiliating University and also comply with other conditions of L.O.I. within a period of 30 days from the date of issue of Appeal orders.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC for reconsideration. Appellant is required to furnish list of faculty duly approved by the affiliating University and also comply with other conditions of L.O.I. within a period of 30 days from the date of issue of Appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Thakur Matiber Singh Mahavidyalaya, Jamalapur, Jaunpur Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Jugal Singh)
Member Secretary

1. The Manager, Thakur Matiber Singh Mahavidyalaya, 166,165,168,163, Purauttam, Jamalapur, Jaunpur District, Uttar Pradesh – 222002.
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.89-175/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Bharat College of Education, Kala Pahad, Datia, Madhya Pradesh dated 20/10/2015 is against the Order No. WRC/APP2107/223/APP1608/D.El.Ed/SCN/201st/2013-14/115458 dated 26/02/2014 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "LOI dated 11/02/2014 was issued to the Society. Now, the Society has completed all the formalities required after issue of LOI. Hence, Recognition is granted from the academic session 2014-15 under Clause 7(11) of NCTE Regulations, 2009. Since an application of this institution for B.Ed. course (APP2107) is pending in which Show Cause Notice has been issued, which will stand refused under clause 8(2) of NCTE Regulations, 2009. Copy of these minutes be placed in the File No. APP2107, from which Refusal order be issued."

AND WHEREAS Sh. Sandeep, Saula, President and Sh. Pankes Gupta, Office Assistant, Bharat College of Education, Kala Pahad, Datia, Madhya Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that the order passed by the respondent is totally illegal, arbitrary and bad in eye of law. That, the order passed by the Western Regional Committee after the completion of all are the formalities by the appellant without applying mind, is liable to be set aside. That, respondent passed the order dated 26/02/2014 and said that "Since an application of this institution for B.Ed. course (APP2107) is pending in which show cause notice has been issued, which will stand refused under clause 8(2) of NCTE Regulation 2009" but at the time NCTE Regulation 2009 is not in force because Justice Verma Commission constituted by the order of Hon'ble Supreme Court for new Regulation and Hon'ble Supreme Court passed an order in W.P. No. 4247/2009 and 4248. According to the order dated 10/09/2013 passed by the Hon'ble Supreme Court the appellants application should be decided according to the National Council for Teacher Education (Recognition Norms and Procedure) Regulation 2014. According to clause 5 of new regulation 2014, any institute can apply simultaneously for more than one course."

AND WHEREAS Appeal Committee noted that there is a delay of about 1 year and 5 months in preferring appeal. Delay in preferring appeal is condoned as per orders dated 29.05.2015 of the Hon'ble High Court in the W.P. Case No. 3179/2015.

AND WHEREAS Appeal Committee noted that impunged order dated 26.02.2014 was issued refusing recognition quoting clause 8(2) of the NCTE Regulations, 2009 which lay down as under:

> *"In the first instance an institution shall be considered for grant of recognition of only one course for the basic unit as prescribed in the norms and standards for the particular teacher education programme."*

The processing of pending applications under NCTE Regulations, 2009 was stalled by virtue of an order dated 10.09.2013 issued by Supreme Court. Further the pending applications were to be processed after the new NCTE Regulations are notified. NCTE, Regulations, 2014 were

notified on 28.11.2014 and as per these regulations institution intending to start teacher education courses were eligible to apply for more than one course for making the institution composite.

AND WHEREAS keeping in view the provisions of NCTE Regulations, 2014, the appellant institution becomes eligible for consideration of its application for an additional course. Committee, therefore, decided to remand back the case to W.R.C. Bhopal for reconsidering of the application keeping in view the provisions of NCTE Regulation, 2014.

AND WHEREAS on perusal of the Memoranda of Appeal, affidavit documents on record including orders dated 29.05.2015 passed by the Hon'ble High Court of Madhya Pradesh in Writ Petition no. 3179/2015 and oral arguments advanced during the appeal hearing, Committee concluded to remand back the case to W.R.C. for consideration and processing of the application under NCTE Regulation, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to WRC for consideration and processing of the application under NCTE Regulation, 2014.

NOW THEREFORE, the Council hereby remands back the case of Bharat College of Education, Kala Pahad, Datia, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Jugal Singh)
Member Secretary

1. **The Principal, Bharat College of Education, 68/1, Educational Institute, Kala Pahad, Datiya, Madhya Pradesh – 475661.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-177/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Surjan Devi Anusuiya Devi Degree College, Ganga Ganj, Salempur, Mohanlal Ganj, Lucknow, Uttar Pradesh dated 20/10/2015 is against the Order No. NRC/NCTE/NRCAPP-6213/241st Meeting/2015/121591-94 dated 20/08/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "no reply of SCN submitted by the institution after LOI."

AND WHEREAS Sh. Ambika Parsad Verma, Member and Sh. Kamal Rastogi, Office Assistant, Surjan Devi Anusuiya Devi Degree College, Ganga Ganj, Salempur, Mohanlal Ganj, Lucknow, Uttar Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "the order Annexure A/1 passed by the respondent is totally illegal, arbitrary and bad in eye of law. Reply to LOI was not given for the reason that FDRs which were with the NRC were not refunded inspite of repeated request and show cause notice was never sent to the appellant institution, as such reply could not be submitted. The delay is on the part of NRC as rejection order dated 20/08/2015 was never sent to the appellant institution and on 05/10/2015 it was received in the office of NRC, Jaipur. The grounds taken in the appeal are just and legal grounds as delay, if any, is not intentional.

AND WHEREAS Appeal Committee noted that Letter of Intent (LOI) dated 19.01.2015 was issued to appellant institution seeking compliance on certain points within a period of two months. Two of the points on which compliance was required pertained to (i) appointment of Principal and faculty with the approval of affiliating University and (ii) submission of F.D.Rs of Rs. 5 lakh & 7 lakh towards Endowment and Reserve Fund. Committee further noted that the appellant institution has submitted to the N.R.C. Jaipur on 19.01.2015 a fixed deposit receipt of Rs. 4 lakh being the difference between the amount of two F.D.Rs of Rs. 5 lakh & 3 lakh which were earlier submitted alongwith the application being the deposit money as per NCTE Regulations, 2009. The appellant institution on quite a few occasions had made a written request to N.R.C for return of this F.D.R. of Rs. 4 lakh (Letters Diary No. 94488 dt. 23.02.2015, Diary No. 113542 dated 15/07/2015). N.R.C. had not taken any cognizance of the request made by appellant institution.

AND WHEREAS the appellant in his written statement enclosed with the Memoranda of Appeal further stated that approval of the affiliating University for appointment of teachers and Head of Department was granted on 2.05.2015 and 21.09.2015 and the institution continued to wait for the return of F.D.R of Rs. 4 lakh for submitting reply to L.O.I.

AND WHEREAS Appeal Committee is of the view that whereas it is necessary for the institution to furnish timely compliance or seek extension of time, it is also desirable that the Regional Committee Office of NCTE should also respond to the queries and letters of the institution to ensure and facilitate timely compliance. Appeal Committee decided to remand back the case to N.R.C. for reconsideration of the case by returning the F.D.R of Rs. 4 lakh to the appellant. The appellant is also required to furnish to the N.R.C. a complete and composite compliance report in reply to L.O.I. within 30 days from the date of getting back the F.D.R in question.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC for reconsideration of the case by returning the F.D.R of Rs. 4 lakh to the appellant. The appellant is also required to furnish to the N.R.C. a complete and composite compliance report in reply to L.O.I. within 30 days from the date of getting back the F.D.R in question.

NOW THEREFORE, the Council hereby remands back the case of Surjan Devi Anusuiya Devi Degree College, Ganga Ganj, Salempur, Mohanlal Ganj, Lucknow, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Jugal Singh)
Member Secretary

1. The Manager, Surjan Devi Anusuiya Devi Degree College, Plot No.1119, 1120, Street No. NH-56, Sultanpur Road, Village Salempur Ganga Ganj, Post Office Salempur, Tehsil/Taluka Mohanlal Ganj, Lucknow, Uttar Pradesh-226501.
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.89-178/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Mount Carmel College, Vasanthnagar, Bangalore Urban, Karnataka dated 20/10/2015 is against the Order No. SRO/NCTE/SRCAPP14717/BA B.SC/KA dated 15/10/2015 of the Southern Regional Committee, refusing recognition for conducting B.A.B.Ed. course on the grounds that "land document as required under Regulation 5 (4) is not submitted."

AND WHEREAS Ms. Kalpan Haridas, Dean and Dr. Suma Singh, Associate Professor, Mount Carmel College, Vasanthnagar, Bangalore Urban, Karnataka presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "the institution has applied for B.A. B.Ed. and B.Sc. B.Ed. for the academic year 2016-17. Along with the application we had submitted all the relevant land documents – Khata certificate, land certificate and Encumbrance Certificate. Due to an oversight on our part the copy of the sale deed was not attached. We are now sending a copy of the sale deed of the land on which the college is located and the minority institution certificate. Kindly consider our case favourably. Kindly consider our case favourably since we are one of the foremost College working towards empowering through Education."

AND WHEREAS Appeal Committee noted the content of Regulation 5 (4) of Regulations, 2014 which reads as under:

> *"While submitting the application online a copy of the registered land document issued by the competent authority, indicating that the society or institution applying for the programme possesses land on the date of application, shall be attached alongwith application."*

After noting the content of the said regulation, Appeal Committee is of the view that the grounds on which recognition was refused by the S.R.C. are valid and sustainable as the appellant institution alongwith the printout of online application had failed to submit copy of the registered land documents. The refusal order dated 15.10.2015 is therefore confirmed.

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

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

(Jugal Singh)
Member Secretary

1. The Principal, Mount Carmel College, 58, Palace Road, Vasanthnagar, Bengaluru, Bangalore Urban District – Karnataka – 560052.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.

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F.No.89-179/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 15/11/16

ORDER

WHEREAS the appeal of Radharaman College of Education Prathivipur, Tikamgarh, Madhya Pradesh dated 11/10/2015 is against the Order No. WRCAPP2918/B.El.Ed./232nd/MP/2015-16/153871 dated 30/09/2015 of the Western Regional Committee, refusing recognition for conducting B.El.Ed. course on the grounds that "the institution has submitted online application without No-objection Certificate issued by the affiliating body. Regulation 5(3) of NCTE Regulations, 2014 mandates that the application shall be submitted online along with processing fee and scanned copies of required documents such as No-objection certificate issued by the concerned authority. Since the institution has not submitted the NOC, hence, the application be rejected."

AND WHEREAS Sh. Surendra Kumar Ahirwar, Chairman, Radharaman College of Education Prathivipur, Tikamgarh, Madhya Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "Sir our organization fulfils the norms and regulation for NCTE New Regulation Act 2014. Our organization fulfils the norms of National Counselling for Teacher Education New Delhi Our college owns building 2500 sq.mt. in B.El.Ed. Course. Radharaman College, Prithvipur, Tikamgarh, Madhya Pradesh owns land 1.50 Acre Super built-up area 2500 sqmt. In built-up area are 45000 sq.mt."

AND WHEREAS Appeal Committee noted that appellant institution submitted online application for B.El.Ed. course on 30.05.2015 and hard copy of the application was received in the office of W.R.C. Bhopal on 05/06/2015. The appellant however, did not submit N.O.C. issued by the affiliating University alongwith the application.

AND WHEREAS Regulation 5(3) of the NCTE Regulations, 2014 mentions that the application shall be submitted online alongwith scanned copies of required documents such as N.O.C issued by the concerned authority. The appellant could not even furnish copy of N.O.C. with the hard copy of application submitted on 05/06/2015. Subsequently the appellant submitted copy of N.O.C. on two occasions. The Copy of N.O.C. dated 22.06.2015 submitted by the appellant institution in the office of W.R.C. on 15/07/2015 is different from the copy of N.O.C. furnished through letter dated 07/10/2015.

AND WHEREAS noting the provisions of clause 5(3) of NCTE Regulations which inter-alia mentions that applications shall be submitted alongwith scanned copies of required documents such as NOC issued by concerned affiliating body, Appeal Committee decided to confirm the refusal order dated 30.09.2015 issued by W.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 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.

(Jugal Singh)
Member Secretary

1. The Manager, Radharaman College of Education Prathivipur, Ward No.3, Niwari Road, 64 Bunglow Colony Prithvipur, Tikamgarh, Madhya Pradesh – 472336.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-180/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Seth Prem Chandra Om Shree Gupta Education, Sikandrarao, Mahamaya Nagar, Uttar Pradesh dated 12/10/2015 is against the Order No. NRC/NCTE/NRCAPP-7985/242nd Meeting/2015/123319 dated 11/09/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the institution has not submitted reply of Show Cause Notice dated 30/07/2015."

AND WHEREAS Sh. Rajiv Gupta, Secretary and Sh. Satyendra Dixit, Member, Seth Prem Chandra Om Shree Gupta Education, Sikandrarao, Mahamaya Nagar, Uttar Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "we have submitted a reply to the Show Cause Notice on 08/09/2015 through Speed Post. Receipt of the same is enclosed as proof to this effect. We have also submitted reply to the deficiency letter issued by the NRC vide dated 10/07/2013 on 22/08/2013 in person a copy of the receipt is taken at that point of time is attached."

AND WHEREAS Appeal Committee noted that in response to the application dated 31.12.2012, the appellant institution was issued a deficiency letter dated 10.07.2013. Another letter dated 09.01.2015 was issued to the appellant institution seeking option for adherence to NCTE Regulations, 2014 after completion of certain formalities The appellant institution furnished a reply to this letter on 19.01.2015, 16/02/2015. N.R.C. Jaipur, thereafter issued a show cause notice dated 09.04.2015 on the ground that institution did not submit reply to deficiency letter dated 10.07.2013. The S.C.N. was replied to by the appellant vide its letter dated 21.04.2015 received in the office of N.R.C. on 23.04.2015 (Diary No. 100439). N.R.C. again issued a S.C.N. dated 30.07.2015 stating that "Reply is not submitted to the deficiency letter issued by N.R.C., NCTE on 10.07.2013. Refusal order dated 11.09.2015 is for the reason that "the institution has not submitted reply of show cause notice dated 30.07.2015" Appellant during the course of appeal presentation informed that reply to the S.C.N. was submitted on 08.09.2015. Relevant file of N.R.C. contains copy of this reply which in fact is dated 06/09/2015 received and diarised in the office of N.R.C. on 14.09.2015 (Diary No. 116787).

AND WHEREAS Appeal Committee noted that ample opportunity was given to the appellant institution to furnish reply to the deficiency letter dated 10.07.2013 and show cause notices (S.C.N) were also issued twice on 09.04.2015 and 30.07.2015 on the ground that appellant institution had failed to submit reply to the deficiency letter dated 10.07.2013. The time limit for replying to the S.C.N. dated 30.07.2015 was upto 29.08.2015. N.R.C. in its 242nd Meeting held on 1-3 September took the decision to refuse recognition for non compliance. There was no way that N.R.C. could have anticipated a reply from the appellant institution which was received in the office of N.R.C. on 14/09/2015. Committee therefore, decided to confirm the refusal order dated 11.09.2015.

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.

(Jugtal Singh)
Member Secretary

1. The Manager, Seth Prem Chandra Om Shree Gupta Education, Plot No. 877/2,879 Village & Post Agsauli, Tehsil – Sikandrarao, Mahamaya Nagar, Uttar Pradesh – 204211.
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.89-181/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Karimpur College of Education, Karimpur, Nadia, West Bengal dated 29/10/2015 is against the Order No. ERC/7-193.12(ii).6/(ERCAPP144/2012)/2015/35274 dated 31/08/2015 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "DLI was issued on 30/05/2013. A Show Cause Notice was issued on 11/11/2013. The next show cause notice was issued on 16/02/2015 and 11/06/2015. No reply has been received. As per the New NCTE, Regulation 2014 the institution has not submitted the rest amount of Rs. 4.00 lakh towards reserve fund. In view of the above the Committee decided that in spite of repeated show cause notices, no reply has been received from the institution. Hence the recognition of the institution is refused."

AND WHEREAS Shri Balaram Biswas, Secretary and Shri Madhusudan Mondal, representative, Karimpur College of Education, Karimpur, Nadia, West Bengal presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "The appellant was prevented by sufficient cause in non-submission of documents called for vide show cause notices dt. 11th November, 2013, 3rd Jan., 2014 16th Feb., 2015 and 11th June, 2015 because sub-Div. Land and land reforms officer was not available. That the appellant duly filed the documents called for on 18th August, 2015 with ERC. That the appellant now has all requisite documents required for recognition which may be considered, evaluated and appeal may be allowed in the interest of Justice."

AND WHEREAS Appeal Committee noted that the appellant institution has not furnished any reply to the deficiency letter 30.05.2013 and Show Cause Notices dated 11.11.2013, 16.02.2015 and 11.06.2015. The E.R.C. in its 193rd Meeting held on 18-19 August, 2015 decided that application for recognition of D.El.Ed. course be refused. Committee noted that appellant institution has not bothered to submit any reply to the deficiency letter and Show Cause Notice and the only communication furnished by it is dated 18.08.2015 which could not be considered by the Eastern Regional Committee for having been received very late as last S.C.N. was issued on 11.06.2015 requiring the appellant institution to submit reply within 21 days. Appeal Committee, therefore, decided to confirm the refusal order dated 31.08.2015.

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

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

(Jugal Singh)
Member Secretary

1. The Secretary, Karimpur College of Education, Plot No. RS & LR 2184, Vill. – Kuchaidanga, P.O. – Bagchijamcherpur, Tehsil – Karimpur, Town – Karimpur, Dist. – Nadia, West Bengal – 741122.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-187/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Suman Rani Institute of Technology, Khajuha, Auraiya, Uttar Pradesh dated 04/11/2015 is against the Order No. NRC/NCTE/NRCAPP-8777/243rd Meeting/2015/125130 dated 09/10/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not submitted compliance/documents as required in letter of intent issued under clause 7(13) of NCTE Regulation 2014 and Show Cause Notice issued in this regard."

AND WHEREAS Sh. Ram Sagar Dwivedi, Manager, Suman Rani Institute of Technology, Khajuha, Auraiya, Uttar Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "after the first round of interview selection process, some professors of Selection Committee could not be present due to some personal reasons. 2. Some selected candidates too sought more time to submit their original documents for verification. 3. As per guideline from CSJM University, Kanpur it took more time to find NET qualified candidate."

AND WHEREAS Appeal Committee noted that Letter of Intent (L.O.I) dated 29.04.2015 was issued to appellant institution seeking compliance within a period of two months. The appellant institution was further issued a Show Cause Notice (S.C.N) dated 17/08/2015 seeking representation within a period of 30 days. The appellant institution did not submit compliance to the L.O.I. and also failed to furnish any reply to the S.C.N. also. During appeal presentation, the appellant sought another opportunity to submit some important documents. The relevance of these documents was not explained by the appellant. The appellant could not satisfactorily explain the reasons for not sending compliance to L.O.I. and reply to S.C.N. and further could not explain as to which important documents are proposed to be presented before the Committee. Appeal Committee decided to confirm the refusal order dated 09.10.2015 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.

(Jugal Singh)
Member Secretary

1. The Manager, Suman Rani Institute of Technology, 767, NA, 767, Khajuha, Auraiya, Uttar Pradesh – 206122.

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.89-188/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of UK College of Education, Hyderabad, Rangareddi, Andhra Pradesh dated 03/11/2015 is against the Order No. SRO/NCTE/SRCAPP3373/M.Ed/TS/2016-17/76250 dated 15/10/2015 of the Southern Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "the institution has not submitted hard copy of application within 15 days from the date of online submission of application."

AND WHEREAS Sh. K. Tirupathi Reddy. Reddy, Adm. Officer and Sh. M. Naresh, Adm. Officer, UK College of Education, Hyderabad, Rangareddi, Andhra Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "NOC to be acquired from Osmania University got delayed and NCTE extended the date from 31/05/2015 to 30/06/2015 for online submission of application, we were under the impression that submission of online application would be sufficient. So we could not submit the hard copy on time."

AND WHEREAS Appeal Committee noted that appellant institution has made online application for M.Ed. course on 03.06.2015 and hardcopy thereof was submitted on 14.07.2015 received in the office of S.R.C. Bangalore on 15/07/2015. Appeal Committee further noted that summary rejection of the application is justified under Sub Section 2(b) of Section 7 of NCTE Regulations, 2014 which prescribes the summary rejection ground as follows:

> *"Failure to submit printout of applications made online alongwith land documents as required under sub regulation (4) of Regulation 5 within 15 days of the submission of online application."*

As the appellant institution could not submit printout of online application alongwith necessary document within 15 days, refusal order dated 15/10/2015 issued by S.R.C. is confirmed.

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

NOW THEREFORE, the Council hereby confirms the Order appealed against

(Jugla[illegible] Singh)
Member Secretary

1. The Correspondent, UK College of Education, SY. 32, Share, Godumakunta, Hyderabad, Rangareddi, Andhra Pradesh – 501301.

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.

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F.No.89-190/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 11/1/16

ORDER

WHEREAS the appeal of Brahmi College of Education, Sagar, Madhya Pradesh dated 28/10/2015 is against the Order No. WRC/APP3098/B.A.B.Sc./232nd/MP/2015-16-153375 dated 30/09/2015 of the Western Regional Committee, refusing recognition for conducting B.A.B.Ed./B.Sc.B.Ed. Course on the grounds that "The institution has submitted online application without No-objection Certificate issued by the affiliating body, Regulation 5(3) of NCTE Regulations, 2014 mandates that the application shall be submitted online along with processing fee and scanned copies of required documents such as No-objection Certificate issued by the concerned authority. Since the institution has not submitted the NOC, hence, the application be rejected."

AND WHEREAS Sh. Naseeruddin, Administrator, Brahmi College of Education, Sagar, Madhya Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "due to Dr. H.S. Gour Central University Sagar, could not give an affiliation, because of their new policy, hence new established Maharaja Chatrasal Bundelkhand State University has given an affiliation NOC by letter No. B/126/2015 dated 30/06/2015, submitted."

AND WHEREAS Appeal Committee noted that Clause 5(3) of the NCTE Regulations, 2014 provides that "the application shall be submitted online electronically alongwith the processing fee and scanned copies of required documents such as 'no objection certificate' issued by concerned affiliating University." Further clause 7(2) of the NCTE Regulation, 2014 provide that the application shall be summarily rejected in case an application is incomplete or requisite documents are not attached with the application. The appellant institution in its online application dated 29.06.2015 has stated the name of affiliating University as 'Dr. Hari Singh Gaur Vishwavidyalaya, Sagar' whereas during the course of appeal presentation has submitted copy of N.O.C. dt. 30.06.2015 issued by Maharaja Chhatarsal Bundelkhand University, Chhatarpur. The N.O.C. issued by a different affiliating body on a date subsequent to making online application, cannot be treated as part of online application. Appeal Committee decided to confirm the refusal order dated 30.09.2015 issued by W.R.C., Bhopal.

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 the appeal deserved to be rejected and the order of the WRC is confirmed.

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

(Jugtar Singh)
Member Secretary

1. The Principal, Brahmi College of Education, 832, 77/14, 832, Pathariya Jat, Sagar, Madhya Pradesh – 470228.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-191/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Sri Chennaiah Swamy Shivalingamma Kalmath B.Ed. College, Manvi Raicher District - Karmataka dated 29/10/2015 is against the Order No. SRO/NCTE/SRCAPP14592/B.Ed/KA/2016-17/76274 dated 15/10/2015 of the Southern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds of "failure to submit print out of the application made online within 15 days of the submission of online application dated 29/06/2015. Hard copy received on 30/07/2015."

AND WHEREAS Sh. Shankaraiah Hiremath, Office Superintendent, Sri Chennaiah Swamy Shivalingamma Kalmath B.Ed. College, Manvi Raicher District - Karmataka presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "we had submitted our application online on 29/06/2015 and demand Draft for the application fee was taken much before the last date i.e. dated 27/05/2015. Whereas NOC from Gulburga University, Kalaburagi dated 25/07/2015 was received by us on 27/07/2015. Because of late receipt of NOC we submitted the hard copy of application on 30/07/2015. Also we came to know that a letter from the University with regard to late issue of NOC has been forwarded to NCTE for your kind consideration."

AND WHEREAS clause 5(3) read with Clause 7(2) of the NCTE Regulations, 2014 provide that application shall be summarily rejected if the applicant fails to submit printout of the application within 15 days of the submission of online application.

AND WHEREAS Appeal Committee noted that in the instant case online application was made on 29.06.2015 and printout of the application was submitted on 30.07.2015 approximately 16 days after the due date. Committee, therefore, decided to confirm the refusal order dated 15/10/2015 issued by S.R.C. Bangalore.

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

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

(Jugal Singh)
Member Secretary

1. The Secretary, Sri Chennaiah Swamy Shivalingamma Kalmath B.Ed. College, Manvi Raicher District, Karmataka – 584123.

2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.

3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.

4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.

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F.No.89-192/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Ayodhya Prasad Dwivedi Degree College, Anapur, Soran, Allahabad Uttar Pradesh dated 17/09/2015 is against the Order No. NRC/NCTE/NRCAPP-5926/238th Meeting (Part-VI)/2015/116270 dated 11/06/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the institution has not submitted reply of SCN."

AND WHEREAS Sh. Pawan Dwivedi, Representative, Ayodhya Prasad Dwivedi Degree College, Anapur, Soran, Allahabad, Uttar Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal it was submitted that "we are submitting the FDRs as per the new NCTE Regulation 2014. The teacher approval is pending on the Chatrapati Sahu Ji Maharaj University, Kanpur. We are submitting the required affidavit as per the New Regulation 2014."

AND WHEREAS Committee noted that there is a delay of about 36 days in preferring appeal. Appellant stated that the refusal order was received much after the date it is stated to have been issued. Committee decided to condone the delay and take up the appeal on its merits.

AND WHEREAS Committee further noted that a Letter of Intent (L.O.I.) was issued to the appellant institution on 25.02.2014 and Show Cause Notice was issued on 20.03.2015. In between N.R.C. had also addressed a communication dated 23.01.2015 to the appellant institution seeking its consent for adherence of NCTE Regulations, 2014 within a period of 60 days. The appellant institution has not responded to any of the letters i.e. L.O.I., S.C.N. and communication dated 23.01.2015. The Appeal Committee, therefore, decided to confirm the refusal order dated 11.06.2015 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

(Jugla Singh)
Member Secretary

1. The Director, Ayodhya Prasad Dwivedi Degree College, Plot No.-665, Street No. 1, Village-Moharub, PO.-Anapur, Tehsil/Tatuka-Soran, Town/City-Allahabad, District – Allahabad – 229411.

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.89-193/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Maharishi Mahesh Yogi Vedic Vishwavidyalaya, Village-Karaundi, Dheemarkheda, Katni, Madhya Pradesh dated 20/11/2015 is against the Letter No. WRCApp 3016/B.El.Ed./232nd/MP/2015-16/153361-64 dated 30.09.2015 dated 30.09.2015 of the Western Regional Committee, refusing recognition for conducting B.El.Ed. Course on the grounds that "The institution has submitted online application without No-objection Certificate issued by the affiliating body. Regulation 5(3) of NCTE Regulation, 2014 mandates that the application shall be submitted online along with processing fee and scanned copies of required documents such as No-objection Certificate issued by the concerned authority. Since the institution has not submitted the NOC, hence, the application be rejected." In view of above, the application of your institution for B.El.Ed. Course is hereby rejected."

AND WHEREAS Sh. B.K. Shukla, Deputy Registrar and Sh. S.K. Jha, Assistant Professor, Maharishi Mahesh Yogi Vedic Vishwavidyalaya, Village-Karaundi, Dheemarkheda, Katni, Madhya Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it was submitted that "Maharishi Mahesh Yogi Vedic Vishwavidyalaya is a University established by the Act of the State legislature namely Maharishi Mahesh Yogi Vedic Vishwavidyalaya Adhiniyam 1095. It is submitted that appellant is itself a University and not college/institution, which was already mentioned in our application form, therefore No objection certificate is not required from any affiliating body. There is no question of submission of "No Objection Certificate."

AND WHEREAS Appeal Committee noted the provisions of Regulations 5(3) of NCTE Regulations, 2014 which lay down as follows:

"The application shall be submitted online electronically alongwith the processing fee and scanned copies of required documents such as No Objection Certificate issued by concerned affiliating University."

AND WHEREAS in the instant case appellant institution itself is the affiliating University established by the State Government of Madhya Pradesh in the year 1995. The online application dated 26.06.2015 of the appellant institution is signed by Registrar of the University who has been assigned with powers to enter into agreement, sign documents and authenticate records as per article 13(2) of the Act no. 37 of 1995 of the Government of Madhya Pradesh. Appeal Committee therefore, decided to remand back the case to W.R.C. for reconsideration of the case of appellant University which itself is the affiliating University competent to issue N.O.C.

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 WRC for reconsideration of the case of appellant University which itself is the affiliating University competent to issue N.O.C.

NOW THEREFORE, the Council hereby remands back the case of Maharishi Mahesh Yogi Vedic Vishwavidyalaya, Village-Karaundi, Dheemarkheda, Katni, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Jugal Singh)
Member Secretary

1. The Registrar, Maharishi Mahesh Yogi Vedic Vishwavidyalaya, 117, 178, 195, 197, MMYVV,0, Village-Karoundi, Dheemarkheda, Katni, Madhya Pradesh – 483332.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-185/2013 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/11/16

ORDER

WHEREAS the appeal of Lakshmi College of Physical Education, Vizianagaram, Andhra Pradesh dated 1/4/2013 is against the Order No. SRCAPP/B.P.Ed./AP/2012-13/49332 dated 06/03/2013 of the Southern Regional Committee, refusing recognition for conducting B.P.Ed. course on the grounds that "the processing fee, as provided under rule 9 of the National Council for Teacher Education Rules, 1997 is not furnished on or before the date of submission of online application – (as per Regulations 2009 Para 7 [1-A(i)]a)."

AND WHEREAS the appeal preferred by Lakshmi College of Physical Education, Vizianagaram, Andhra Pradesh was on the ground that for processing fees a DD Rs. 40,000/- was obtained from SBI, Bobbili on 18/12/2012 within the period. In hurry while sending the application the Demand Draft could not be traced. So another challan of processing fees (ICICI Challana) was obtained which was after the date of submission of online application.

AND WHEREAS the application of appellant institution was summarily rejected by S.R.C. Bangalore under provision of Para 7 [1-A(i)] of the NCTE Regulations, 2009 vide order dated 06/03/2013. The reasons for rejection as quoted in the above order are as follows:

"The processing fee; as provided under Rule 9 of NCTE Rules, 1997 is not furnished on or before the date of submission of online application – (as per Regulations 2009 Para 7[1-A(i)a].

AND WHEREAS the Appellate Authority considered the appeal dated 01/04/2013 filed against the impugned order and decided that since the appellant had filed online application on 19.12.2012 and alongwith hard copy of the application had enclosed a challan for processing fee of Rs. 50,000/- deposited in ICICI Bank on 21.12.2012, fee cannot be treated to have been deposited on or before the date of online application which was 19.12.2012..

AND WHEREAS the appellant filed a Writ Petition No. 35028/2013 in the Hon'ble High Court of Hyderabad in which case an order has been issued on 12.08.2015 as under:-

"Those who are desirous of establishing teacher education colleges/institutions shall be free to make application 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."

The Government of India, NCTE and the Implementation Committee shall be free to file interlocutory applications as and when any direction is required from the Court in the matter of implementation of the recommendations made by the Verma Commission and the Committee constituted vide order dated 14/16.05.2013."

It is not in dispute that the new regulations framed have come into force on 28/11/2014 and in terms of the aforesaid directions of the Hon'ble Supreme Court, the respondents have to consider the applications as per the new regulations.

Since the impugned order is passed considering the petitioner's request under old regulations, the same is set aside and the matter is remitted to respondent No.1 for fresh consideration and for passing appropriate orders expeditiously. It is made clear that if respondent No.1 deems it appropriate, it is at liberty to remit the matter to respondent No.2.

The Writ Petition is, accordingly, allowed. As a sequel, the miscellaneous petitions, if any pending in this writ petition, shall stand closed. There shall be no order as to costs."

AND WHEREAS as per above orders of Hon'ble High Court, the matter is remitted back to Respondent No. 1 for fresh consideration and passing appropriate orders. Respondent No. 1 happens to be NCTE (HQs), New Delhi.

AND WHEREAS Appeal Committee after applying the relevant provisions regarding payment of processing fee as brought out in NCTE Regulations, 2014 does not find any material change in the position. Clause 7(2)(a) of NCTE Regulation's prescribe that the application shall be summarily rejected in case of failure to furnish application fee on or before the date of submission of online application. There is, therefore, no merit in remanding the matter back to S.R.C. for consideration and the impunged order is confirmed.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and order dated 12/08/2015 issued by Hon'ble High Court of Andhra Pradesh, Telangana, Hyderabad Appeal Committee concluded to confirm the rejection order dated 06/03/2013 issued by S.R.C. Bangalore.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records, order dated 12/08/2015 issued by Hon'ble High Court of Hyderabad and considering the oral arguments advanced during the hearing, the Committee concluded that the SRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the SRC dated 06/03/2013 is re-confirmed.

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

(Jugal Singh)
Member Secretary

1. The Secretary, Lakshmi College of Physical Education, 33/2, KL Puram, Vizianagaram, Andhra Pradesh – 535003.
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.

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F.No.89-369/2014 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Maharani Avanti Bai Shiksha Mahavidyalay, Gwalior, Madhya Pradesh dated 29.11.2014 is against the Order No. WRC/WRCAPP1837/2012/91080 dated 07.06.2012 of the Western Regional Committee, withdrawal recognition for conducting D.El.Ed. Course on the grounds that "the letters received from the Govt. of M.P. were placed before WRC in its 162nd meeting held on 10th May, 2012. The Committee decided that view of State Govt. would need to be taken into account for decision on the applications. Hence, fresh cases for recognition cannot be considered until the State Govt. changes its advice. Since the Govt. of Madhya Pradesh has given negative recommendation for opening of new D.El.Ed. College/increase in intake in D.El.Ed. Course, the application of your institution is hereby rejected/refused."

AND WHEREAS Sh. Vivek Lodhi, Secretary and Sh. Anuj Mohan, Office Staff, Maharani Avanti Bai Shiksha Mahavidyalay, Gwalior, Madhya Pradesh presented the case of the appellant institution on 17/12/2015. In the appeal and during personal presentation it is submitted that "the rejection order dated 07/06/2012 issued by the WRC is not sustainable on the following grounds: The appellant institution has applied for seeking recognition of D.El.Ed. Course for the academic session 2012-13 on the basis of public notice issued by the NCTE. However a deficiency letter dated 07/02/2012 was issued to the appellant institution, which was fulfilled and later on by the order dated 07/06/2012 the application for seeking recognition has been rejected on the basis of some order passed by the State Government. However against the order passed by the State Govt. as well as the Rajya Shiksha Kendra and the order of same type of rejection, W.P. No. 5275/2012 was filed by some of institution and Division Bench of Hon'ble Court Bench at Gwalior has quashed the order passed by the Rajya Shiksha Kendra as well as the Principal Secretary of School Education, Department and also quashed the order of rejection, by passing the order dated 26/07/2012. The NCTE has issued a public notice calling the application for recognition of D.El.Ed. course in the State of Madhya Pradesh after obtaining due permission from the State of M.P. Therefore in such situation the WRC is not bound to follow the orders of the State Govt. regarding not granting the permission because the State Govt. itself granted the consent for calling the application. The rejection order dated 07/06/2012 never been supplied by the WRC to the appellant and the appellant many times contracted to the WRC and try to know the status of the case but no satisfactory answer given by the authority therefore the appellant has served a legal notice 25-07-2014 to the WRC and in reply to the aforesaid notice a letter dated 22-08-2014 has been served to the counsel and mentioned that the application of the appellant has been rejected on 07.06.2012 and thereafter the appellant filed an application dated 15.09.2014 under the right to information act for obtaining the certify copy of the order of rejection and thereafter the W.R.C. has provided the order dated 07.06.2012 along with the letter dated 07.10.2014. However after receiving the order appealed the appellant has filed W.P. No. 6946/2014 before the Hon'ble Court bench at Gwalior and Hon'ble Court has disposed of writ petition by the order dated 18.11.2014 directing appellant to file appeal against the order dated 07.06.2012 within period of 2 weeks and thereafter NCTE has decided within period of 3 months. Just after obtaining the order dated 08.11.2014 passed in W.P. No. 7550/2013, the appellant has filed present appeal without any delay in compliance of the order passed by the Hon'ble High Court."

AND WHEREAS the delay of 2 year and 3 months in filing appeal stands condoned in view of the order dated 18.11.2014 of Hon'ble High Court of Madhya Pradesh at Gwalior (W.P. No. 6946/2014). The Hon'ble Court in its order 10.09.2015 in Writ Petition no. 5316 of 2015 has directed that the appeal dated 29.11.2014 of the appellant be decided within two months.

AND WHEREAS Appeal Committee noted that the Council had set up a Committee to study case and formulate a policy framework for disposal of similarly placed cases of D.El.Ed. recognition in the State of Madhya Pradesh. Committee therefore, concluded that his appeal also deserves to be remanded back to W.R.C. with a direction to re-examine the matter and if W.R.C. finds, that the recommendation received from the State Government are not in tune with the NCTE guidelines for grant of N.O.C by the State Government circulated on 02.02.1996, W.R.C. may request the State Government to make their recommendations afresh by following NCTE guidelines. Thereafter, the W.R.C. may take further action as per the Regulations.

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 WRC with a direction to re-examine the matter and if W.R.C. finds, that the recommendation received from the State Government are not in tune with the NCTE guidelines for grant of N.O.C by the State Government circulated on 02.02.1996, W.R.C. may request the State Government to make their recommendations afresh by following NCTE guidelines. Thereafter, the W.R.C. may take further action as per the Regulations.

NOW THEREFORE, the Council hereby remands back the case of Maharani Avanti Bai Shiksha Mahavidyalay, Gwalior, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Jugal Singh)
Member Secretary

1. The Secretary, Maharani Avanti Bai Shiksha Mahavidyalay, Plot No. 405/MIN Street No.3, Gwalior, Madhya Pradesh – 474016.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-98/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Meerut Institute of Higher Education, T-26 Pallavpuram Phase-II, Modipuram, Meerut – 250110, Uttar Pradesh dated 30/07/2015 is against the Order No. N/A dated 14/07/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "reply of SCN dated 26/03/2015 is not received, so application is rejected."

AND WHEREAS Sh. Chandbir Singh, Member and Sh. Vijay Kumar, Clerk, Trust for , Meerut Institute of Higher Education, T-26 Pallavpuram Phase-II, Modipuram, Meerut – 250110, Uttar Pradesh presented the case of the appellant institution on 04/09/2015. In the appeal and during personal presentation it was submitted that "the institute did not receive any letter of LOI so that we could proceed towards approval of faculty members. We had seen the orders of LOI on the website of NCTE but according to University Norms the process of approval of faculty can only start after the submission of formal orders of LOI. We had a telephonic conversation with the officials of the NRC-NCTE and they told us that the letter is in despatch and will reach soon. But there was no correspondence from the side of NRC, NCTE after 21. The NRC, NCTE accepted our submission of application for intake of two units vide letter no. NRC/NCTE/NRCAPP-6812/2014/84074 dated 27/01/2015 and ordered us to submit the list of approved faculty members along with joint FDRs. We started the process of appointment of subject expert and requested our affiliating university i.e. C.C.S. University Meerut to constitute a Selection Committee for the approval of Principal and Faculty members vide our letter dated 04/02/2015. The C.C.S. University constituted a Selection Committee vide letter no. affil/3246 dated 02/03/2015. One of the Committee members namely Dr. Sangeeta Srivastava (Professor) of D.A.V. College, Muzaffarnagar refused to be a part of the Selection Committee for the reasons arising out of her illness. The C.C.S. University replaced Dr. Saroj Kumari (Professor) as a member in place of Dr. Sangeeta Srivastava (Professor) in the Selection Committee vide i.e. letter no.affil/227 dated 25/04/2015. The NRC, NCTE issued a show cause notice vide its letter no. NRC/NCTE/NRCAPP-6812/232nd Meeting (2nd sitting)/2014/91904 dated 26/03/2013 giving us 30 days' time to complete the formalities for faculty approval and pledging of FDRs in the name of Regional Director, NRC, NCTE, Jaipur. After selection of the faculty we submitted the file in the University for approval of Principal and Lecturer in our college vide our letter no. MIHE/B.Ed/10/2015 dated 25/07/2015."

AND WHEREAS on receipt of relevant file from N.R.C Appeal Committee considered the case in its 13th Meeting held on 17.12.2015. Appeal Committee noted that a Letter of Intent dated 08.01.2014 was issued to the appellant institution seeking compliance within 60 days on certain points including (i) submission of staff list duly approved by the affiliating University, (ii) conversion of endowment and reserve fund in joint account etc. After notification of the NCTE Regulations, 2014 another communication was addressed to the appellant institution on 21.01.2015 seeking its consent for adherence to the new regulations and compliance of conditions within a period of 60 days. N.R.C. thereafter, issued a Show Cause Notice (S.C.N.) dated 26.03.2015 seeking submission of faculty list and joint F.D.Rs within a period of 30 days.

AND WHEREAS Appeal Committee observed that the appellant institution on 12.05.2014 had requested the N.R.C. to issue L.O.I. (7/9) whereas the L.O.I. had already been issued in January, 2014. The appellant institution has been in correspondence with Ch. Charan Singh University, Meerut for nomination of subject experts for making selection of the faculty since February, 2015. The appellant during the course of appeal presentation, however, could not produce any valid evidence to show that it has furnished reply to Show Cause Notice dated 26.03.2015 or had requested N.R.C. for grant of extra time for submission of the faculty list and F.D.Rs. The appellant was duty bound to have at least intimated the N.R.C. of the developments in the case. Appeal Committee, therefore, decided to confirm the refusal order dated 14/07/2015 issued by N.R.C. on ground of non-submission of reply to the S.C.N. dated 26.03.2015.

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.

(Jugal Singh)
Member Secretary

1. The Chairman, Meerut Institute of Higher Education, T-26, Pallavpuram Phase-II, Modipuram, Meerut – 250110, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-10/2013 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date. 15/1/16

ORDER

WHEREAS the appeal of Shobha Memorial College of Education, Vizianagaram, Andhra Pradesh dt. 04.01.2013 against the order of the S.R.C. dt. 20.11.2012 refusing recognition for conducting B.Ed. course was rejected by the Council vide their order dt. 13.04.2013.

AND WHEREAS aggrieved by the Order of the Council, the appellant filed a Writ Petition No. 13438 of 2013 before the Hon'ble High Court of Judicature at Hyderabad for the States of Telangana and Andhra Pradesh. The Hon'ble High Court in their order dt. 02.04.2015, holding that a cryptic order of rejection of the appeal, merely recording that the grounds urged in the appeal and the oral arguments were considered, would not suffice (i) allowed the Writ Petition; (ii) set aside the order under challenge; and (iii) directed the first respondent, namely the NCTE, to consider the appeal afresh and, in terms of the proviso to Section 18(4) of the Act, afford the petitioner an opportunity of a personal hearing and after considering the petitioner's objections in the grounds of appeal, pass a reasoned order, in accordance with law, at the earliest, and in any event, not later than four weeks from the date of receipt of a copy of the order. A copy of the order was received in the Council on 30.04.2015.

AND WHEREAS Dr. Lt. Col. P.A. Raju (rtd), President and Sh. P.P. Raju, Vice President, Shobha Memorial College of Education, Vizianagaram, Andhra Pradesh presented the case of the appellant institution on 22.05.2015. In the course of presentation, the appellant was asked to furnish the latest position with supporting documents in respect of the grounds adduced in the order of refusal issued by the S.R.C., for fresh consideration. The appellant gave a letter dt. 22.05.2015 in which he requested for another opportunity to submit details of the nine objections with documentary proof. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS The appellant appeared before the Committee on 29.06.2015 and made submissions relating to nine grounds on which recognition was rejected. Committee noted that once formal recognition was issued to the institution on 14.10.2009, the order dated 20.11.2012 should have been for withdrawing recognition instead of refusal/rejection. Committee further noted that since the grant of conditional recognition to the institution in 2008 there have been a number of complaints against the institution and also a number of Show Cause Notices were issued to the appellant institution. Inspection of the institution was last conducted on 15.11.2011 and considering the observations of V.T. a Show Cause Notice was issued on 07.02.2012. The written representation dated 27.02.2012 submitted by the institution was considered by S.R.C. before issue of withdrawal order dated 20.11.2012. Committee thereafter considered the deficiencies on the basis of which recognition was withdrawn Vis-a Vis the explanation furnished by the appellant during appeal meeting on 29.06.2015

i) Notarised English Version of Adangal land document and letter issued by Mandal Revenue officer is not submitted.

Appellant has furnished notarised copy of Adangal document vide submission made on 09/06/2015.

ii) Total earmarked area for proposed course and existing course not mentioned in the building plan.

Appeal Committee does not find any proposal from the appellant institution regarding any proposed course. There has been only one existing B.Ed. course and for which recognition was granted and subsequently withdrawn. As such the entire building plan was supposed to be for one unit of B.Ed. But incidentally the 'Inspection Report dated 15.11.2011 mentions that Institution building is shared for running other courses'. This being the position, the demarcation of built-up area is required to be done which the appellant has not done so far. The appellant has either to undertake that no other course is conducted in the building where B.Ed. classes were being conducted or alternatively will have to furnish evidence of well demarcated built up area of 1500 sq. mts. for B.Ed. course.

iii) Type of Roofing is not mentioned in the Building Plan

The appellant has furnished copy of a Building Completion Certificate (BCC) issued by Mandal Engineer Officer. Date of issue of this certificate is not mentioned and it also does not specify the type of roofing. A few photographs do support pucca roofing and are accepted by the Committee.

iv) Original approval Staff List from Examining Body not submitted:

Committee noticed that submission of faculty list approved by Examining Body is subject to the recognition for B.Ed. being restored as affiliating University will not accord approval unless it is proposed to restore the recognition.

v) The latest NEC is not submitted

Appellant has furnished copy of a certificate from Sub. Registrar stating that there is NIL Encumbrance on property from 1.01.1991 to 09.03.2015.

vi) No proof regarding Completion of Construction of Psychology Lab

The V.T. report dated 15/11/11 mentioned that psychology lab needs to be augmented which does not necessarily mean that construction is required. The appellant institution has furnished certain photographs which would require verification.

vii) Principal is not eligible as he is not having Ph. D. Degree and requisite experience

The appointment of Principal by the appellant institution on 26.05.2015 will require approval of the affiliating University only when it is decided to restore recognition.

viii) Enhancement of facilities in Library – Inadequate Books

The appellant has furnished evidence of having procured more books to augment the number of books in Library. This may be verified through inspection.

ix) Pay scales of staff should be paid as per State Govt./UGC through Bank and not consolidated salary.

The appellant has furnished salary statement for faculty for the month of April, 2013 to December, 2013 duly supported by bank record. However, there is no documentary evidence to the effect that salary to faculty was paid as per scale of pay recommended by the State/Central Government or U.G.C.

AND WHEREAS considering the circumstances of the case Appeal Committee decided that an inspection under Section 13 of the Act be conducted to verify whether the built up area is shared with any other course, availability and suitability of psychology lab, augmentation of books in library and breakup of salary paid to different academic staff in the past, NCTE (Hqrs.) is required to arrange conducting Inspection under Section 13 of the Act within 30 days of the issue of Appeal Orders under intimation to the appellant institution.

AND WHEREAS The Committee, in their meeting held on 17.12.2015 perused the report of inspection of the appellant institution conducted under section 13 of the NCTE Act on the 13th and 14th November, 2015, in pursuance of the decision taken by the Committee as mentioned in para 5 above. From the Inspection Report the following position Vis a Vis the points mentioned in para 5 above emerges:

(1) Builtup area:- The Inspection team has not specifically reported whether the built up area is shared with any other courses. They have only recorded the existing built up area, both on the copy of the building plan and copy of the building completion certificate dt. 06.05.2011(the latter wrongly showing the area in sq.ft. instead of sq.mts. and not mentioning the type of roofing) as 1215.96 sq. mts. or 13,958 sq.ft. The Visiting Team enclosed a certificate dt. 14.11.2015 issued by the president of the society certifying that the institution was utilising the building with asbestos roof and undertaking to complete construction of the second floor within three months. The Visiting Team also enclosed another certificate dt. 14.11.2015 issued by the president of the society certifying that the building earmarked for the college will be utilised for B.Ed. course only and undertaking that no other course will be conducted in the premises and building.

2. Psychology Laboratory:- Instruments for experiment related to educational psychology are available and the lists of tests submitted by the institution have been verified. (This has been done by scoring out 'No' against item 7.2 of the Report)

3. Library:- The library has 4497 books, 2 educational journals, 2 encyclopaedia and 40 reference books. The seating capacity in the library is 50.

4. Salary paid to academic staff:- The Inspection Team reported that there is no academic staff now. They have not commented about the break up of salary paid in the past.

The Inspection Team incidentally made some other recommendations for overall improvement.

AND WHEREAS from the foregoing analysis, the Committee noted that primarily, the institution does not possess a built up area of 1500 sq.mts. as required under the norms and secondly from the undertaking given by the society, it appears that there is some ambiguity as to whether some other courses, besides B.Ed. course, were being run in the building/premises. According to the provisions of clause 8(7) of the NCTE Regulations, 2014, at the time of

inspection, the building of the institution shall be complete in the form of a permanent structure, equipped with all necessary amenities and fulfilling all such requirements as prescribed in the norms and standards. Further no temporary structure or asbestos roofing shall be allowed in the institution, even if it is in addition to the prescribed built up area. The built up area available to the institution is only 1215.96 sq.mts. that too with asbestos roofing (as per the certificate of the president). Since the institution does not fulfil a vital requirement of prescribed built up area, the Committee concluded that the appeal deserves to be rejected and the order of refusal (appropriately it should have been withdrawal of recognition) dt. 20.11.2012 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 appeal deserved to be rejected and the order of the SRC dt. 20.11.2012 confirmed.

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

(Jugtaj Singh)
Member Secretary

1. The Secretary, Shobha Memorial College of Education, Sobha Memorial Educational Society, Vizianagaram, 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.

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F.No.89-31/2015 Appeal/13th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 15/1/16

ORDER

WHEREAS the appeal of B.N. Saha DAV Teachers Training College, Giridih, Jharkhand dated 17/03/2015 is against the Order No. ERC/179.2(ii)/NCTE/APE00581/B.Ed/2015/30200 dated 04.02.2015 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "(a) the various complaints against the institution were forwarded by the NCTE Hqrs. vide letter No. A67850, A71260, A74762, A76154, A77441 & A83306 dated 28/05/2013, 18/07/2013, 30/09/2013, 25/10/2013, 12/112013 & 11/02/2014 respectively received from different complainants. (b) The said complaints were forwarded to District Magistrate, Girdih with a request to conduct on inspection and submit the report to ERC. (c) The District Magistrate, Girdih submitted its report vide letter dated 29/06/2014 clarifying as follows:(i) The B.N. Saha D.A.V. Teacher Training institute and B.N. Saha D.A.V. Public School, Sirsa, Giridih is running in the same campus and the timing of the classes of both Institutions are same which create difficulties to the students. (ii) As per record provided by the institution, the land is in the name of DAV College Managing Committee, Chitra Gupta Road, New Delhi presented by Principal, B.N. Saha D.A.V. Public School, Giridih. Hence, no land is demarcated for B.N. Saha D.A.V. Teacher Training Institute. Further, the institution submitted a, resolution No. 56 to the inspection team mentioning that 1 acre land having four stories building in the name of APJ Abdul Kalam Block has been given to the B.N. Saha D.A.V. Teacher Training institute out of which total 4 acre land of the B.N. Saha D.A.V. Public School, But as per physical verification, the VT team constituted by the D.M., Giridih found that no such building/block in the name of APJ Abdul Kalam Block is constructed/established in the campus of the B.N. Saha D.A.V. Public School. It reveals that the institution has not its own separate found and building in the name of B.N. Saha D.A.V. Teacher Training Institution. (iii) In the D.M. Report, it is mentioned that the B.N. Saha D.A.V. Teacher Training institution is running in the fourth floor of the building of B.N. Saha D.A.V. Public School.(d) Show cause notice to institution was issued on 12/11/2014 on the above grounds.(e) Reply dated 09/12/2014 submitted by the institution is not satisfactory as per NCTE Norms. In view of the above, the Committee decided as under: The Committee concluded that the institution is running the B.Ed. course violating the NCTE Norms and Regulation 2009. The Committee, therefore, decided to withdraw the recognition of the institution for B.Ed. course under Section 17(1) of the NCTE Act, 1993 from the academic session 2015-2016."

AND WHEREAS Dr. Mukesh Kumar Sharma, Principal, B.N. Saha D.A.V. Teacher Training institute, Giridihpresented the case of the appellant institution on 27/04/2015. In the appeal and during personal presentation it was submitted that "false complaints have been filed against our institution to defame the name and sanctity of our institution. The complaints mentioned in the letters were also sent to the Vinobha Bhave University, Hazaribagh and the University taking into consideration the complaints sent a team to the institution to verify the facts but nothing was found so and our institution did not heard anything further from the University. The Inspection Team deputed by DM visited the college. As a matter of fact the team did not meet the undersigned, being head of the Institute & the Inspection Team could not be briefed about the present status of the Institute. On the other hand, the Inspection Team deputed by NCTE in July 13 found everything in order, whereas the team deputed by the DM which visited in Dec 13 gave its report totally contradictory to the report of the earlier Inspection Team. (report of NCTE team enclosed). The sponsoring society i.e. DAV college Managing Committee Trust and Society, New

Delhi is the owner of four acres of the land. Out of four acres, three acres land is earmarked for B.N. Saha DAV Public School and one acre land is earmarked for B. N. Saha DAV Teacher Training College vide resolution No. 56 dated 20th January 2011. There is a separate demarcation for the B.Ed College and the School, a CD to this effect was submitted in reply to Show Cause Notice. As already submitted in our reply to Show Cause Notice it is resubmitted that the gate of B.N. Saha DAV Teachers Training College opens in the North East Direction in Anandpuri Area, while the gate of BNS DAV Public School opens on the main road of Giridih-Bengabad road and there is no disturbance in teaching-learning process. To substantiate our claim; we are submitting the Site Plan of the total 4 acres of land. It is submitted that the recognition to our institution was granted by NCTE vide order dated 08th December 2008. The kind attention of the Appellate Authority is also drawn to the clause 5.2 (a) of Appendix 4 of NCTE Regulations 2007 and NCTE Regulations 2009 and also to clause 6.2 (a) of Appendix 4 of NCTE Regulations 2014, which clearly states that It is desirable that the institution has an attached school under its control. None of the instructional and infrastructural facilities are being shared among both the institution. However, at time for practice teaching, the facilities of the school are being utilised by the institution due to its proximity. The District Magistrate Team in its report had stated that there is no block in the name of APJ Abdul Kalam Block constructed / established, which is factually incorrect. a) The four storey APJ Abdul Kalam Block is very well situated in the campus and the B.Ed College is located in the APJ Abdul Kalam Block. The school of the society is situated in another block of three story building.b) The building plan of the institution has been approved by the Block Development Officer, Girdih for APJ Abdul Kalam Block in the name of B. N. Saha DAV Teacher Training College (copy attached)c) The Building Completion Certificate has been issued by the Architect and certified by Block Development Officer for APJ Abdul Kalam Block in the name of B. N. Saha DAV Teacher Training College clearly mentioning the land area and built up area for the institution (copy attached)d) There is a separate Electricity and Telephone Connection for the B.N. Saha DAV Public School School and B. N. Saha DAV Teacher Training College.The details are as given below: Electricity Consumer No. Customer ID of BSNL Telephone B.N. Saha DAV Public School ST00218 3003468010 B.N. Saha Teacher Training College SS01053 3005334316 The copy of bills of BSNL and Jharkhand State Electricity Board for the school and college are enclosed with the Appeal. (the copy of electricity and telephone bills are enclosed.)e) The Inspection Team which visited our institution u/s 13 of the NCTE Act on 27th Sept 2013 had also verified that our institution is being run in a 4 storey building of APJ Abdul Kalam Block. The same was submitted by NCTE before the Hon'ble High Court at Ranchi, wherein the conclusion of NCTE was as under: The institution fulfils the Norms regarding land, built up area and infrastructural facilities except the size of multipurpose hall. The college is being run in a four storey building whereas the school is being run in a three storey building. In both of the land / premises, the buildings are totally separate and on no occasion the facilities of both school and teacher education institution is being shared.We have also obtained the Certificate from the Chairman, JilaParishad and also from a MLA, Girdih certifying that BNS DAV Teacher Training College and BNS DAV Public School are being run in a different buildings / blocks.We would also like to submit to the Appellate Authority that if the Appellate Authority is not satisfied with the above made submissions, NCTE may conduct fresh inspection of our institution to verify the facts mentioned by our institution in the Appeal."

AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted under Section 13 of the NCTE on 27.09.2013. On the basis of analysis of the inspection report a Show Cause Notice was issued on following three points:

(i) The process to increase the multipurpose hall is under construction.

(ii) The academic & other staff are not paid salary through bank as per NCTE Norms.

(iii) The institution was required to submit 3 months bank statement of remittance of salary in account of staff.

Further on the basis of some complaints against the appellant institution District Magistrate, Giridih conducted an enquiry. The enquiry report revealed certain deficiencies which were not found or pointed in the inspection report conducted earlier under Section 13. These deficiencies pertained to the sharing of land and building of B.N. Saha D.A.V. Public School with B N Shah DAV Teacher Training Institute. Both the institutions were found to be running at the same time and in the same building thus disturbing the teaching learning process of both institutions. The Principal of the institution submitted copy of a resolution stating that one acre land out of the total 4 acre land is earmarked for teacher education and on the one acres land earmarked for teacher education there is a building known as A.P.J Abdul Kalam Block. The District Magistrate, Giridih reported that there is no such building/block in the name of A.P.J Abdul Kalam Block. The letter dated 06.12.2013 of the S.D.O addressed to Deputy Commissioner, Giridih is of a date which is subsequent to the inspection made under Section 13 of the Act. Committee is also of view that inspection is conducted under Section 13 of the Act after giving prior notice to the institution. An institution can manage and manipulate certain facilities within this Notice period. The factual position can emerge only if a competent authority makes inspection without prior notice or at a short notice. The facts revealed in the S.D.O. letter on the basis of which a show cause was also issued to the appellant institution cannot be simply set aside on the ground that the facts were not revealed in the earlier inspection report. Committee, therefore, decided that another inspection under Section 13 of the NCTE Act be conducted with specific reference to the points raised in the Inspection of the appellant institution accordingly an inspection was again conducted under Section 13 of the NCTE Act on 27.10.2015 by a Visiting Team comprising of Prof. Avinash Grewal and Prof. S.K. Tyagi. The V.T. report reveals that the society has on ownership basis land measuring 15904 Sq.ft. and a built up area of 2128.6 Sq. Meters.

The V.T. report further indicates that builtup area comprises of ground floor+three floors and it further suggests that entire building is DAV Public School building. Report mentions that Dr. Abdul Kalam Block is being used by B.N. Saha D.A.V. Teacher Training School. Report categorically mentions that 'No multipurpose hall seen and the C.D. seems to be tampered to include the multipurpose hall." V.T. has also observed that the space used for conducting B.Ed. course is separated from rest of the school by building a makeshift partition on each of the four floors. The school was found closed on the day of inspection (27.10.2015) rendering it not possible for the V.T. to physically verify whether all the four floors of Dr. Abdul Kalam Block are being used for conducting B.Ed. classes only. The V.T. has further suggested that a surprise inspection on some working day of school can help in arriving at a conclusion regarding sharing of space between the school and college. Different labs available were found to be neither properly arranged nor adequately furnished.

Appeal Committee after going through the contents of two inspection reports conducted under Section 13 of the Act on 27.09.2013 and 27.10.2015 observed that the findings are not consistent and do not exactly match. The report dated 27.09.2013 mentions a multipurpose hall of 1064 sq.feet which is not adequate whereas in the subsequent V.T. report it is mentioned that there is no multipurpose hall. The existence and quality of labs is also contradictory. The report of District Magistrate says that Dr. Abdul Kalam Block is non-existent whereas the latest. V.T. report says that the said block has makeshift partitions between the school and college.

Appeal Committee decided that the case requires to be revisited seriously by the E.R.C. and if need arises, help of Dist. Education officer may be solicited to find out the exact location of the B.N. Saha D.A.V. Teacher Training College in the said campus of B.N. Saha D.A.V. School

and the separate demarcation of the B.N.Saha D.A.V. Teacher Training College. Efforts may also made to find out if a multipurpose hall exists in the built up area earmarked for the Teacher Training college and if so whether the space is adequate as per NCTE Regulations. As the last inspection was conducted on payment of fee by the appellant institution, the deficiencies need to be reconciled correctly and accurately. Copy of all the reports may be sent to E.R.C. alongwith the relevant file for revisiting the matter and action taken report should be furnished by E.R.C. to be placed before Appeal Committee within 30 days of the issue of the appeal order.

(Jugal Singh)
Member Secretary

1 The Principal/ Appellant, B. N. Saha DAV Teachers Training College, At Sirsia, Near Giridih Block, Giridih, Jharkhand – 815301.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkand, Ranchi.