



F.No.89-301/E-172992/2020 Appeal/5th Mtg.-2021/22nd January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 02/02/2021

ORDER

WHEREAS the appeal of Mannam Foundation Centre for Education Technology, Poruvazhy, Edakkad PO, Ezhamile – Malanada Road, Kunnathoor, Kollam, Kerala dated 22/12/2020 is against the Order No. SRO/NCTE/APSO0633/B.Ed./{KL}/119672 dated 19.10.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that “Institution has not submitted land use certificate duly approved by the competent authority. Page 62 of 93. The Latest Encumbrance Certificate submitted by the institution is not approved by the competent authority. The institution has not submitted notarized English version of NEC. The institution has submitted building plan which is not approved by the competent authority. The Survey No. & size of the multipurpose hall is not mentioned in the Building Plan. The Classrooms size is not as per NCTE Regulations. The Site Plan submitted by the institution is not approved by the competent authority. The BCC submitted by the institution is not in format and not approved by the competent authority. The Staff list submitted by the institution was not approved by the Registrar, of Concerned Affiliating University / Body. The following lecturers are not qualified as per NCTE (Recognition Norms & Procedure) (Amendment) Regulation, 2017 dated 29.05.2017 notified on 09.06.2017. Smt. Gouri Krishna. G works as an Assistant Professor in English appointed on 01.07.2017. Smt. Seethalekshmi.B works as an Assistant Professor in Natural Science appointed on 16.09.2019. Smt. Keerthy. G. Krishnan Works as an Assistant Professor in General Education appointed on 16.09.2019. The institution has not appointed Physical education, Fine Arts and Performing Arts.”

AND WHEREAS the Representative of Mannam Foundation Centre for Education Technology, Poruvazhy, Edakkad PO, Ezhamile – Malanada Road, Kunnathoor, Kollam, Kerala presented online the case of the appellant institution on 27/01/2021. In

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the appeal and during personal presentation it was submitted that "Land Use Certificate (LUC) in English version issued by the Kunnathoor Tahasildar dt. 09.11.2020 is submitted. Original notarized certificate. The Non-Encumbrance certificate issued in English by the Sub-Registrar Office, Sansthamkotta is attached. Building plan approved by the Executive. Engineer, PWD building Division Kollam District is submitted. The Survey numbers and size of the multipurpose hall mentioned in the Building Plan. The Classroom size can be adjusted as per the requirement since it is separated by fabricated Screen Panels which is adjustable. As per 2005 regulations each class was arranged based on 10 sq. feet/ student. Each subject is having only 20 students. Thereby 500 sq. feet was provided at that time. Now only 10 students are in a class, since we are conducting only one basic unit of 50 numbers. The total area in 1528 sq. metre. The infrastructure facilities and size of classrooms is submitted. The site plan submitted by the institution is approved by Tahasildar of Kunnathoor thaluk is submitted. Building Completion Certificate submitted in the prescribed format is approved by, Authorised Engineer and certified by the executive engineer PWD Building Division, Kollam. The staff list approved by the University of Kerala on 30.10.2020 for the academic year 2020-21 is submitted. We are having only one basic unit. Hence the staff strength fixed by NCTE is 8. (a) Smt. Gourikrishna G is replaced by Smt. Aswathy P and qualifications are as per NCTE norms. (b) Seethalekshmi B works as an Assistant Professor and she submitted NET certificate and there by her appointment is confirmed by University as per NCTE Regulations Norms Amendment Regulation 2017 dt.29.05.2017. (c) Keerthy G. Krishnan is replaced by Dr.RajanIdicula as an Associate. Professor in General Education. Dr. RajanIdicula was working as Principal and now joined as Associate Professor. A new Principal Dr. Sunny Jacob is appointed and took charge from 16-10-2020 instead of our old principal Dr. RajanIdicula. All the staffs are included in the new staff list approved by University of Kerala and everything is followed as per NCTE rules and procedures. A Computer Lecture is also appointed as permanent and Total staff strength 12 (8+4) Details of all teachers are included in the university staff approval list (Old staff and new staff recruited) The Percentage of marks secured by all staff member is mentioned in the staff list."

AND WHEREAS Appeal Committee noted that appellant institution along with its appeal memoranda has submitted notarised copies of (i) Land Use Certificate, (ii) Encumbrance Certificate, (iii) Building Plan, (iv) Details of infrastructure, (v) Site Plan, (vi) Building Completion Certificate, (vii) Faculty list.

AND WHEREAS Appeal Committee noted that appellant had also filed a W.P. (C) No. 24543 of 2020 in the High Court of Kerala at Ernakulam and the Hon'ble High Court by its order dated 17/12/2020 directed as under:

"In such circumstances, this writ petition is disposed of by relegating the petitioner to avail the statutory remedy of appeal, under Section 18 of the NCTE Act, against Ext. P7 order dated 19.10.2020 of the 2nd respondent. The petitioner shall file the appeal, within a period of one week from the date of receipt of a certified copy of this judgement, in the prescribed format, after remitting the requisite fee, before the appellate authority. On receipt of such appeal, the appellate authority shall consider the same and pass appropriate orders thereon, within a period of three weeks from the date of receipt of that appeal."

AND WHEREAS Appeal Committee noted that appellant institution is conducting B.Ed. programme since 2005 and with a revised provisional Recognition order dated 29/05/2015 was allowed to conduct the programme with an annual intake of 50 students. Appeal Committee, decided appellant institution is required to submit original/copies of documents submitted with its appeal memoranda to SRC within 15 days of the issue of Appeal order. Appeal Committee further concluded to remand back the case to SRC for revisiting the matter.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and online submissions made by appellant, Appeal Committee concluded that appellant institution is required to submit original/copies of documents submitted with its appeal memoranda to SRC within 15 days of the issue of Appeal order. Appeal Committee further concluded to remand back the case to SRC for revisiting the matter.

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NOW THEREFORE, the Council hereby remands back the case of Mannam Foundation Centre for Education Technology, Poruvazhy, Edakkad PO, Ezhamile – Malanada Road, Kunnathoor, Kollam, Kerala to the SRC, NCTE, for necessary action as indicated above.

The above decision is being communicated on behalf of Appeal Committee.



(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Mannam Foundation Centre for Education Technology, Poruvazhy, Edakkad PO, Ezhamile – Malanada Road, Kunnathoor, Kollam, Kerala – 691552.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Kerala, Thiruvananthapuram.



F.No.89-303/E-173088/2020 Appeal/5th Mtg.-2021/22nd January, 2021
NATIONAL COUNCIL FOR TEACHER EDUCATION
 G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 02/02/2021

ORDER

WHEREAS the appeal of Iqbal Training College, Thennoor, Deivapura, Peringammala, Nedumangad, Thiruvananthapuram, Kerala dated 24/12/2020 is against the Order No. SRO/NCTE/APSO0688/B.Ed./391th/{KL}/2020/120773 dated 09.11.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the Committee observed that the institution during personal hearing agreed that the grounds of withdrawal of recognition were valid as they had failed to submit reply. The Committee considered the presentation of the institution that they had now submitted its reply alongwith faculty list approved by the affiliating body after the issuance of withdrawal order of recognition and on the directions of Hon'ble High Court of Kerala, the Committee considered the request of the institution for re-consideration on the basis of directions of Hon'ble High Court of Kerala and the institution desires to run the institution with an annual intake of 50 (one unit) only from now onwards."

AND WHEREAS Mohd. Shabir, Secretary and Sh. Shahnawaj Khan, Treasurer, Iqbal Training College, Thennoor, Deivapura, Peringammala, Nedumangad, Thiruvananthapuram, Kerala presented the case of the appellant institution on 22/01/2021. In the appeal and during personal presentation it was submitted that "The Appellant is the Educational Agency running a Training College by name Iqbal Training College, Daivapura, Trivandrum. The College was granted recognition by the NCTE, by Order dated 25-2-2005 with an annual intake of 100 students. While so the Regulations of the NCTE was substituted in 2014, by which sanctioned intake per batch was reduced to 50, and the college was eligible to have 2 batches. Revised recognition was granted by the NCTE as per Order dated 15-5-2015. This Recognition was for running 2 batches of 50 students each. But the college all along had taken only one batch of 50 students, after the Regulation of 2014. Regional Director, Southern Regional Committee of the

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NCTE issued a show cause notice dated 4-1-2019, which asked for details of many documents, mostly pertaining to the land and buildings of the College. The notice also directed the College to submit the staff list as approved by the University. Appellant's College is a Self-Financing (unaided) College, affiliated to the Kerala University. Under the Kerala University Act, or the University Acts in respect of other affiliating Universities in the State, there is no provision for the approval of appointments of teaching staff in unaided colleges. The Appellant understands that there is no provision in the NCTE Regulations as well, which enables the Regional Committee to insist upon the "approval" of appointments by the University. At best what the Regional Committee can examine is only as to whether there are required qualified faculty. There were explanations submitted by the Appellant and the Regional Committee on this issue, and the Committee in their meeting held on 24th & 25th August 2020 decided to withdraw the recognition of the College from this Academic year (2020-21). This was patently illegal because the 2nd proviso to S.17(1) of the NCTE Act, mandates that any withdrawal of recognition shall take effect "only" from the "end" of the academic session "next following" the date of communication by the Order. Thereafter orders were issued by the Regional Committee on 7-9-2020, withdrawing recognition of the College. The matter was ultimately taken up before the Hon'ble High Court in W.P(c)No. 24625 of 2020. There were a few other similar cases. All those cases were disposed of by a Common Judgment dated 25-9-2020. A copy of the said Judgment is produced. Hon'ble Court set aside the impugned orders. It was further directed that the impugned orders would be treated as show cause notices and petitioner should submit explanations within the time limit mentioned therein. This should be considered by the Regional Committee of the NCTE after affording the petitioner a reasonable opportunity of being heard. Petitioner was also directed to submit the list of faculty "before the University". The University shall permit admissions if there are sufficient faculties qualified as per NCTE norms. As per the said Judgment, the recognition granted was kept intact. It could be tinkered with by the NCTE only as per the guidelines, laid down in the judgment and that too only after hearing the petitioner. The Judgment was received by the petitioner on 6-10-2020 and petitioner submitted a detailed explanation to the NCTE, on 10-10-2020. This was sent by Registered Post. Petitioner had also submitted the list of faculty to the University. But this was not then approved /

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endorsed by the University. It was subsequently verified and signed by the Registrar. It is for the University to verify the same and permit the college to have admissions if the College has necessary qualified staff. To the utter surprise of the petitioner, the Southern Regional Committee, which met on 12th and 14th of October, took a strange decision directly contrary to the Judgment. A copy of the relevant pages of the Minutes of the said meeting is produced herewith. This directs the petitioner to produce the list of the faculty "duly" approved by the University. As stated earlier, there is no provision in the Kerala University Act and its Statutes to approve the appointment of teachers in an unaided College. For this, S.69 of the University Act prescribes that the Government shall determine those aspects, as mentioned therein and no such determination has been made by the Government. That was one reason why in the Judgment, the Hon'ble High Court directed the University to verify the Credentials of the faculty. The second aspect is the direction contained in the decision to the University that unless Revised Recognition Order is issued, University shall not permit admissions. This was an attempt to over reach the directions of this Court. When the earlier orders of recognition were set aside by the Court, the College has valid recognition now. Only if that recognition is withdrawn or cancelled, the question of Revised Recognition does arise. Stoppage of admission is possible only if recognition is withdrawn U/S.17(1). That would take effect only by the end of the next academic session. Petitioner challenged the above decision before the Hon'ble Court in W.P(c)No. 23093/2020. While the same was pending there was an e-mail notice for a hearing. Petitioner appeared. Petitioner was not permitted even to say one sentence. The hearing Committee said, petitioner need only answer their questions and no explanations were permitted. Thereafter the Committee took a decision on 3-11-2020, to withdraw the recognition of the College with effect from the "next academic session". The relevant pages of the Minutes of the Meeting of the said Committee (Page 1 & 24) is produced on 13-10-2020, the University approved the list of the teaching staff. This list was given to the University for approval on 12-10-2020. The Committee decided to withdraw the Recognition of the College, with effect from the next Academic Session and not from the end of the next Academic session. The first reason said is that the Institution during the personal hearing agreed that the grounds of withdrawal were valid "as they failed in submission of a reply". What was meant by them is not understandable.

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The petitioner had all along been challenging their decision. Petitioner had never agreed as stated therein. The Committee then accepts that petitioner had submitted the list of staff as approved by the University. A copy of the said List of teaching staff is annexed. This was then forwarded to the Regional Committee. Then comes the decision. Decision says that the Institution had submitted the list of faculty "for approval" of the University, but says petitioner failed to submit the approval of the University even after the Judgment. The direction of this Court was for the University to verify whether the College has sufficient qualified faculty. If the University finds so, this Court had directed the University to permit admissions. In this case the University had found that the College has sufficient qualified teachers. As stated earlier, there is no provision in the University Act to grant "approval" for the appointment of "teaching faculty" in an unaided college. As per the directions of this Court, the University verified the credentials of the faculty and after being satisfied that they were qualified, endorsed the list. The Appellant challenged the said decision before the Hon'ble High Court of Kerala in W.P. (C) NO.24625/20. While the Writ Petition was pending the Regional Committee issued their Order dated 9-11-2020, formally withdrawing the recognition of the College. A copy of the said Order is annexed. The Writ Petition was taken up by the Hon'ble High Court on 18-12-2020. The Hon'ble Court directed this appellant to file an Appeal as contemplated U/S. 18 of the NCTE Act, within one week the Appellate Authority was directed to take a decision within 2 weeks there from. This Appellant therefore challenges the said order dated 9-11-2020 on the following: Grounds. The impugned order is directly contrary to the 2nd proviso of S.17(1) of the NCTE. Any withdrawal as contemplated U/S.17(1) can have effect "only" from the "end" of the "next academic" session. The impugned order is given effect right from now. The impugned order is directly against the judgment of the Hon'ble High Court. The said judgment directed the University to verify whether there were sufficient, qualified teachers. If the University finds there were sufficient qualified teachers, the Court permitted to go ahead with admissions. In this case the University "found" that the College had sufficient qualified teachers. This being the position, the Regional Committee had no powers to withdraw recognition preventing admissions. There is no provision in the Kerala University Act, to approve or disapprove the appointments of teaching staff in an unaided college. Therefore, insisting on the approval of appointment of the teaching

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faculty by the University, for the purposes of recognition by the Regional Committee, is arbitrary. It is therefore prayed that order dated 9-11-2020 by the Regional Committee be set aside and further appropriate relief be granted to the Appellant."

AND WHEREAS Appeal Committee noted that appellant institution had filed a W.P. (C) no. 24625/2020 in the Hon'ble High Court of Kerala at Ernakulam and the Hon'ble High Court vide order dated 18/12/2020 directed as under:-

"In such circumstances, this writ petition is disposed of by relegating the petitioner to avail the statutory remedy of appeal, under Section 18 of the NCTE Act, against Ext. P12 decision of the 2nd respondent. The petitioner shall file the appeal, within a period of one week from the date of receipt of a certified copy of this judgment, in the prescribed format, after remitting the requisite fee, before the appellate authority. On receipt of such appeal, the appellate authority shall consider the same and pass appropriate orders thereon, within a period of three weeks from the date of receipt of that appeal."

AND WHEREAS Appeal Committee noted that the main point contended by appellant in its appeal memoranda pertains to whether approval of affiliating body/University is required for appointing faculty as per requirement of NCTE Regulations or private institutions conducting teacher education programmes are at liberty to appoint faculty without the approval of affiliating University. Appeal Committee before considering the submission made by appellant, quotes excerpts from the following provisions of NCTE Regulation which are relevant in the case:

Clause 8 (11):- Whenever there are changes in the Norms and Standards for a programme in teacher education, the institution shall comply with the requirements laid down in the revised Norms and Standards immediately.

Clause 7 (13):- Appointment of qualified staff as per policy of the State Government or University Grants Commission or University – Staff and faculty to be appointed as per norms of the Council. The

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institution shall submit the list of faculty as approved by affiliating body, to the Regional Committee.

Clause 7 (15):- The institution concerned, after appointing the requisite faculty or staff as per the provisions of Norms and Standards of respective programmes, and after fulfilling the conditions under Regulation 8, shall formally inform about such appointments to the Regional Committee concerned.

Clause 7 (16):- The letter granting approval for the selection or appointment of faculty shall also be provided by the institution to the Regional Committee.

AND WHEREAS the submission made by appellant is that under the Kerala University Act or the University Acts in respect of other affiliating Universities in the State, there is no provision for approval of appointments of teaching staff in unaided colleges. The above submission is not in consonance with the NCTE Regulations which mandates, as per Clause 7 (16), that the letter granting approval for the selection or appointment of faculty shall also be provided by the institution to the Regional Committee. NCTE Regulations, therefore, provide for participation of affiliating bodies in the process of selection and appointment of faculty as per Norms and Standards for the programme.


AND WHEREAS Appeal Committee noted that appellant institution is conducting B.Ed. programme since 2005 with a present intake of 50 seats (one unit). Appellant institution during the course of appeal hearing on 22/01/2021 submitted list of faculty approved by Registrar, Kerala University. Appeal Committee, therefore, decided that appellant be required to submit to SRC within 15 days of the issue of appeal order the faculty list in original along with letter of affiliating University conveying its approval. Appeal Committee further decided to remand back the case to SRC for revisiting the matter.

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

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NOW THEREFORE, the Council hereby remands back the case of Iqbal Training College, Thennoor, Deivapura, Peringammala, Nedumangad, Thiruvananthapuram, Kerala to the SRC, NCTE, for necessary action as indicated above.

The above decision is being communicated on behalf of Appeal Committee.



(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Iqbal Training College, Thennoor, Deivapura, Peringammala, Nedumangad, Thiruvananthapuram, Kerala – 695563.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Kerala, Thiruvananthapuram.



F.No.89-07/E-173628/2021 Appeal/5th Mtg.-2021/22nd January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 02/02/2021

ORDER

WHEREAS the appeal of Vijaya Bharathi College of Education, Hayathnagar, Sri Sai Colony, Phase-2, Abdullapur, Mettu, Rangareddy, Telangana dated 07/12/2020 is against the Order No. SRO/NCTE/APS05935/B.Ed./{TS}/2020/120563 dated 06.11.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the institution has submitted photocopy of building plan/Site plan but not readable. The institution has not submitted approved list of faculty affiliating body. Seven faculty Members (Assistant Professor) has not shown appointed date after promulgation of NCTE Regulations, 2017, and they do not possess NET/Ph.D. qualification as per provisions of the NCTE Regulations, 2017. The institution has submitted photocopy of Balance Certificate of Rs 8,47,449/- & 4,00757/-. The institution is required to submit a "Form A" issued by the respective Bank Manger towards creation of FDR of Rs.7 lakh and 5 lakh, totalling Rs.12 lakh towards Endowment Fund & Reserve Fund into joint account for a duration of 5 years along with a copy of the FDRs. The institution has not mentioned the website details."

AND WHEREAS Sh. Satish Kadiyala, Secretary/Correspondent, Secretary and Correspondent, Vijaya Bharathi College of Education, Hayathnagar, Sri Sai Colony, Phase-2, Abdullapur, Mettu, Rangareddy, Telangana presented the case of the appellant institution on 22/01/2021. In the appeal and during personal presentation it was submitted that "It was an oversight on institution's part to submit copies from blueprint of building plan which turned out to be dark and not readable. We are now submitting readable building plans, which clearly show that the institution has all requisite constructed building available as per NCTE Norms in total the institution have 21954 sq. ft. of built up area exceeding the required built up area as per NCTE Norms. Our institution has been running the B.Ed. course with 100 intake since 2007 in the

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same premises and building. 2018 sq. ft. multipurpose hall located on second floor, which can easily accommodate 200 + people. A seminar hall of 612 + sq. ft. on the second floor. We have total four classrooms exceeding NCTE Norms in sq. ft. 3. Classroom x 527.4 sq. ft. 1-class room x 612 sq. ft. 4. All laboratories as per NCTE Norms including library 5. Each floor is facilitated separate toilets for men and women. As the net/slet/Ph.D. qualified faculty was not available in time for the 2019-20 academic year ratification organized by concern University, now we have appointed 8 new faculty, all possessing net/slet qualification as for NCTE Regulations 2017, and these new faculty have been ratified and approved by University affiliating body (Osmania University) ratified and approved staff list duly signed by Registrar of Osmania University and details given below: s.no name of the staff net/sllt net/slet.reg no hall ticket no. 1 b Chandramouli slet ts-set/351150/2018 30605336 2 Mittapalli Mukteswar Net 27941/(net-dec.2013) 46090095 3 Kommuri Narasimha Rao slet ts-set/351213/2018 70607960 4 Raju Dharmarapu slet 3049/apset/july/2012 110600445 5 sammaiah k slet 2211/apset/nov 2013 120600807 6 nagaiah chinthapally slet ts-set/860945/2019 c0303070019 7 valishetti yadaiah slet 3434/set-ts&ap/feb2015 141301253 8 lingaswamy mamidi net 190520470756 tl0105216314 and a copy of duly signed ratification letter is being sent by speed post. The institution has always had the requisite total amount of Rs. 12 lakhs in FD drawn jointly on Institution and NCTE. Now, we have drawn new FDs for the amounts of Rs. 7 Lakh and Rs. 5 Lakh separately towards Endowment fund and Reserve Fund into the joint account for a duration of 5 years. Also, the A-Forms are being submitted in the right format as required by NCTE for the same. The details of the FDs are as below: FD No date amount period bank 822469/50534844082 (reserve fund) 25/11/20 500000 5 years (25/11/20 to 25/11/2025 Indian Bank FD no date amount period bank 822471/50534919117 (Endowment Fund) 27/11/2020 700000 5 years 26/11/2020 to 26/11/2025 Indian Bank and copies are details are being sent by speed post. The institution has provided the website details and can be found at <https://www.vijayabharathicollegeedu.com> <http://www.vijayabharathi.ac.in>

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AND WHEREAS Appeal Committee noted that appellant institution has filed a Writ Petition no. 24340 of 2020 in the Hon'ble High Court of Judicature for the State of Telangana at Hyderabad and Hon'ble Court vide order dated 05/01/2021 directed that pending appeal is to be decided by Appellate Authority.

AND WHEREAS Appeal Committee noted that appellant institution has rectified the deficiencies by submitting (a) the legible copy of Building Plan, (b) revised list of faculty, (c) FDRs and (d) Printout of Website pages. Appellant is required to submit to SRC within 15 days of the issue of appeal order, original or copies of documents wanted in the case. Appeal Committee further decided to remand back the case to SRC for revisiting the matter.

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

NOW THEREFORE, the Council hereby remands back the case of Vijaya Bharathi College of Education, Hayathnagar, Sri Sai Colony, Phase-2, Abdullapur, Mettu, Rangareddy, Telangana to the SRC, NCTE, for necessary action as indicated above.

The above decision is being communicated on behalf of Appeal Committee.

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Principal, Vijaya Bharathi College of Education, 3, 4 Part-5, Part, Hayathnagar, Sri Sai Colony, Phase-2, Abdullapur, Mettu, Rangareddy, Telangana – 501505.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Telangana, Hyderabad.



F.No.89-303/E-77564/2018 Appeal/5th Mtg.-2021/22nd January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 02/02/2021

ORDER

WHEREAS the appeal of R.N.T. College of Teacher Education, Highway Road, Kapasam, Rajasthan dated 15/05/2018 is against the Order No. NCTE/NRCAPP201616628/Master of Education [M.Ed.]/SCN/RJ/2017-18 dated 24.02.2017 of the Western Regional Committee, refusing recognition for conducting for M.Ed. Course on the grounds that "the institution submitted application on-line on 30.06.2016 and hard copy of the application received in NRC on 27.07.2016. As per clause 7(2)(b) of NCTE Regulations, 2014, the hard copy of the application is to be submitted within 15 days of the submission of the on-line application. As per NCTE Hqrs. direction, the hard copy was acceptable up-to 15th July which was the last date for submission of hard copy irrespective of on-line submission. The hard copy of the application has been reviewed in NRC on 27.07.2016 i.e. beyond 15th July 2017. Hence, the Committee decided that the application is Summarily rejected."

AND WHEREAS Sh. Kamlesh Dani, Representative, R.N.T. College of Teacher Education, Highway Road, Kapasam, Rajasthan presented the case of the appellant institution on 22/01/2021. In the appeal and during personal presentation it was submitted that we had already sent hard copy of application file on 05/07/2016 by speed post, but NCTE did not consider and reject our application file.

AND WHEREAS Appeal Committee noted that appellant institution had filed a Writ Petition (C) No. 10067 of 2020 in the Hon'ble High Court of Delhi at New Delhi and the Hon'ble High Court vide order dated 09/12/2020 directed as under:-

"In these facts, I allow the present writ petition and quash the order of the Appeal Committee dated 12.09.2018 and remand the matter back to the Appeal Committee to consider it afresh after giving an oral hearing to the petitioners/authorized representative of the petitioners. However, this order is passed subject to the petitioner disposing of a sum of Rs. 20,000/- for the delay

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in approaching this Court. The said cost be deposited with the Advocates Welfare Fund Trust within four weeks. An affidavit of compliance will be filed in Court with a copy to the respondent.

The petition stands disposed of. Pending application also stand disposed of."

AND WHEREAS Appeal Committee noted that appeal dated 15/05/2018 made by appellant institution was decided by Appellate Authority by an order dated 12/09/2018 which has now been quashed by the Hon'ble High Court of Delhi with directions to consider the matter afresh.

AND WHEREAS application for grant of recognition of M.Ed. programme of the appellant institution was refused on grounds of late submission of the hard copy of application. Clause 7 (2) (b) of the NCTE Regulation, 2014 provide for summary rejection of the application in case of failure to submit printout of the application made online within 15 days of the submission of online application. In the instant case online application was made on 30/06/2016 and printout of online application was received in the office of NRC on 27/07/2016 having been despatched by speed post on 25/07/2016. The envelope which contained the application with speed post receipt dated 25/07/2016 (14.29) is available on the regulatory file.

AND WHEREAS appellant submitted in its appeal memoranda that 'we had already sent hard copy of application on 05/07/2016 by speed post.' Perusal of the documents available on regulatory file reveals that forwarding letter by which the hard copy was sent is dated 11/07/2016 and the letter does not contain any mention about the application earlier having been despatched on 05/07/2016. The appellant institution in its forwarding letter did not make any mention that application has earlier been sent on 05/07/2016 and this is a second copy. The reason for which application was resubmitted on 25/07/2016 was also nowhere mentioned.

AND WHEREAS Appeal Committee got the matter rechecked from the diary records of Regional Committee. It was confirmed by the office of Regional Committee

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that application with the relevant APP code was not received from 05/07/2016 to 15/07/2016. Appeal Committee also does not find any reason for the appellant to resubmit the copies of printout of same application. In the event of forwarding letter dated 11/07/2016 being a second one, appellant institution should have ensured its timely delivery when it had option to submit it personally and by hand to the office of NRC located at Jaipur at the relevant time.

AND WHEREAS Appeal Committee being convinced that printout of application was submitted by appellant after the expiry of admissible period of 15 days, decided to confirm the refusal order dated 24/02/2017 once again.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record oral arguments advanced during the hearing and directions given by Hon'ble High Court of Delhi, Appeal Committee concluded to confirm the refusal order dated 24/02/2017 once again.

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

The above decision is being communicated on behalf of Appeal Committee.

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, R.N.T. College of Teacher Education, Near Mataji Temple, Highway Road, Kapasam, Rajasthan – 312202.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-304/E-77561/2018 Appeal/5th Mtg.-2021/22nd January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 02/02/2021

ORDER

WHEREAS the appeal of Vivekanand T.T. College, Dhuni Mata Road, Dabok, Mavli, Rajasthan dated 16/05/2018 is against the Order No. NCTE/NRCAPP201616424/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/SCN/RJ/2017-18 dated 24.02.2017 of the Western Regional Committee, refusing recognition for conducting for B.A. B.Ed. / B.Sc. B.Ed. Course on the grounds that “the institution submitted application online on 28.06.2016 and hard copy of the application received in NRC on 27.07.2016. As per clause 7(2)(b) of NCTE Regulations, 2014, the hard copy of the application is to be submitted within 15 days of the submission of the online application. As per NCTE Hqrs. direction, the hard copy was acceptable up-to 15th July which was the last date for submission of hard copy irrespective of online submission. The hard copy of the application has been reviewed in NRC on 27.07.2016 i.e. beyond 15th July 2017. Hence, the Committee decided that the application is Summarily rejected.”

AND WHEREAS Sh. Kamlesh Dani, Chairman, Vivekanand T.T. College, Dhuni Mata Road, Dabok, Mavli, Rajasthan presented the case of the appellant institution on 22/01/2021. In the appeal and during personal presentation it was submitted that we had already sent hard copy of application file on 05/07/2016 by speed post. but NCTE did not consider and reject our application file.

AND WHEREAS Appeal Committee noted that appellant institution had filed a Writ Petition (C) No. 31779 of 2020 in the Hon'ble High Court of Delhi at New Delhi and the Hon'ble High Court vide order dated 09/12/2020 directed as under:-

“In these facts, I allow the present writ petition and quash the order of the Appeal Committee dated 12.09.2018 and remand the matter back to the Appeal Committee to consider it afresh after giving an oral hearing to the petitioners/authorized representative of the petitioners. However, this order is passed subject to the petitioner disposing of a sum of Rs. 20,000/- for the delay

As per T. Dhepe

in approaching this Court. The said cost be deposited with the Advocates Welfare Fund Trust.

The petition stands disposed of. Pending application also stand disposed of."

AND WHEREAS Appeal Committee noted that appeal dated 15/05/2018 made by appellant institution was decided by Appellate Authority by an order dated 12/09/2018 which has now been quashed by the Hon'ble High Court of Delhi with directions to consider the matter afresh.

AND WHEREAS application for grant of recognition of B.A. B.Ed./B.Sc. B.Ed.. programme of the appellant institution was refused on grounds of late submission of the hard copy of application Clause 7 (2) (b) of the NCTE Regulation, 2014 provide for summary rejection of the application in case of failure to submit printout of the application made online within 15 days of the submission of online application. In the instant case online application was made on 30/06/2016 and printout of online application was received in the office of NRC on 27/07/2016 having been despatched by speed post on 25/07/2016. The envelope which contained the application with speed post receipt dated 25/07/2016 (14.29) is available on the regulatory file.

AND WHEREAS appellant submitted in its appeal memoranda that 'we had already sent hard copy of application on 05/07/2016 by speed post.' Perusal of the documents available on regulatory file reveals that forwarding letter by which the hard copy was sent is dated 11/07/2016 and the letter does not contain any mention about the application earlier having been despatched on 05/07/2016 and this being a second copy and the reason for which application was resubmitted on 25/07/2016.

AND WHEREAS Appeal Committee noted that appellant had also not made available copy of its letter dated 05/07/2016 by which it states to have submitted the printout application for the first time. Appeal Committee does not find any reason for the appellant to resubmit the copies of printout of same application. In the event of forwarding letter dated 11/07/2016 being a second one, appellant institution should have

Resubmitted

ensured its timely delivery when it had option to submit it personally and by hand to the office of NRC located at Jaipur at the relevant time.

AND WHEREAS Appeal Committee being convinced that printout of application was submitted by appellant after the expiry of admissible period of 15 days, decided to confirm the refusal order dated 24/02/2017 once again.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record oral arguments advanced during the hearing and directions given by Hon'ble High Court of Delhi, Appeal Committee concluded to confirm the refusal order dated 24/02/2017 once again.

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

The above decision is being communicated on behalf of Appeal Committee.

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Vivekanand T.T. College, Dhuni Mata Road, Dabok, Mavli, Rajasthan – 313001.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-10/E-174073/2021 Appeal/5th Mtg.-2021/22nd January, 2021
NATIONAL COUNCIL FOR TEACHER EDUCATION
 G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 02/02/2021

ORDER

WHEREAS the appeal of Tagore P.G. Mahavidhyalaya, Reengus, Jaipur – Agra Highway, Shrimadhopur, Sikar, Rajasthan dated 13/08/2020 is against the Order No. NCTE/NRC/NRCAPP201615255/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/SCN/RJ/2017-2018/4; dated 08.02.2018 of the Western Regional Committee, refusing recognition for conducting for B.A. B.Ed. / B.Sc. B.Ed. Course on the grounds that “reply of Show Cause Notice has not been submitted till date. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

AND WHEREAS Sh. Prabal Sharma, Secretary and Sh. Hemant Kaushik, Member, Tagore P.G. Mahavidhyalaya, Reengus, Jaipur – Agra Highway, Shrimadhopur, Sikar, Rajasthan presented the case of the appellant institution on 22/01/2021. In the appeal and during personal presentation it was submitted that “At that time the university did not approve staff. We had informed NRC before time. Still the NRC rejected our file instead of placing pending. But now we have approval. Therefore, we want that our file should be considered.”

AND WHEREAS Appeal Committee noted that appellant institution has filed a S.B. Civil Writ No. 4523 of 2020 in the Hon'ble High Court of Judicature for Rajasthan at Jaipur. The Hon'ble High Court by its order dated 07/07/2020 directed as under:-

“The present writ petition has been filed in 2020 challenging the said order. Although the order is appealable. However, taking into

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consideration that two years have lapsed, this Court does not find any reason to interfere with the order dated 08.02.2018.

Accordingly, the writ petition is dismissed. However, the petitioner shall be free to move a fresh application which shall not be any manner prejudiced on account of dismissal of the present petition."

AND WHEREAS Appeal Committee noted that a Letter of Intent (L.O.I.) dated 02/06/2017 was issued to appellant institution seeking compliance within a period of two months. The institution did not submit reply to the L.O.I. and therefore a Show Cause Notice (SCN) dated 12/12/2017 was issued seeking written representation within 21 days. Impugned order dated 08/02/2018 refusing recognition was on the ground that appellant institution did not submit written representation in reply to the S.C.N. dated 12/12/2017. By the impugned order dated 08/02/2018 applicant institution was duly informed about the provisions of Section 18 for preferring appeal within 60 days.

AND WHEREAS Appeal Committee noted that appellant institution failed to submit reply to (i) L.O.I. dated 02/06/2017, (ii) S.C.N. dt. 12/12/2017 and also prefer appeal within 60 days of the issue of impugned refusal order dated 08/02/2018. There is also no evidence on record in the regulatory file wherein appellant had either submitted any part compliance of the L.O.I. or had specifically asked for extension of time to submit a final compliance. It is more than 3 years that L.O.I. was issued. Appeal Committee, therefore, decided not to admit the appeal on grounds of delay of 18 months and non-submission of reply to the communications of NCTE. The applicant institution is free to apply afresh as and when NCTE issues notification inviting applications for teacher education programmes.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that not to admit the appeal on grounds of delay of 18 months and non-submission of reply to the communications of NCTE. The applicant institution is free to

*Respectfully
Signed*

apply afresh as and when NCTE issues notification inviting applications for teacher education programmes.

The above decision is being communicated on behalf of Appeal Committee.

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. **The Secretary, Tagore P.G. Mahavidhyalaya, Reengus, 5380, NH-52, Jaipur – Agra Highway, Shrimadhopur, Sikar, Rajasthan – 332404.**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.