



F.No.89-446/E-140904/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

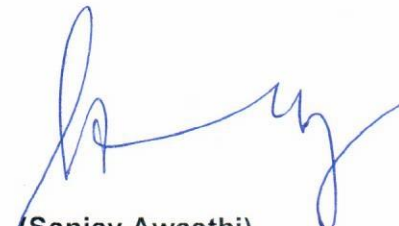
Date: 02/03/2020

ORDER

WHEREAS the appeal of A.D.S. College, Ambah, Pooth Road Ambah, Morena, Madhya Pradesh dated 01/11/2019 is against the Order No. WRC/APW07644/223767/B.Ed./310th/2019/205934 to 205941 dated 04.09.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the Show Cause Notice was issued to the institution vide letter dated 26.05.2017. The summary of the case submitted reveals that the institution has not submitted reply of the Show Cause Notice. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

AND WHEREAS no one from, A.D.S. College, Ambah, Pooth Road Ambah, Morena, Madhya Pradesh presented the case of the appellant institution on 30/01/2020. The appellant, in a letter dt. 29/01/2020, requested permission for withdrawal of their appeal. In this letter, the appellant has also requested that it may be ensured that necessary action in pursuance of the orders of the Hon'ble High Court of Delhi in W.P. (C) 11227/2019 dt. 08/11/2019 is taken by the WRC, NCTE.

AND WHEREAS the Committee decided to accede to the request of the appellant to withdraw their appeal. Hence the appeal stands withdrawn.



(Sanjay Awasthi)
Member Secretary

1. The Principal, A.D.S. College, 610, Ambah, Pooth Roadm Ambah, Morena – 476111, 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, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-447/E-140852/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of Apex Mahavidhyalaya, Village – Jasrathpura Gohad Chouraha, Chandokhar, Gohad, Bhind, Madhya Pradesh dated 02/11/2019 is against the Order No. WRC/APP136/223/310th/2010/206185 dated 06.09.2019 of the Western Regional Committee, confirming their earlier order of withdrawing recognition for conducting for B.Ed. Course dt. 08/01/2018 on the grounds that “the matter was placed in 310th Meeting held on August 19th-21st 2019 of WRC and the Committee considered case in the light of the order dated 14.08.2019 passed by the Hon’ble High Court of Delhi in W.P. No. 8817/2019. In the staff profile of 1+15 faculty members submitted by the institution, faculty members at Sr. No. 8 (in the second list) is not qualified as per the NCTE amended Regulations 09.06.2017. Staff profile submitted by the institution does not contain faculty members of Fine Art & Performing Art. Hence, the Committee decided that the withdrawal order dated 08.01.2018 stands.”

AND WHEREAS Sh. D. Pratap Singh Tomar, Director, Apex Mahavidhyalaya, Village – Jasrathpura Gohad Chouraha, Chandokhar, Gohad, Bhind, Madhya Pradesh presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that institution submitted qualified staff profile list according to NCTE Amended Regulations 09/06/2017 & University Rule (28/17). Staff profile list of faculty member of Fine Arts/ Performing Art is submitted in Letter no. 1220 dated 17/11/2018 and other letter no. 1229 is submitted on 04/12/2018 and other letter no. 1240 dated 11/03/2019 is also submitted.

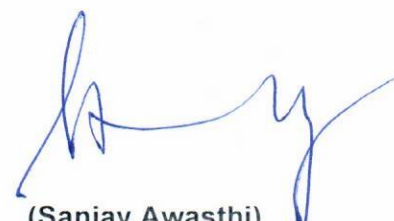
AND WHEREAS the appellant, in the course of presentation, submitted a copy of the NET qualification certificate in respect of Shri Abhishek Sharma, in the second list. The Committee noted that even otherwise, according to the amended Regulations of 2017, NET qualification is not required in respect of Physical Education Teacher. The

Committee also noted that the appellant's letter dt. 07/11/2018 forwarding the details of the candidates appointed for the post of Assistant Professor, Fine Arts/ Performing Arts, with the approval of the affiliating university, is available in the file of the WRC.

AND WHEREAS in the above circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the approved faculty list, including the Assistant Professor, Fine / Performing Arts and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC a copy of the NET certificate in respect of the Assistant Professor, Physical Education within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the approved faculty list, including the Assistant Professor, Fine / Performing Arts and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC a copy of the NET certificate in respect of the Assistant Professor, Physical Education within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Apex Mahavidhyalaya, Village – Jasrathpura Gohad Chouraha, Chandokhar, Gohad, Bhind, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Apex Mahavidhyalaya, Plot No. 483, NH-92, Village – Jasrathpura Gohad Chouraha, Chandokhar, Gohad, Bhind – 477116, 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, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-448/E-141084/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

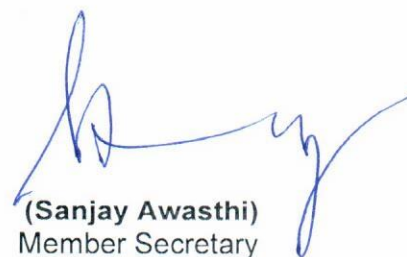
WHEREAS the appeal of SIT College of Education, Jamodi Sengaran, Gopadbanas, Sidhi, Madhya Pradesh dated 02/11/2019 is against the Order No. WRC/APP2274/223/B.Ed./310th/2019/20600 dated 05.09.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the Show Cause Notice was issued to the institution vide letter dated 28/02/2017 The summary of the case submitted reveals that the institution has not submitted reply of the Show Cause Notice. Hence, the committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

AND WHEREAS Dr. A. K. Tiwari, Principal and Sh. Deepak Gupta, Director, SIT College of Education, Jamodi Sengaran, Gopadbanas, Sidhi, Madhya Pradesh presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that original staff profile, (1 principal+15 faculties) for the session 2015-16 duly approved by the affiliating body has been dispatched on 18/02/2016 by courier. (copy of dispatched letter and courier receipt attached). Originally notarized CLU, NEC and building completion certificate in prescribed format has been dispatched on 10/03/2016 and submitted at WRC Regional Office Bhopal on 16/03/2016. (WRC receiving copy attached). All required details [original staff profile, (1 principal+15 faculties) for the session 2015-16 duly approved by the affiliating body and originally notarized CLU, NEC and building completion certificate in prescribed format] has been dispatched on 25/03/2017 by courier (copy of dispatched letter and courier receipt attached). In the course of presentation, the appellant, with their letter dt. 30.01.2020, submitted copies of the documents sent to the WRC.

AND WHEREAS the Committee noted that the letters with which the appellant has forwarded the various documents are not available in the file of the WRC. The Committee, therefore, concluded that the matter deserved to be remanded to the WRC with a direction to consider all the documents (which are stated to have been sent earlier to them) to be sent again to them by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC, all the documents submitted in appeal, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider all the documents (which are stated to have been sent earlier to them) to be sent again to them by the appellant and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC, all the documents submitted in appeal, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of SIT College of Education, Jamodi Sengaran, Gopadbanas, Sidhi, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, SIT College of Education, Jamodi Sengaran, 152/1, 152/3, Sidhi Rewa Road, Gopadbanas, Sidhi – 486661, 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, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-450/E-141172/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of Narmada Education Society, College of Education, NES Premises, Near SNG School, Hoshangabad, Madhya Pradesh dated 24/10/2019 is against the Order No. WRC/APW07427/213020/B.Ed./310th/2019/205927 dated 04.09.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the compliance fetter was issued to the institution vide letter dated 24/01/2019 and replies received on 23/02/2018, 12/04/2019 and letter dt. 25/05/2019 from Barkatullah University, Bhopal. On perusal of the reply of the institution the committee observed that: The institution has submitted photocopy of 1+9 staff profile in which percentage of faculty at Sr. No. 6 is with less than 55 % marks in P.G. subject. In the additional staff list of 8 faculty members all the staff members are not qualified (not having NET/ Ph.D) as per NCTE amended Regulations 9/6/2017. FDRs Rs. 7+5 lakhs not submitted. Hence, the committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

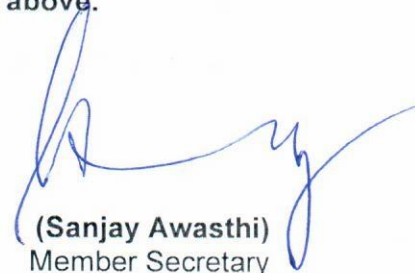
AND WHEREAS Prof. Asrarul Ghani, Professor, Narmada Education Society, College of Education, NES Premises, Near SNG School, Hoshangabad, Madhya Pradesh presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation and in a letter dt. 30/01/2020, the appellant submitted that the selection of the candidate at S.No. 6 Viz. Shri Raman Shukla was made before the NCTE Regulations, 2014 came into force and at that time the percentage of marks required at Post Graduate level was 50. The appellant also submitted that new candidates, as per the NCTE amendment Regulations, 2017, have been selected and got approved by the university. The appellant in the course of presentation, verbally informed that they will send the approved list very shortly.

AND WHEREAS the Committee noted that the appellant, with their letter dt. 15/02/2020, forwarded a faculty list of 16 persons, duly approved by Barkatullah University, Bhopal in their letter dt. 14/02/2020. From the list it is seen that those faculty members appointed after the NCTE amendment Regulations, 2017 came into force, are qualified as per those Regulations. The appellant also enclosed copies of two FDRs for Rs. 5,91,205/- and Rs. 8,27,686/- taken jointly with the Regional Director, WRC.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the WRC with the direction to consider the approved staff list and the FDRs, to be forwarded to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC the approved staff list and FDRs, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC with the direction to consider the approved staff list and the FDRs, to be forwarded to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC the approved staff list and FDRs, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Narmada Education Society, College of Education, NES Premises, Near SNG School, Hoshangabad, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Narmada Education Society, College of Education, NES Premises, 15/2, Near SNG School, Hoshangabad, Madhya Pradesh – 461001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-451/E-141161/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of Dr. Sarvepalli Radha Krishan Teachers Training College, Doulatabad, Berhampore, Murshidabad, West Bengal dated 01/11/2019 is against the Order No. ER-275.14.75/ERCAPP223/B.Ed./2019/61485 dated 02.09.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "1st show cause notice u/s 17(1) issued on 20.04.2018, followed by final show cause notice dated 26.11.2018 and the institution is still deficient on the following grounds:- Faculty comprises 1+7 instead of 1+15 as per NCTE Regulations, 2014 for running 100 intake of B.Ed. course. Hence, faculty inadequate or insufficient. Five part-time faculties appointed are not accepted. Submitted building completion certificate is not in proper order without bearing date. Submitted building plan is not in proper order without bearing date. Recognition granted to B.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021."

AND WHEREAS Sh. S.K. Nair, Member and Sh. Mahmudul Hasan, Member, Dr. Sarvepalli Radha Krishan Teachers Training College, Doulatabad, Berhampore, Murshidabad, West Bengal presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that a wrong faculty list was erroneously deposited, however presently a fresh faculty list comprising 1+15 faculty members approved by the affiliating university complete in all respects is being deposited. The new faculty list approved by the affiliating university does not have any part time faculty, but the approved faculty list is as per the NCTE Norms 2014. The latest faculty list approved comprises of all full-time faculty members. The previous building completion certificate deposited was improperly done, however a fresh building completion certificate obtained is in proper order. The previous building plan was not in scale, but the fresh building plan deposited is complete in all respects.

AND WHEREAS the Committee, noting that the appellant, has now submitted all the documents found wanting in the withdrawal order, namely, staff list of 1 + 15 faculty members approved by the Registrar, the West Bengal University of Teachers Training Education, Planning and Administration on 24/10/2019; proper building completion certificate signed by the Assistant Engineer, Murshibad Sub Division – III, C.B. Dte PWD with date and building plan also signed by the Assistant Engineer of C.B. Dte, PWD with date, concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the documents submitted in appeal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the documents submitted in appeal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Dr. Sarvepalli Radha Krishan Teachers Training College, Doulatabad, Berhampore, Murshidabad, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Dr. Sarvepalli Radha Krishan Teachers Training College, Plot No. LR-45, Doulatabad, Berhampore, Murshidabad – 742303, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-452/E-141379/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of Vidyavati College, Vikram Pura, BTI Road, Bhind, Madhya Pradesh dated 05/11/2019 is against the Order No. WRC/APW00048/APW06877/223114 (Addl.)/B.Ed./310th/2019/206066 dated 05.09.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the Show Cause Notice was issued to the institution vide letter dated 15/02/2017. The summary of the case submitted reveals that the institution has not submitted reply of the Show Cause Notice. Hence, the committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

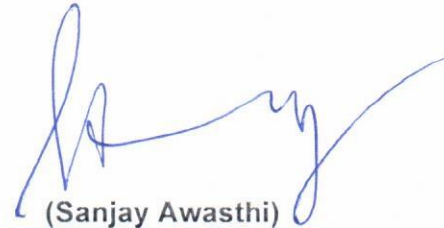
AND WHEREAS Sh. Amit Dubey, Chairman, Vidyavati College, Vikram Pura, BTI Road, Bhind, Madhya Pradesh presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that the institution did not receive the alleged show cause notice dt. 15.02.2017. The institution would have replied to the said show cause if any had it received the same. The appellant institution has time and again replied & complied with norms & standards as envisaged under the act. Even otherwise the alleged show cause notice dated 15.02.17 was for reduction of intake rather than complete withdrawal of recognition as mentioned in the withdrawal order dt. 05.09.2019. The appellant prays to refer para 8 of the withdrawal order which states about the alleged show cause notice for reduction in intake. It is submitted that the petitioner institution has all the requisite infrastructure and staff for

conducting B.Ed. course. It is bald assertion that the show cause notice was given to the institution. The institution is in possession and was in possession of the documents mentioned as deficient in the said notice as stated in para 7 of the withdrawal order had the institution received the same it would have been duly replied. The institution is successfully imparting quality education to the students and has very good reputation in the region. The documents as mentioned in the show cause are attached herewith for ready reference and perusal. The appellant, in the course of presentation, with their letter dt. 30.01.2020, submitted a copy of the faculty list of 32 person signed by the Registrar, Jiwaji University together with a copy of the university's letter dt. 28/01/2020, copies of building plan, building completion certificate, CLU and NEC and copies of other connected documents.

AND WHEREAS the Committee, noting that the appellant has submitted copies of the documents found wanting in the show cause notice, concluded that that matter deserved to be remanded to the WRC with a direction to consider the documents to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC the documents submitted in appeal, with originals thereof, whenever necessary, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the documents to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC the documents submitted in appeal, with originals thereof, whenever necessary, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Vidyavati College, Vikram Pura, BTI Road, Bhind, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Managing Trustee, Vidyavati College, Vikram Pura, BTI Road, Bhind – 474001, 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, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-453/E-141263/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of Guru Hargovind Singh Shiksha Mahavidyalaya, Bagota, Chhatarpur, Madhya Pradesh dated 02/08/2019 (hard copy received on 15/11/2019) is against the Order No. WRC/APP201660248/11252/222/282nd/[M.P.]/2017/192628 dated 09.11.2017 of the Western Regional Committee, withdrawing recognition for conducting for D.El.Ed. Course on the grounds that "and whereas, the reply submitted by the institution to Show Cause Notice and the letter dated 19.09.2017 received from the National Commission for Minority Educational Institution, New Delhi were placed before WRC in its 282nd meeting held on October 24-26, 2017 and the Committee decided that "...In response to complaint received on 24.05.2017, the case was referred to the Collector/SDM, Chhattarpur, Since there were two conflicting reports from the same SDM, both the reports were referred to the Collector/SDM. The SDM, Chhattarpur had confirmed that the first report dated 13.06.2017 should be considered as the valid report. Since, this report is negative with regard to documents, infrastructure etc., Recognition is withdrawn with immediate effect."

AND WHEREAS Sh. Krishna Pratap Singh, President, Guru Hargovind Singh Shiksha Mahavidyalaya, Bagota, Chhatarpur, Madhya Pradesh presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation, the appellant, merely stating that the allegations mentioned in the letter are not true, requested that their appeal may be accepted and a re-inspection arranged.

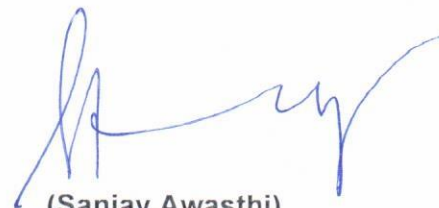
AND WHEREAS the submission of the appeal has been delayed by one year, ten months and seven days beyond the prescribed period of sixty days.

AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under the above mentioned Sections of the Act may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor; provided such an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the Committee noted that the appellant, in the online appeal, mentioned that the delay in appeal was due to 'domestic matter'. The appellant in a letter dt. 06/02/2020, sent after the hearing held on 30/01/2020, stated that the delay was due to some dispute he was having with the Director, who was having the documents of the institution; some family problems and his serious ill health for a long period. The appellant enclosed to this letter, a copy of a death certificate in respect of one Manoj Kumar Singh in September, 2018 and three medical certificates in respect of self certifying that he was advised rest from 11/10/2017 to 29/08/2019 on account of spine related illness.

AND WHEREAS the Committee, on perusal of the explanation given by the appellant, is not satisfied that he had sufficient cause for not preferring the appeal within the prescribed period. Further, despite the withdrawal order dt. 09/11/2017 clearly mentioning that the institution, if not satisfied by the order, can prefer an appeal within 60 days of issue of that order, the appellant delayed submission of the appeal for an inordinately long period on certain grounds now adduced, which, prima-facie, do not justify the delay. In these circumstances, Committee decided not to condone the delay and hence the appeal is not admitted.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded not to condone the delay and hence the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. The President, Guru Hargovind Singh Shiksha Mahavidyalaya, 1815/5/3, Bagota, Chhatarpur – 471405, 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, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-454/E-141603/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of NCR Institute for Training of Traineres, Chandaus, Gabhana, Aligarh, Uttar Pradesh dated 01/11/2019 (hard copy received on 18/11/2019) is against the Order No. NRC/NCTE/NRCAPP-7760/222nd Meeting/69993 dated 14.02.2014 of the Northern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "on the date of application land was not in the name of institution/society as required under clause 8(7)(i) of NCTE Regulations, 2009."

AND WHEREAS Shri Nirbhaya Singh, Director, NCR Institute for Training of Traineres, Chandaus, Gabhana, Aligarh, Uttar Pradesh presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that the said land was purchased by society "Shri Ramchandra Shiksha Evam Sewa Samiti", Pisawa Road, Chandaus, Aligarh on 17.02.2011 and thereafter the said society was duly converted into the company named "MKR Foundation for Education", Aligarh on 21.02.2012 under section-08 of companies Act, 2013 (formerly under section-25 of companies Act, 1956) and the registration no. of the said company issued by "Registrar of Companies", Kanpur is "u80904up2012npl049006". After conversion of said society into the aforesaid company, all of the properties owned by said society got vested to the aforesaid company "MKR Foundation For Education", as the same can be verified from clause ix(i) of "Memorandum of Association" of said converted company:- " the asset of the society shall vest into the company on its incorporation free from all claims by the subscribers as parties and pending the incorporation of the company they shall hold the assets in trust of the company". This means all of the assets owned by society shall be automatically vested to the new incorporated aforesaid company resulting to which the aforesaid company is the owner of all of the assets previously owned by the said society and there is no need to register

the property in the name of company. The relevant extract of the "Memorandum of Association" of said converted company is enclosed herewith for kind reference as Annexure No. I.

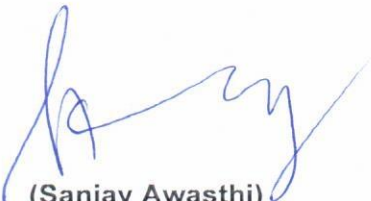
AND WHEREAS the submission of the appeal has been delayed by five years, nine months and four days beyond the prescribed period of sixty days.

AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under the above mentioned Sections of the Act may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor; provided such an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the Committee noted that the appellant, in the online appeal, mentioned that the delay in appeal was due to his mother being critically ill and his being busy there in taking care of her.

AND WHEREAS the Committee, on considering the explanation given by the appellant, is not satisfied that he had sufficient cause for not preferring the appeal within the prescribed period. Further, despite the refusal order dt. 14/02/2014 clearly mentioning that the institution, if not satisfied by the order, can prefer an appeal within 60 days of issue of that order, the appellant delayed submission of the appeal for an inordinately long period, on a certain ground now adduced, which does not justify the delay. In these circumstances, the Committee decided not to condone the delay and hence the appeal is not admitted.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded not to condone the delay and hence the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. The Director, NCR Institute for Training of Trainers, Plot No. 531, Chandaus, Pisawa Road, Gabhana, Aligarh – 202132, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-455/E-141595/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of Raja Ramchandra Institute for Training of Trainers, Chandaus, Pisawa Road, Gabhana, Aligarh, Uttar Pradesh dated 01/11/2019 (hard copy received on 18/11/2019) is against the Order No. NRC/NCTE/NRCAPP-7743/223rd Meeting/70829 dated 20.02.2014 of the Northern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "Show Cause Notice was issued for summarily rejection under 7(1) of NCTE Regulations, 2009 to the institution with the direction to submit the reply within 30 days. The matter was considered by NRC and it has been observed that the institution has not submitted reply of Show Cause Notice issued by NRC, Hence NRC decided that the application be rejected on the ground that the institution has not submitted reply of Show Cause Notice."

AND WHEREAS Shri Nirbhaya Singh, Director, Raja Ramchandra Institute for Training of Trainers, Chandaus, Pisawa Road, Gabhana, Aligarh, Uttar Pradesh presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that the said land was purchased by society "Shri Ramchandra Shiksha Evam Sewa Samiti", Pisawa Road, Chandaus, Aligarh on 17.02.2011 and thereafter the said society was duly converted into the company named "MKR Foundation for Education", Aligarh on 21.02.2012 under section-08 of companies Act, 2013 (formerly under section-25 of companies Act, 1956) and the registration no. of the said company issued by "Registrar of Companies" is "u80904up2012npl049006". After conversion of said society into the aforesaid company, all of the properties owned by said society got vested to the aforesaid company "MKR Foundation for Education", as the same can be verified from clause ix(i) of "Memorandum of Association" of said converted company:- " the asset of the society shall vest into the company on its

incorporation free from all claims by the subscribers as parties and pending the incorporation of the company they shall hold the assets in trust of the company". This means all of the assets owned by society shall be automatically vested to the new incorporated aforesaid company resulting to which the aforesaid company is the owner of all of the assets previously owned by the said society and there is no need to register the property in the name of company. The relevant extract of the "Memorandum of Association" of said converted company is enclosed herewith for kind reference as annexure no.- I. The management of the proposed institute had sent the copy of the online application on 03.01.2013 through letter no. MKRFE/affiliation-05/2012-13 dated 03.01.2013 which is well within time as per the clause 7(1-a) of NCTE Regulation 2009. The copy of letter no. MKRFE/affiliation-05/2012-13 dated 03.01.2013 is enclosed as annexure no-2 for kind reference.

AND WHEREAS the submission of the appeal has been delayed by five years, six months and 28 days beyond the prescribed period of sixty days.

AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under the above mentioned Sections of the Act may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor; provided such an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the Committee noted that the appellant, in the online appeal, mentioned that the delay in appeal was due to his mother being critically ill and his being busy there in taking care of her.

AND WHEREAS the Committee, on considering the explanation given by the appellant, is not satisfied that he had sufficient cause for not preferring the appeal within the prescribed period. Further, despite the refusal order dt. 20/02/2014 clearly mentioning that the institution, if not satisfied by the order, can prefer an appeal within 60 days of issue of that order, the appellant delayed submission of the appeal for an inordinately long period, on a certain ground now adduced, which does not justify the delay. In these circumstances, the Committee decided not to condone the delay and hence the appeal is not admitted.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded not to condone the delay and hence the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. The Director, Raja Ramchandra Institute for Training of Trainers, Plot/Khasra No. 531, Chandaus, Pisawa Road, Gabhana, Aligarh – 202132, Uttar Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-456/E-141900/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

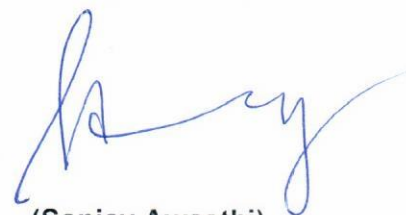
WHEREAS the appeal of Teerath Institute, (Ram Teerath Shiksha Evam Kalyan Samiti) Village - Deepdi, Post – Misrod, Huzur, Bhopal, Madhya Pradesh dated 22/10/2019 is against the Order No. WRC/OAPW0574/223087/B.Ed./310th/2019/206035 dated 05.09.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that “the Show Cause Notice was issued to the institution vide letter dated 27/07/2016 and reply received on 11/11/2016. The summary of the case reveals that the reply was not submitted within the stipulated time of 30 days as per the Show Cause Notice. Moreover, the staff profile for approved intake not submitted in original. Principal is also not appointed. Hence, the committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order.”

AND WHEREAS Sh. S. Tiwari, Chairman, Teerath Institute, (Ram Teerath Shiksha Evam Kalyan Samiti) Village - Deepdi, Post – Misrod, Huzur, Bhopal, Madhya Pradesh presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that society has previously applied to Barkatullah University, Bhopal for approval of principal but the person selected for the post quit hence the appointment of principal was delayed. Now we have completed all formalities and got the approval of Barkatullah University and also appointed the principal. The appellant, with their letter dt. 05/11/2019, forwarded a staff list of one Principal and 15 faculty members approved by the Registrar, Barkatullah University, Bhopal.

AND WHEREAS the Committee, noting that the appellant has submitted the documents found wanting in the order of withdrawal, concluded that the matter deserved to be remanded to the WRC with the direction to consider the faculty list to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC the approved staff list within 15 days of receipt of 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 matter deserved to be remanded to the WRC with the direction to consider the faculty list to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC the approved staff list within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Teerath Institute, (Ram Teerath Shiksha Evam Kalyan Samiti) Village - Deepdi, Post – Misrod, Huzur, Bhopal, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Teerath Institute, (Ram Teerath Shiksha Evam Kalyan Samiti) Village - Deepdi, Post – Misrod, Bhojpur Road, Huzur, Bhopal – 462047, 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, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-457/E-141847/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of Kamala Devi Sohan Raj Singhvi Jain College of Education, Ram Gopal Ghosh Road, Kolkata, Calcutta, West Bengal dated 30/10/2019 is against the Order No. ER-275.14.60/APE00737/B.Ed./2019/61477 dated 02.09.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "supporting documents along with testimonials of Principal and faculties at sl. No. 2, 3, 4, 9, 13, 14 & 15 appointed after 09.06.2017 as required under NCTE Regulations, 2014 not submitted. No mathematics lecturer appointed. Recognition granted to B.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021."

AND WHEREAS Sh. Somnath Sarkar, Administrator and Sh. Rajeev Mishra, Member, Kamala Devi Sohan Raj Singhvi Jain College of Education, Ram Gopal Ghosh Road, Kolkata, Calcutta, West Bengal presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that "The Applicant Society / Institution has submitted all the requisite documents including affidavit/undertaking dated 19.01.2015 in compliance with the NCTE Regulation 2014. Besides, the ERC-NCTE satisfied with all the documents and issued revised recognition order for conducting B.Ed. Course (APE00737) of two years' duration with an annual intake of 100 (two basic units) from the academic session 2015-2016, as per NCTE Regulation 2014, Vide Order No. F.ERC/NCTE/(APE00737)/B.Ed. (Revised Order)/2015/32348, dated 29.05.2015. The Applicant Society/Institution, was initially affiliated to "University of Calcutta", Vide Letter No. 1060/UCAC/CU, dated 16.09.2008 for the academic session 2008-2009, later on it came under "West Bengal University of Teachers' Training Education Planning and Administration" (WBUTTEPA) from the academic session 2016-17 onward with an annual intake of 100 students (two basic

units). The Applicant Society / Institution always maintained every record on Faculty Appointments as per NCTE format duly approved by the concerned Universities, from time to time as per NCTE Regulation 2007 -and/or- NCTE Regulation 2009 -and/or- NCTE Regulation 2014. However, the issue of Faculty Recruitments is a continuous process, and it required certain time on submission of the final data sheet. For your information we have already completed Faculty Selection against the vacant seat (Mathematics), duly approved by the University, WBUTTEPA. Teaching Staff Format as per NCTE will be provided by the University, WBUTTEPA within 15 days. The Applicant Society/Institution, in its reply dated 13.03.2019 and 27.06.2019 against Show Cause Notice Vide Ref. No. F.3-3/Regulation/NCTE/ERC/2016-2019/59372, dated 21.02.2019 issued by ERC-NCTE Bhubaneswar, submitted in its written submission along with all relevant documents with a prayer of consideration, which was unfortunately not considered by ERC-NCTE. ERC-NCTE and without consideration of the facts and documentations including affidavit/undertaking also compliance of NCTE Regulation 2014, issued withdrawal of Recognition Order on 02.09.2019. The Applicant Society/Institution, is presently having all the necessary documents including 1. Supporting Documents along with testimonials of Principal and Faculties at Sl. No. 2, 3, 4, 9, 13, 14 & 15. 2. Appointment of Mathematics Faculty – as per NCTE Format and approved by the concerned University in accordance with the requirements set-up by the ERC-NCTE to establish its position and may satisfy the Hon'ble Appeal Committee in favour of the institution.

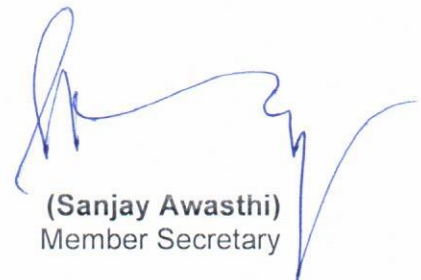
AND WHEREAS the appellant, in the course of presentation, with their letter dt. 25/01/2020, submitted, a staff list of 16 members duly approved by the Registrar, the West Bengal University of Teacher's Training, Education Planning & Administration on 13/01/2020 meeting the requirements of the NCTE Amendment Regulations of 2017 and containing a Mathematics lecturer.

AND WHEREAS the Committee, noting that the appellant has furnished the documents found wanting in the order of withdrawal, concluded that the matter deserved to be remanded to the ERC with a direction to consider the approved staff list and other

connected documents to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the approved staff list and other documents submitted in appeal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the approved staff list and other connected documents to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the approved staff list and other documents submitted in appeal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Kamala Devi Sohan Raj Singhvi Jain College of Education, Ram Gopal Ghosh Road, Kolkata, Calcutta, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Kamala Devi Sohan Raj Singhvi Jain College of Education, 6, Cossipore, Ram Gopal Ghosh Road, Kolkata, Calcutta – 700002, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-458/E-142012/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of S.N. STC Institute, Morija Road, Chomu, Jaipur, Rajasthan dated 14/10/2019 is against the Letter No. New Appl./RF/Raj./NRCAPP-8089/2013-14/48108 dated 10.06.2013 of the Northern Regional Committee, thereby returning their application for conducting D.El.Ed. course on the following grounds that "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulation 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC decided that the recommendations of the State Govt. of Rajasthan i.e. not to allow setting up of new D.El.Ed. institutions in the State be accepted and the applications so

received be returned to the respective institutions. Also, the application fees be refunded to the applicants."

AND WHEREAS the appellant filed a S.B. Civil Writ Petition No. 18393/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High court, in their order dt. 06/11/2019, allowed the Writ Petition to be withdrawn with liberty to the petitioner to file an appeal before the NCTE. The Hon'ble High Court also directed that in the event of appeal being filed by the petitioner, the NCTE is to decide the appeal within a period of two months.

AND WHEREAS Sh. Banwari Lal Jat, Joint Secretary and Sh. Nirmal Kumar Sharma, Representative, S.N. STC Institute, Morija Road, Chomu, Jaipur, Rajasthan presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that (i) they submitted an online application on 31/12/2012 for grant of recognition of D.El.Ed. course and the respondent returned their application, in the absence of recommendations of the State Government of Rajasthan, with letter dt. 10/06/2013 on the grounds mentioned therein; (ii) in an identical controversy, the Hon'ble High Court passed an order dt. 26/09/2012 in S.B. Civil C.W.P. No. 8236/12; (iii) the NRC considered and processed only those files having court order in their favour; (iv) the controversy settled by the Appellate Authority, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-488/E-9740/2017 Appeal/17th Meeting-2017 dt. 27.11.2017 titled "J.B.M. College of Education" directed the NRC to process further the application on the ground that "...Appeal Committee noted that the appellant applied in 2012, there was no ban by the State Government. Further the Appeal Committee is of the view that the blanket general ban imposed by the State Government can be taken into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular State for the prospective academic year(s), applications are invited, the Regional Committee has no right to reject it on grounds of ban imposed subsequently by the State Government." A copy of Appeal order dated 27.11.2017 is annexed herewith; (v) the respondent had already granted recognition to several institutions ignoring the above shortcomings vide orders dt. 26/08/2016 and 14/12/2018 (copies enclosed); (vi) the act of the respondent giving recognition to various institutions

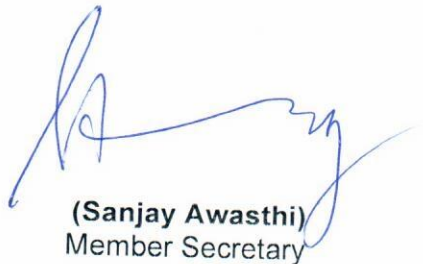
and rejecting their application is faulty and discriminatory in nature; (vii) the Director, Elementary Education, Rajasthan issued NOC in favour of a number of institution vide copy of order dt. 26/02/2019 enclosed; (viii) the respondent Committee did not issue a Show Cause Notice as per NCTE Act, 1993 before passing an adverse / rejection order providing a reasonable opportunity to the institution for making a written representation; and (ix) the appellant made necessary arrangements with regard to physical infrastructure and other facilities but their application has been returned in a most arbitrary manner, thereby making the rejection order bad in the eye of law and thus liable to be quashed and set aside.

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

AND WHEREAS the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. The Committee also noted that in view of the NRC returning the application in original to the appellant, with a request to the NCTE to refund the processing fee also, virtually no application exists as of now. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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

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


(Sanjay Awasthi)
Member Secretary

1. The Secretary, S.N. STC Institute, 85/6751, Morija Road, Chomu, Jaipur – 303702, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-460/E-142176/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of St. Xaviers College, GPO-Ranchi, Purulia Road, Dr. Camil Bulcke path, Ranchi, Jharkhand dated 11/11/2019 is against the Order No. ER-274.14.48/(APE00244)/B.Ed./2019/61579 dated 11.09.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "1st show cause notice u/s 17(1) issued on 21.02.2019 followed by Final show cause notice issued dated 18.05.2019 and the institution is still deficient on the following grounds:- Building completion certificate is not signed by Govt. Engineer. The validity of FDRs expired in April, 2019. Recognition granted to B.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021."


AND WHEREAS Sh./Ms. Florence Purty, Assistant Professor and Sh. V. Bahadur, Representative, St. Xaviers College, GPO-Ranchi, Purulia Road, Dr. Camil Bulcke path, Ranchi, Jharkhand presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that Building Completion Certificate duly signed by Govt. Executive Engineer is obtained from Building Construction Department, Building Division no-1, Ranchi. It will be produced before the NCTE. The FDRs have been renewed details are as follows: 1. Endowment Fund MTL/B872535 (Rs. 12,38,866.85) has been renewed on 12/06/2019 and maturity date is 12/06/2024 and maturity amount will be 16,68,574.02. 2. Reserve Fund MTL872537 (Rs. 11,12,850.65) has been already renewed on 22/12/2016 and its maturity date will be 22/12/2021 and the maturity amount will be 15,27011.76. 3. Reserve Fund MTL/B872536 (Rs. 4,26735.08) has been renewed on 20/05/2019 and its maturity date is 20/05/2024 and the maturity amount will be 5,74750.20. the original copies will be submitted to the NCTE and NCTE, ERC, Bhubaneshwar. The appellant enclosed the

copy of the Building Completion Certificate signed by a Government Engineer and copies of the three FDRs mentioned in the appeal memorandum.

AND WHEREAS the Committee, noting that the appellant has the documents found wanting in the order of withdrawal, concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC, the documents submitted in appeal, with originals thereof, wherever necessary, within 15 days of receipt of order on the appeal.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the position stated in paras above, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of St. Xaviers College, GPO-Ranchi, Purulia Road, Dr. Camil Bulcke path, Ranchi, Jharkhand to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, St. Xaviers College, 6, GPO-Ranchi, Purulia Road, Dr. Camil Bulcke path, Ranchi – 834001, Jharkhand.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.



F.No.89-461/E-142076/2019 Appeal/2nd Mtg.-2020/30th January, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 02/03/2020

ORDER

WHEREAS the appeal of K.M.B. Shikshan Prashikshan Vidhyalay, Semli, Alwar, Bhartpur Road, Nagar, Rajasthan dated 10/11/2019 is against the Letter No. New Appl./RF/Raj./NRCAPP-8299/2013-14/50579 dated 21.06.2013 of the Northern Regional Committee, returning their application for conducting D.El.Ed. course on the following grounds that "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulation 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC decided that the recommendations of the State Govt. of

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

AND WHEREAS the appellant filed a S.B. Civil Writ Petition No. 18502/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 07/11/2019, allowed the Writ Petition to be withdrawn with liberty to the petitioner to file an appeal before the NCTE. The Hon'ble High Court also directed that in the event of appeal being filed by the petitioner, the NCTE is to decide the appeal, within a period of two months.

AND WHEREAS Sh. Ram Khiladi, Representative, K.M.B. Shikshan Prashikshan Vidhyalay, Semli, Alwar, Bhartpur Road, Nagar, Rajasthan presented the case of the appellant institution on 30/01/2020. In the appeal and during personal presentation it was submitted that NCTE, New Delhi had issued a public notice on 27.11.2012 through which applications for grant of recognition for various Teacher Education course had been invited from all stake holders in which no ban for D.El.Ed. course was imposed in the State of Rajasthan. Copy of public notice is annexed. This institution has applied online for grant of recognition of D.El.Ed. course (02 units) to NCTE from 2013-14 on 31.12.2012. The hard copy was submitted in the office of NRC, NCTE, Jaipur on 01.01.2013, Copy of receipt letter and online application is annexed. Instead of processing the application of this institution for granting recognition for D.El.Ed. course (02 units), NRC, NCTE had returned the application of this institution for grant of recognition of D.El.Ed. course (02 units) on 21.06.2013 on arbitrary, unjustified, illegal and unconstitutional basis. Copy of returning letter is annexed. The Appellate Authority, NCTE had already decided by its order dated 27.11.2017 that "Once applications are invited, the regional committee had no right to reject it on the grounds of ban imposed subsequently by the State Govt." Copy of Appeal Order is annexed. The NRC, NCTE had conducted inspection of Royal Shikshak Prashikshan Center, Chomu, Jaipur (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order

dated 05.06.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 05.06.2018 is annexed. The NRC, NCTE had conducted inspection of Tak Shiksha Niketan Girls BSTC College, Lohagal, Ajmer (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 05.06.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 05.06.2018 is annexed. The NRC, NCTE had conducted inspection of SRN School of Education, Neem ka thana, Sikar (Raj) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. The NRC, NCTE had conducted inspection of Swami Vivekanand T. T. College, Gothara, Bassi (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. That NRC, NCTE had conducted inspection of Annpurana BSTC School, Neem ka thana, Sikar (Raj) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. In the Appeal matter of Sardar Bhagat Singh Shikshan Sansthan, Khara Chak, Pilibangan, Goluwala, Rajasthan, Appellate Authority, NCTE had decided by its order dated 24.09.2018 that the matter deserver to be remanded to the N.R.C. with a direction to take further action

as per the NCTE Regulations, 2014 and the Appellate orders issued in similar cases. Copy of Appeal Order dated 24.09.2018 is annexed. It is pertinent to mention here that Deptt. of Elementary Education (Ayojana) Deptt., Govt. of Rajasthan had sent a letter to Member Secretary, NCTE, New Delhi on 01.01.2018 in which it is clearly mentioned that no ban has been imposed for D.El.Ed. course for session 2019-2020. Copy of letter is annexed. The Director Elementary Education Rajasthan, Bikaner has issued N.O.C. for D.El.Ed. course to many institutions in compliance to Hon'ble court orders and deficiency pointed out by NRC, NCTE. Copy of the N.O.C. issued by Director Elementary Education Rajasthan, Bikaner is annexed. The Hon'ble Supreme Court of India, New Delhi has given order on 29.07.2019 in Civil Appeal No. 5923-5924 of 2019 arising out of SLP (c) No. 1390-1391 of 2019 (Saraswati Deep College of Education Versus National Council for Teacher Education ANR.) by which the order of High Court of Delhi has been set aside and directed to NCTE to dispose the application on merits. Copy of order of Hon'ble High Court is annexed. That Hon'ble High Court of Delhi has given order on 18.10.2019 while disposing various Civil Writ Petitions that the applications will be considered by the NCTE on their own their merit as expeditiously as possible, though not later than twelve (12) weeks from the date of receipt of a copy of the order. Copy of order of Hon'ble High Court, New Delhi is annexed. So, it is prayed that the rejection order issued by NRC, NCTE be set aside and direction be issued to NRC, NCTE for further processing of the application of this institution for grant of recognition for D.El.Ed. course (02 units).

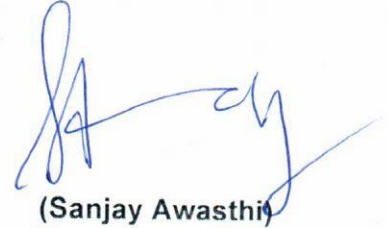
AND WHEREAS the relevant regulatory file of the N.R.C. is not available. It has been brought to the notice of the Committee in the meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations

of the State Government of Haryana not to allow setting up of new B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in the above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

AND WHEREAS the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. The Committee also noted that in view of the NRC returning the application in original to the appellant, with a request to the NCTE to refund the processing fee also, virtually no application exists as of now. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, K.M.B. Shikshan Prashikshan Vidhyalay, 307/18, 135/60, Semli, Alwar Bhartpur Road, Nagar, Rajasthan – 321205.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.