F.No.89-107/E-184338/2021 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of Shree Kheteshwar Mahavidhyalaya, Digari, Banar Road, Jodhpur, Rajasthan dated 11/02/2021 is against the Order No. NCTE/NRC/NRCAPP201615356/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-18/2; dated 11.04.2017 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 has not submitted any proof/evidence to prove that it is a composite institution as per clause 2(b) of NCTE Regulations, 2014. The institution has not submitted the certified registered land documents issued by the Registering Authority or civil authority concerned. The institution has not submitted the Land Use Certificate issued by the Competent Authority to use the land for educational purpose. The institution has not submitted the Non-Encumbrance certificate issued by the Competent Authority indicating that the land is free from all encumbrances. The institution has not submitted the approved Building plan signed by the Competent Govt. Authority indicating the name of the course, name of the institution, Khasra No./Plot No., total land area, total built-up area and the measurements of the Multi-purpose Hall as well as the other infrastructural facilities such as class rooms etc. 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. Dev Kishan Rajpurohit, Representative and Sh. S. Singh, Secretary, Shree Kheteshwar Mahavidhyalaya, Digari, Banar Road, Jodhpur, Rajasthan presented the case of the appellant institution on 06/04/2021. On being given another opportunity Sh. Santok Singh Sankhala presented online the case of appellant institution on 29.05.2021. In the appeal and during personal presentation it was submitted that our land is on total sale deed and the certified documents had been submitted at the time of show cause notice reply submission and at the time of hearing the documents will be

present. At the time of show cause notice the document was under process and we had mentioned about the same in the reply and we will submit the document during hearing. The document had been submitted but attested on wrong letter head the correct document will be submitted at the time of hearing. The document is ready and will be submitted during hearing.

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by three years and eight months 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 satisfied the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the appellant in the appeal, merely stated that the reason for delay in appeal as "not received any letter from NCTE" without any elaboration.

AND WHEREAS the Committee noted that the refusal order was sent to the email address of the appellant which was given in their online application dt. 30/05/2016 itself. In these circumstances, the vague plea of the appellant that they did not receive any letter from NCTE is not tenable. The appellant, during last three years and more, on his own also, has not sent any letter after issue of the refusal order.

AND WHEREAS the Committee, therefore, not being satisfied that the appellant had sufficient cause for not preferring the appeal within the prescribed period, decided not to admit the appeal.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee, therefore, concluded not being satisfied that the appellant had sufficient cause for not preferring the appeal within the prescribed period, decided not to admit the appeal.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Shree Kheteshwar Mahavidhyalaya, 49, Digari, Banar Road, Jodhpur, Rajasthan – 342027.
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.89-108/E-180316/2021 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of Kaliabor College of Education, Kuwaritol, Kaliabor, Nagaon, Assam dated 04/03/2021 is against the Order No. ERC/290.6/ERCAPP201646113/D.El.Ed./2021/63765 dated 10.03.2021 of the Eastern Regional Committee, refusing recognition for conducting for D.El.Ed. Course on the grounds that "the institution submitted two Building Completion Certificates (BCC) mentioning different constructed areas i.e. 3895.3 Sq. Mts. & 6453.52 Sq. Mts. without any supporting document/CD/ Photo for enhancement of constructed area. Hence, there is doubt about the exact built up area what has been mentioned in the BCC. No inspection has been conducted on the extended built up area as per revised affidavit and BCC. Again, the institution requested through email dated 02.03.2021 to reduce the proposed intake from 100 to 50 without any copy of resolution passed by the management. From the above, the institution failed to properly comply with the requirement of proposed intake for D.El.Ed. course and misinterpreted the whole matter and the Committee could not come to a conclusion regarding grant of recognition. Hence, Recognition to D.El.Ed. course is refused under Section 14(3)(b) of NCTE Act, 1993."

AND WHEREAS Dr. Tileswar Kumbang, Principal, Kaliabor College of Education, Kuwaritol, Kaliabor, Nagaon, Assam presented the case of the appellant institution on 06/04/2021. In response to a further notice to attend online hearing on 29.05.2021, the appellant requested to consider the submissions make earlier by the appellant institution on 06.04.2021. In the appeal and during personal presentation it was submitted that They have recently completed their new building of the college, which is now as per the NCTE Regulation, 2014. The appellant, in their letter dt 12.03.2021, clarified that one building completion certificate for 3895.30 sq.mts in the previous BCC which had less than 4000 sq.mt for running B.Ed and proposed D.El.Ed course with 100 seats each. After receipt of final show cause notice they submitted the second BCC with 6453.52 sq.mt approved

by the Executive Engineer, Nagaon Building Division, Govt. of Assam on 26.2.2021. in a hurry, by mistake, the video CD and photos of old and new buildings, as supporting documents, could not be sent. Now all document are enclosed. The Governing Body of the institution, in a resolution dated 01.03.2021, decided to reduce the intake in D.El.Ed to 50. Again, in a hurry, this resolution was not such through e-mail on 02.03.2021. A copy of the resolution us enclosed. The appellant again submitted all these documents on 03.04.2021.

AND WHEREAS the Committee, noting the submission of the appellant, supported by documents, concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents and submission, to be sent to them by the appellant, and take necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC 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 Kaliabor College of Education, Kuwaritol, Kaliabor, Nagaon, Assam to the ERC, 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, Kaliabor College of Education, 426/448, Kuwaritol, Kaliabor, Nagaon, Assam – 782137.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.

F.No.89-109/E-180331/2021 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of Shushruti B.Ed. College, Andrahalli Main Road, Penya 2nd Stage, Shushruti Nagar, Bangalore, Karnataka dated 02/02/2021 is against the Order No. SRO/NCTE/APS01672/B.Ed./KA/394th/2021/124363-4370 dated 08.03.2021 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the Building Plan submitted by the institution is not approved by the Competent Authority. The institution did not submit Building Completion Certificate. The institution did not submit Non-Encumbrance Certificate. The institution has submitted xerox copy of FDRs all were matured. The institution has submitted Form 'A' which is not signed by the respective Bank. The institute did not submit original copy of FDRs. The institute had submitted proforma signed by the affiliating body regarding approval of faculty but only in respect of 15 instead of 16. The institution has not submitted Affidavit clearly stating status about land & Building and Management (Society/Trust) at the time of recognition and its present status giving following details: (i) Details of Land & Building available at the time of recognition with the institution. (ii) Details of Land & Building now available with the institution."

AND WHEREAS Dr. K. Chandrashekhar, Principal, Shushruti B.Ed. College, Andrahalli Main Road, Penya 2nd Stage, Shushruti Nagar, Bangalore, Karnataka presented online the case of the appellant institution on 06/04/2021 and 29.5.2021. In the appeal and during personal presentation and in a letter dated 29.03.2021 it was submitted that the building plan of their institution was approved by the president, herohally Gram Panchayat, Bangalore North (copy enclosed); Building Completion certificate is issued by Asst. Executive Engineer, PWD, Bangalore Noth (Copy enclosed); they have composite land measuring 3151.736 sq.mts, with different assessment and Khata numbers and non-encumbrance certificates with English translation are enclosed; the SRC has not called for original FDRs and they are herewith submitting copies of FDRs for more than Rs. 12

lakhs, which are valid upto years 2024, 2025 and 2026 and Form 'A', and they are submitted a copy of staff list of 16 members, duly signed by the Registrar, Bangalore University. the appellant also submitted an Affidavit swearing that their institution is offering the course in the same land and building where it was granted recognition by the NCTE and the land is an ownership basis; there in no change in the land and building as on date and there is no change in the Management / Society / Trust.

AND WHEREAS the Committee, noting that the appellant has submitted the documents found wanting in the withdrawal order, with explanations, concluded that the matter deserved to be remanded to the SRC with a direction to consider these documents, to be sent to them by the appellant, and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all 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 Shushruti B.Ed. College, Andrahalli Main Road, Penya 2nd Stage, Shushruti Nagar, Bangalore, Karnataka 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, Shushruti B.Ed. College, Andrahalli Main Road, 68, Penya 2nd Stage, Shushruti Nagar, Bangalore, Karnataka - 560091.
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 Karnataka, Bangalore.

F.No.89-110/E-180313/2021 Appeal/14th Mtg.-2021/29th May, 2021
NATIONAL COUNCIL FOR TEACHER EDUCATION
G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 04/06/2021

ORDER

WHEREAS the appeal of Sidhartha B.Ed. College, Bhalki, Housing Board Colony, Bhalki, Bidar, Karnataka dated 13/03/2021 is against the Order No. SRO/NCTE/APS09787/B.Ed/KA/393rd/2021/123086 dated 19.01.2021 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the Committee noted that the institution has not submitted any representation to the SRO within stipulated time period of 15 days given by the Appellate Authority vide its order dt. 23.11.2020. Hence, the Committee decided that the withdrawal order issued on 25.02.2020 for conducting B.Ed. course shall remain effective which was decided by the SRC in its 383rd Meeting held on 7th to 9th January, 2020."

AND WHEREAS Sh. Ashok Kumar, Adm. Officer, Sidhartha B.Ed. College, Bhalki, Housing Board Colony, Bhalki, Bidar, Karnataka presented online the case of the appellant institution on 06/04/2021. Mr. Shivakumar, Administrator attended online hearing on 29.5.2021. In the appeal and during online presentation it was submitted that "we humbly submit that the Appeal Committee has issued order on 19.11.2020 remanding back the matter of our institution to SRC for revisiting the matter. Whereas SRC without considering the documents submitted by our institution before the Appeal Committee has again passed Withdrawal of Recognition order dated19.01.2021 stating that institution has not submitted any representation to SRO withing 15 days given by the Appellate Authority vide order dated 23.11.2020. Whereas our institution Appellate Authority Order was dated 19.11.2020. Further, the SRC stated in Withdrawal order that order issued on 25.02.2020 shall remain effective. Whereas, our Withdrawal order issued by SRC was dated 20.01.2020. The Appellate Authority in our order has not given any 15 days' time condition to submit reply. From the above, it is very clear that SRC has mistakenly considered some other institution Orders and has passed orders on our institution. The dates being mentioned by SRC is not at all related to our institution.

Further, the deficiencies pointed out in the Withdrawal order dated 20.01.2020 were compiled by our institution before the Appeal Committee and submitted all documents. SRC normally issues a Show Cause Notice to all the appeal remanded cases. Whereas our institution was not issued any SCN. Appeal Committee has insisted SRC to obtain letter of approval and faculty list. Our institution has obtained fresh staff approval from the Gulbarga University on 29.01.2021 to submit before the SRC. Meanwhile SRC without giving any opportunity or SCN has issued Withdrawal order. Whereas all the dates mentioned in the withdrawal order is not pertaining to our institution. Hence, we humbly submit before the Appeal Committee that SRC has mistaken with some other Appeal Order and has passed wrong order to our institution by again withdrawing the recognition without giving any reason. We are submitting herewith all the 8 documents which were sought by SRC before the Appeal Committee for kind perusal. We humbly request the Appeal Committee to consider our appeal and grant recognition to our B.Ed. college and oblige."

AND WHEREAS the Committee noted that in the appellate order dated 19/11/2020 issued in respect of the appellant institution, it was decided that the appellant institution was required to submit to SRC within 15 days of the issue of appeal order, the approval letter of university and faculty list in original.

AND WHEREAS the appellant with the appeal furnished a number of documents which inter-alia include (i) approved site plan; (ii) a letter dt. 29.01.2021 issued by the Registrar, Gulbarga University, Kalaburgi and a staff list also approved by the same authority on 29.01.2021; and (iii) copies of FDRs for Rs. 5 lakhs and Rs. 7 lakhs held jointly with the R.D., NCTE and maturing on 15.02.2026, together with a letter in Form 'A' issued by State Bank of India, Bhalki. It is understood that the faculty list was delayed due to covid-19. There were the three documents found wanting in the SRC's withdrawal order dt 20.01.2020.

AND WHEREAS the Committee, noting that the appellant has submitted the documents found wanting in the SRC's withdrawal order dated 20/01/2020, concluded that the matter deserved to be remanded to the SRC with a direction to consider these documents, to be sent to them by the appellant, and take necessary action as per the

NCTE Regulation, 2014. The appellant is directed to forward to the SRC, 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 Sidhartha B.Ed. College, Bhalki, Housing Board Colony, Bhalki, Bidar, Karnataka 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 Administrator, Sidhartha B.Ed. College, 115, Bhalki, Housing Board Colony, Bhalki, Bidar, Karnataka – 585328.
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 Karnataka, Bangalore.

F.No.89-111/E-180384/2021 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of Shivasharane Hemaraddy Mallamma College of Education, Lingasugur, Raichur, Karnataka dated 02/03/2021 is against the Order No. SRO/NCTE/APSO5670/KA/B.Ed./2021/124667-4674 dated 08.03.2021 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the institution did not submit a Certified translated English Version Land Document along with Regional Language issued by the Competent Authority. The institution was required to submit notarized translated English Version copy of Latest Non – Encumbrance Certificate duly approved by the Competent Authority. The total built-up-area of the Building Plan was not readable. The FDR of Rs. 4.5 lakhs issued by Vijaya Bank has expired in 16.08.2017. Faculty namely Siddappa, Shivaraj, Veeresh and Rambabu have been shown as fresh appointees in the letter dated 22.10.2020 issued by the Registrar, Gulbarga University and are not possessing NET qualification as required under NCTE Regulations, 2014 (amended vide notification dated 09.06.2017) accordingly not qualified."

AND WHEREAS Sh. Raja Paul, Superintendent, Shivasharane Hemaraddy Mallamma College of Education, Lingasugur, Raichur, Karnataka presented online the case of the appellant institution on 06/04/2021. Mr. Sharanapppa Meti, Secretary attended online hearing of Appeal Committee on 29.5.2021. In the appeal and during personal presentation it was submitted that they are submitting latest certified translated English version land documents along with regional language issued by the Competent Authority; translated English version copy of latest Non-Encumbrance Certificate duly approved by the Competent Authority; Building Plan showing the built up area; FDRs and Form "A"; and corrected staff list.

AND WHEREAS the Committee noted that the built up area in the building plan has been high lighted; a FDR issued by State Bank of Hyderabad with maturity date of

13/11/2021 has been enclosed and a staff list signed by the Registrar, Gulbarga University showing that the four faculty members mentioned in the withdrawal order are SLET qualified.

AND WHEREAS the Committee noting the submissions of the appellant concluded that the matter deserved to be remanded to the SRC to consider these documents submitted in appeal, to be sent to them by the appellant and take necessary action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal and also copies of certificates of having qualified in SLET in respect of S/Shri Siddappa, Shivraj, Veeresh and Rambabu, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shivasharane Hemaraddy Mallamma College of Education, Lingasugur, Raichur, Karnataka 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 President, Shivasharane Hemaraddy Mallamma College of Education, 31/2, Lingasugur, Raichur, Karnataka – 584122.
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 Karnataka, Bangalore.

F.No.89-112/E-180514/2021 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of Basava Chetana Samsthes College of Education for Women, Puttaiah Viraktha Matha Doddapete, Ranebennur, Haveri, Karnataka dated 02/03/2021 is against the Order No. SRC/NCTE/APSO8911/B.Ed./2021/123247 dated 22.01.2021 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the management has not shifted its institution to its own permanent building which is in violation of the NCTE Regulations, 2002, 3(C). The institute submitted a copy of lease deed dt. 28.12.2007 executed between private parties for a period of 30 years but the same is not permitted under NCTE Regulations. Other documents such as BCC, LUC, Building Plan, NEC etc cannot be accepted on the face of deficiency in land documents. The size of Multipurpose Hall as per building plan is having size of only 1890 sq. ft. which is less than the requirement of NCTE Regulations, 2014. The institute failed in submission of faculty list duly approved by the affiliating body."

AND WHEREAS Dr. Mandakala Ravindranad, Principal and Sh. Rudrash, A.O., Basava Chetana Samsthes College of Education for Women, Puttaiah Viraktha Matha Doddapete, Ranebennur, Haveri, Karnataka presented online the case of the appellant institution on 06/04/2021 and 29.5.2021. In the appeal and during personal presentation it was submitted that "SRC vide its order dated 21.01.2021 has withdrawn our recognition observing deficiencies which were already clarified / ratified by our institution. A copy of SRC, Withdrawal Order dated 21.01.2021 is enclosed. In order to appreciate various contentions and averments being raised hereinafter by the Appellant, it is necessary to state the following few relevant facts in brief. The SRC, conducted expert visit and verified infrastructural & instructional facilities of our institution and issued recognition order dated 14.03.2008 for conducting B.Ed. course of one year from the academic session 2008 with an annual intake of 100 students to our institution. A copy of SRC recognition order dated 14.03.2008 is enclosed. The NCTE issued the new Regulations in 2014 and the institution

submitted its compliance to the said new Regulations. Accordingly, the SRC issued revised recognition order dated 18.05.2015 to our institution. A copy of revised recognition order dated 18.05.2015 is enclosed. In compliance of the new regulation and revised order we submitted our compliance dated 31.10.2015 to the SRC. A True Copy of the Letter dated 31.10.2015 is being annexed. The SRC issued the SCN to our institution on 30.08.2020 and directed to submit reply. It is submitted that no other show cause notice other than 30.08.2020 was received by the petitioner and the SRC was obliged to issue the another SCN. A copy of SCN dated 30.08.2020 is enclosed. Thereafter, we vide our letter dated 17.09.2020 submitted our reply to SCN dated 31.08.2020 alongwith the other supporting documents. A copy of reply dated 17.09.2019 is enclosed. It is submitted that the institution also vide it's another letter dated 17.09.2020 submitted its affidavit stating the reason of non-shifting. A copy of letter dated 17.09.2019 alongwith the affidavit is enclosed. It is submitted that the SRC issued the withdrawal order dated 22.01.2021 withdrawing recognition of our institution observing that no reply to the final show cause notice has been given, however, the institution did not received the Final Show Cause Notice. The SRC failed to consider that the institution submitted the reply to the first show cause notice and has submitted all the documents, however, a wrong finding has been mentioned in the withdrawal order. It is submitted that however, the appellant herein is hereby again presenting before the Appeal Committee the documents desired by the SRC in its First Show cause notice. A copy of land documents, staff profiles, BCC, Building Plan, CLU, NEC, FDRs and other documents are enclosed. It is submitted that SRC has withdrawn the recognition of our institution without observing the documents submitted by the institution vide its reply to SCN issued from time to time. It is submitted that the SRC failed to decide the letter dated 17.09.2020 and decide the representation. It is submitted that SRC failed to observe that our institution fulfils all the requirements pertaining to infrastructural and instructional facilities, which are required for conducting one unit of B.Ed. course. It is submitted that withdrawal order issued by the SRC is totally devoid of merit and is not as per statutory provisions, as mandated under NCTE Act, 1993. It appears that SRC, NCTE proceeded in arbitrary manner without considering the documents properly and without following the due procedure of SOP. It is submitted that thus, withdrawal order dated 22.01.2021 of SRC is not maintainable and the appeal

committee is requested to revert the decision taken by the SRC and direct the SRC to restore the recognition of our institution."

AND WHEREAS the Committee noted that in the initial order of recognition dated 14/03/2008 there was no condition that the institution should shift to its own premises within a period of three years from the date of recognition, as mentioned in the show cause notice dated 31/08/2020, for the first time. The appellant, who replied to this show cause notice, in the appeal, inter-alia, mentioned about the requirement of a second show cause notice as per SOP. The file does not contain any such second show cause notice before issue of the withdrawal order.

AND WHEREAS in the above circumstances, and taking into account the submissions of the appellant, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the submission and documents of the appellant, to be sent to them by the appellant, and take necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC 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 Basava Chetana Samsthes College of Education for Women, Puttaiah Viraktha Matha Doddapete, Ranebennur, Haveri, Karnataka 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 President, Basava Chetana Samsthes College of Education for Women, 1924-A/1924-B, Puttaiah Viraktha Matha Doddapete, Ranebennur, Haveri, Karnataka – 581115.
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 Karnataka, Bangalore.

F.No.89-113/E-180572/2021 Appeal/14th Mtg.-2021/29th May, 2021
NATIONAL COUNCIL FOR TEACHER EDUCATION
G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 04/06/2021

ORDER

WHEREAS the appeal of Shri Rana Mahila Shikshak Prashikshan, Borawar, Makrana, Ganesh Dungari Road, Makrana, Nagaur, Rajasthan dated 04/03/2021 is against the Order No. NCTE/NRC/NRCAPP2016 16063/B.A. B.Ed./B.Sc. B.Ed. – 4 year Integ./RJ/2017-18/2 dated 18/04/2017 of the Western Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "the applicant institution has not submitted the reply of the SCN issued by the NRC on 27.02.2017 within the stipulated time. 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. Sanjay Datta, Office Staff of Shri Rana Mahila Shikshak Prashikshan, Borawar, Makrana, Ganesh Dungari Road, Makrana, Nagaur, Rajasthan presented the case of the appellant institution on 06/04/2021. The Appellant attended online hearing of the case on 29.5.2021 and made submissions. In the appeal and during personal presentation it was submitted that "Show Cause Notice was not received in the institution."

AND WHEREAS Appeal Committee noted that appellant has not enclosed with its appeal memoranda copy of the impugned refusal order. From the documents, which include copy of Show Cause Notice (SCN), submitted by appellant on the day of appeal hearing i.e. 06/04/2021, Appeal Committee observed that S.C.N. dated 27/02/2017 was issued online. So, the appellants plea that the institution did not receive S.C.N. and therefore, could not reply, does not hold good. Moreover, copy of S.C.N. is provided by the appellant himself.

AND WHEREAS Appeal Committee further expresses its concern as relevant Regulatory file has not been made available by the Western Regional Committee.

AND WHEREAS Appeal Committee noted that impugned refusal order was issued online on 18/04/2017. As per extant appeal rules if appellant institution is aggrieved by any order issued under Section 14, Section 15 and Section 17 of the NCTE it can prefer appeal within the time prescribed under the Rules. Time limit for preferring appeal under the NCTE rules is 60 days. Appellant institution has neither preferred appeal within the prescribed time limit nor has furnished any reason for the delay of more than 3 years and 10 months.

AND WHEREAS Appeal Committee decided not to condone the unexplained delay in preferring appeal, Appeal dated 04/03/2021 made by appellant against the refusal order dated 18/04/2017 is not admitted.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee, therefore, concluded not to condone the unexplained delay in preferring appeal, Appeal dated 04/03/2021 made by appellant against the refusal order dated 18/04/2017 is not admitted.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Shri Rana Mahila Shikshak Prashikshan, Borawar, Makrana, Ganesh Dungari Road, Makrana, Nagaur, Rajasthan.
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.89-299/E-172765/2020 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of B.I. Teacher Training Institute Nattakom, Pollam, Buchanan, Kottayam, Kerala dated 17/12/2020 is against the Order No. SRO/NCTE/AOSO0038/D.El.Ed./{KL}/2020/119743 dated 20.10.2020 of the Southern Regional Committee, withdrawing recognition for conducting for D.El.Ed. Course on the grounds that "Certified copy of land document has not been submitted. The institution has not submitted Land Use Certificate. However, institution stated that the building was constructed in 1865 prior to the Kerala building rules come into being. And hence, it was not possible to obtain permission for land use certificate. Land tax receipt is in regional language. Translated copy not submitted. The institution has not submitted notarized English version of Latest Non-Encumbrance Certificate duly approved by the Competent Authority. The institution has submitted a copy of Building Plan which is not approved by the competent authority. The site area is not mentioned. The institution has not submitted Building Completion Certificate in format duly approved by the competent authority. The institution has submitted an original staff list approved by District Educational Officer, Kottayam vide dated nil. Some deficiencies in staff are:- a. It is consisting of one principal and three Lecturers against the requirement of 1+7 teaching staff as per NCTE Norms. b. Principal does not have the qualification of Ph.D. as per NCTE Regulation 2014. c. Percentage of marks in PG Degree of 2 Lecturers is less than 55%. The details are:- i. "Annie Ninan" (Economics) ii. "Mariamm Aphilip" (Mathematics) d. Photographs of following faculty members are not affixed over the proforma submitted by the institution. A. Jessy Vargeese- Principal B. Annie Ninan-Economics C. Jancy PA-Psychology D. Mariamm-Mathematics e. Faculty in r/o Fine Arts & Performing Arts not appointed. The institution has not submitted "Form A" issued by the respective Bank. However, the institution stated that we are a corporate Management with 136 schools (LP, UP, HSS, ITE). All schools are operating after maintenance and have fitness certificate from the Government authority. The salary of all school staff is given by the

Government of Kerala. Therefore, the reserve fund of each institution is not kept in separate account bank."

AND WHEREAS no one from, B.I. Teacher Training Institute Nattakom, Pollam, Buchanan, Kottayam, Kerala presented the case of the appellant institution on 22/01/2021. In the appeal and during personal presentation it was submitted that "Institution has submitted a notarized copy of land documents. However, a certified copy of the land document has not submitted. It is submitted that the land in which B.I Teacher Training Institute is established and administered belongs to CSI Trust Association of CSI Madhya Kerala Diocese. CSI Church is a religious denomination. The immovable properties in which the college is situated as devolved upon the CSI Church by an instrument of transfer of 12.07.1958 which is numbered as 3025/1958 and registered in Kolkata, State of West Bengal. The instrument is registered as Deed No.3025/1958 in Book No.1, Vol. No.88, Pages 84 to 287 before the Registrar of Assurances, Kolkata on 09.08.1958. The Instrument of Transfer was dt. 12.07.1958 by Church Missionary Trust Association Ltd., a company incorporated in England under the Companies (Consolidation) Act, 1908. It was stated therein that the Church Missionary Society for Africa And East is a voluntary body of persons on whose behalf the Company act as a Trustee. Church of South India Trust Association is a company incorporated under the provisions of Indian Companies Act, 1913 whose registered office is situated in Madras and agreed to become trustee of the Trust Property in the place of the company in accordance with the provisions stated in the Instrument. By virtue of the said instrument the property has been devolved upon the Church of South India Trust Association. The land in which B.I. Teacher's Training Institute is functioning will also come under those properties devolved on CSI Church by virtue of document No. 3025/1958 of 12.05.1958. Therefore, the title document of the property in which the institute is situated is the title document in favour of Church of South India Trust Association. By virtue of aforementioned deed, a property having an extent of 39.22 Acres and 3.99 Acres in two different Sy. Nos. were given to CSI Trust Association. Presently, the Trust Association is holding 11 Hectares 94 Ares of property there. It is submitted that the Instrument of Transfer, which was registered in Kolkata, West Bengal is concerning several properties including the property in which B.I Teachers Training Institute is situated. Since the parent deed which is registered in State of West Bengal is a composite document running around

more than 289 pages we have forwarded an extract of the same along with the photocopy of the required portion to you. However, a certified copy of the same may not be practical to be obtained at this length of time due to the stringent Covid-19 restrictions in State of West Bengal as well. Therefore, the Appellant produced an extract along with a notarized photocopy of the relevant pages of the document. However, Appellant is having a certified copy taken from State of West Bengal which shall be produced physically before the verifying authority as and when the same is required for verification. Appellant is also uploading an affidavit sworn by the educational agency as well as the Principal undertaking physical production of certified copy of the land document for verification before the authority as and when it is required subject to the SOP regarding COVID-19 regulations. Land use certificate is submitted herewith. Since the building is a pre KMBR (Kerala municipality building rules) Building, a fitness Translated copy of the Land tax receipt is also enclosed. English version of Land encumbrance certificate approved by the competent authority is produced herewith. Building plan approved by the competent authority in which the site area is mentioned is produced herewith. The building in which the institution is functioning has been constructed way back in the year 1865. Municipality Act or Building Rules are not promulgated then. Therefore, issuance of a building completion certificate for a building constructed during 1865 is not feasible due to efflux of time. However, a fitness certificate along with an occupancy certificate stating that the institution is functioning in the building is produced. The original dt. staff list approved by DEO Kottayam is enclosed. Factually and Legally incorrect. BITTI is an aided Teacher's Training Institute approved by Government of Kerala. Since Teacher's Training Schools are covered under the definition of schools for special education as per Chapter II Rule 8(3)(i), we are bound to follow the staff pattern fixed by Government of Kerala as per the Kerala Education Act and Rules. As per Chapter XXIII Rule 9 of the Kerala Education Act and Rules the strength of the teaching staff of a training school is provided as 1+3. Since the salary of the teachers is given by the State Government any appointment over and above the staff pattern fixed by the State could not be approved by the State. Since the Kerala Education Bill received the assent of the President of India on 19.02.1959 on the basis of the decision of the Hon'ble Supreme Court in AIR 1958 SC 956 in State of Kerala, the staff pattern fixed by State of Kerala by virtue of the Kerala Education Act and Rules would prevail to the extent of repugnancy with the NCTE Regulations. Therefore, a copy

of staff list approved by the affiliating body i.e. The District Educational Officer may be accepted. The Principal was appointed during 01-04-2016. During that time PhD is not a requirement for the Principal. As per the 2014 Regulations the required percentage of marks is less than 55. Smt. Annie Ninan and Smt. Mariamma Philip were appointed 20 years back during when these criteria were not there. Deficiency cured by attaching the photographs over the proforma. This is due to the rigour of 1:3 ratio under KER. Please see answer to question No. 6(a). Being a Government aided institution, we need not provide Form 'A'. BITTI Pallom is a Government Aided Minority Educational Institution. We are not running D.Ed. course on self-financing basis. The requirement to furnish Form 'A' is only with respect to those Self-Financing Institutions only to secure payment of salary to teachers on time. Since we have a direct payment agreement with the Government of Kerala as per the Kerala Education Act and Kerala Education Rules payment of salary to the staff of our institution is made directly by the Government of Kerala. Hence endowment fund is not be required as per Kerala Educational Rules. No other courses are running under this institution. A copy of the declaration by the Manager, BITTI Management to this effect is attached."

AND WHEREAS Appeal Committee noted that appellant institution has made a host of submissions in its appeal memoranda and has also requested, during online hearing, for grant of another opportunity for presentation of its case. Appeal Committee, as per extant appeal rules, decided to grant another (second) opportunity to the appellant institution to present its case.

AND WHEREAS Prof. C.A. Pardhan (Retd.), Secretary and Sh. Raju Jacob, Representative, B.I. Teacher Training Institute Nattakom, Pollam, Buchanan, Kottayam, Kerala presented the case online on 06/04/2021 i.e. the second opportunity granted to them. In an email dated 06/04/2021, the appellant requested another opportunity to present their case. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS appellant attending the online hearing on 29.05.2021 submitted that the intake of D.El.Ed. programme and appointment of faculty proportionate to the intake is as per policy of the State Government of Kerala. Appeal Committee is of the opinion that basic intake of D.El.Ed. programme is of 50 seats (one unit) and appointment

of faculty shall accordingly be made as mentioned in the NCTE Regulation, 2014. Unless the State Government seeks and obtains relaxation from NCTE, appellant institution will be required to appoint full faculty as per NCTE Regulation, 2014. Appeal Committee decided to remand back the case to SRC to allow 6 (six) months' time for reporting compliance of the regulatory provisions.

NOW THEREFORE, the Council hereby remands back the case of B.I. Teacher Training Institute Nattakom, Pollam, Buchanan, Kottayam, 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 Principal, B.I. Teacher Training Institute Nattakom, 71/5, 187/1, Pollam, Buchanan, Kottayam, Kerala – 686007.
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.89-302/E-173109/2020 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of Vamsadhara College of Education, Kotabommali, Srikakulam, Andhra Pradesh dated 22/11/2020 is against the Order No. SRO/NCTE/APSO7807/B.Ed/AP/2020/114986-114988 dated 21.02.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the building plan submitted by the institution is not approved by the competent authority. Multipurpose hall has not been shown in the Building Plan and BCC. Certified copy of the land documents not submitted by the institution. Latest staff list approved by the affiliating body not submitted by the institution."

AND WHEREAS the representative of Vamsadhara College of Education, Kotabommali, Srikakulam, Andhra Pradesh presented the case of the appellant institution on 22/01/2021. In the appeal and during personal presentation it was submitted that "We have sent all required documents in response to the Final Show Cause Notice on 17-01-2020."

AND WHEREAS appellant during the course of appeal hearing on 22/01/2021 submitted a written request seeking another opportunity to present its case with relevant required documents. Appeal Committee, as per extant appeal rules, decided to grant another (second) opportunity to the appellant institution.

AND WHEREAS Sh. Ch. Anurudrudu, Correspondent, Vamsadhara College of Education, Kotabommali, Srikakulam, Andhra Pradesh presented the case of the appellant institution on 06.04.2021. The appellant further presented online the case of appellant institution on 29.5.2021. The appellant in a letter dt 06.04.2021 submitted that they did not receive any withdrawal order from SRC and came to know from the aspirants seeking admission in their college and received a copy of the order taken by the candidate under R.T.I. As stipulated 60 days for appeal were over by them, they approached the

Hon'ble High Court of Delhi at New Delhi through W.P.(C) 10353/2020 to direct the NCTE to consider their appeal in extraordinary situation of covid-19.

AND WHEREAS the appellant enclosed a copy of the order of the Hon'ble High Court of Delhi at New Delhi dated 17.12.2020 in W.P.(C) 10353/2020. The Hon'ble Court, in their order, directed that the Appellate Authority may deal with the appeal as per law uninfluenced by the observations made by this court.

AND WHEREAS the appellant with the appeal submitted a copy of building plan, approved by the Panchayat Secretary, Gram Panchayat, Kotabammali on the back of the plan / map; a revised building completion certificate showing the area of multi-purpose hall as 260.12 sq.mts; and a duly approved faculty list for the academic year 2020-21. The appellant, in the cause of presentation, submitted that the multi-purpose hall has been covered out by remaining partitions of four rooms. The appellant, in the cause of presentation, also showed the original certified copy of the land document.

AND WHEREAS in the above circumstances, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC, all the documents submitted in appeal and also a certified copy of the land document, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Vamsadhara College of Education, Kotabommali, Srikakulam, Andhra Pradesh 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, Vamsadhara College of Education, Kotabommali, 265/3, Main Road, Kotabommali, Srikakulam, Andhra Pradesh – 532195.
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 Andhra Pradesh, Hyderabad.

F.No.89-38/E-176008/2021 Appeal/14th Mtg.-2021/29th May, 2021
NATIONAL COUNCIL FOR TEACHER EDUCATION
G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 04/06/2021

ORDER

WHEREAS the appeal of Tagore Shikshak Prashikshan Sansthan, Reengus, Bhairon Ji Mode, Shrimadhopur, Sikar, Rajasthan dated 26/01/2021 is against the Order No. NCTE/NRC/NRCAPP201615257/Bachelor of Education & Master of Education [B.Ed. M.Ed.] – 3 Year Integrated/RJ/2017-2018/2; dated 17.04.2017 of the NRC (now Western Regional Committee), refusing recognition for conducting for B.Ed./M.Ed. (3 Years Integrated) Course on the grounds that "the applicant institution has not submitted the reply of the SCN issued by the NRC on 02.03.2017 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 the appellant, aggrieved by the order of the WRC dt. 17/04/2017, filed a W.P. (C) 488/2021 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 13/01/2021, noting the submission of the petitioner that he would withdraw the petition and would like to file an appeal under Section 18 of the NCTE Act, 1993 against the impugned order, along with an application for condonation of delay under proviso to Section 18 (2) thereof, dismissed the petition as withdrawn with the liberty sought for. The Hon'ble High Court also made it clear that all issues are left open to be adjudicated by the Appellate Committee, including on limitation and merits.

AND WHEREAS Tagore Shikshak Prashikshan Sansthan, Reengus, Bhairon Ji Mode, Shrimadhopur, Sikar, Rajasthan was asked to present the case of the appellant institution on 22/02/2021. The appellant, in its letter dt. 21/02/2021, stating that due to some unavoidable circumstances, he was unable to present their case on 22/02/2021, requested for another opportunity. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present the case.

AND WHEREAS Sh. Prabal Shamma, Secretary of the appellant society presented the case of appellant institution on 06/04/2021. Appellant was given another opportunity to make submissions online before Appeal Committee on 29.05.2021. Appellant during the course of appeal hearing submitted a letter dated 06/04/2021 enclosing therewith copies of its letters stated to have been submitted to NRC on 10/06/2017, 31/08/2018, 22/01/2020 and 04/12/2020. Except for the letter dated 04/12/2020 which was sent by speed post, none of the earlier communication have an acceptable evidence of being sent. Copies of receipts issued by private courier service are not treated as valid evidence and the stamp of NRC dated 10/06/2017 does not bear any diary number or receipt number endorsed on the stamp.

AND WHEREAS impugned refusal order dated 17/04/2017 having been issued about 4 years back and no appeal preferred by appellant for more than, 3 years and 9 months the reason given by appellant that it did not receive the Show Cause Notice (SCN) dated 02/03/2017, does not held good and acceptable. NRC had issued online the Show Cause Notice dated 02/03/2017 and refusal order dated 17/04/2017 on the address furnished by applicant in the application.

AND WHEREAS Appeal Committee decided not to condone the delay as appeal dated 26/01/2021 made by appellant is delayed by more than 3 years and 9 months and hence not acceptable.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee, therefore, concluded not to condone the delay as appeal dated 26/01/2021 made by appellant is delayed by more than 3 years and 9 months and hence not acceptable.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Tagore Shikshak Prashikshan Sansthan, Reengus, Bhairon Ji Mode, Shrimadhopur, Sikar, Rajasthan.
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.89-269/E-171037/2020 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of Vinoba Bhave University, Sindoor, Hazaribag, Jharkhand dated 22/11/2020 is against the Order No. ERC-284.15/APE01043/M.Ed./2020/63122 dated 05.10.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for M.Ed. Course on the grounds that "the institution has submitted 1+7 teaching faculty against the requirement of 10 for offering one unit of M.Ed. course as per Appendix-5 of Regulation-2014 / Norms & Standards. Certified copy of Fire Safety Certificate duly signed by the Govt. competent authority is not submitted."

AND WHEREAS Dr. Md. Tanwir Yunus, Professors & Head and Dr. Mritunjay Prasad, Professor, Vinoba Bhave University, Sindoor, Hazaribag, Jharkhand presented the case of the appellant institution on 18/01/2021. In the appeal and during personal presentation it was submitted that as per NCTE Norms and Standard 2014 Appendix-5 recruitment against vacant seat has been fulfilled by Selection Committee duly signed by Registrar Vinoba Bhave University is being submitted. Certified copy of Fire Safety Certificate is being submitted duly signed by competent authority.

AND WHEREAS the appellant, in a letter dt. 18/01/2021, submitting that the University will start the procedure of recruitment of one Associate Professor for M.Ed. course at the earliest and complete the same, requested for another opportunity to present their case. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Dr. Md. Tanwir Yunus, Professors & Head and Dr. Mritunjay Prasad, Professor, Vinoba Bhave University, Sindoor, Hazaribag, Jharkhand presented the case of the appellant institution on 22/02/2021 i.e. the second opportunity granted to them. The appellant, in a letter dated 22/02/2021, submitting that the University will start

the procedure of recruitment of one Assistant Professor for the M.Ed. course at the earliest and complete the process of recruitment, requested for another opportunity to present their case. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS appellant institution in a meeting of Appeal Committee held on 06.04.2021 submitted list of faculty containing the names of 2 Professors, 2 Associate Professors and 6 Assistant Professors approved by Registrar of the affiliating University.

AND WHEREAS appellant institution was issued notice to present its case online before the Appeal Committee on 29.05.2021 but appellant neither appeared nor did send any intimation. Appeal Committee noted that appellant institution has already been granted three opportunities and appellant in its last appearance before the Appeal Committee had submitted the Fire Safety Certificate and list of required faulty. Appeal Committee decided that the case of appellant be revisited by E.R.C. after the appellant submits to them the latest Fire Safety Certificate and the list of required faculty within 15 days of the issue of appeal orders.

NOW THEREFORE, the Council hereby remands back the case of Vinoba Bhave University, Sindoor, Hazaribag, Jharkhand to the ERC, 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 Director, Vinoba Bhave University, 54,55,56,57,62, Sindoor, Hazaribag, Jharkhand – 825301.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

F.No.89-01/E-173373/2021 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of Tihu College, Tihu, College Road, Tihu, Nalbari, Assam dated 23/12/2020 is against the Order No. ERC/278.159/FR-ERC-2021-07102326/2020/63246 dated 04.11.2020 of the Eastern Regional Committee, summarily rejecting their application for recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "date of online application is 31.07.2019 and the hard copy of the application received in this office on 27.08.2019 i.e. after 15th days from the date of making online application."

AND WHEREAS Tihu College, Tihu, College Road, Tihu, Nalbari, Assam was asked to present the case of the appellant institution on 23/02/2021 but nobody from the institution appeared. The Committee decided to grant the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. C. K. Bhattacharya, Assistant Professor and Sh. Mrinmay Sarma, Accountant, Tihu College, Tihu, College Road, Tihu, Nalbari, Assam presented the case of appellant institution on 06/04/2021 and 29.5.2021 and stated that print out of online application was submitted by speed post on 10/08/2019.

AND WHEREAS Appeal Committee noted that as per NCTE Regulation, 2014 of online application is required to be submitted within 15 days. In the instant case online application was submitted on 31/07/2019 and hard copy was submitted by a letter dated 07/08/2019 sent to ERC by speed post on 10/08/2019. As evidence , the envelope containing the print out of application with a speed post receipt dated 10/08/2019 affixed thereon is available on the regulatory file. Speed Post is a valid mode of submission and date of speed post is acceptable.

AND WHEREAS Appeal Committee, perusing Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the hearing file decided to

remand back the case to ERC for revisiting the matter and consider the application submitted by appellant institution on merits.

NOW THEREFORE, the Council hereby remands back the case of Tihu College, Tihu, College Road, Tihu, Nalbari, Assam to the ERC, 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, Tihu College, 55, Tihu, College Road, Tihu, Nalbari, Assam - 781371.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.

F.No.89-04/E-182878/2021 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of School of Studies in Physical Education, Mahalgaon, Jiwaji University Campus, Jiwali University, City Center, Gwalior, Madhya Pradesh dated 21/12/2020 is against the Order No. WRC/OAPW0495/214010/311th /{M.P.}/2019/206478 dated 09.10.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.P.Ed. Course on the grounds that "the revised recognition order was issued to the institution vide order dated 20.05.2015. The SCN was issued to the institution on 01.02.2017. The institution has submitted reply of SCN on 21.02.2017. On perusal of the reply of the institution the Committee observed that: The University has submitted staff list signed by HOD for B.P.Ed. & M.P.Ed. course, one Director & 8 Assistant Professor which is not as per NCTE Regulations, 2014. The University has not submitted NEC issued by the competent authority. The institution has not submitted Land Use Certificate issued by the competent authority. The institution has not submitted Building Plan approved by the competent authority. The institution has not submitted BCC issued by the competent authority."

AND WHEREAS Dr. Keshav Singh Gurjar, Representative, School of Studies in Physical Education, Mahalgaon, Jiwaji University Campus, Jiwali University, City Center, Gwalior, Madhya Pradesh presented online the case of the appellant institution on 23/02/2021. The appellant, in their letter dt. 23/02/2021, requested another opportunity to produce some documents. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Dr. Keshav Singh Gurjar, HOD, School of Studies in Physical Education, Mahalgaon, Jiwaji University Campus, Jiwali University, City Center, Gwalior, Madhya Pradesh presented online the case of appellant institution on 06/04/2021 and 29.5.2021 The appellant submitted list of required faculty and staff duly approved by Registrar, Jiwaji University.

AND WHEREAS Appeal Committee decided that the list of faculty in original as approved and appointed by the affiliating university and other required documents are required to be submitted by the appellant to WRC within 15 days of the issue of Appeal orders. Appeal Committee further decided to remand back the case to WRC for revisiting the matter after receiving the required documents from the appellant University.

NOW THEREFORE, the Council hereby remands back the case of School of Studies in Physical Education, Mahalgaon, Jiwaji University Campus, Jiwali University, City Center, Gwalior, Madhya Pradesh to the WRC, 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 Registrar, School of Studies in Physical Education, Mahalgaon, 702, Jiwaji University Campus, Jiwali University, City Center, Gwalior, Madhya Pradesh – 474022
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 Madhya Pradesh, Bhopal.

F.No.89-13/E-174014/2021 Appeal/14th Mtg.-2021/29th May, 2021
NATIONAL COUNCIL FOR TEACHER EDUCATION
G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 04/06/2021

ORDER

WHEREAS the appeal of J.S.S. Institute of Education, Huvinahadagali, Holagundi Road, Bellary, Karnataka dated 03/01/2021 is against the Order No. SRO/NCTE/APSO1928/TN/B.Ed./2020/120597 dated 06/11/2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the institution was issued a Final Show Cause Notice (FSCN) dated 10.09.2020. The institution has failed in submission of written representation along with all required documents in response to Final Show Cause Notice."

AND WHEREAS no one from J.S.S. Institute of Education, Huvinahadagali, Holagundi Road, Bellary, Karnataka appeared before Appellate Authority to present the case of the appellant institution on 23/02/2021. The online presentation was not successful due technical problems. The appellant, in a letter dated 23/02/2021, sent through email, requested another opportunity to present their case in offline mode. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. H.P. Ramesh, Principal, J.S.S. institute of Education, Holagundi Road, Bellary appeared before Appeal Committee on 06.04.2021 and 29.5.2021 and stated that reply to SCN dated 10.09.2020 was sent by speed post. As evidence copy of speed post receipt dated 05.10.2020 was submitted with its Appeal Memoranda. Appeal Committee noted that the ground of withdrawal of recognition is non submission of reply to the SCN dated 10.09.2020. Appeal Committee after perusal of the regulatory file observed that appellant with its letter dated 06.10.2020 had submitted several documents and has also referred the reply to be in response of SCN dated 10.09.2020. This reply is found placed in the regulatory file.

AND WHEREAS Appeal Committee, perusing the documents available on regulatory file which include reply dated 06.10.2020 submitted by appellant in response to SCN dated 10.09.2020 decided to remand back the case to SRC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of J.S.S. Institute of Education, Huvinahadagali, Holagundi Road, Bellary, Karnataka 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, J.S.S. Institute of Education, Huvinahadagali, 684-G, Holagundi Road, Bellary, Karnataka - 583219
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 Karnataka, Bangalore.

F.No.89-17/E-174363/2021 Appeal/14th Mtg.-2021/29th May, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/06/2021

ORDER

WHEREAS the appeal of Vidyadhari College of Education, Srikakulam, Srikakulam Dist. and Post Govt. Women College Road, Srikakulam, Andhra Pradesh dated 08/01/2021 is against the Order No. SRO/NCTE/APS07966/B.Ed./(AP)/2020/120536 dated 06.11.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Institution has submitted notarized copy of land document, but certified copy is not submitted. The institution has submitted notarized Land Use Certificate, but Diverted Area not mentioned. The institution has submitted Notarized copy of Building Plan and Site Plan which is in the name of individual. Multipurpose Hall not mentioned. Built-up area not mentioned. Total plinth area not sufficient for B.Ed. 1 basic unit. The institution has submitted Notarized copy of Building Completion Certificate which is in the name of individual & Built-up area is less than 1500 sqm. as per NCTE Norms. The institution has submitted photocopy of faculty list vide dated 27.11.2018 approved by Register B.R. Ambedkar University consisting of one principal & Seven Lecturers. The Principal does not have the qualification of Ph.D. as per NCTE Norms. Two Assistant Professor does not have NET/Ph.D. as per NCTE (Recognition Norms & Procedure) (Amendment) Regulations, 2017 dated 29.05.2017 notified on 09.06.2017. The institution has not appointed the faculty of Performing Arts, Fine Arts and Physical Education. The institution is required to submit a "Form A" issued by the respective Bank Manager 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."

AND WHEREAS Sh. B. Lakshmana Rao, Secretary & Correspondent, Vidyadhari College of Education, Srikakulam, Srikakulam Dist. and Post Govt. Women College Road,

Srikakulam, Andhra Pradesh presented online the case of the appellant institution on 23/02/2021,06/04/2021 and 29.5.021. Appellant submitted following explanation: -

i) *We are submitting a certified copy of the Land Document, which was issued by Sub- Registrar of Srikakulam, Andhra Pradesh.*

ii) *The Land Usage Certificate issued by Tahsildar, Srikakulam AP categorically speaks of that the land is in Municipal Area and it is converted fully. A copy each of the old Land Usage Certificate and new one (Endorsement by Tahsildar) is attached to support that it is fully converted.*

iii) *The Land when it was registered in the name of individual but after taking on long term lease the title was transferred to Vidyadhari Educational Society, Srikakulam Andhra Pradesh. This point may be appreciated as it is categorically mentioned in the 2nd para of the Lease Deed dated 27/08/2008 in bold letters. The building has a multipurpose hall of 1000 sqft. There is provision to move walls as required. The building plan mentions total built up area available for B. Ed., course exclusively.*

iv) *As explained above the land and building both have been taken by the Society on long term lease basis (30 years) which had been duly registered and the same had been submitted to SRC- NCTE as per the Regulation 2005. The Land is in the name of Society and not in the name of individual. Further the recognition granted by NCTE to our College as per the Regulation 2005 as mentioned below wherein the requirement of infrastructural facilities had been stipulated as follows:*

Infrastructural Facilities

v (i). *The institution has submitted photocopy of Faculty list vide letter dated 27.11.2018 approved by Registrar, B.R. Ambedkar University consisting of one principal and Seven Lecturers.*

The affiliating University has approved eight faculty members as per the qualification prescribed by the NCTE in its norms and standards vogue at the time of recognition. Some of the faculty members left the College and new appointments have been made from time to time after having obtaining approval of affiliating University. The latest Staff ratified copy list of 11 attached.

V(ii) *The Principal namely P.D. Maheswararao was appointed in 2003 as lecturer duly approved by affiliating University. After having completed requisite experience as per NCTE norms he joined in our college as Principal in 2008. During the course of Regulations 2007 the minimum qualification stipulated was as fallows.*

Qualifications (i) Principal/Head (in multi-faculty institution) (a) Academic and professional qualification will be as prescribed for the post of lecturer; and (b) Five year's experience of teaching in a Secondary Level Teacher Training Institution.

5(ii) *Two Assistant Professor does not have NET/Ph.D., as per NCTE (Recognition Norms and Procedure) (Amendment) Regulations, 2017 dated 29.05.2017 notified on Dt.09.06.2017. Latest Staff Ratified copy list of 11 by affiliated University attached.*

5 (iv) *The College has been utilizing the services of a qualified faculty for Performing Arts on part time basis. Education faculty recruited under full time regular basis. Staff Ratified copy list of 11 by affiliated University is attached.*

(vi) *Form A and FDRs copy attached."*

AND WHEREAS Appeal Committee noted the submissions made by appellant by its letter dated 01/04/2021 submitted at the time of appeal hearing on 06/04/2021. Appeal Committee also noted that appellant institution is recognised to conduct B.Ed. programme since 2008 and the present intake for the course is one unit (50 seats). Appeal Committee in its meeting (virtual) held on 29.05.2021 further noted the submission made through E-mail on 25.05.2021.

AND WHEREAS Appeal Committee noted that NCTE Regulation, 2014 provide for a minimum built up area of 1500 sq. meters for conducting B.Ed. programme with an intake of one unit (50 seats). The Building Completion Certificate (B.C.C.) submitted by appellant indicates that 3rd floor and Parking lot of 3800 and 1000 sq. feet are having A.C.C. roofing. Clause 8(7) of NCTE Regulation, 2014 provide that No temporary structure or **asbestos** roofing shall be allowed in the institution, even if it is in addition to the prescribed built-up area. Further the Building Completion Certificate (B.C.C.) submitted is not signed and authenticated by Competent Civic Authority. Appeal Committee also noted that faculty placed at Serial no. 8 i.e. Sh. K. N. Rao (Lecturer in Education) is appointed on 11/11/2020 and is neither Ph.D. nor NET (SET qualified). After considering the submission made by appellant. Appeal Committee decided to confirm the impugned order of withdrawal dated 06/11/2020 on grounds of (i) inadequate built up area, (ii) Building Completion Certificate not having been issued by Competent Authority and (iii) one the faculty not being qualified as per NCTE, Regulation amended in June, 2017.

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, Vidyadhari College of Education, Srikakulam, Srikakulam Dist. and Post Govt. Women College Road, Srikakulam, Andhra Pradesh.
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 Andhra Pradesh, Hyderabad.