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F.No.89-492/E-145467/2019 Appeal/21st Mtg.-2020/7th September, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of Nirmala Memorial Foundation College of Education, Samata Nagar, Borivali, Mumbai, Maharashtra dated 25/11/2019 is against the Order No. WRC/APW04101/123489/311th/2019/206884 dated 14.10.2019 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 Mrs. Aruna Desai, Trustee & Director and Sh. Jignesh Dalal, Administrative Staff, Nirmala Memorial Foundation College of Education, Samata Nagar, Borivali, Mumbai, Maharashtra presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation it was submitted that "Above-mentioned Show Cause Notice was received during the interim period when their approved Principal of B.Ed. College had resigned from his office due to his personal reasons. The administrative clerk who received the same did not inform about it to the concerned authorities or Management. Due to this lack of information at our end, they were unable to furnish any reply to the show cause notice. In the year 2016, B.Ed. programme became 2 years course as per the NCTE Rules. That very first year of 2 years B.Ed. programme, they had just 11 admissions. In spite of this, they published University approved advertisement for teachers as per the revised requirement in all leading newspapers and they could appoint only 04 approved teachers. After being in receipt of the withdrawal order vide letter dated 14/10/2019, they realised about the

show cause notice and its contents. They have already complied with all the requirement mentioned therein pertaining to the land requirement, Non- Encumbrance certificate, building plan and Building completion Certificate. Moreover, they also have all the documents in support of it. However, they did not submit the same at that time, genuinely due to their misunderstanding that these documents would be required for submission only after the inspection team visits their institution. Regarding the staff Profile duly approved by the Affiliating body, after all their best efforts, they were able to get approval of 04 teachers and the other teachers appointed were not NET/SET qualified and hence their approval was not received from University of Mumbai. Even now after receiving the withdrawal order, they published University approved advertisement for the Principal and teachers in leading newspaper on 09th November, 2019 and as per norms, they will be able to conduct the interview for the same only after 10th December, 2019. In addition to this, they also published advertisement in leading newspapers of Nagpur, inviting applications from interested qualified candidates for the post of B.Ed. Principal and teachers from there with the facility of accommodation for them in Mumbai. However, inspite of all their efforts, they shall be able to get 01 +07 approved staff comfortably and therefore they pleaded that even if it is considered to retain only 01 unit of 50 students in their institution for the B.Ed. programme, they shall be grateful. They assure to provide all the necessary documents if they are given a chance of hearing. After the announcement of the Seventh Pay in March 2019, the norms for the Eligibility of appointment of Principal changed which required a higher API score. Due to this the existing principal candidate from other colleges are not eligible for appointment in their college for the Post of Principal and they are not able to get an approved Principal till date. However, their efforts in this regard are in progress. The appellant, in their letter dt. 24/02/2020 and also in an email dt. 28/02/2020, requested for another opportunity to present all documents and clarifications. 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. A.K. Rungh, Representative, Nirmala Memorial Foundation College of Education, Samata Nagar, Borivali, Mumbai, Maharashtra presented the

case of the appellant institution on 07/09/2020 i.e. the second opportunity granted to them.

AND WHEREAS the Committee noted that the WRC in their Show Cause Notice dt. 15/02/2017 stated that the institution did not submit staff profile approved by the affiliating body; originally notarised CLU; Non Encumbrance Certificate; Building Plan; and Building Completion Certificate. The appellant, with their appeal, enclosed a copy of their letter dt. 03/03/2017 in reply to the show cause dt. 15/02/2017, sent to WRC by courier. It is seen from the copy of this letter that they have enclosed the documents mentioned in the Show Cause Notice. However, this letter is not found in the file of the WRC. As the institution could get only 1 + 8 approved faculty, in their separate letter dt. 03/03/2017 requested the WRC for grant of recognition for one unit (50). This letter is also not found in the file of the WRC. The appellant, with their letter dt. 07/09/2020, enclosed a copy of no dues certificate dt. 02/09/2020 issued by Brihan Mumbai Mahanagarपालिका.

AND WHEREAS in view of the position stated above, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the letters of the appellant dt. 03/03/2017 and the No due certificate, all to be forwarded to them by the appellant and take further action as per the NCTE Regulation, 2014. The appellant is directed to forward to the WRC their letters dt. 03/03/2017 with all enclosures as well as the No Dues Certificate dt. 02/09/2020 within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the letters of the appellant dt. 03/03/2017 and the No due certificate, all to be forwarded to them by the appellant and take further action as per the NCTE Regulation, 2014. The appellant is directed to forward to the WRC their letters dt. 03/03/2017 with

all enclosures as well as the No Dues Certificate dt. 02/09/2020 within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Nirmala Memorial Foundation College of Education, Samata Nagar, Borivali, Mumbai, Maharashtra to the WRC, NCTE, for necessary action as indicated above.

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


(T. Pritam Singh)
H.O.D.

1. The Director, Nirmala Memorial Foundation College of Education, 638/E, Samata Nagar, 90 Feet Road, Thakur Complex, Borivali, Mumbai – 400101, Maharashtra.
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 Maharashtra, Mumbai.

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F.No.89-494/E-145654/2019 Appeal/21st Mtg.-2020/7th September, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of T.D. Education College, Village – Chorgadi, Indira Nagar, Rewa, Madhya Pradesh dated 07/12/2019 is against the Order No. WRC/APW04970/225058/311th/{M.P.}/2019/206578 dated 10.10.2019 of the Western Regional Committee, withdrawing recognition for conducting for M.Ed. Course on the grounds that “the SCN was issued to the institution on 27.09.2018. The institution has submitted reply on 23.10.2018. 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, from the reply of the institution the Committee observed that: The institution has submitted photocopy of staff profile signed by Registrar, APS University, Rewa, M.P. The institution has not submitted original staff profile approved by the affiliating University. As per staff profile one professor not appointed. The institution has not submitted original FDRs Rs. 5+7 lakhs. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for M.Ed. programme with effect from the end of the academic session next following the date of communication of the said order.”

AND WHEREAS Dr. Rajneesh Singh, Director and Sh. U.N. Thripathi, Chairman, T.D. Education College, Village – Chorgadi, Indira Nagar, Rewa, Madhya Pradesh presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation it was submitted that “23/10/2018 ko hamare dwara document FDR 4 lakh BCC and staff profile jama ki gayi.” The appellant, in their letter dt. 24/02/2020, requested another opportunity to present the 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. Rajneesh Singh, Secretary and Sh. Upn Tripathi, Representative, T.D. Education College, Village – Chorgadi, Indira Nagar, Rewa, Madhya Pradesh presented the case of the appellant on 07/09/2020, i.e. the second opportunity granted to them. The appellant, enclosed to their appeal, a copy of their letter dt. 22/10/2018 addressed to the WRC, with which they had sent a Building Completion Certificate staff profile and copy of a FDR for an additional sum of Rs. 4 lakhs. The appellant, with their letter dt. 31/08/2020 sent a copy of staff profile comprising a Principal, two Professors, two Associate Professors and five Assistant Professors, signed by the Registrar of APS University, Rewa.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the documents related to staff profile and FDR, to be sent again to them by the appellant, and take further action as per NCTE Regulation, 2014. The appellant is directed to forward these documents, wherever necessary in original, to the WRC 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, Appeal Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the documents related to staff profile and FDR, to be sent again to them by the appellant, and take further action as per NCTE Regulation, 2014. The appellant is directed to forward these documents, wherever necessary in original, to the WRC within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of T.D. Education College, Village – Chorgadi, Indira Nagar, Rewa, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

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


(T. Pritam Singh)
H.O.D.

1. The Secretary, T.D. Education College, Village – Chorgadi, 1045, 1048, 1049, 1052, 1053, Indira Nagar, Rewa – 486001, Madhya Pradesh.
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.

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F.No.89-502/E-147559/2019 Appeal/21st Mtg.-2020/7th September, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of Vishwa Bharti B.Ed. College, Near Circuit House, Jaipur Road, Sikar, Rajasthan dated 07/12/2019 is against the Order No. NCTE/NRC/NRCAPP201616357/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-2018/2; dated 11.04.2017 of the Northern Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "The institution has submitted LUC of Khasra No. 644/573 showing converted land of 2500 sq. mts. which is not sufficient for the proposed and the existing courses. 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 Vishwa Bharti B.Ed. College, Near Circuit House, Jaipur Road, Sikar, Rajasthan was asked to present the case of the appellant institution on 24/02/2020 but no one appeared on behalf of appellant institution. The appellant in a letter dated 24/02/2020, expressing their inability to attend the hearing on account of illness requested another opportunity. 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. Kamal Sikhwal, Director, Vishwa Bharti B.Ed. College, Near Circuit House, Jaipur Road, Sikar, Rajasthan presented the case of the appellant institution on 07/09/2020, i.e. the second opportunity granted to them.

AND WHEREAS the Committee noted that the appellant, aggrieved by the order of the NRC dt. 11/04/2017, filed a S.B. Civil Writ Petition No. 17539/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High

Court, in their order dt. 21/10/2019, allowed the writ petition to be withdrawn with liberty to the petitioner to file an appeal before the NCTE with direction to the NCTE to decide the appeal on merits ignoring the limitation period.

AND WHEREAS the appellant in its appeal memoranda submitted that "Vishwa Bharti B. Ed. College, Sikar (File Code NCTE / NRC / APP2016 16357) had applied online to NCTE NRC on 30 may 2016, in order to start B.A-B.ED,B.SC-B.Ed 4 Year Integrated course. Vishwa Bharti B.Ed. College, Sikar received Show Cause notice Letter No. F. No. NCTE / NEC / NRC APP 201616357/B. A.- B. Ed, B. Sc. -B. Ed. 4 Year Integrated / SCN / RJ/ 2017 - 2018/1 Dated 03/03/2017, By NCTE NRC' minutes of 265th meeting of the NRC held from 27th February 3rd march 2017(part-2). As per point no.1 of show cause notice, original copy of the land documents which was approved by Deputy Registrar of Land Documents was sent to the NCTE NRC. According to point number 2 of the show cause notice, Vishwa Bharti B. ED Collage proposed by Vishwa Bharti Institute, Rajasthan Sikar, had sent the building completion certificate certified by the authorized officer and showing the area of land, area of the building, hall, class room, area of laboratory and complete certificate and map to the NCTE NRC. Pandit Deendayal Upadhyaya Shekhawati University, Sikar issued by B.A. - B. Ed., B.Sc. -B.Ed . No Objection Certificate (NOC) for starting the course was sent to NCTE NRC. The land of the institute is free from debt burden. A Non-encumbrance certificate issued by Tehsildar, Sikar had sent to NRTE NRC. Land Office Authorized Officer, ex-officio subdivision officer Sikar had issued a certificate of 2500 square meters which was sent to NCTC NRC But 2500 sq.mt of the institutions land as per the NCTE NRC order Dated 11/04/2017 issued by file no. 9730 / NRCAPP 2016 16357 on serial number 58 in the Minutes of NCTE NRC, meeting no 267 "dated 5 to 7 April 2017. Despite the letter, the application of the institute was rejected . Whereas to start B.A - B.Ed., B.Sc.-B.Ed 4 year integrated course in B.Ed. education component, the basic features mentioned on serial number 6. 1 and 6. 2 page numbers 29 of Appendix 4 of the Rules and Regulation 2014 of the NCTE prescribed rules B.A- B. Ed, B.SC. - B. Ed, 2500 square meters of land had sought for the education component. And in this rule 6.1 it is clearly stated that the institutions established before the

establishment of this Act have an area of 500 square meters built for the additional recruitment of one hundred students. The structure of additional land will not be applicable to these institutions. Under the said rules, the institution had applied for new course B.A. -B.Ed. , B.Sc - B. Ed. 4 year Integrated. Vishwa Bharti B.ED. College, Sikar conducted by the Vishwa Bharti institute, Sikar in which B.Ed. had been running since 2007 – 2008. In order to start the above new syllabus, the building area of the building had increased by the prescribed rules and due to the operation of the college from 2007 - 2008, according to 6.1 and 6.2 Appendix 4 of the Rules and Regulation 2014 of NCTE, the additional land condition will not be applicable to this institution, even after the rules of NCTE, NRC Meeting 267 "File No. 58 of 97 Minutes dated 5 to 7 April 2017, 9730 / NRCAPP2016 B.Ed., B.Sc. - B.Ed. , Converted Land is 2500 sq. mt. Due to this reason, new syllabus had rejected, which appears to be a judgment against the rules, seemingly in complete violation and contempt of the NCTE Rules and Regulation 2014. NCTE similarly responded to 4 out of 5 deficiencies shown in the First Show Cause Notice. Satisfaction is considered in the NRC meeting and the certificate for the purpose of instituting the land, which is in accordance with the NCTE Rules 2014, as per rules, NCTE NRC asks for a re-reply and Second Show Cause Notice. The application had rejected without being issued, while in many cases replies had sought and given time by the NCTE NRC While the institute has a total of 4600 square meters of land, out of which 2500 square meters of land had issued a certificate of use for institutional purposes. If the NCTE NRC issued instructions to issue of LUC of the remaining land as Show Cause Notice, as had done in other cases, the institute would have issued and attached the remaining land to Luc. But NCTE NRC had rejected the application without giving time which is unfair. Against the above decision of the NCTE NRC, the institute has forwarded letter no. VBBED / 2016 - 17 / dated 06/06/2017 to Regional Director NCTE, NRC by order No. 4 of NCTE Rules & Regulations 2014. 6.1 and 6.2 As per the rules, the order for cancellation of the application had requested to be withdrawn but till date no instructions had received from the office of Regional Director NCTE NRC which is a complete violation of NCTE Rules & Regulation 2014. When No positive decision came from NCTE, NRC, Honorable Rajasthan High Court Bench, Jaipur appealed against the decision of NCTE, NRC on which Honorable Rajasthan High Court Bench,

Jaipur S.B. Civil Writ Petition No. 17539 of 2018 dated 21/10/2019 appeal is filed under NCTE Section 18. Therefore, all documents are enclosed and requested that NCTE _ NRC _ F.NO. NCTE / NRC / NRCAPP201616357 / B. A. B. ED. , B. Sc. - B. Ed. 4 year. Please accept the colleges appeal for the cancellation of the rejection order by YEAR Integrated RI 2017 - 2018/2 Dated 11/04/2017. hindi EXPIATION detail is attached"

AND WHEREAS Appeal Committee noted that appellant has made a host of submissions, confirming to the ground on which recognition was refused by the NRC, the appellant citing the requirements mentioned in Appendix – 4 to the NCTE Regulation, 2014, relating to B.Ed. course submitted that requirement of additional land in respect of existing institutions will not be applicable, thereby suggesting that converted land of 2500 sq. mtrs. will be sufficient for the proposed B.A. B.Ed./B.Sc. B.Ed. course. At the same time the appellant also submitted that the NRC did not give a second show cause notice about inadequacy of the converted land. The Committee noted that despite this claim, the appellant, realising and accepting the deficiency in the area of converted land, in their letter dt. 06/09/2020, submitted that they got 4300 sq. mtrs. of land out of 4600 sq. mts. converted. In this connection the appellant enclosed copies of orders issued by Nagar Parishad, Sikar dt. 25/10/2019 and 17/06/2020.

AND WHEREAS the Committee noted that according to Clause 6.1 of the Norms and Standards for B.A. B.Ed./B.Sc. B.Ed. course contained in Appendix – 13 to the NCTE Regulation, 2014, for which the appellant applied online on 15/06/2016, the Department shall possess 3000 sq. mts. of exclusive well demarcated land for the initial intake of 100 students. The appellant's application was for 100 seats. The appellant did not fulfil this requirement of land at the time of application. It is only in October, 2019 and June, 2020, the appellant as per his admission got additional converted land.

AND WHEREAS in the above circumstances, the Committee concluded that the NRC was justified in refusing recognition on the ground mentioned in their order dt. 11/04/2017 and therefore the appeal deserved to be rejected and the order of the NRC confirmed.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the appeal deserved to be rejected and the order of the NRC confirmed.

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

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


(T. Pritam Singh)
H.O.D.

1. The Director, Vishwa Bharti B.Ed. College, 644/573, Near Circuit House, Jaipur Road, Sikar – 332001, 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.

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F.No.89-504/E-147582/2019 Appeal/21st Mtg.-2020/7th September, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of Siddique Ahmad P.G. College, Village – Distauli, Chanuki, Bhatpar Rani, Deoria, Uttar Pradesh dated 08/12/2019 is against the Order No. NRC/NCTE/NRCAPP-10948/308th Meeting/2019/206259 dated 09.10.2019 of the Northern Regional Committee, refusing recognition for conducting for D.El.Ed. Course on the grounds that “in the light of the order dt. 31.10.2018 in LPA. No. 619/2018 of the Hon'ble Delhi High Court and Letter No. 67/19/2018US(Legal) Hq. dated 18.12.2018 and the ban imposed by the State Govt. vide letter No. 1188/68-4-2018 dt. 24.08.2018 to start D.El.Ed. course in the State of Uttar Pradesh, NRC, NCTE cannot process your application further. 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 Land Use Certificate issued by the Competent Authority to use the land for educational purpose. The institution has not submitted the Building Completion Certificate signed by the Competent Government Authority. 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 Dr. A.M. Anshari, Principal, Siddique Ahmad P.G. College, Village – Distauli, Chanuki, Bhatpar Rani, Deoria, Uttar Pradesh presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation it was submitted that as per the ban imposed by the state govt. Vide letter no. 1188/68-4-2018 dt. 24.08.2018 to start D.El.Ed. course in the state of Uttar Pradesh, we have

got the recognition before this date i.e. Minutes of 252nd meeting of the NRC held from 19th April to 2nd May 2016 (part-14, 02.05.2016). The institution has submitted the non-encumbrance certificate issued by the competent authority indicating that the land is free from all encumbrances. The institution has submitted the land use certificate issued by the competent authority to use the land for educational purpose. The institution has submitted the building completion certificate signed by the component Government Authority. The institution has 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 multipurpose hall as well as the other infrastructural facilities such as class room etc. The appellant, in a letter submitted in the course of presentation on 24/02/2020, 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 their case.

AND WHEREAS Dr. A.M. Anshari, Principal and Dr. Abdul Majid, Treasurer, Siddique Ahmad P.G. College, Village – Distauli, Chanuki, Bhatpar Rani, Deoria, Uttar Pradesh appeared before Appeal Committee on 07/09/2020 and stated that the appellant institution got recognition by virtue of Minutes of 252nd Meeting of NRC held from 19/04/2016 to 02/05/2016 (Part – 14) and as such refusal of recognition on the basis of ban imposed by State Government by its letter dated 24/08/2018 cannot be applicable to it.

AND WHEREAS Appeal Committee noted that “NRC in its 252nd meeting held from 19th April to 2nd May, 2016, decided to grant recognition for conducting D.El.Ed. course with 100 intake from the academic session 2016-17 but no formal orders were issued. NRC considered this matter in their 253rd meeting held from 30th May to 3rd June, 2016 and it was decided that ‘the agenda item be read as deleted.’ No reasons were however, given for this decision. NRC, after 3 years of their 253rd Meeting, issued a SCN on 01/05/2019 to appellant institution stating that the institutions application cannot be processed further due to State Government’s ban. The appellant in its reply

dt. 30/05/2019, referring to the minutes of the 252nd meeting, stated that a team from the State Government visited their institution and granted affiliation. The appellant enclosed a copy of the affiliation order dt. 13/06/2017. The appellant also stated that following this development, they are also conducting the course and no further communication was received by them from NRC. NRC considered the reply to the SCN and issued a refusal order dt. 09/10/2019. There is a contradiction in this order. At one place the order says that the NRC cannot process the application further due to State Govts' ban. The order also points out that a number of documents have not been submitted by the institution. If the application cannot be processed further due to State Govt's. Ban, the purpose of asking documents was not required. Further the documents found wanting as mentioned in the refusal order, were not listed in S.C.N. dt. 01/05/2019. Appeal Committee therefore, decided that clarifications may be obtained from NRC as the refusal order needs to be modified/revised.

AND WHEREAS Appeal Committee also noted that no formal order granting recognition under Clause 7 (16) of the NCTE Regulation, 2014 was issued and appellant institution as well as the affiliating body had acted on the basis of minutes of 252nd Meeting of NRC without noting that NRC in its subsequent 253rd Meeting had reversed its earlier decision. In both the cases corresponding orders under Clause 7 (16) was absolutely necessary and no order was issued by NRC. The action of the affiliating body in granting affiliation to the appellant institution without any formal order of recognition is in violation of Clause (10) of para 8 of the NCTE Regulation, 2014.

AND WHEREAS Appeal Committee keeping in view the circumstances of the case, decided to remand back the case to NRC for revisiting the matter in consultation with the affiliating body particularly bringing to their notice that issue of affiliation by office memoranda dated 13/06/2017 was not in accordance with Clause 8 (10) of NCTE Regulation, 2014. NRC is also advised to not to keep cases pending for long intervals once the Regional Committee had taken a decision as recorded in the minutes.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for revisiting the matter in consultation with the affiliating body particularly bringing to their notice that issue of affiliation by office memoranda dated 13/06/2017 was not in accordance with Clause 8 (10) of NCTE Regulation, 2014. NRC is also advised to not to keep cases pending for long intervals once the Regional Committee had taken a decision as recorded in the minutes.

NOW THEREFORE, the Council hereby remands back the case of Siddique Ahmad P.G. College, Village – Distauli, Chanuki, Bhatpar Rani, Deoria, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

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


(T. Pritam Singh)
H.O.D.

1. The Manager, Siddique Ahmad P.G. College, Plot No. 261, Village – Distauli, Chanuki, Deoria Road, Bhatpar Rani, Deoria – 274506, Uttar Pradesh.
2. The Secretary, Ministry of Education, 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.

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F.No.89-03/E-148331/2020 Appeal/21st Mtg.-2020/7th September, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of Bhagwan Shri Chakradhar Swami College of Physical Education, (Kalyan Shikshan Sansthan's), Talodhi, Nagbhid, Chandrapur, Maharashtra dated 11/12/2019 is against the Order No. WRC/OAPW0256/114086/311th/2019/206840 dated 14.10.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.P.Ed. Course on the grounds that "the Show Cause Notice was issued to the institution vide letter dated 14.11.2018 and reply received on 30.11.2018. On perusal of the reply of the institution the Committee observed that: The institution has submitted staff list of one Incharge Principal and one Lecturer which is not as per Appendix-7 of NCTE Regulations, 2014. Building Completion Certificate is not signed by the competent authority. Built-up area shown in the Building Completion Certificate is not sufficient as per B.P.Ed. Norms. Hence, the Committee decided that the withdrawal order dated 07.09.2017 stands."

AND WHEREAS Bhagwan Shri Chakradhar Swami College of Physical Education, (Kalyan Shikshan Sansthan's), Talodhi, Nagbhid, Chandrapur, Maharashtra was asked to present the case of the appellant institution on 25/02/2020 but nobody appeared on behalf of appellant institution. Appeal Committee noted that appellant institution has sent a email dated 25/02/2020 for seeking another opportunity to present its case before Appellate Authority. Appeal Committee, as per extant appeal rules, decided to grant another (second) opportunity to the appellant institution.

AND WHEREAS Sh. Rajesh Wankhede, Principal, Bhagwan Shri Chakradhar Swami College of Physical Education, (Kalyan Shikshan Sansthan's), Talodhi, Nagbhid, Chandrapur, Maharashtra presented the case of the appellant institution on 07/09/2020 i.e. the second opportunity granted to them.

AND WHEREAS the appellant, in the appeal, submitted that the S.C.N. dt. 14/11/2018 contained only three deficiencies relating to staff, FDR and Building Completion Certificate and they had replied to that Notice through their letter dt. 30/11/2018. The SCN did not contain any reference to the shortage of built up area and their institution is conducting B.P.Ed. course for the last 20 years and the building was constructed in the year 2006-07.

AND WHEREAS the appellant, with the appeal, submitted copies of documents relating to staff and a Building Completion Certificate signed by Sub – Divisional Engineer, Sub-Division, Nagbid. The certificate submitted in reply to Show Cause Notice was signed by a Chartered Engineer.

AND WHEREAS the Committee noted from the staff list submitted by the appellant, that the institution does not have two Associate Professors as per the Norms and Standards for B.P.Ed. course. The Building Completion Certificate now signed by a government Engineer shows only 10,997.308 sq. ft., which is less than 1500 sq. mts. as required under the NCTE Regulations, 2014. According to Clause 8 (11) of these Regulations, the built-up area has to be increased by the existing institutions to conform to the revised norms.

AND WHEREAS in view of the above position, the Committee concluded that the WRC is justified in withdrawing recognition on the grounds that the institution does not have as per the provisions of the NCTE Regulations, 2014 the required staff and the required built up area and therefore, the appeal deserved to be rejected and the order of the WRC confirmed.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the appeal deserved to be rejected and the order of the WRC confirmed.

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

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


(T. Pritam Singh)
H.O.D.

1. The Secretary/Appellant, Bhagwan Shri Chakradhar Swami College of Physical Education, (Kalyan Shikshan Sansthan's) 353, Talodhi, Main Road, Nagbhid, Chandrapur – 441221, Maharashtra.
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 Maharashtra, Mumbai.

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F.No.89-20/E-150733/2020 Appeal/21st Mtg.-2020/7th September, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of Forbesganj College, Chowk bypass Kirkichia, Forbesganj, Araria, Bihar dated 17/01/2020 is against the Order No. ER-274.14.94/(ERCAPP404)/B.Ed./2019/61348 dated 22.08.2019 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Faculty list comprising 10 instead of 16 as per NCTE Regulations, 2014 and also not in the NCTE prescribed proforma, required faculties (1+15) qualified as per Norms need to be appointed and approved faculty list in the NCTE prescribed proforma is to be submitted. Building plan approved by Govt. Engineer is not submitted. Building completion certificate is not issued by Govt. Engineer. No reply received and the stipulated time period has already been over. 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. Pawan Kumar, Principal cum Chairman and Prof. Santosh Kumar Jha, Assistant Professor, Forbesganj College, Chowk bypass Kirkichia, Forbesganj, Araria, Bihar presented the case of the appellant institution on 27/02/2020. The appellant, in their letter dt, 27.02.2020, requested for another opportunity to submit faculty list with photos, building completion certificate and building plan. 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. Santosh Kumar Jha, Assistant Professor and Sh. Rahul Kumar, Assistant, Forbesganj College, Chowk bypass Kirkichia, Forbesganj, Araria, Bihar presented the case of the appellant institution on 07/09/2020, i.e. the second opportunity granted to them. The appellant, in the course of presentation, with their letter dt. 07/09/2020, submitted a copy of the staff list comprising of one H.O.D. and 15 Assistant

Professors. The appellant subsequently, with their letter dt. 16/09/2020, submitted the same list, duly approved by the Registrar, Purnea University, Purnea, Bihar. The appellant also submitted copies of building plan and Building Completion Certificate signed by Government Engineers.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take further action as per the NCTE Regulation, 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, Appeal Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take further action as per the NCTE Regulation, 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 Forbesganj College, Chowk bypass Kirkichia, Forbesganj, Araria, Bihar to the ERC, NCTE, for necessary action as indicated above.

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


(T. Pritam Singh)
H.O.D.

1. The Principal, Forbesganj College, Chowk, bypass Kirkichia, Forbesganj, Araria – 854318, Bihar.
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, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

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F.No.89-36/E-152890/2020 Appeal/21st Mtg.-2020/7th September, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of Shri Sai Baba Aadarsh Mahavidyalaya, Banaras Road, Ambikapur, Surguja, Chhattisgarh dated 30/10/2019 is against the Order No. WRC/APP-15680/B.A.B.Ed./B.Sc. B.Ed./311th/C.G./2019/206554 dated 10.10.2019 of the Western Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "The institution submitted a letter of approval for appointed faculty members issued by the Registrar of the concerned University, but the list of appointed faculty members is not submitted, which is mentioned in the letter issued by the Registrar. As per the staff profile appointed faculty members at Sr. No. 11 to 18 are not qualified as per NCTE Amended Regulations 09.06.2017. Hence, the Committee decided to refuse the recognition under Section 14(3)(b) of the NCTE Act, 1993 for B.A. B.Ed./B.Sc. B.Ed. programme."

AND WHEREAS Ms. Romil Pathak, Representative, Shri Sai Baba Aadarsh Mahavidyalaya, Banaras Road, Ambikapur, Surguja, Chhattisgarh presented the case of the appellant institution on 22/07/2020. In the appeal and during personal presentation it was submitted that "The list of the appointed faculty members duly approved by the Registrar, Surguja University, Ambikapur Chhattisgarh (now, Sant Gahira Guru Vishvavidyalaya) was sent to WRC NCTE Bhopal vide reference No. 838/ACAD/BSC BED/ RECOGNITION/2018 dated 30/05/2018 along with affidavit by the institution, affidavit by the faculty members in the prescribed format on the stamp paper and bio data of all faculty members. All above documents duly attested by the Registrar, Sant Gahira Guru Vishvavidyalaya, Ambikapur, Chhattisgarh were resubmitted to WRC, NCTE, Bhopal vide reference No. 6410/NCTE/SSBAM/2018-19 dated 06/05/2019. As per the LOI issued to us, for 1 unit (total 50 Nos. of seats), total faculty Members required is 08 Nos. only. Exceeding the minimum requirement, we have already appointed 10

Nos. qualified faculty members as per NCTE amendment Regulation 9/6/2017. As mentioned in the list of faculty members, Sr. No. 11 is a Music Teacher and another is an Art & Craft Teacher and as per Rule their, basic qualification should be PG with 55 marks. Hence, they fulfill the minimum qualification as per the standard set by the NCTE Regulations. As mentioned in the list of faculty members, Sr. No. 13 to Sr. No. 18, they are already appointed and working in our college for existing courses. These faculty members are in addition to the basic requirement for 1 unit intake. Hence, no need to consider Sr. No. 11 to 18.” Appellant during the course of appeal presentation on 22/07/2020 submitted a written request seeking another opportunity to present its case. Appeal Committee decided to grant another (second) opportunity as per extant appeal rules.

AND WHEREAS Dr. Rajesh Srivastava, Representative, Shri Sai Baba Aadarsh Mahavidyalya, Banaras Road, Ambikapur, Surguja, Chhatisgarh presented the case of the appellant institution on 07/09/2020, i.e. the second opportunity granted to them.

AND WHEREAS the Committee noted that the WRC issued a Letter of Intent dt. 20/02/2018 for one unit only. The submissions made in the appeal indicate that sufficient faculty is available for one unit. The appellant's letter dt. 06/05/2019, available in the file of WRC, substantiates the submissions in the appeal. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to reconsider the approved staff list submitted by the appellant with their letter dt. 06/05/2019 and take further action as per the NCTE Regulations, 2014.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the matter deserved to be remanded to the WRC with a direction to reconsider the approved staff list submitted by the appellant with their letter dt. 06/05/2019 and take further action as per the NCTE Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Shri Sai Baba Aadarsh Mahavidyalya, Banaras Road, Ambikapur, Surguja, Chhattisgarh to the WRC, NCTE, for necessary action as indicated above.

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


(T. Pritam Singh)
H.O.D.

1. The Principal, Shri Sai Baba Aadarsh Mahavidyalya, DIGMA, , 42/4, Banaras Road, Ambikapur, Surguja – 497001, Chhattisgarh.
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 Chhattisgarh, Raipur.

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F.No.89-38/E-153629/2020 Appeal/21st Mtg.-2020/7th September, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of Shri Jalpa Singh Mahavidyalaya, Ranjeet Khera, Bisara, Purwa, Unnao, Uttar Pradesh dated 08/02/2020 is against the Minutes of 311 Meeting of NRC held on 16th to 17th January, 2020 (Serial No. 20) of the Northern Regional Committee, refusing recognition for conducting for (ITEP) Pre-Primary to Primary Course on the grounds that "The applications of the institutions have not been submitted within the prescribed time limit as per Clause 7(2) (b) of NCTE Regulations, 2014. Therefore, the applications are liable to be summarily rejected. The Committee desired that while rejecting these applications a second check must be done regarding the delay. Hence, the Committee decided that the applications from S. No. 1 to 44 be rejected accordingly."

AND WHEREAS No one from, Shri Jalpa Singh Mahavidyalaya, Ranjeet Khera, Bisara, Purwa, Unnao, Uttar Pradesh appeared to present the case of the appellant institution on 22/07/2020. Online link also could not established with the appellant institution. As per extant appeal rules, Appeal Committee decided to grant another (second) opportunity to the appellant to present its case.

AND WHEREAS Sh. Shashak Pratap Singh, Manager and Sh. Pramod Kumar, Principal Shri Jalpa Singh Mahavidyalaya, Ranjeet Khera, Bisara, Purwa, Unnao, Uttar Pradesh presented the case of the appellant institution on 07/09/2020, i.e. the second opportunity granted to them.

AND WHEREAS the appellant, in their appeal, submitted that the application was submitted online within the time along with fee and other documents. On account of sudden death of the daughter in law of the Chairman of the institution on 03/08/2019, the management was under deep pressure and the printout of the online application

could not be submitted by 15/08/2019. The appellant requested that the circumstances may be considered.

AND WHEREAS the Committee noted that the hard copy of the application dt. 31/07/2019 was personally deposited by the appellant in the NRC on 19/08/2019 which is beyond the 15 days period prescribed in Clause 7 (2) (b) of the NCTE Regulation, 2014. Consequences for failure of submission of printout within time are summary rejection. In the above circumstances, the Committee concluded that the decision of the NRC be confirmed, and the appeal rejected.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that the decision of the NRC be confirmed, and the appeal rejected.

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

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


(T. Pritam Singh)
H.O.D.

1. The Manager, Shri Jalpa Singh Mahavidyalaya, Ranjeet Khera, Bisara, Akohari to Mawai Road, Purwa, Unnao – 209821, Uttar Pradesh.
2. The Secretary, Ministry of Education, 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.89-49/E-154626/2020 Appeal/21st Mtg.-2020/7th September, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of St. Johns College of Education, Chengicherla, Boduppal, Cheriapally, Ghatkesar, Rangareddy, Telangana dated 02/02/2020 is against the Order No. SRO/NCTE/APSO7057/B.Ed/TS/2019/3042 dated 10.12.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the institution submitted a photocopy of staff list which is not in the standard format and also not approved by competent authority. The institution has also not appointed the faculty for Fine Arts, Performing Arts and Physical Education (Teaching). The institution photocopy of FDR's of 3 lacs and 5 lacs with maturity dt. 12.09.2009 and 18.08.2009 against the requirement of 7+5 lacs. The institution not submitted form 'A' issued by the nationalized bank. The institution submitted photocopy of Completion Certificate which is not in the standard format. The same is not approved by the Competent Govt Authority. The institution submitted photocopy of building plan situated at Chengicherla village and GP, Ghat Kesar Mandal, R.R. District, A.P. approving authority stamp and signature is in Regional Language. Survey no. not mentioned. The institution submitted photocopy of Land Use Certificate approving authority stamp and signature is in regional language."

AND WHEREAS Ms. Sudha Rani, Principal, St. Johns College of Education, Chengicherla, Boduppal, Cheriapally, Ghatkesar, Rangareddy, Telangana presented online the case of the appellant institution on 23/07/2020. In the appeal and during online presentation it was submitted that "Institution was not aware of the format and the same has now been complied with and requisite appointment have also been made. The due approval of the competent authority has also been obtained. The document is in possession and shall be presented at the time of the hearing. Requisite FDRs totalling 12 lacs have been arranged and now in possession and shall be submitted at the time

appeal hearing. The institution had submitted that the building plan however the stamp and signatures were in regional language. The said document alongwith translated copy is possession of the institution and shall be presented during the appeal hearing. The said document alongwith translated copy is possession of the institution and shall be presented during the appeal hearing.”

AND WHEREAS Appeal Committee noted that whereas appellant institution was initially recognised in the year 2007 for conducting B.Ed. Course with an intake of 100 seats and the revised recognition order dated 06/05/2015 was also for 100 seats (2 units), the appellant institution had requested SRC on 13/05/2016 and 23/10/2019 for reduction in the intake from 100 to 50 seats. Further Appeal Committee noted the online request made by appellant institution for seeking another opportunity to present its case before Appeal Committee. Appeal Committee, as per extent appeal rules, decided to grant another (second) opportunity to the appellant institution to present its appeal case.


AND WHEREAS Sh. Battula Babu Rao, Finance Manager, St. Johns College of Education, Chengicherla, Boduppall, Cheriapally, Ghatkesar, Rangareddy, Telangana presented the case of the appellant institution on 07/09/2020, i.e. the second opportunity granted to them. The appellant, in the course of presentation, with their letter dt. 07/09/2020, submitted (i) a staff list of 1 + 8 in the format, (ii) FDRs for Rs. 5 lakhs and Rs. 7 lakhs, jointly held with the Regional Director, SRC and valid upto 11/12/2024 together with a letter from State Bank of India; (iii) an English translated version of Building Completion Certificate; (iv) Building Plan, and (v) a Land Use Certificate in English.

AND WHEREAS the Committee noting the submission of the documents found wanting in the withdrawal order, 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 further action as per the NCTE Regulations, 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.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal 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 further action as per the NCTE Regulations, 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 St. Johns College of Education, Chengicherla, Boduppal, Cheriapally, Ghatkesar, Rangareddy, Telangana to the SRC, NCTE, for necessary action as indicated above.

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


(T. Pritam Singh)
H.O.D.

1. The Secretary, St. Johns College of Education, Chengicherla, Boduppal, Cheriapally, Ghatkesar, Rangareddy, Telangana – 500039.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Telangana, Hyderabad.



F.No.89-50/E-154661/2020 Appeal/21st Mtg.-2020/7th September, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of College of Teacher Education, (Govt. Teachers Training College), Turki, Muzaffarpur to Patna, Kurhani, Muzaffarpur, Bihar dated 26/10/2019 is against the Order No. ER-275.14.83/(APE00324)/B.Ed./2019/61426 dated 28.08.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course from the academic session 2020-2021 on the grounds that “no reply of SCN dated 18.06.2019 received from the institution only a letter dated 03.07.2019 from Govt. of Bihar without supporting documents. Submitted faculty list is not in accordance with NCTE Regulations 2014.”

AND WHEREAS Ms. Pramila Kumari, Principal, College of Teacher Education, (Govt. Teachers Training College), Turki, Muzaffarpur to Patna, Kurhani, Muzaffarpur, Bihar presented online the case of the appellant institution on 23/07/2020. In the appeal memoranda and during online presentation it was submitted that “Directorate Research & Training, Education Department, Bihar has posted 10 full times faculties in this college vide letter No. 186 Dated 12.07.2019. As per this order 05 faculties have joined so, far and rest of the faculties will join after festival (Chhat Puja). So, at present 09 faculties are working. We will be in full B.Ed. strength. At present no part time member is working in B.Ed. course.” During the course of online presentation on 23/07/2020, the appellant requested for adjournment of hearing and sought another opportunity to present its case on the grounds that approval of affiliating university is held up due to lockdown for Covid – 19 reasons. Appeal Committee, as per extant appeal rules decided to grant another (second) opportunity to the appellant to present its case.

AND WHEREAS Dr. Pramila Kumari, Principal, College of Teacher Education, (Govt. Teachers Training College), Turki, Muzaffarpur to Patna, Kurhani, Muzaffarpur,

Bihar presented the case of the appellant institution online on 07/09/2020 i.e. the second opportunity granted to them. In pursuance of the online presentation the appellant, by email dated 07/09/2020, forwarded copies of their letters dt. 07/09/2020 and 21/08/2020, enclosing a copy of the faculty list approved by Registrar, BRA Bihar University, Muzaffarpur.

AND WHEREAS in these circumstances, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the approved faculty list, to be submitted to them by the appellant, and take necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC the approved faculty list along with copies of their letters dt. 07/09/2020 and 21/08/2020 within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and online submission made by appellant, Appeal Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the approved faculty list, to be submitted to them by the appellant, and take necessary action as per the NCTE Regulation, 2014.

NOW THEREFORE, the Council hereby remands back the case of College of Teacher Education, (Govt. Teachers Training College), Turki, Muzaffarpur to Patna, Kurhani, Muzaffarpur, Bihar to the ERC, NCTE, for necessary action as indicated above.

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


(T. Rritam Singh)
H.O.D.

1. The Principal, College of Teacher Education, (Govt. Teachers Training College), Turki, Muzaffarpur to Patna NH-77, Kurhani, Muzaffarpur – 844127, Bihar.
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, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

(14)

F.No.89-53/E-154845/2020 Appeal/21st Mtg.-2020/7th September, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of Mahila Shikshan Shastra Mahavidyalaya, Gangjward (Opp.) Suyog Mangal Karyalaya, Chandrapur, Maharashtra dated 10/12/2019 and copy forwarded with letter dt. 25/02/2020 is against the Order No. WRC/OAPW00870/113057/311th/2019/206619 dated 10.10.2019 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 11/04/2017. 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 Mahila Shikshan Shastra Mahavidyalaya, Gangjward (Opp.) Suyog Mangal Karyalaya, Chandrapur, Maharashtra appeared before Appellate Authority. By its letter dated 21/07/2020 appellant requested for online hearing. Appeal Committee noted that despite repeated efforts online link could not be established with the appellant institute on 23/07/2020. Appeal Committee decided to grant another (second) opportunity to appellant institute for which notice should be sent sufficiently in advance.

AND WHEREAS the representative of Mahila Shikshan Shastra Mahavidyalaya, Gangjward (Opp.) Suyog Mangal Karyalaya, Chandrapur, Maharashtra presented online the case of the appellant institution on 07/09/2020, i.e. the second opportunity granted to them.

AND WHEREAS the Committee noted that the appellant, in the online appeal, against the column 'explanation' merely stated 'completed building and staff' and enclosed a number of documents.

AND WHEREAS the Committee noted that the withdrawal of recognition was on the ground that the appellant did not reply to the Show Cause Notice dt. 11/04/2017. The appellant did not make any submission in this regard. The file of the WRC also does not contain any reply to the Show Cause Notice. The appellant, in the course of presentation, stated that the institution had shifted. The file of WRC does not contain any information in this regard. In these circumstances, the Committee concluded that the WRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the WRC dt. 10/10/2019 confirmed.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and online submissions made by appellant, Appeal Committee concluded that the WRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the WRC dt. 10/10/2019 confirmed.

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

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


(T. Pritam Singh)
H.O.D.

1. The Principal, Mahila Shikshan Shastra Mahavidyalaya, Gangjward (Opp.) Suyog Mangal Karyalaya, Chandrapur, Maharashtra - 442401.
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 Maharashtra, Mumbai.

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F.No.89-58/E-155135/2020 Appeal/21st Mtg.-2020/7th September, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of Islamia Educational Society, (National College of Education), Munidevunipally (V), Kondapur (M), Medak Dt., Telangana dated 17/01/2020 is against the Order No. SRO/NCTE/APSO0350/B.Ed/AP/2019/111645-1651 dated 13.11.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "NOC from the affiliating body. NOC from the staff/faculty. Resolution of the management to the effect for closure of the course."

AND WHEREAS Sh. Sumit Nandnani, Staff and Ms. Anchal Jindal, Representative, Islamia Educational Society, (National College of Education), Munidevunipally (V), Kondapur (M), Medak Dt., Telangana presented the case of the appellant institution on 23/07/2020. In the appeal and during personal presentation it was submitted that based on the fake email and letter NCTE has De-Recognised our college. Our college is very old established college since 2003 having permanent building and other infrastructures. Please consider reopening of the college." Appeal Committee noted the request dated 23/07/2020 made by appellant during the course of appeal hearing. Appellant stated that due to Covid – 19 Pandemic, the institution needs some more time to submit relevant documents. Appeal Committee as per extant appeal rules decided to grant another (second) opportunity to the appellant to present its case before Appellate Authority.

AND WHEREAS the Committee noted that the appellant, with their letter dt. 20/08/2020, forwarded a copy of the order of the Hon'ble High Court for the State of Telangana at Hyderabad dt. 20/07/2020 in Writ Petition No. 9804 of 2020 filed by them seeking orders for disposal of the appeal dt.17/01/2020 filed by them before NCTE. The

Hon'ble High Court, in their order, noting that a hearing for the appeal has been scheduled for 23/07/2020, directed the respondent to take a decision on the appeal as expeditiously as possible, having regard to the commencement of the ensuring academic year.

AND WHEREAS Dr. Kadar Khan, Secretary, Islamia Educational Society, (National College of Education), Munidevunipally (V), Kondapur (M), Medak Dt., Telangana presented the case of the appellant institution on 07/09/2020, i.e. the second opportunity granted to them. The appellant, in an affidavit enclosed to their letter dt. 20/08/2020 sent earlier, submitted that (i) they never sent any email dt. 03/09/2019 requesting closure of their institution or withdrawal of recognition; (ii) no notice was issued to them about the said email; and (iii) the alleged email appeared to be a fake or fictitious one sent by some vested interests.

AND WHEREAS the Committee noted from the file of the SRC that they issued a Show Cause Notice dt. 13/07/2017 on several grounds. The file also contains a letter dt. 28/02/2018 sent by the institution, which was received on 01/03/2018. The SRC sent a reply to that letter on 05/03/2018. Thereafter an email dt. 03/09/2019 was received on the basis of which SRC issued the withdrawal order dt. 13/11/2019, without verifying its authenticity.


AND WHEREAS the Committee noted that the SRC should not have issued the withdrawal order just on the basis of such an unverified email and without receipt of a final reply to their Show Cause Notice dt. 13/07/2017. In these circumstances, the Committee concluded that matter deserved to be remanded to the SRC with a direction to take further action as per the NCTE Regulation, 2014, after completing the requirements mentioned above. In the meanwhile, the withdrawal order shall be held in abeyance.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and online submission made by appellant, Appeal Committee concluded that

matter deserved to be remanded to the SRC with a direction to take further action as per the NCTE Regulation, 2014, after completing the requirements mentioned above. In the meanwhile, the withdrawal order shall be held in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Islamia Educational Society, (National College of Education), Munidevunipally (V), Kondapur (M), Medak Dt., Telangana to the SRC, NCTE, for necessary action as indicated above.

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


(T. Pritam Singh)
H.O.D.

1. The Secretary, Islamia Educational Society, (National College of Education), Munidevunipally (V), Kondapur (M), Medak Dt. – 502295, Telangana.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Telangana, Hyderabad.

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F.No.89-174/E-116212/2019 Appeal/21st Mtg.-2020/7th September, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 04/11/2020

ORDER

WHEREAS the appeal of Sri Gavisiddeshwara College of Education, Gavimath Road, Koppal, Karnataka dt. 05/05/2019 against the order of the SRC No. SRO/NCTE/APS02097/B.Ed./KA/2019-101959 dt. 06/03/2019 withdrawing recognition for conducting B.Ed. course on the grounds mentioned in that order was rejected and the order of the SRC was confirmed vide Appellate order no. 89-174/E-116212/2019-Appeal/16th Meeting-2019/11 June, 2019/80093 dt. 05/07/2019 on the grounds that (i) the institution was not having required faculty approved by affiliating body during the proceeding years and (ii) the institution failed to submit even a belated reply to the Show Cause Notice dt. 29/08/2018.

AND WHEREAS the Committee noted that the appellant filed a Writ Petition No. 112255/2019 (EDN – REG – P) against the Appellate order dt. 05/07/2019 before the Hon'ble High Court of Karnataka, dt. 05/07/2019 before the Hon'ble High Court of Karnataka, Dharwad Bench. The Hon'ble High Court, in their order dt. 03/09/2019, directed the Appellate Authority to reconsider the appeal afresh. The reasons cited in the said order briefly by stated are that the *Appellate Authority while taking note of non-furnishing of a reply to the Show Cause Notice, has failed to address rectification of deficiencies as pointed out by the petitioner in the appeal. The order also stated that Appellate Authority appeared to have disposed of the appeal without applying its mind as regards to the compliance with the various deficiencies stated to have been complied on the date of appeal itself.*

AND WHEREAS the Committee in compliance with the order of the Hon'ble High Court dt. 03/09/2019 reconsidered the matter and in their order F.No. 89-174/E-116212/2019 Appeal/38th Mtg., 2019/28th November, 2019/86611 dated 23/12/2019

reaffirmed their earlier decision to confirm the impugned order of withdrawal. The reasons cited for this decision are as below:-

“Appeal Committee on reconsideration of the submissions made by appellant institution on 28/11/2019 still finds that list of faculty submitted by appellant contains the names of only 9 faculty approved by affiliating university. The remaining six faculty are not found to be qualified as per NCTE Norms & Standards. The revised recognition order dated 15/05/2015 under NCTE Regulation, 2014 made it incumbent on the appellant institution to comply with the revised Norms and Standards and report compliance before 31/10/2015. Perusal of the regulatory file by Appeal Committee reveals that at no point of time after the revised recognition order was issued for an intake of 100 seats (2 units of 50 each), the appellant had ever submitted to SRC a list containing the names of one Principal and 15 faculty qualified as per NCTE norms and approved by the affiliating university. Without undermining other requirements, Appeal Committee is of the opinion that possession of academic faculty is most essential for conducting a course and an institution cannot be allowed to conduct a course with almost 40 % of its faculty not possessing the required qualifications as per regulations.”

AND WHEREAS the Committee noted that appellant, aggrieved by the order of the Appellate Authority dt. 23/12/2019 filed a Writ Petition No. 136703 of 2020 (EDN -Reg-P) before the Hon'ble High Court of Karnataka, Bench at Dharwad. The Hon'ble High Court passed order on 03/03/2020 setting aside the Appellate order dt. 23/12/2019 and restoring the appeal for re-consideration in accordance with law within a period of 30 days from the date of receipt of a certified copy of the order. The reasons for passing this order as contained in the order are as below:-

“The Appellate Authority has affirmed the withdrawal of recognition in the light of its opinion that 40 % of the petitioner's teaching faculty does not possess the requisite qualification as per the Regulation. The Appellate Authority has confirmed the withdrawal of recognition solely on this ground without examining other deficiencies. The petitioner, in securing the fifth respondent's approval for

the appointment of the teaching faculty, is able to address the deficiency insofar its teaching faculty. Though it is contended that the merit of the appellate authority's order cannot be tested as against a subsequent approval granted by the fifth respondent for the petitioner's teaching faculty, this Court is of the considered view that if the petitioner is able to establish to the satisfaction of the Appellate Authority that the approval now granted by the fifth respondent is as per the relevant Regulation, it would be a material circumstance in deciding on the withdrawal of recognition. Further, it would also be appropriate for the appellate Authority to examine all aspects of compliance with the relevant Regulations for a comprehensive decision on confirmation of the withdrawal of recognition to the petitioner's institution to offer B.Ed. course."

AND WHEREAS the committee, in compliance with the orders of the Hon'ble High Court dt. 03/03/2020 reconsidered the matter in their 21st Meeting held on 07/09/2020. Dr. Eklote, Chief Executive Officer presented the case of the appellant institution on that day. Subsequently, the appellant, with their letter dt. 08/09/2020, forwarded a faculty list of 16 members, duly countersigned by the Registrar, Vijayanagara Sri Krishnadevaraya University, Bellary. The appellant also enclosed copies of two letters dt. 03/05/2019 and 20/01/2020 from the Registrar of that University approving 10 and 06 faculty members respectively. The appellant also enclosed a note indicating the efforts made by them to get the staff approved by the University.

AND WHEREAS the Committee noted that the re-affirmation order of the Council dt. 23/12/2019 took into account all documents submitted and highlighted the necessity of possessing requisite faculty possessing the qualifications laid down in the Regulations and the Hon'ble High Court in their order dt. 03/03/2020 held a considered view that if the petitioner is able to establish to the satisfaction of the Appellate Authority that the approval now granted by the fifth respondent (the University) is as per the relevant Regulations, it would be a material circumstances in deciding on the withdrawal of recognition.

AND WHEREAS Appeal Committee noted that appellant institution with its written submission dated 08/09/2020 has submitted copies of correspondence exchanged between the appellant institution and affiliating University from 19/02/2015 to 31/10/2018 and a list of faculty. This is ample evidence that appellant institution after issue of the revised recognition order dated 15/05/2015 did not possess required number of faculty as per NCTE Regulation, 2014 and in compliance with the terms and conditional of revised recognition order dated 31/05/2015. There have been two orders dated 05/07/2019 and 23/12/2019 issued by Appellate Authority confirming the impugned order of withdrawal dated 06/03/2019. The order dated 03/03/2020 issued by Hon'ble High Court of Karnataka, with all respect, is treated by Appellate Authority as an extraneous pressure created by appellant to bridge the gap in the period for which it did not have the required faculty qualified and approved by the affiliating University.

AND WHEREAS the Committee noted that the appellant has since submitted a faculty list of 16 members approved by the affiliating University. In view of this, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the approved staff list now submitted as also the other documents submitted earlier with the appeal, all to be submitted to them by the appellant, and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC, the documents submitted to the Council with their letter dt. 08/09/2020 and other relevant documents submitted with the 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 online submission made by appellant, Appeal Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the approved staff list now submitted as also the other documents submitted earlier with the appeal, all to be submitted to them by the appellant, and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC, the documents submitted to the Council with their letter dt. 08/09/2020 and other relevant documents submitted with the appeal, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Sri Gavisiddeshwara College of Education, Gavimath Road, Koppal, Karnataka to the SRC, NCTE, for necessary action as indicated above.

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


(T. Pritam Singh)
H.O.D.

1. The Secretary/Appellant, Sri Gavisiddeshwara College of Education, Gavimath Campus, Gavimath Road, Koppal, Karnataka.
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, Bengaluru.

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F.No.89-51/E-154611/2020 Appeal/21st Mtg.-2020/7th September, 2020
NATIONAL COUNCIL FOR TEACHER EDUCATION
G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 05/10/2020

ORDER

WHEREAS the appeal of Sikkim Government B.Ed. College, Vill/PO- Soreng, Soreng-Subdivision, West Sikkim, Sikkim-737103 dated 18/02/2020 is against the Order No. ERC/274.14.66/APEO1203/B.Ed./2019/61309 dated 21.08.2019 of the Eastern Regional Committee, reducing intake for conducting B.Ed. Course on the grounds that "Faculty list comprises 1+14 as against the requirement of 1+22 as per NCTE Regulations, 2014 for running 150 intake of B.Ed. course. Out of total intake 150 granted to B.Ed. course, one unit (50 intake) be reduced from the academic session 2020-2021 with intimation to the institution and all concerned."

AND WHEREAS nobody from Sikkim Government B.Ed. College, Vill/PO- Soreng, Soreng-Subdivision, West Sikkim, Sikkim-737103 appeared on behalf of the appellant institution on 23/07/2020. Efforts were made to establish online link with the appellant institution at 13 Hrs, 13:50 Hrs. and 15 Hrs. Since the appellant could not be contacted online, Appeal Committee decided to grant another opportunity to appellant institution to present its case. In the appeal memoranda it was submitted that "Required number of faculty members have now been appointed by the Education Department."

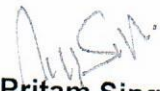
AND WHEREAS Ms. Yishey Yongda, Director (Higher Education), Sikkim Government B.Ed. College, Soreng, Soreng-Sub Division, Sikkim, West District appeared online to present the case of appellant institution on 07/09/2020. Appellant stated that State Government has already conveyed its approval to the appointment of required number of faculty. Copy of list containing the names of one Principal and 22 faculty approved by the Registrar, affiliating University is submitted online.

AND WHEREAS Appeal Committee decided that appellant institution is required to submit original of the list containing the names of Principal and 22 faculty to ERC within 15 days of the issue of appeal order. Appeal Committee further decided to remand back the case to ERC for revisiting the matter for restoring the full intake of B.Ed. programme.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and arguments advanced during online submission of appeal, Appeal Committee concluded to remand back the case to ERC for revisiting the matter for restoring the full intake of B.Ed. programme.

NOW THEREFORE, the Council hereby remands back the case of Sikkim Government B.Ed. College, Vill/PO- Soreng, Soreng-Subdivision, West Sikkim, Sikkim-737103 to the ERC, NCTE, for necessary action as indicated above.

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


(T. Pritam Singh)
H.O.D.

- 93620 1. The Principal, Sikkim Government B.Ed. College, Vill/PO- Soreng, Soreng-Subdivision,
621 West Sikkim, Sikkim-737103.
622 2. The Secretary, Ministry of Human Resource Development, Department of School Education &
623 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 Sikkim, Gangtok.