



F.No.89-253/E-170009/2020 Appeal/3rd Mtg.-2021/20th January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/02/2021

ORDER

WHEREAS the appeal of Pallavan College of Education, Memonavoor, Abdullapuram Post, Chennai Bangalore NH, Vellore T.K., Vellore, Tamil Nadu dated 01/11/2020 is against the Order No. SRO/NCTE/APSO7517/TN/B.Ed./2020/120133 dated 23.10.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "The institute did not submit notarized English translation of NEC. The institution has submitted staff list of 1+10 against the requirement of 1+15 under NCTE Regulations 2014. Faculty members namely Suresh Kumar V, Ramesh Pand Velu. S. are not qualified as having less than 55% marks in P.G. Further, the institution did not submit 'Form A' and original FDRs towards Endowment and Reserve Funds."

AND WHEREAS in the appeal memoranda it was submitted that "English version of Non-Encumbrance Certificate. attested copy notarized is already submitted and the same is enclosed. We submit that the 1+15 faculties are appointed by the management and already approved by the Registrar, Tamilnadu Teachers Education University on various dates as per the NCTE Regulations 2014. All of them are working still in our institution. We have already submitted the documents to NCTE, SRC on 10.09.2020.and also latest staff list approved by the Registrar, is also available, as per the NCTE Regulations, 2014. The faculty members namely Suresh Kumar v's percentage in Master Degree is 56.4. But it is wrongly entered as 54.00 in the Annexure-III. He is eligible as per the NCTE Norms, 2014. Latest staff approval copy of Annexure- III is available. Ramesh .P is appointed as Physical Director by the Management. In M.P.Ed. percentage is 59.59. He is eligible as per the NCTE Regulations 2014. He did additional Master Degree in M.A. History. Velu .S is appointed as Librarian by the Management. He is not an academic faculty and he is an Administrative Faculty. His percentage is 70 in M.LISC,

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He is eligible as per NCTE Regulations, 2014. We have the original form 'A' for endowment and reserve funds viz 5 lakhs and 7 lakhs in total 12 lakhs."

AND WHEREAS Pallavan College of Education, Memonavoor, Abdullapuram Post, Chennai Bangalore NH, Vellore T.K., Vellore, Tamil Nadu was asked to present the case of the appellant institution on 04/12/2020 but nobody from the institution appeared. Online link also could not be established despite efforts and the hearing was aborted. The Committee, therefore, decided to give the appellant another opportunity, i.e. the second opportunity to present the case.

AND WHEREAS Dr. Narsimhan, Principal, presented online the case of the appellant institution on 20/01/2021 i.e. the second opportunity granted to them. The appellant with the appeal and through e-mail dated 20/01/2021, submitted (i) English translation of the Non Encumbrance Certificate; (ii) a faculty list of 1 + 15 (including the Principal) duly signed by the Registrar, Tamilnadu Teacher Education University on 16/10/2020, (iii) copy of a letter in Form 'A' issued by the Branch Manager, State Bank of India, Vellore Town about two FDRs jointly taken with the Regional Director, SRC and valid upto 30/08/2023 and (iv) copies of two FDRs.

AND WHEREAS the Committee, noting that the appellant has submitted 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 necessary action as per the NCTE Regulation, 2014. Appellant institution in addition to the above documents should also submit statement obtained from concerned bank as evidence of having remitted salary into the accounts of faculty and other staff. 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.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the online submission, Appeal Committee

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concluded to remand back the case to SRC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant and take further necessary action as per the NCTE Regulation, 2014. Appellant institution in addition to the above documents should also submit statement obtained from concerned bank as evidence of having remitted salary into the accounts of faculty and other staff. 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 Pallavan College of Education, Memonavoor, Abdullapuram Post, Chennai Bangalore NH, Vellore T.K., Vellore, Tamil Nadu 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, Pallavan College of Education, Memonavoor, Abdullapuram Post, Chennai Bangalore NH, Vellore T.K., Vellore, Tamil Nadu – 632010.
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 Tamil Nadu, Chennai.

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F.No.89-263/E-170541/2020 Appeal/3rd Mtg.-2021/20th January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/02/2021

ORDER

WHEREAS the appeal of Siddhartha College of Education, S. Annavaram, Pentakota Road, Tuni, East Godavari, Andhra Pradesh dated 19/11/2020 is against the Order No. SRO/NCTE/APS07483/B.Ed./AP/2020/118329 dated 21.09.2020 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 20.11.2019. The institution has failed in submission of written representation along with all required documents in response to Final Show Cause Notice."

AND WHEREAS Sh. KNV Rangarao, Secretary, Siddhartha College of Education, S. Annavaram, Pentakota Road, Tuni, East Godavari, Andhra Pradesh presented online the case of the appellant institution on 20/01/2021. In the appeal and during online presentation it was submitted that because of the mistake of the dispatching section, they were unable to send the reply for Final Show Cause Notice in time. explanation is given in Final Show Cause Notice in registered post. So kindly continue the course.

AND WHEREAS the Committee noted that the reply dt. 30/09/2020 (copy enclosed to appeal) to the final Show Cause Notice stated to have been sent to SRC is not available in SRC's file. In the circumstances, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the reply to their final Show Cause Notice to be sent again to them by the appellant, within 15 days of receipt of orders on the appeal and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC their reply to the final Show Cause within the time frame set above.

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AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the online submission, Appeal Committee concluded to remand back the case to SRC with a direction to consider the reply to their final Show Cause Notice to be sent again to them by the appellant, within 15 days of receipt of orders on the appeal and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC their reply to the final Show Cause within the time frame set above.

NOW THEREFORE, the Council hereby remands back the case of Siddhartha College of Education, S. Annavaram, Pentakota Road, Tuni, East Godavari, 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, Siddhartha College of Education, S. Annavaram, 338/1, Pentakota Road, Tuni, East Godavari, Andhra Pradesh – 533401.**
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.

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F.No.89-264/E-170539/2020 Appeal/3rd Mtg.-2021/20th January, 2021**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 11/02/2021

ORDER

WHEREAS the appeal of Swamy Vivekananda College of Education, Kalyandurgam, Mudigal Road, Kalyandurgam, Ananatpur, Andhra Pradesh dated 19/11/2020 is against the Order No. SRO/NCTE/APS07930/B.Ed/AP/2020/120556-0562 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) The institution has submitted its reply on 30.12.2019. The Committee observed the reply submitted by the institution and found the following deficiencies. a) The institution has submitted a Notarized copy of Land Document whereas a certified copy of the same is not submitted as under NCTE Regulations, 2014 even after issuance of show cause notices. b) The institution has submitted a Notarized copy of Building Plan in which Multi-purpose Hall Area is less than the requirement of NCTE Regulations, 2014. c) The institution has submitted a copy of Faculty List for B.Ed. Course approved by Registrar, Sri Krishnadevaraya University consisting of one Principal and seven Lecturers, but the same is without date. Further, (i) Faculty in r/o Physical Education, Fine Arts & Performing Arts are not appointed. (ii) Principal does not have the qualification of P.HD/Net in education. (iii) A letter regarding approval of faculty by the affiliating body has not submitted."

AND WHEREAS Dr. M. Subba Rao, O.S.D. and Prof. T. Srinivagulu Reddy, Special Officer, Swamy Vivekananda College of Education, Kalyandurgam, Mudigal Road, Kalyandurgam, Ananatpur, Andhra Pradesh presented the case of the appellant institution on 20/01/2021. In the appeal and during personal presentation it was submitted that "Deficiency mentioned is addressed and the Institution is submitting certified copies of land documents as per NCTE, 2014 Regulations. The institution is submitting a certified copy of Building Plan and the Multi-Purpose Hall area has been

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suitably expanded to meet the requirement of NCTE, 2014 Regulations. Approval of faculty has been taken on 13-11-2020 from the Registrar, Sri Krishnadevaraya University, Anantapuram and copy of the letter is enclosed. One faculty for Physical Education with M.P.Ed. qualification and one faculty for Fine Arts and Performing Arts with M.A. (theatre arts), M.Phil. (Folk Arts) and Ph.D. (theatre arts) are appointed as per NCTE, 2014 Regulations. The candidate who has qualification of Ph.D. In Education and net in Education is appointed as a Principal as per NCTE, 2014 Regulations. Approval of faculty has been taken from the Registrar, Sri Krishnadevaraya University, Anantapuram (Affiliating University) and is being submitted for your perusal. We wish to further inform that, we have cleared all the deficiencies found by SRC, NCTE and consider our humble request for restore of recognition to Swamy Vivekananda College of Education, Kalyandurgam."

AND WHEREAS the Committee, noting that the appellant has submitted the information/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 given in appeal, to be sent to them by the appellant, and take further necessary action as per NCTE Regulation, 2014. Appellant institution in addition to the above documents should also submit statement obtained from concerned bank as evidence of having remitted salary into the accounts of faculty and other staff. 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 to remand back the case to SRC with a direction to consider the documents given in appeal, to be sent to them by the appellant, and take further necessary action as per NCTE Regulation, 2014. Appellant institution in addition to the above documents should also submit statement obtained from concerned bank as evidence of having remitted salary into the accounts of faculty and other staff. The appellant is directed

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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 Swamy Vivekananda College of Education, Kalyandurgam, Mudigal Road, Kalyandurgam, Ananatpur, 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 Correspondent/Secretary, Swamy Vivekananda College of Education, Kalyandurgam, 344-LA, Mudigal Road, Kalyandurgam, Ananatpur, Andhra Pradesh – 515761.
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.

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F.No.89-266/E-170699/2020 Appeal/3rd Mtg.-2021/20th January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/02/2021

ORDER

WHEREAS the appeal of Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar dated 13/11/2020 is against the Order No. ERC/283.33/ERCAPP587/B.Ed./2020/63029 dated 15.09.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "no proof of maintaining Stock Register including IT lab, Psychology lab, science lab, Art & Craft lab, Sports facilities etc. The institution has not submitted original faculty list duly approved by the competent authority for the session 2016-17, 2017-18, 2018-19 & 2019-2020 for B.Ed. course. Original FDRs of Rs.5 lakh and Rs.7 lakh is not submitted. None of the teaching faculty appointed for Perspective Course including Psychology/Philosophy/ Sociology as per Appendix 4 of regulation - 2014. Date of initial appointment and joining of Principal is not mentioned in the faculty list. Legible copy of the experience certificate of the principal is not submitted. Institution 'has not submitted appropriate reply and failed to prove that the Bio-metric attendance of the teaching faculty & students. No supporting documents to prove that ICT and teaching aid have been submitted including internet, projector, camera, SIT, Wi-Fi, no system software, instructional software etc. Copy of electronic transfer receipt of salary of faculty members is not furnished. Website of the institution is not functional as per clause 7(14)(i) of the NCTE Regulation, 2014. Certified copy of Fire Safety Certificate duly signed and issued by the Govt. competent authority is not submitted. Building is not disable friendly as per the SOP issued by NCTE. No educational journal subscribed by the institutions. Hence, B.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session 2021-22."

AND WHEREAS Sh. D. Kishore Mahto, Secretary and Sh. Rajeev Kumar, Administrator, Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar presented the case of the appellant

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institution on 20/01/2021. In the appeal and during personal presentation it was submitted that "We are submitting a Video CD and Pen Drive of 2 hours 05 minutes 13 seconds durations taken during the course of inspection at the behest of inspecting official Chairman, Dr. R. Vijay Kumar and present Regional Director of ERC-NCTE, Bhubaneswar in order to impress upon the facts that stock register has been perused and verified by all the three inspecting officials as being shown in CD on 41 minutes 42 seconds time point mark in Science Lab, 45 minutes 40 seconds time point mark in Social Science Lab, 54 minutes 15 seconds marks in library stock register (note-during this time point marks our library stock register has been signed by Dr. Pramod Kumar an inspecting team member and on 55 minutes 55 second by Dr. A. R. Khan another inspecting team member. The photography of their signature is being attached as enclosed as poof). Further during 58 minutes 56 second to 59 minutes 05 second points time mark, the video shows the requesting gesture by the Secretary of the college for getting their signature affixed on various stock registers perused by the inspecting team but as shown in the enclosed video even after his repeated requesting gesture failed to yield any tangible result. Further on one hour fourteen minutes and ten seconds time point marks language lab, on one hours 20 minutes and forty second point time marks psychology lab and on one hours twenty three minutes and fifty eight second point time marks ICT Labs had been visited by inspecting team members and Chairman has put his spectacles and pens on stock registers. Besides that inspecting officials on its own inspection report dt. 20/09/2019 on page 08 point no 13.1 (g) have reported and confirmed the entries in stock register. Thus, making self-statements give in inspection report contradictory with this Final Show Cause Notice and withdrawal order. With regard to this points which reads as the institution has not submitted original faculty list duly approved by the competent authority for the session 2016-17, 2017-18, 2018-19 & 2019-20 for B.Ed. course shows the utter ignorance and lack of proper knowledge of inspecting team official regarding NCTE (recognition norms & procedure) Regulation 2014 and its various amendments as provision enshrined in this, Regulation clearly speaks that faculty members will be appointed on permanent basis hence there arises no question for appointing session wise faculty members for B.Ed. Course. We are herewith enclosing the letter dated 30.08.2012 issued by Punjab National Bank, Sitamarhi along with xerox copies of two FDRs worth



Rs. 5 lacs and 7 lacs deposited for the sake of our B.Ed. course as endowment fund and reserve fund respectively. Besides that the inspection dt. 25.09.2019 illegal gratification by Chairman of the inspection team Mr. R. Vijay Kumar clearly shows on page no-15. The details of all original FDRs perused and duly reported by all the three inspecting officials. Thus, this point of shows cause and withdrawal order as a sequel of it also shows an intentional act of inspecting official which is far away from truth and meant only for harassment and blackmailing. Four teachers need to be appointed for perspective course including psychology/philosophy/sociology as per NCTE (recognition norms as procedure) Regulation 2014. By perusing the approved list it is evident that four teaching staffs have been appointed for perspective course which is as follows: 1. Sri Shailendra Pratap Dubey also Principal of institute having Post Graduated with Philosophy, History, M.Ed., Ph.D awarded (find place as s1 no-1 in approved faculty list dt. 03/02/2017) 2. Bimla Ray having Post Graduated with Political Science (find place as s1 no-11 on approved faculty list dt 03.02.2017) 3. Sandeep Kumar Tripathy having Post Graduated with History, M.A. in Edu & M.Ed. (find place as Sl. No-12 on approved faculty list dt. 03.02.2017) 3. Sandeep Kumar Tripathy having Post Graduated with History, M.A. in Edu & M.Ed. (find place as s1 no-11 on approved faculty list dt 03/02/2017) 4. Madhu Kumari having Post Graduated with Hindi & M.A in Edu (find place s1 no-13 on approved faculty list dt. 03/02/2017) thus this show cause and withdrawal order as a sequel of it is also not true. Separate affidavit pertaining to date of joining of teaching staff of B.Ed. course which has been obtained earlier and xerox copy of the same has already been forwarded as show cause notice reply of our first show cause notice is enclosed for perusal. At the time of getting approval from University Registrar, the column pertaining to date of joining was not mentioned in prescribed form in respect of Sl. no-4, 5, 10, 13 & 16 only. It was a clerical mistake which was never pointed out by NCTE while accepting our compliance regarding fulfilment of conditions with reference to revised recognition order vide its reference no ERC/269.14.15/ERCA587/B.Ed/2019/59890 dt 19.03.2019. We have sent the affidavits obtained at the time of joining of each and every staff members appointed which clearly indicates their respective date of joining. Experience certificate of the principal is fully legible and genuine. It is not dubious and can be well verified with the issuer of experience certificate through postal mail or through any other means just

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guessing assuming and alleging can not be the premise of fact and assumption can not be a measure of truth and verification should be the right measure of truth. Hence without resorting to above exercise this show cause and withdrawal order as a sequel of it will be in fructuous. In our institution Bio-Metric attendance of appointed teaching faculty and each teachers pupil enrolled for all NCTE-recognized programme offered in our Tel is being maintained / enforced regularly on daily basis as per public notice published by Hon'ble Member Secretary Sri Sanjay Awasthi dated July 10th 2019. In the subject public notice nowhere it has been instructed to maintain the Bio-Metric attendance of faculty Members Separately however on perusing manual Registrar maintained at our institute which clearly shows the code number allotted for faculty and each teachers pupil enrolled, it will be crystal clear that whether any particular Bio-Metric attendance pertains to faculty or enrolled-teacher pupil. Besides that, without going through the individual code allotted to each and every faculty member and enrolled teacher pupil it will be unjustifiable to comment as Bio-Metric attendance of the students is found dubious. Thus, this point of final show cause notice and withdrawal order as a sequel of it is also not justifiable. Supporting documents to prove that ICT and teaching aid including Internet, Projector, Camera, SIT, Wi-Fi System Software instructional software has not been called for either during course of inspection or after inspection by inspecting officials present on the occasion. However there is ample proof available in submitted Video CD that they have meticulously perused and inspected all the above facilities available in our institute. Copy of electronic transfer receipt of salary of faculty member has been submitted and it has been found satisfactory by the inspecting team member. This can be well established by perusing page no-14 of duly signed inspection report by all the three-inspecting official (point no 15 (a) and (b). Thus, it clearly indicates that point of final show cause notice and withdrawal order as a sequel of it has also been issued with sheer malafide intention of Sri Vijay Kumar present ERC-NCTE and Chairman of inspection team. They have contradicted their own inspection report before the committee as well as in Patna High Court during the course of hearing of MJC780/2017. This statement in the subject show cause notice that website of the institution is not functional as per clause 7(14)(i) of the NCTE Regulation, 2014 is false and fabricated. The veracity of our this submission can be gauged by perusing the submitted video cd at the point of time mark from 1 hour 23

Respectfully

minutes to 1 hours 32 minutes 35 second during which all the inspecting official have observed satisfactory working of our website. The statement that Fire Safety Certificate is not submitted is again erroneous and issued with malafide intention. The veracity of our statement can be judged by perusing the inspection report submitted by inspecting team, and duly signed by all the three-inspecting official on page no-22 point no-20. Thus, the inspecting team Chairman and present RD, ERC, NCTE himself contradicts his inspection report. On perusal of enclosed video CD, pen drive and photographs. It will be evidently clear that the Southern and Western portion of the building has got adequate facility for disabled person as the ramp is thoroughly running from ground part to first floor. Besides that, the Northern and Eastern portion of the building is also well equipped with the toilet facilities especially earmarked for the disabled person. The last point which reads as no educational journal subscribed by the institution is also not true. We are enclosing the receipt and bill/vouchers subscribed by us which bears date prior to inspection date."

AND WHEREAS the Committee noted that the ERC, following an inspection of the institution conducted on 20/09/2019, issued a Show Cause Notice Dt. 26/12/2019, while pointed out certain deficiencies in general and specific terms. The ERC after examining the replies of the appellant institution issued a second Show Cause Notice (called the final show cause notice) on 26/02/2020, which listed 16 deficiencies. The appellant replied to this Show Cause Notice on 09/03/2020. The ERC, after considering the reply issued the withdrawal order dt. 15/09/2020.

AND WHEREAS the appellant submitted a very lengthy explanation, which inter-alia includes a detailed reference to the Video CD taken at the time of inspection and some aspersions against the Chairman of the Inspection Team.

AND WHEREAS the Committee, from a perusal of the deficiencies pointed out in the Show Cause Notices dated 26/12/2019 and 26/02/2020 and the grounds mentioned in the withdrawal order dt. 15/09/2020, noted that there are some variations in the contents and description of deficiencies from time to time, which can lead to un-ending correspondence.

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AND WHEREAS the Committee, noting that the appellant has become aware of the grounds incorporated in the withdrawal order and claimed that the relevant documents are available or have been made available to the Inspection Team earlier, concluded that the matter deserved to be remanded to the ERC with a direction to consider specific and pointed replies to the grounds of withdrawal to be submitted to the ERC by the appellant, duly supported by documents, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal, and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC their specific replies as mentioned above within the time frame set above.

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 ERC with a direction to consider specific and pointed replies to the grounds of withdrawal to be submitted to the ERC by the appellant, duly supported by documents, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal, and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC their specific replies as mentioned above within the time frame set above.

NOW THEREFORE, the Council hereby remands back the case of Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar 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 Secretary, Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Plot No. 1775, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar – 843322.
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.89-267/E-170700/2020 Appeal/3rd Mtg.-2021/20th January, 2021**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 11/02/2021

ORDER

WHEREAS the appeal of Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar dated 13/11/2020 is against the Order No. ERC/283.34/ERCAPP2486/D.El.Ed./2020/63030 dated 15.09.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for D.El.Ed. Course on the grounds that "No proof of maintaining Stock Register i.e. IT lab, Psychology lab, science lab, Art & Craft lab, Sports. facilities etc. The institution has not submitted original teaching faculty list duly approved by the competent authority for the session 2016-17, 2017-18, 2018-19 & 2019-2020 for D.El.Ed. course. Original FDRs of Rs.5 lakh and Rs.7 lakh is not submitted. Date of initial appointment and joining of Principal is not mentioned in the faculty list. Legible copy of the experience certificate of the principal is not submitted. Institution has not submitted appropriate reply and failed to prove that the Bio-metric attendance of the teaching faculty & students is not genuine. No supporting documents to prove that ICT and teaching aid have been submitted including internet, projector, camera, SIT, Wi-Fi, no system software, instructional software etc. Copy of electronic transfer receipt of salary of faculty members is not furnished. Website of the institution is not functional as per clause 7(14)(i) of the NCTE Regulation, 2014. Certified copy of Fire Safety Certificate duly signed by the Govt. competent authority is not submitted. Building is not disable friendly as per the SOP issued by NCTE. No educational journal subscribed by the institutions. Hence, D.ELEd. course is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session 2021-22."

AND WHEREAS Sh. D. Kishore Mahto, Secretary and Sh. Rajeev Kumar, Administrator, Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar presented the case of the appellant institution on 20/01/2021. In the appeal and during personal presentation it was submitted

that "We are submitting a video cd and pen drive of 2 hours 05 minutes 13 seconds durations taken during the course of inspection at the behest of inspecting official chairman, Dr R. Vijay Kumar and present Regional Director of ERC-NCTE , Bhubaneswar in order to impress upon the facts that stock register was perused and verified by all the three inspecting officials as being shown in cd on 41 minutes 42 seconds time point mark in science lab, 45 minutes 40 seconds time point mark in social science lab, 54 minutes 15 seconds marks in library stock register (note-during this time point marks our library stock register has been signed by Dr. Pramod Kumar an inspecting team member and on 55 minutes 55 second by Dr. A. R. Khan another inspecting team member. Further during 58 minutes 56 second to 59 minutes 05 second points time mark, the video shows the requesting gesture by the secretary of the college for getting their signature affixed on various stock registers perused by the inspecting team but as shown in the enclosed video even after his repeated requesting gesture failed to yield any tangible result. Further on one hour fourteen minutes and ten seconds time point marks language lab, on one hours 20 minutes and forty second point time marks psychology lab and on one hours twenty three minutes and fifty eight second point time marks ict labs had been visited by inspecting team members and chairman has put his spectacles and pens on stock registers. Besides that, inspecting officials on its own inspection report dt 20/09/2019 on page 08 point no 13.1 (g) have reported and confirmed the entries in stock register. Thus, making self-statements give in inspection report contradictory with this final show cause notice and withdrawal order. With regard to this points which reads as the institution has not submitted original faculty list duly approved by the competent authority for the session 2016-17, 2017-18, 2018-19 & 2019-20 for B.Ed course shows the utter ignorance and lack of proper knowledge of inspecting team official regarding NCTE (recognition norms & procedure) regulation 2014 and its various amendments as provision enshrined in this , regulation clearly speaks that faculty members will be appointed on permanent basis hence there arises no question for appointing session wise faculty members for D.El.Ed. course. We are herewith enclosing the FDR dated 12/04/2016 issued by Vijaya Bank, Sitamarhi along with its photocopy copies of two FDRs worth Rs 5 lacs and 7 lacs deposited for the sake of our D.El.Ed. course as endowment fund and reserve fund respectively. besides that the inspection dt . 25/09/2019 illegal gratification by chairman



of the inspection team Mr. R Vijay Kumar clearly shows on page no-15. the details of all original FDRs perused and duly reported by all the three inspecting officials. Thus, this point of shows cause and withdrawal order as a sequel of it also shows an intentional act of inspecting official which is far away from truth and meant only for harassment and blackmailing. Separate affidavit pertaining to date of joining of initial appointment of Principal/Hod of D.El.Ed course which has been obtained earlier and xerox copy of the same has already been forwarded as show cause notice reply of our first show cause notice is herewith enclosed for the perusal and natural justice. At the time of getting approval from Bihar School Examination Board Patna, the column pertaining to date of joining could not get mentioning in prescribed form for principal only. It was solely a clerical mistake for satiating, query of final show cause notice we have sent the affidavits obtained at the time of joining of each and every staff members appointed which clearly indicates their respective date of joining. Experience certificate of the principal is fully legible and genuine. It is not dubious and can be well verified with the issuer of experience certificate through postal mail or through any other means. Just guessing assuming and alleging cannot be the premise of fact and assumption cannot be a measure of truth and verification should be the right measure of truth. hence without resorting to above exercise this show cause and withdrawal order as a sequel of it will be in fructuous. In our institution bio-metric attendance of appointed teaching faculty and each teachers pupil enrolled for all NCTE-recognized programme offered in our TEL is being maintained / enforced regularly on daily basis as per public notice published by Honourable Member Secretary Sri Sanjay Awasthi dated July 10th 2019. In the subject public notice nowhere, it has been instructed to maintain the bio-metric attendance of faculty members separately however on perusing manual registrar maintained at our institute which clearly shows the code number allotted for faculty and each teachers pupil enrolled, it will be crystal clear that whether any particular bio- metric attendance pertains to faculty or enrolled-teacher pupil. Besides that, without going through the individual code allotted to each and every faculty member and enrolled teacher pupil it will be unjustifiable to comment as bio-metric attendance of the students is found dubious. Thus, this point of final show cause notice and withdrawal order as a sequel of it is also not justifiable. Supporting documents to prove that ICT and teaching aid including internet,

Karishma

projector, camera, sit, wi-fi system software instructional software has not been called for either during course of inspection or after inspection by inspecting officials present on the occasion. However, there is ample proof available in submitted video cd that they have meticulously perused and inspected all the above facilities available in our institute (please refer the enclosed video cd at point of time mark during 1 hour 23 minutes) thus this is also a false remarks. Copy of electronic transfer receipt of salary of faculty member has been submitted and it has been found satisfactory by the inspecting team member. This can be well established by perusing page no-14 of duly signed inspection report by all the three-inspecting official (point no 15 (a) and (b). Thus, it clearly indicates that point of final show cause notice and withdrawal order as a sequel of it has also been issued with sheer malafide intention of Sri Vijay Kumar present ERC-NCTE and chairman of inspection team. They have contradicted their own inspection report before the committee as well as in Patna High Court during the course of hearing of MJC780/2017. This statement in the subject Show Cause Notice that website of the institution is not functional as per Clause 7(14)(i) of the NCTE Regulation, 2014 is false and fabricated. The veracity of our this submission can be gauged by perusing the submitted video cd at the point of time mark from 1 hour 23 minutes to 1 hours 32 minutes 35 second during which all the inspecting official have observed satisfactory working of our website. The statement that fire safety certificate is not submitted is again erroneous and issued with malafide intention. The veracity of our statement can be judged by perusing the inspection report submitted by inspecting team and duly signed by all the three-inspecting official on page no-22 point no-20. Thus, the inspecting team chairman and present RD, ERC, NCTE himself contradicts his inspection report. On perusal of enclosed video CD, pen drive and photographs. it will be evidently clear that the southern and western portion of the building has got adequate facility for disabled person as the ramp is thoroughly running from ground part to first floor. The northern and eastern portion of the building is also well equipped with the toilet facilities especially earmarked for the disabled person. The last point which reads as no educational journal subscribed by the institution is also not true. We are enclosing the receipt and bill/vouchers subscribed by us which will bears date prior to inspection date."

Respectfully

AND WHEREAS the Committee noted that the withdrawal order issued in respect of D.El.Ed. course is identical to the withdrawal order issued in respect of B.Ed. course and the submissions of the appellant is almost the same in both the appeals.

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 specific and pointed replies to the grounds of withdrawal to be submitted to the ERC by the appellant, duly supported by documents, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC specific replies mentioned above within the time frame set above.

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 ERC with a direction to consider specific and pointed replies to the grounds of withdrawal to be submitted to the ERC by the appellant, duly supported by documents, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC specific replies mentioned above within the time frame set above.

NOW THEREFORE, the Council hereby remands back the case of Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar 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 Secretary, Mahatma Buddha Teachers Training College, Dhrub Nagar Panch Mile, Plot No. 1775, Kamaldah Main Road, Bathnaha, Sitamarhi, Bihar – 843322.
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.89-270/E-171025/2020 Appeal/3rd Mtg.-2021/20th January, 2021**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 11/02/2021

ORDER

WHEREAS the appeal of Yogoda Satsanga Palpara Mahavidyalaya, Palpara Egra Bajkul Road, Palpara, Midnapur, West Bengal dated 23/11/2020 is against the Order No. ER-284.10/APE00559/B.Ed./2020/63080 dated 29.09.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Renewal copy of Fire Safety Certificate is not submitted as the validity of Fire Safety Certificate expired on 07.04.2020. In view of the above, the Committee decided as under: Hence, B.Ed. Course is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session 2021-2022."

AND WHEREAS Prof. Pradipta Kr. Mishra, Representative, Yogoda Satsanga Palpara Mahavidyalaya, Palpara Egra Bajkul Road, Palpara, Midnapur, West Bengal presented online the case of the appellant institution on 20/01/2021. In the appeal and during personal presentation it was submitted that "Due to the outbreak of the Corona Pandemic (COVID-19) and prevalence of Lockdown w.e.f. 25th March, 2020, it has been delayed by the competent authority to issue the certificate. Now we got the certificate through due process w.e.f. 19.11.2020. An attested hard copy of it is enclosed."

AND WHEREAS the Committee, noting that the appellant, has since obtained the requisite document found wanting in the order of withdrawal, concluded that the matter deserved to be remanded to the ERC with a direction to consider the Fire Safety Certificate dt. 19/11/2020, to be sent to them by the appellant, and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC the Fire Safety Certificate within 15 days of receipt of orders on the appeal.

Res. 1/1/2021

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the online submission, Appeal Committee concluded to remand back the case to ERC with a direction to consider the Fire Safety Certificate dt. 19/11/2020, to be sent to them by the appellant, and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC the Fire Safety Certificate within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Yogoda Satsanga Palpara Mahavidyalaya, Palpara Egra Bajkul Road, Palpara, Midnapur, West Bengal 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, Yogoda Satsanga Palpara Mahavidyalaya, Palpara 1558, Egra Bajkul Road, Palpara, Midnapur, West Bengal – 721458.**
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 - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

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F.No.89-272/E-171182/2020 Appeal/3rd Mtg.-2021/20th January, 2021**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 11/02/2021

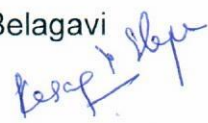
ORDER

WHEREAS the appeal of Shri Siddhivinayaka Rural College of Education, Harugeri, Athani Gokak Road, Harugeri, Raibag, Belgaum, Karnataka dated 02/11/2020 is against the Order No. SRO/NCTE/APSO1831/B.Ed/KA/2020/117828 dated 08.09.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "On the perusal of the reply submitted by the institution on 07.01.2020, the Committee observed and found the following deficiencies:

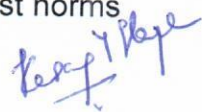
- The institution has not submitted certified copy of registered land. The LUC submitted by the institution is in the name of the individual. Survey no. and site area is not mentioned in the building plan. Multipurpose hall area is not readable in the building plan. The site plan does not show site area and in favour of which it is executed. The survey no. mentioned in BCC is 135/2B, 135/6, 135/7 whereas in the land document, the survey no. mentioned is 135/2B, 135/6, 135/7, 135/8, 135/9. The institution is required to clarify the different survey no. in land documents and BCC. Multipurpose hall area is not mentioned in BCC. The institution submitted staff list dated NIL approved by Director, Rani Channamma University, Belagavi for the session 2015-2016. As per the staff list the date of appointment of staff has been shown as appointed before promulgation of NCTE Regulations dated 9.6.2017. The FDR submitted by the institution has expired."

AND WHEREAS the Committee noted that the appellant, aggrieved by the order of withdrawal of recognition dt. 08/09/2020, filed a W.P. (C) 585/2021 & CM APPL 1505/2021 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 15/01/2021, inter-alia, directed that the petitioner will remove all defects in the appeal filed by it and the Appellate Committee shall proceed expeditiously to decide the petitioner's appeal in accordance with law.

AND WHEREAS Sh. Mahantesh Mavinakatti, Representative and Sh. Neminath Naganur, Representative, Shri Siddhivinayaka Rural College of Education, Harugeri, Athani Gokak Road, Harugeri, Raibag, Belgaum, Karnataka presented the case of the appellant institution on 20/01/2021. In the appeal and during personal presentation it was submitted that "Certified copies of land documents (true copies given by the Office of the Sub-Registrar, Raibag, Belagavi District) bearing document number RGB-1-04585-2020-21 dated 13/10/2020 at survey numbers R.S.No 135/2B measuring an extent of area 0 Acres. 35 Guntas.12 Ana (3617 Sqr. Mtr.) and R.S.No.135/6 measuring an extent of area 0 Acres. 35 Guntas.12 Ana (3617 Sqr. Mtr.) in the form of Registered Sale deed in favour of S.S. Jambagi Memorial Educational and Charitable Trust represented by its sole trustee Shri Laxman Siddappa Jambagi. The same piece of land was registered before but that time it is in the name of an individual i.e., Shri Laxman Siddappa Jambagi (Sole trustee of S.S. Jambagi Memorial Educational and Charitable Trust). Now as per the current required Norms and Regulations of NCTE the existing land are in the name of SHRI SS Jambagi Memorial Educational and Charitable Trust represented by its sole trustee Shri Laxman Siddappa Jambagi. Herewith we are clarifying that the available land are not in the name of an individual, it is in favour of SS Jambagi Memorial Educational and Charitable Trust. The total area of the land are as follows, AT survey number R.S.NO. 135/2B the available total Area of land 35 GUNTAS 12 ANA. AT survey number R.S.No. 135/6 the available total area of the land are 35 Guntas 12 Ana. then the total area of the land pertaining to survey numbers R.S.No. 135/2B and R.S.No. 135/6 are 1 Acre 31 Guntas 8 ana or (71 Guntas 8 Ana) or 7234 Sqr Mtrs As per revenue records (The Revenue Department, Government of Karnataka state) one Gunta is a measurement of 33 feet X(multiplied by) 33 feet i.e., 1089 Sqr. Ft. One Acres is equal to 40 Guntas. 16 Ana is equal to one Gunta. (one Ana is equal to 68.09 Sqr. Ft.) Therefore, the existing land in favour of S.S. Jambagi Memorial Educational and Charitable Trust pertiaing to above showed survey numbers are total extent of 71 guntas and 8 Ana i.e., 71 X(multiplied by) 1089 is equal to 77,319 Sqr. Fts. 8 Ana X(multiplied by) 68.09 is equal to 544.72 Sqr. Ft. Accordingly the total area of Land are 77,863.72 Sqr. Ft. or 7234 Sqr. Mtrs. (The total area of land bearing survey numbers 135/2B and 135/6). As per the land documents (true copies given by the Office of the Sub-Registrar, Raibag, Belagavi



District) bearing document number RGB-1-04585-2020-21 dated 13/10/2020 at survey numbers R.S. No. 135/2B measuring an extent of area 0 Acres. 35 Guntas.12 Ana (3617 Sqr. Mtr.) and R.S.No.135/6 measuring an extent of area 0 Acres. 35 Guntas.12 Ana (3617 Sqr. Mtr.) in the form of Registered Sale deed in favour of S.S. Jambagi Memorial Educational and Charitable Trust represented by its Sole Trustee Shri Laxman Siddappa Jambagi. Accordingly, herewith the notarized documents of LUC are submitted for your kind perusal and order. Herewith submitted LUC documents are not in the name of any individual. The LUC documents are in the name of S.S. Jambagi Memorial Educational and Charitable Trust represented by its sole trustee Shri Laxman Siddappa Jambagi for utilization of Shri Siddhi Vinayaka Rural College of Education (B.Ed. course). Herewith submitting the blue print of the existing building plan for the proposed B.Ed. course run by S.S. Jambagi Memorial Educational and Charitable Trust represented by its sole trustee Shri Laxman Siddappa Jambagi with proper specifications pertaining to Survey numbers (R.S. No. 135/2B and 135/6) and site area(total area of the land are 7234 Sqr. Mtrs). The available area of multipurpose hall is 423 Sqr. Mtrs. (32.15 Mtr X (multiplied by) 13.16 Mtr. is equal to 423 Sqr. Mtrs.) i.e., 4553 Sqr. Fts. in the submitted blueprint of the existing building plan for the proposed B.Ed. course the area of multipurpose hall is clearly readable. Herewith submitting the latest site plan with proper specifications of total site area i.e., the total area of the land are 7234 Sqr. Mtrs. and it is in favour of Shri Siddhi Vinayaka Rural College of Education B.Ed. course run by Shri S.S. Jambagi Memorial Educational and Charitable trust, at Survey Numbers R.S.No 135/2B and R.S.No.135/6, Harugeri, Raibag Taluk, Belgaum District - 591220, Karnataka. Initially the land bearing survey numbers 135/2B, 135/6, 135/7, 135/8 and 135/9 are in the name of individuals. The constructed building for Shri Siddhi Vinayaka Rural College of Education B.Ed. course are situated exactly at survey numbers 135/2B and 135/6. The partial area pertaining to 135/7 is used only for vehicles parking. As you know that the earlier submitted land documents are in the name of individuals. That time we had submitted the building completion certificate with survey numbers 135/2B, 135/6, 135/7. The RCC roofed existing building for existing B.Ed. course is exactly situated at survey numbers 135/2B and 135/6. Later after receiving the withdrawal order dated 08/09/2020 from the Office of the Regional Director, SRC, NCTE, New Delhi, in order to fulfil the latest norms,



and regulations of NCTE we have decided to re-register the existing available lands pertaining to survey numbers 135/2B and 135/6 in favour of S.S. Jambagi Memorial Educational and Charitable Trust represented by its sole trustee Shri Laxman Siddappa Jambagi. Because the total land area belongs to survey numbers 135/2B and 135/6 are 7234 square Metres and also constructed B.Ed. college building having total built-up area of about 2593.69 square metres was also exactly situated at these survey numbers (135/2B and 135/6) only were strictly obeys the latest norms and regulations of NCTE. Accordingly, the existing land pertaining to survey numbers R.S. No 135/2B measuring an extent of area 0 Acres. 35 Guntas.12 Ana (3617 Sqr. Mtr.) and R.S.No.135/6 measuring an extent of area 0 Acres. 35 Guntas.12 Ana (3617 Sqr. Mtr.) are re-registered in the form of Registered Sale deed in favour of SS Jambagi Memorial Educational and Charitable Trust represented by its sole trustee Shri Laxman Siddappa Jambagi. Herewith submitting the latest staff list (one Principal and 15 Assistant Professors for 02 basic units) approved by the Registrar, Rani Chennamma University, Belagavi as per the latest Norms and Regulations of NCTE, New Delhi for your kind consideration. Herewith submitting the Auto Renewed FDRs for an amount of 7 lakhs and 5 lakhs with a date of commencement 18th June 2020 and the date of maturity is 18th June 2025 duration of 60 months for your kind consideration as detailed below. Fixed Deposit Advice No. 74098 for an amount of 5 lakhs dated 18/06/2020 to 18/06/2025, RBL Bank, Harugeri Branch, Belagavi District. Fixed Deposit Advice No. 74099 for an amount of 7 lakhs dated 18/06/2020 to 18/06/2025, RBL Bank, Harugeri Branch, Belagavi District."

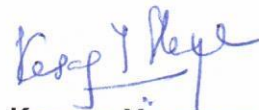
AND WHEREAS the Committee, noting that the appellant has furnished the information/clarifications and documents vis-a-vis the grounds mentioned in the order of withdrawal of recognition dated 08/09/2020, concluded that the matter deserved to be remanded to the SRC with a direction to consider all the documents submitted in appeal, to be sent 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 all the documents submitted in the appeal, within 15 days of receipt of orders on the appeal.

Recd by

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to SRC with a direction to consider all the documents submitted in appeal, to be sent 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 all the documents submitted in the appeal, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shri Siddhivinayaka Rural College of Education, Harugeri, Athani Gokak Road, Harugeri, Raibag, Belgaum, 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 Sole Trustee, Shri Siddhivinayaka Rural College of Education, Harugeri, 135/2B, 135/6, Athani Gokak Road, Harugeri, Raibag, Belgaum, Karnataka - 591220.
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.



F.No.89-275/E-171374/2020 Appeal/3rd Mtg.-2021/20th January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/02/2021

ORDER

WHEREAS the appeal of Satyapriya Roy College of Education, Salt Lake, Kolkata, North 24-Pargana, West Bengal dated 20/11/2020 is against the Order No. ER-284.39/APE00286/B.Ed./2020/63126 dated 05.10.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Building Completion Certificate (BCC) duly signed by the competent authority has not submitted. Validity of Fire Safety Certificate has been expired on 18.04.2018. In view of the above, the Committee decided as under: Hence, B.Ed. Course is withdrawn under section 17(1) of NCTE Act, 1993 from the next academic session 2021-22."

AND WHEREAS Dr. S. Nag, Principal and Sh. Dipak Kr. Kundu, Representative, Satyapriya Roy College of Education, Salt Lake, Kolkata, North 24-Pargana, West Bengal presented online the case of the appellant institution on 20/01/2021. The appellant, with the appeal, submitted attested copies of Building Completion Certificate and Fire Safety Certificate.

AND WHEREAS the Committee, noting that the appellant has submitted the documents found wanting in the withdrawal order, concluded that the matter deserved to be remanded to the ERC with a direction to consider the Building Completion Certificate and Fire Safety Certificate, 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 ERC these two documents 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 online submission, Appeal Committee concluded to remand back the case to ERC with a direction to consider the Building

10/2/2021

Completion Certificate and Fire Safety Certificate, 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 ERC these two documents within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Satyapriya Roy College of Education, Salt Lake, Kolkata, North 24-Pargana, West Bengal 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, Satyapriya Roy College of Education, Salt Lake, 287, AA-287 Sector-1, Kolkata, North 24-Pargana, West Bengal – 700064.**
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 West Bengal, Kolkata.

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F.No.89-278/E-171456/2020 Appeal/3rd Mtg.-2021/20th January, 2021**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 11/02/2021

ORDER

WHEREAS the appeal of Maharaja College of Education, Madiaghat (Sovanagar), Ekborna, Sovanagar-Ratua Road, Ratua, Malda, West Bengal dated 02/12/2020 is against the Order No. ERC/219.7.14/ERCAPP3448/D.El.Ed./2016/48852 dated 06.08.2016 of the Eastern Regional Committee, refusing recognition for conducting for D.El.Ed. Course on the grounds that "(a) SCN was issued on 08.06 2016 on the following grounds: (i) Invoice mentioning books and equipment's submitted whereas the register containing the list of books and equipment's not submitted. (ii) Notarized copy of CLU not submitted. (iii) Site plan issued from land revenue department not submitted. (b) In response to show cause notice, the institution submitted its reply dated 10.05.2016 on the basis of the proceedings uploaded in the website of the ERC. The committee considered the reply of the institution and observed that the institution is still deficient on the following grounds: (i) The institution vide representation dated 10.05.2016 has requested to grant two month time to comply the deficiencies. (ii) The committee has not accepted the request of the institution and observed that the institution is still deficient on the grounds of Show Cause Notice dated 08.06.2016. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3448 of the institution regarding recognition for D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

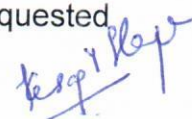
AND WHEREAS the appellant filed a W.P. (C) 9454/2020 & C.M. APPL30417/2020 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 26/11/2020, taking into account the request of the petitioner to withdraw the petitioner with liberty to file an appropriate appeal before the Appellate Authority and also file an application seeking condonation of delay giving reasons for delay in filing the appeal, dismissed the petition as withdrawn. The Hon'ble High Court also observed that

in case such an application is made the Appellate Authority is to consider the same as per law.

AND WHEREAS Sh. Avimanyu, Mandal, Secretary and Senaul Hoque, Representative, Maharaja College of Education, Madiaghat (Sovanagar), Ekborna, Sovanagar-Ratua Road, Ratua, Malda, West Bengal presented the case of the appellant institution on 20/01/2021. In the appeal and during online presentation it was submitted that "Appellant is filing the instant Appeal for quashing of the order dated 06.08.2016 issued by the ERC whereby the ERC has refused the application of the appellant institution seeking recognition of D.El.Ed. course, without following the due procedure. Appellant is a teacher training institution namely Maharaja College of Education being run and managed by its sponsoring society namely Sri Sri Ramkrishna Educational and Welfare Trust, and is represented through its Secretary duly authorized to file the instant petition. It is necessary to state the following few relevant facts in brief. In the year 2015, NCTE invited applications from the institutes seeking recognition for conducting D.El.Ed. course. Accordingly, Appellant institution submitted its online application to ERC on 15.06.2015 seeking recognition for conducting D.El.Ed. course of two years duration. Appellant institution submitted hardcopy of the online application to ERC. ERC in its 202nd meeting held on 18th - 23rd January 2016 considered the application of the appellant institution and decided to constitute the visiting team for inspection of the appellant institution. Visiting Team conducted inspection of Appellant institution on 11.03.2016 for verifying the academic & non-academic infrastructural & instructional facilities. Thereafter, the ERC in its 211th meeting held on 14th - 16th April, 2016 considered the case of Appellant institution alongwith the Visiting Team report and observed as under: "(i) Invoice mentioning books and equipment's submitted whereas the register containing the list of books and equipment's not submitted. (ii) Notarized copy of CLU not submitted. (iii) Site plan issued by Land Revenue Department not submitted." In response to the aforesaid decision taken by the ERC, the Secretary of the appellant institution vide its representation dated 20.05.2016, informed the ERC that the President of the Appellant Society is seriously ill and has been admitted to the Hospital for treatment and he himself is not in position to comply the deficiency. Secretary of the appellant

Respectfully
Y. Hoque

institution requested ERC to grant two months' time to the appellant institution in order to comply with the deficiencies pointed out by the ERC. A true copy of the letter dated 20.05.2016 of the appellant institution is annexed hereto. Thereafter, as decided earlier by ERC in its 211th meeting of ERC held on 14th - 16th April, 2016, ERC issued formal show cause notice dated 08.06.2016 to the appellant institution on the aforesaid deficiencies. ERC in its 219th meeting held on 22nd - 23rd July, 2016 again considered the application of the appellant alongwith the documents submitted by the appellant, and observed as under: "a. SCN was issued on 08.06.2016 on the following grounds: (i) Invoice mentioning books and equipment's submitted whereas the register containing the list of books and equipment's not submitted. (ii) Notarized copy of CLU not submitted. (iii) Site plan issued by Land Revenue Department not submitted. b. In response to show cause notice, the institution submitted its reply dated 20.05.2016 on the basis of the proceedings uploaded in the website of the ERC. The committee considered the reply of the institution and observed that the institution is still deficient on the following grounds: (i) The institution vide representation dated 20.05.2016 has requested to grant two month time to comply the deficiencies. (ii) The Committee has not accepted the request of the institution and observed that the institution is still deficient on the grounds of Show Cause Notice dated 08.06.2016. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3448 of the institution regarding recognition for D.El.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993. A true copy of relevant minutes of 219th meeting of ERC held on 22nd - 23rd July, 2016 is annexed hereto. ERC vide its impugned order dated 06.08.2016 refused the application of Appellant institution seeking recognition for conducting D.El.Ed. course, without considering the request of the Appellant institution. Appellant institution visited the office of the ERC and submitted a copy of (i) register containing the list of books and equipments (ii) Notarized copy of CLU and (iii) Site plan issued by Land Revenue Department. A true copy of (i) register containing the list of books and equipment's (ii) Notarized copy of CLU and (iii) Site plan issued by Land Revenue Department are annexed hereto as Annexure-P6 (Colly). It is submitted that ERC is not justified in issuing the impugned order dated 06.08.2016 refusing the application of the appellant, particularly when the appellant vide its letter dated 20.05.2016 had requested



the ERC to grant two months' time to comply with the deficiencies, as the President of the Appellant institution was admitted to the Hospital. It is submitted that the appellant institution filed W.P. C No. 9454/2020 before Hon'ble High Court of Delhi, wherein, Hon'ble High Court vide its order dated 27.11.2020 permitted the petitioner institution to file a statutory appeal with application of condonation of delay. A true copy of the order dated 27.11.2020 passed by Hon'ble Court of Delhi in Writ Petition (C) No.9454/2020 and connected matter is annexed."

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by four years, one months and 27 days beyond the prescribed period of sixty days.

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

AND WHEREAS the Committee noted that the appellant, in its online appeal, against the column 'Reason for Delay' submitted that after refusal of recognition by the ERC on 06/08/2016, NCTE had not invited applications in the years 2017-18, 2018-19 and 2019-20 and also for the academic session 2020-21 for B.Ed. and D.El.Ed. courses and accordingly he could not submit a fresh application.



AND WHEREAS the Committee noted that submission of a statutory appeal within the prescribed period and submitting fresh applications as and when called for are entirely unconnected. Appeal Committee is not satisfied that the appellant had a sufficient cause for not preferring appeal within the prescribed period. Therefore, the delay in appeal is not condoned and hence the appeal 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 concluded the delay in appeal is not condoned and hence the appeal is not admitted.

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



(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Maharaja College of Education, Madiaghat (Sovanagar), 421, Ekborna, Sovanagar-Ratua Road, Ratua, Malda, West Bengal – 732204.
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 West Bengal, Kolkata.

(13)



F.No.89-279/E-171457/2020 Appeal/3rd Mtg.-2021/20th January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/02/2021

ORDER

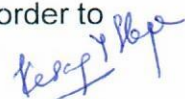
WHEREAS the appeal of Maharaja College of Education, Madiaghat (Sovanagar), Ekborna, Sovanagar-Ratua Road, Ratua, Malda, West Bengal dated 02/12/2020 is against the Order No. ERC/219.7.13/ERCAPP3449/B.Ed./2016/48858 dated 08.08.2016 of the Eastern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "(a) SCN was issued on 03.06 2016 on the following grounds: (i) Invoice mentioning books and equipment's submitted whereas the register containing the list of books and equipment's not submitted. (ii) Notarized copy of CLU not submitted. (iii) Site plan issued from land revenue department not submitted. (b) In response to show cause notice, the institution submitted its reply dated 10.05.2016 on the basis of the proceedings uploaded in the website of the ERC. The committee considered the reply of the institution and observed that the institution is still deficient on the following grounds: (i) The institution vide representation dated 10.05.2016 has requested to grant two month time to comply the deficiencies. (ii) The committee has not accepted the request of the institution and observed that the institution is still deficient on the grounds of Show Cause Notice dated 03.06.2016. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3449 of the institution regarding recognition for B.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993."

AND WHEREAS the appellant filed a W.P. (C) 9434/2020 & CM APPL 30364/2020 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 26/11/2020, taking into account the request of the petitioner to withdraw the petitioner with liberty to file an appropriate appeal before the Appellate Authority and also file an application seeking condonation of delay giving reasons for delay in filing the appeal, dismissed the petition as withdrawn. The Hon'ble High Court also observed that

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in case such an application is made the Appellate Authority is to consider the same as per law.

AND WHEREAS Sh. Avimanyu, Mandal, Secretary and Senaul Hoque, Representative Maharaja College of Education, Madiaghat (Sovanagar), Ekborna, Sovanagar-Ratua Road, Ratua, Malda, West Bengal presented the case of the appellant institution on 20/01/2021. In the appeal and during online presentation it was submitted that "Appellant is filing the instant Appeal for quashing of the order dated 08.08.2016 issued by the ERC whereby the ERC has refused the application of the Appellant institution seeking recognition of B.Ed. course, without following the due procedure. Appellant is a teacher training institution namely Maharaja College of Education being run and managed by its sponsoring society namely Sri Sri Ramkrishna Educational and Welfare Trust, and is represented through its Secretary duly authorized to file the instant petition. It is necessary to state the following few relevant facts in brief. In the year 2015, NCTE invited applications from the institutes seeking recognition for conducting B.Ed. course. Accordingly, Appellant institution submitted its online application to ERC on 15.06.2015 seeking recognition for conducting B.Ed. course of two years duration. Appellant institution submitted hardcopy of the online application to ERC on 29.06.2015. The ERC in its 202nd meeting held on 18th -23rd January 2016 considered the application of the Appellant institution and decided to constitute the visiting team for inspection of the Appellant institution. Visiting Team conducted inspection of Appellant institution on 11.03.2016 for verifying the academic & non-academic infrastructural & instructional facilities. Thereafter, the ERC in its 211th meeting held on 14th -16th April, 2016 considered the case of Appellant institution along with the visiting team report and observed as under: "(i) Invoice mentioning books and equipment's submitted whereas the register containing the list of books and equipment's not submitted. (ii) Notarized copy of CLU not submitted. (iii) Site plan issued by Land Revenue Department not submitted." In response to the aforesaid decision taken by the ERC, the Secretary of the Appellant institution vide its representation dated 20.05.2016, informed the ERC that the President of the Appellant Society is seriously ill and has been admitted to the Hospital for treatment and he himself is not in position to comply the deficiency. Secretary of the Appellant institution requested ERC to grant two months' time to the Appellant institution in order to



comply with the deficiencies pointed out by the ERC. A true copy of the letter dated 20.05.2016 of the Appellant institution is annexed hereto. Thereafter, as decided by ERC in its 211th meeting of ERC held on 14th -16th April, 2016, ERC issued formal show cause notice dated 03.06.2016 to the Appellant institution on the aforesaid deficiencies. ERC in its 219th meeting held on 22nd -23rd July, 2016 again considered the application of the Appellant alongwith the documents submitted by the Appellant , and observed as under: "a. SCN was issued on 03.06.2016 on the following grounds: (i) Invoice mentioning books and equipment's submitted whereas the register containing the list of books and equipment's not submitted. (ii) Notarized copy of CLU not submitted. (iii) Site plan issued by Land Revenue Department not submitted. b. In response to show cause notice, the institution submitted its reply dated 20.05.2016 on the basis of the proceedings uploaded in the website of the ERC. The committee considered the reply of the institution and observed that the institution is still deficient on the following grounds: (i) The institution vide representation dated 20.05.2016 has requested to grant two month time to comply the deficiencies. (ii) The Committee has not accepted the request of the institution and observed that the institution is still deficient on the grounds of Show Cause Notice dated 03.06.2016. In view the above, the committee decided as under: The committee is of the opinion that application bearing code No. ERCAPP3449 of the institution regarding recognition for B.Ed. Programme is refused under section 14(3)(b) of NCTE Act 1993. A true copy of relevant minutes of 219th meeting of ERC held on 22nd - 23rd July, 2016 is annexed hereto. ERC vide its impugned order dated 08.08.2016 refused the application of Appellant institution seeking recognition for conducting B.Ed. course, without considering the request of the Appellant institution. Appellant institution visited the office of the ERC and submitted a copy of (i) register containing the list of books and equipment's (ii) Notarized copy of CLU and (iii) Site plan issued by Land Revenue Department. A true copy of (i) register containing the list of books and equipment's (ii) Notarized copy of CLU and (iii) Site plan issued by Land Revenue Department are annexed hereto as Annexure-P6 (Colly). It is submitted that ERC is not justified in issuing the impugned order dated 08.08.2016 refusing the application of the Appellant, particularly when the Appellant vide its letter dated 20.05.2016 had requested the ERC to grant two months' time to comply with the deficiencies, as the President of the Appellant



institution was admitted to the Hospital. It is submitted that if the Appellant failed to submit the requisite documents in time, the ERC ought to have consider the application of the Appellant institution for the subsequent academic session, instead of rejecting the same, and that without any application of mind that the Appellant has sought time because the President of the Appellant institution was admitted to the Hospital. 15. That it is submitted that ERC is not justified in issuing the impugned order dated 08.08.2016, particularly when the Appellant institution had submitted all other requisite documents at the time of submission of application and had sought two months' time for submission of the documents desired by the ERC in its 211th meeting. 16. That it is submitted that after considering the relevant documents submitted by the Appellant institution at the time of submission of application, the ERC itself had constituted the visiting team to inspect the Appellant institution which visited the Appellant institution on 11.03.2016 and conducted the inspection. 17. That it is submitted that ERC ought to have considered anticipates of the Appellant before rejecting its application and ought to have granted an opportunity to Appellant institution for submission of documents. 18. That it is submitted that ERC is not justified in issuing the impugned order dated 08.08.2016, as the ERC has not pointed out any satisfactory reason for refusal of the application submitted by the Appellant and has adopted a mechanical view in the manner by not granting time to Appellant institution. 19. That it is submitted that the ERC is not justified in considering the application of the Appellant institution in mechanical manner as the Appellant institution was ready to with the documents as required by the ERC vie show cause notice dated 03.06.2016 and was about to submit the same to the ERC. 20. That it is submitted that the ERC ought to have considered the application of the Appellant institutions on merit and not going into the minor technical deficiencies which could have been removed at any subsequent stage and before the issuance of final recognition order by the ERC. 21. That it is submitted that ERC is not justified in issuing the impugned order dated 08.08.2016 as the application of the Appellant may have been considered for the academic session 2017-18 instead of session 2016-17, instead of rejected the same. 22. That it is submitted that the impugned order dated 08.08.2016 of the ERC is completely arbitrary as the ERC ought to have granted at least one opportunity to the Appellant institution for submission of documents, as the Appellant institution had requested only for two months' time. 23. That it is

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submitted that ERC ought to have considered the matter of the Appellant institution sympathetically by granting two months' time, before taking the drastic decision of refusal of application of the Appellant. 24. That it is submitted that ERC failed to observe that the Appellant has invested a huge in construction / establishment of building and is ready with all the infrastructural & instructional facilities, required as per norms, including the appointment of non-academic staff. 25. That it is submitted that the application of the Appellant Institution got refused by the ERC on 08.08.2016 and thereafter, the NCTE had not invited applications in the year 2017-18, 2018-19 and 2019-20 and has also not invited the applications for the academic session 2020-21. Accordingly, the Appellant cannot submit a fresh application seeking grant of recognition for conducting B.Ed. course. 26. That it is submitted that Appellant institution was hopeful that the NCTE will invite the application and the Appellant will apply for the grant of recognition & inspection in terms of public notice. However, in the year 2019, NCTE invited applications but the same was only in respect of the composite institutions seeking recognition of ITEP programme. It is submitted that in anticipation of the public notice, Appellant also failed to approach the appellate authority of the NCTE within the statutory period available 27. That it is submitted that the Appellant institution has invested a lot in construction of building, preparedness of infrastructural and instructional facilities etc. and the same cannot be used for any other purpose as the same has been constructed / established for the purposes of running the B.Ed. course. 28. That it is submitted that the Appellant institution does not lack infrastructural and instructional facilities required as per the norms of NCTE and is ready for the inspection at point of time. 29. That it is submitted that if the application of the Appellant institution is not considered by the ERC, on merits, the Appellant institution will suffer irreparable harm and injury. 30. That it is submitted that the ERC vide its impugned order dated 08.08.2016 has rejected the application of Appellant institution merely on the ground of procedural irregularity and without following the principle of natural justice, as ERC did not grant even a single opportunity to the Appellant institution. 31. That it is submitted that in similar circumstances, Hon'ble High Court of Delhi vide its order dated 06.03.2018 passed in Writ Petition No.827/2018 titled Prajpara Satellite Teacher Training Institute Vs. National Council for Teacher Education and Anr, disposed of the writ petition, observing as under: "Today, learned counsel for the respondents fairly

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submits that in view of the admitted position, that the Appellant had duly paid the requisite amount of Rs.1,50,000/- much before the rejection order was passed by respondent no.2, the delay on the part of the Appellant in depositing the requisite amount along with the application can at best be treated as a procedural irregularity. In view of the earlier decisions of this Court, the rejection of the Appellant 's application for recognition on the ground of a procedural irregularity, cannot be sustained. In view of the submissions made by learned counsel for the parties, the impugned order dated 2nd May, 2017 is set aside and the matter is remanded back to respondent no.2 with a direction to process the Appellant 's application within four weeks subject to the Appellant meeting all the other prescribed criteria for recognition of the B.Ed. course. The petition is disposed of in the above terms." A true copy of the order dated 06.03.2018 passed by Hon'ble High Court of Delhi in Writ Petition (C) No.827/2018 is annexed hereto. 32. That it is submitted that the Appellant institution filed W.P. C No. 9434/2020 before Hon'ble High Court of Delhi, wherein, Hon'ble High Court vide its order dated 27.11.2020 permitted the petitioner institution to file a statutory appeal with application of condonation of delay. A true copy of the order dated 27.11.2020 passed by Hon'ble Court of Delhi in Writ Petition (C) No.9434/2020 and connected matter is annexed.

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by four years, one months and 25 days beyond the prescribed period of sixty days.

AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under the above-mentioned Section of the Act may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor, provided such an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies

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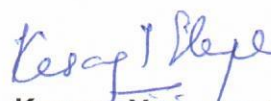
the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the appellant in the online application under the heading "Grounds for condonation of Delay" submitted that after refusal of their application on 08/08/2016, NCTE had not invited applications in the years 2017-18, 2018-19, 2019-20 and also for the academic session 2020-21 for B.Ed. and D.El.Ed. courses and accordingly he could not submit a fresh application seeking grant of recognition for B.Ed. course. He also submitted that in anticipation of the public notice inviting applications, he failed to approach the appellate authority of the NCTE within the statutory period available. He has also submitted that they have invested a lot in construction of building, preparedness of infrastructural and instructional facilities.

AND WHEREAS the Committee noted that submission of a statutory appeal within the prescribed period and submission of fresh applications as and when invited are entirely unconnected and different matters. In these circumstances, the Committee is not satisfied that the appellant had a sufficient cause for not preferring an appeal within the prescribed period. Therefore, the delay in appeal is not condoned and hence the appeal 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 concluded the delay in appeal is not condoned and hence the appeal is not admitted.

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



(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Maharaja College of Education, Madiaghat (Sovanagar), 421, Ekborna, Sovanagar-Ratua Road, Ratua, Malda, West Bengal – 732204.
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 West Bengal, Kolkata.



F.No.89-281/E-171746/2020 Appeal/3rd Mtg.-2021/20th January, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/02/2021

ORDER

WHEREAS the appeal of Namrup College of Teacher Education, Nagamati Kheremia Gaon, Parbatpur, Dhudar Ali, Jaipur, Dibrugarh, Assam dated 23/10/2019 is against the Order No. ER-274.14.33/AS-S/N-25/96/B.Ed./2019/61400 dated 26.08.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "(i) Faculty list comprises 1+5 instead of 1+7 as per NCTE Regulation, 2014. (ii) Principal does not possess Ph.D. qualification. (iii) Building Completion Certificate is not signed by Govt. Engineer. (iv) part time/guest faculty are not accepted."

AND WHEREAS the Representative of Namrup College of Teacher Education, Nagamati Kheremia Gaon, Parbatpur, Dhudar Ali, Jaipur, Dibrugarh, Assam presented online the case of the appellant institution on 20/01/2021. The appellant, with the appeal submitted (i) a notarised copy of the Faculty list, comprising of a Principal and 7 lecturers, duly signed by the Registrar, Dibrugarh University, Dibrugarh and showing that the Principal is having Ph.D. qualification; and (ii) a copy of the Building Completion Certificate signed by Executive Engineer, PWD, Dibrugarh Building Division.

AND WHEREAS the Committee, noting that the appellant has submitted the relevant documents vis a vis the grounds of withdrawal, 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 necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC, the documents submitted in appeal, within 15 days of receipt of orders on the appeal.

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AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the online submission, Appeal Committee concluded to remand back the case to ERC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take further necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC, 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 Namrup College of Teacher Education, Nagamati Kheremia Gaon, Parbatpur, Dhudar Ali, Jaipur, Dibrugarh, 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, Namrup College of Teacher Education, Nagamati Kheremia Gaon, 19, Parbatpur, Dhudar Ali, Jaipur, Dibrugarh, Assam – 786623.**
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 Assam, Dispur.