



F.No.89-45/E-175211/2021 Appeal/6th Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021

ORDER

WHEREAS the appeal of G.S.A. College of Education, Mahua Khera, Kalal Kheria, Fatehabad Road, Agra, Uttar Pradesh dated 14/01/2021 is against the Order No. NRC/NCTE/NRCAPP-8714/236th Meeting/2015/98027 dated 07.05.2015 of the Northern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "the institution did not reply to the Show Cause Notice."

AND WHEREAS Dr. Satendra Yadav, Manager, G.S.A. College of Education, Mahua Khera, Kalal Kheria, Fatehabad Road, Agra, Uttar Pradesh presented the case of the appellant institution on 22/02/2021. In the appeal and during personal presentation it was submitted that "the institute had not refused inspection. They had not got information before the date of inspection. The institute is ready to have the inspection and submit all the documents required by NCTE. Please consider the appeal for recognition of the B.Ed. Course."

AND WHEREAS the Committee noted that the appellant, aggrieved by the order of the NRC dt. 07/05/2015, filed a W.P. (C) 7306/2020 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 08/01/2021, permitted the petitioner to withdraw the petition and file an appeal before the Appellate Committee, along with an application for condonation of delay, under proviso to Section 18 (2) of the NCTE Act, 1993. The Hon'ble High Court also observed that it is for the Appellate Committee to consider the petitioner's case for condonation of delay on merits. The

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Hon'ble High Court made no observations with regard to either the limitation or merits of the petitioner's case.

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by nearly five years and six months beyond the prescribed period of sixty days.

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

AND WHEREAS the Committee noted that the appellant has not made any application for condonation of the delay. In the online appeal, against the item 'Reason for delay', the appellant merely stated, 'as per the order of the High Court Delhi dated 08/01/2021 case no. W.P. (C)7306/2020.'

AND WHEREAS the Committee, noting that the appellant, has not given any reason, whatsoever, for not preferring the appeal within the prescribed period, decided not to admit the appeal on grounds of inordinate delay without any specific reason.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee noting that the appellant, has not given any reason, whatsoever, for not preferring the appeal

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within the prescribed period, decided not to admit the appeal on grounds of inordinate delay without any specific reason.

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



(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, G.S.A. College of Education, Mahua Khera, 500, Kalal Kheria, Fatehabad Road, Agra, Uttar Pradesh – 282006.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-27/E-59284/2018 Appeal/6th Mtg.-2021/22nd February, 2021
NATIONAL COUNCIL FOR TEACHER EDUCATION
 G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 10/03/2021

ORDER

WHEREAS the appeal of Vitthal College of Education, Vill.–Shahzadpur, Street / Road – Ranjan Path, Taluka/Mandal – Danapur, Town/City – Shahzadpur, Dist. – Patna, Bihar dated 09/01/2018 is against the Order No. ERC/244.12(i).15/8691/D.El.Ed./ERCAPP201646011/2017/55000 dt. 13/11/2017 of the ERC refusing recognition for conducting D.El.Ed. course on the grounds mentioned therein was rejected and the order of the ERC was confirmed on the ground of inadequate built-up area vide Appellate order no. 89-27/E-59284/2018 Appeal/3rd Meeting -2019/16th February, 2019 dt. 27/03/2019.

AND WHEREAS the appellant, aggrieved by the Appellate order, filed a W.P. (C) 35/2020 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 07/02/2020 set aside the impugned appeal order and directed that the Appeal Committee will take into account the clarificatory document providing clarification as regards measurements, which lends clarity to the Building Completion Certificate, and render a fresh decision in the matter.

AND WHEREAS Sh. Shree Kant Singh, O.S.D., Vitthal College of Education, Vill.–Shahzadpur, Street / Road – Ranjan Path, Taluka/Mandal – Danapur, Town/City – Shahzadpur, Dist. – Patna, Bihar presented the case of the appellant institution on 22/02/2021. The appellant, with its letter dt. 19/02/2021, submitted (i) photocopy of building map, signed by Junior Engineer, LAEO, Works Division, Patna; (ii) Photocopy of Building Completion Certificate signed by Junior Engineer, Works Division, Patna on 26/06/2018; and (iii) a clarificatory certificate dt. 25/06/2019 issued by the same Junior Engineer. In this clarificatory certificate, the Junior Engineer stated that the measurements of built-up area against Item No. 10 in the Building Completion Certificate

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signed by him on 26/06/2018 were inadvertently shown in square feet, whereas the measurements should be in square meters.

AND WHEREAS the Committee noted that the Appellate Authority, while confirming the order of the ERC, observed that the appellant had not submitted a building map countersigned by the State Government Authorities and in the Building Completion Certificate enclosed to appeal an area 2430.45 sq. mts. on the fourth floor was shown as asbestos/tiled covered, which is not permissible as per NCTE Regulation, 2014. That certificate dt. 15/12/2017 was issued by a Licenced Architect and not countersigned by any Government Engineer. The appellant, subsequently, with their letter dt. 12/02/2019, stated that they had constructed and completed total 3612.67 sq. mts. enclosed a Building Completion Certificate countersigned by a Government Engineer on 26/06/2018 but which showed all floor-wise measurements in sq. feet only and the total in square meters. This certificate does not indicate that the roofing on the fourth floor is asbestos/tiled. The Government Engineer has now stated that the unit of measurement in the earlier certificate dt. 26/06/2018 was inadvertently shown in sq. feet instead of sq. mts.

AND WHEREAS the Committee noting that (i) the Appellate order dt. 27/03/2019 was mainly on the ground of inadequate built up area, after excluding the asbestos/tiled roof area of 430.45 sq. mts. as mentioned in the Building Completion Certification dt. 15/12/2017; (ii) the appellant has produced a building completion certificate countersigned by a Government Engineer showing 3612.67 sq. mts. of built up area and also necessary clarification from the Government Engineer dt. 25/06/2019 regarding the correct unit of measurement of built-up area; and (iii) the Hon'ble High Court found that the clarification as regards unit of measurement of built-up lends clarity to the building completion certificate, concluded that the matter deserved to be remanded to the ERC with a direction to consider the building map countersigned by a Government Engineer, the building completion certificate dt. 26/06/2018 read with the clarificatory certificate dt. 25/06/2019, both issued by the Government Engineer regarding the correct built up area to be sent to them by the appellant, and take further action as per NCTE Regulation,

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2014. The appellant is directed to forward to the ERC these 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 submission, Appeal Committee concluded to remand back the case to ERC with a direction to consider the building map countersigned by a Government Engineer, the building completion certificate dt. 26/06/2018 read with the clarificatory certificate dt. 25/06/2019, both issued by the Government Engineer regarding the correct built-up area to be sent to them by the appellant, and take further action as per NCTE Regulation, 2014. The appellant is directed to forward to the ERC these documents within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Vitthal College of Education, Vill.–Shahzadpur, Street / Road – Ranjan Path, Taluka/Mandal – Danapur, Town/City – Shahzadpur, Dist. – Patna, 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/Appellant, Vitthal College of Education, Vill. – Shahzadpur, Street / Road – Ranjan Path, Taluka/Mandal – Danapur, Town/City – Shahzadpur, Dist. – Patna, Bihar - 801503.
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.



F.No.89-48/E-176596/2021 Appeal/6th Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021

ORDER

WHEREAS the appeal of Bharti Shikshak Prashikshan Sansthan, 2 ML Nathwala, Udyog Vihar, Hanumangrah Road, Ganganagar, Sri Ganganagar, Rajasthan dated 21/01/2021 is against the Order No. NRC/NCTE/NRCAPP-11031/257th (Part-3) Meeting/206/159854 dated 10.10.2016 of the Western Regional Committee, refusing recognition for conducting for B.Ed./M.Ed. Course on the grounds that "the institution was given show cause notice vide letter dt. 04.12.2015 with direction to submit the reply within 30 days. The institution did not submit any reply of show cause notice within stipulated time."

AND WHEREAS the Committee noted that the appellant filed a W.P. (C) 9805/2020 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 03/12/2020, dismissed the petition as withdrawn with liberty to the petitioner to approach the concerned Appellate Authority.

AND WHEREAS Sh. Sanjay Khanna, Director, Bharti Shikshak Prashikshan Sansthan, 2 ML Nathwala, Udyog Vihar, Hanumangrah Road, Ganganagar, Sri Ganganagar, Rajasthan presented the case of the appellant institution on 22/02/2021. In the appeal and during personal presentation it was submitted that "Appellant has replied to the show cause notice and has also submitted 'No Objection Certificate' for conducting B.Ed. M.Ed. (3 years) integrated programme from the affiliating University i.e. Maharaja Ganga Singh University, Bikaner. Appellant is already imparting the M.Ed. & B.Ed. Course and is affiliated to the Maharaja Ganga Singh University, Bikaner, Rajasthan. As the NCTE started B.Ed. M.Ed. (3 years duration) integrated programme, the appellant requested the Maharaja Ganga Singh University vide letter Ref. No. 407/BCT/2015 dated 26.05.2015 for issuance of 'No Objection' for commencement/ starting of integrated B.Ed.

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M.Ed. course from Session 2016-17. The Maharaja Ganga Singh University, Bikaner has granted 'No Objection Certificate' vide No. F-07()/ MGSUB /Acad./2016/7799 dated 12.04.2016 to the Bharti Shikshan Prashikshan Sansthan for conducting B.Ed. M.Ed. (3 Year) integrated Course Programme for the Session 2016-17. Because after the receipt of 'No Objection Certificate' from the MGS University, the appellant submitted the NOC of the affiliating University to the respondent vide letter dated 23.04.2016, which was submitted in the office of the Respondent No. 2 on 25.04.2016. Because the appellant had submitted NOC prior to the issuance of refusal order, therefore, respondent has failed to consider entire facts of the case and passed the refusal order. Hence, the impugned refusal order dated 10.10.2016 is liable to be set aside in the facts and circumstances of the present case. Appellant has cleared all the deficiency/ ambiguities of the said Show Cause Notice dated 04.12.2015, as the appellant has submitted the NOC from the affiliating University i.e. MGS University, Bikaner."

AND WHEREAS the Committee noted from the file of the NRC that between the date of issue of Show Cause Notice and the date of issue of refusal order, no communication from the appellant has been received.

AND WHEREAS the submission of the appeal has been delayed by four years, one month and 12 days beyond the prescribed period of sixty days.

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

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

AND WHEREAS the Committee noted that the appellant, in the appeal, has not given any reason for not preferring the appeal within the prescribed period, which was specifically brought to the notice of the appellant in the order of refusal dt. 10/10/2016. In these circumstances, the Committee decided not to admit the appeal on grounds of inordinate delay without any reason.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee noted that the appellant, in the appellant, has not given any reason for not preferring the appeal within the prescribed period, which was specifically brought to the notice of the appellant in the order of refusal dt. 10/10/2016. In these circumstances, the Committee decided not to admit the appeal on grounds of inordinate delay without any reason.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Director, Bharti Shikshak Prashikshan Sansthan, 2 ML Nathwala, Udyog Vihar, Hanumangrah Road, Ganganagar, Sri Ganganagar, Rajasthan – 335002.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-56/E-176771/2021 Appeal/6th Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021

ORDER

WHEREAS the appeal of Emmanuel College of B.Ed. Training, Ottasekharamagalam, Kudappanamoodu PO, Nulliyode, Vazhichal, Kattakkada (Old-Neyyattinkara), Thiruvananthapuram, Kerala dated 03/02/2021 is against the Order No. SRO/NCTE/APS00720/B.Ed./390th/KL/2020/120835 dated 12.11.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "The institution submitted only notarized copy of English translation of the land documents and failed in submission of certified copy of Land Document issued by the Revenue Department. The institution submitted a translated copy of CLU. The true copy of CLU in Regional language but the same is not in proper format of Kerala Govt. Further, there is no reference about due fee deposited/application etc. are mentioned in submitted CLU. The building Plan submitted by the institution is having the size of multi-purpose hall as only 130 sqm which is less than 2000 sq. ft. as required under NCTE Regulations, 2014. The institution did not submit any information regarding separate toilet facility for male and female students, staff and for differently abled persons. The total area/built-up area has also not been mentioned in the Building Plan. The notarized English version copy of NEC has not been submitted by the institution. The institution has not submitted BCC in prescribed format and the same is not approved by the Competent Authority. The Institution has submitted Notarized copy of Staff list approved by the University of Kerala wherein only Five Assistant Professors are available against the requirement of 1+9 as per NCTE Norms. The following deficiencies in faculty List are as follows: - (For One basic unit) a) Faculty list does not have a principal. b) Faculty in r/o Fine Arts, Performing Arts & Physical Education are not appointed. c) The details of administrative and Professional staff are not provided. The institution has submitted the Form "A" towards creating Endowment and Reserve fund of Rs 9+3=12 lakh in joint

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operation of institution and RD, SRC, NCTE. But copies of FDRs are still in the name of institution only."

AND WHEREAS the appellant, aggrieved by the order of the SRC dt. 12/11/2020 filed a W.P. (C) No. 29047 of 2020 (E) before the Hon'ble High court of Kerala at Ernakulam. The Hon'ble High court, in their order dt. 27/01/2021, disposed of the petition by relegating the petitioner to avail statutory remedy of appeal by approaching the Appellate Authority, invoking the provisions of Section 18 of the NCTE Act. The Hon'ble High Court also directed that in such case an appeal is filed within ten days, the Appellate Authority shall consider the same and pass appropriate order thereon, as expeditiously as possible, at any rate, within a period of one month from the date of filing of that appeal.

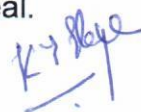
AND WHEREAS Father Yesudas, representative of Emmanuel College of B.Ed. Training, Ottasekharamagalam, Kudappanamoodu PO, Nulliyode, Vazhichal, Kattakkada (Old-Neyyattinkara), Thiruvananthapuram, Kerala presented online the case of the appellant institution on 22/02/2021. In the appeal and during online presentation it was submitted that "Along with the notarized copy of English translation of the Land document, notary attested certified copy of the land document issued by the concerned Sub Registrar also is produced herewith. Notarized copy of Land Use Certificate issued by the Tahsildar, Kattakkada in the approved Govt format showing remittance of fee is produced herewith. The college has constructed a multi-purpose hall having an area of 187 sq. meter (2013 sq. feet) and the same is evident from the approved building plan. Notary attested copy of the Building Plan, site plan and BCC are produced herewith. Sufficient toilet facilities, separately for male and female students, staff and for differently abled persons are available and the same is evident from the Building Plan produced. The total built up area is 2471sq.m.(26587 sq. ft.) and it is recorded in the Building Plan. The notarized Non-Encumbrance Certificate together with its notary attested English version is produced herewith. The BCC in the prescribed format approved by the competent authority, Tahsildar (LR), Kattakkada and certified by the competent Assistant Engineer of the Local Self Govt Department is produced herewith. Information on whole teachers is enlisted. The consolidated List of Staff of 12 teachers, whose appointment is

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endorsed/approved by the University of Kerala is produced. The Institution do have a qualified Principal, Dr. C. Narayana Pillai MA M.Ed. and Ph.D. in Education having more than 11 years of teaching experience in secondary Teacher Education College and his appointment is endorsed by the Registrar University of Kerala. Notarized copy of endorsement order is separately produced herewith. Qualified full time Faculties for Fine Arts, Performing Arts, Health & Physical Education are appointed as evident from approved Staff list. The Institution have sufficient, qualified administrative and Professional staff, as per the NCTE norms. Notarized copy of the Staff list of administrative and Professional staff is produced herewith. At the time of starting the Institution in 2005 itself, management deposited Endowment and Reserve Funds in joint accounts of the Manager and the Director, NCTE, SRC. As per the 2014 Regulations, the deposit was enhanced to 7+5 12 lakhs, which is also deposited in the joint account of the Manager and the Director, NCTE, SRC. Copies of the FDR's, Form "A" and certificate from the Manager SBI, Kudappanamoodu are produced herewith."

AND WHEREAS the Committee, noting that the appellant institution is conducting B.Ed. programme since 2005 and has submitted the requisite documents found wanting in the order of withdrawal, concluded that the matter deserved to be remanded to the SRC with a direction to consider these documents submitted in appeal to be sent to them by the appellant and take necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal, 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 SRC with a direction to consider these documents submitted in appeal to be sent to them by the appellant and take necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal, within 15 days of receipt of orders on the appeal.



NOW THEREFORE, the Council hereby remands back the case of Emmanuel College of B.Ed. Training, Ottasekharamagalam, Kudappanamoodu PO, Nulliyode, Vazhichal, Kattakkada (Old-Neyyattinkara), Thiruvananthapuram, Kerala to the SRC, NCTE, for necessary action as indicated above.

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


(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Manager, Emmanuel College of B.Ed. Training, Ottasekharamagalam, Kudappanamoodu PO, Nulliyode, Vazhichal, Kattakkada (Old-Neyyattinkara), Thiruvananthapuram, Kerala – 695505.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Kerala, Thiruvananthapuram.



F.No.89-65/E-176983/2021 Appeal/6th Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021

ORDER

WHEREAS the appeal of R.S. Teachers Training College, Katras Bazar, Baghmara, Dhanbad, Jharkhand dated 05/02/2021 is against the Order No. NCTE/ERC/ERCAPP201645087/Diploma in Elementary Education (D.El.Ed.)/JH/2017-18/4; dated 24/04/2017 of the ERC refusing recognition on the grounds that "Show Cause Notice was issued on the following grounds that (i) NOC issued from the concerned affiliating body is not submitted. (ii) Building Completion Certificate duly approved by Government Engineer/Authority is not submitted. (iii) Fire safety certificate issued from competent Government Authority is not submitted. b. In response, the institution submitted reply dated 23/03/2017 along with copy of the building completion certificate, fire safety certificate and NOC from the Directorate of Primary Education, Government of Jharkhand issued on 08/03/2017 i.e. after the 15th July, 2016 which is not accepted by the Committee."

AND WHEREAS the appellant filed a L.P.A. No. 284 of 2018 with IA.No. 4721 of 2018 before the Hon'ble High Court of Jharkhand at Ranchi. The Hon'ble High Court, in their order No. 08 dated 04/01/2021, dismissed the petition as withdrawn and granted liberty to the appellant to avail alternative remedy i.e. appeal as sought for.

AND WHEREAS Sh. Parbash Kumar, Secretary, R.S. Teachers Training College, Katras Bazar, Baghmara, Dhanbad, Jharkhand presented online the case of the appellant institution on 22/02/2021. In the appeal and during personal presentation it was submitted that the Appellant institution was given last opportunity U/Section 15(3) of NCTE Act, 1993 to submit its reply within 21 days from the date issue of the letter before the committee takes final decision. The 234th meeting of the ERC, NCTE was held on 27th February - 3rd March, 2017. As such the grace period of 21 days to remove deficiency

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would have expired on 24th March, 2017 which was fixed as a cut of date. No show cause notice was given by the ERC, NCTE as per its 234th meeting held on 27th February - 3rd March, 2017 to the institution. On 23rd March, 2017, the Appellant institution came to know about the above said show cause notice providing last opportunity U/Section 15(3) to submit its reply within 21 days from the issue of this letter before the committee takes final decision. However, by way of abundant caution the appellant institution immediately sent its reply vide Letter No. RSTTC/2017/22(A) dated 23.03.2017, enclosing, Building completion certificate duly approved by Govt. Engineer/Authority, Fire safety certificate issued from competent Gov. authority and NOC from the Directorate of Primary Education, Government of Jharkhand issued on 08.03.2017. No letter of the refusal was also given by the ERC, NCTE as per decision taken in its 238th meeting (Part-2) held on 18th-20th April, 2017 to the institution. The ERC, NCTE pointed out to the Appellant institution about the deficiency but it was not mentioned that NOC issued from the concerned affiliating body should be of which date, rather it was asked that the NOC Issued from the concerned affiliating body is not submitted as such the NOC issued on 08.03.2017 was submitted for removing the deficiency, which is much prior to the cut of date. Further it is respectfully submitted that had the said NOC been not submitted within 21 days from the date of issue of the letter, than it would have the violation of the Section 15(3) of the NCTE Act, 1993 otherwise not. And at the same time the said NOC was already submitted before the consideration of the reply in the 238th meeting (Part-2) of the ERC, NCTE. There is no violation of Section 15(3) of NCTE Act, 1993 as such the decision of the committee refusing the recognition of the D.El.Ed. programm U/Section 15(3)(b) of NCTE Act 1993 of the application bearing No. ERCAPP201645087 is misconceived wrong and illegal. Refusal of the application for D.El.Ed. course under section 15(3)(b) is not applicable in this matter because as per ingredients mentioned in this section 15(3)(a) of the NCTE Act, 1993 is not attracted. In exactly similar circumstances the case of other institutions like: A) Greet Teacher Training College (ERCAPP201646127)(Id No. 9151) b) Scholar B.Ed. College (ERCAPP201645047)(Id No. 7507) C) Dr. S Radhakrishnan College of Education (ERCAPP201646161) (Id No. 9471) was considered and they were granted recognition of the D.El.Ed. course such as.



Whereas, the similar benefit has been denied to the appellant institution, which is arbitrary, unreasonable and violation of Article 14 of the Constitution of India.”

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by three years seven months and 11 days beyond the prescribed period of sixty days.

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

AND WHEREAS the Committee noted that the appellant in the online appeal, against the item 'Reason for Delay' submitted that due to wrong advice of the lawyer, the appellant moved before Jharkhand High Court vide W.P. 2995 of 2017, subsequently Intra Court Appeal vide LPA No. 284 of 2018. As such in view of the order dt. 04/01/2021 the delay may be condoned.

AND WHEREAS the Committee noted that the Hon'ble High Court of Jharkhand, in their order dt. 04/01/2021, to which a reference has been made by the appellant in the reasons for delay, has not made any order about limitation or condonation of delay, besides granting liberty to avail the alternative remedy i.e. appeal under the statutory provisions, as sought for. It is, evident that the appellant has not given any acceptable reason for not preferring a statutory appeal within the prescribed period of sixty days.

K. S. Singh

The Committee is therefore, not satisfied that the appellant had sufficient cause for not preferring the appeal within the prescribed period. In these circumstances, the Committee decided not to admit the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee that the appellant has not given any acceptable reason for not preferring a statutory appeal within the prescribed period of sixty days. The Committee is therefore, not satisfied that the appellant had sufficient cause for not preferring the appeal within the prescribed period. In these circumstances, the Committee decided not to admit the appeal.

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


(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, R.S. Teachers Training College, Katras Bazar, Street No. 239, Baghmara, Dhanbad, Jharkhand – 828114.
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 Jharkhand, Ranchi.



F.No.89-37/E-175902/2021 Appeal/6th Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021

ORDER

WHEREAS the appeal of B.M.D. College, Dayalpur, Vaishali (Hajipur), Bihar dated 16/01/2021 is against the Order No. ERC/278.162/FR-ERC-2021-07502672/63243 dated 04.11.2020 of the Eastern Regional Committee, summarily rejecting the application for grant of recognition for conducting for ITEP Course on the grounds that "date of online application is 31.07.2019 and the hard copy of the application received in this office on 19.08.2019 i.e. after 15th days from the date of making online application."

AND WHEREAS Sh. Ram Nath Singh, Principal, B.M.D. College, Dayalpur, Vaishali (Hajipur), Bihar presented the case of the appellant institution on 22/02/2021. In the appeal and during personal presentation it was submitted that the college has online application sent to NCTE, (ERC) on 31.07.2019 and offline application within 15 days i.e. on 14.08.2019 by speed post no. ff622805426in. The appellant enclosed a copy of the speed post receipt dt. 14/08/2019.

AND WHEREAS the Committee noted that according to the provisions of Clause 7 (2) (b) of the NCTE Regulation, 2014, an application may be summarily rejected if the printout of the application made online is not submitted within 15 days of submission of online application. From the evidence produced by the appellant about the despatch of offline application by speed post on 14/08/2019, it is to be admitted that they have submitted the print out within 15 days of online submission, irrespective of the date of receipt of the document by the Regional Committee, delivered by postal authorities.

AND WHEREAS in the above circumstances, the Committee concluded that the appeal deserved to be accepted and the matter remanded to the ERC with a direction to take further action on the application of the appellant as per the NCTE Regulation, 2014.

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AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the submission, Appeal Committee concluded to remand back the case to ERC with a direction to take further action on the application of the appellant as per the NCTE Regulation, 2014.

NOW THEREFORE, the Council hereby remands back the case of B.M.D. College, Dayalpur, Vaishali (Hajipur), 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 Principal, B.M.D. College, 100, Dayalpur, Vaishali (Hajipur), Bihar – 844502.
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.



F.No.89-288/E-172056/2020 Appeal/6th Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021

ORDER

WHEREAS the appeal of Mariam Girls College of Higher Education, Kiratpur, Mandawar Road, Najibabad, Bijnor, Uttar Pradesh dated 25/11/2020 is against the Order No. NCTE/NRC/NRCAPP201616440/Bachelor of Education [B.Ed.]/SCN/UP/2017-2018/4; dated 20.01.2018 of the Northern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "the institution has not submitted reply to the Show Cause Notice issued on 11/02/2017 till date."

AND WHEREAS Sh. Danish Akhtar, Representative and Sh. Begraj, H.O.D., Mariam Girls College of Higher Education, Kiratpur, Mandawar Road, Najibabad, Bijnor, Uttar Pradesh presented the case of the appellant institution on 18/01/2021. In the appeal and during personal presentation it was submitted that "They have replied to the said show cause notice on 03/03/2017 seeking extension of time as the approval of faculty was delayed by the affiliating University. They are enclosing all papers related to correspondences made with the Registrar of the University requesting early approval of the faculty, which we could get only 02/06/2020 that is too after the directions of the High Court. Therefore, we have been constantly trying to submit compliance of the LOI but we could not do that by that time the NCTE has refused recognition. We have gone to the High Court and the Hon'ble Court has directed us to file the appeal."

AND WHEREAS the appellant filed Writ – A No. 2645 of 2020 before the Hon'ble High Court, Allahabad. The Hon'ble High Court, in their order dt. 20/02/2020, dismissed the Writ Petition on the ground of alternative remedy. The Hon'ble High Court also observed that the NCTE shall decide the appeal of the petitioner on merit, in accordance with law, expeditiously, preferably, within three months from the date of presentation of a

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certified copy of this order, after affording reasonable opportunity of hearing to all parties concerned including the petitioner, without raising any objection as to the limitation.

AND WHEREAS the appellant, in a letter dated 18/01/2021, stating that they could not bring papers relating to the approval of faculty by the University, requested for another opportunity to present their case. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. Danish Akhtar, Representative, Mariam Girls College of Higher Education, Kiratpur, Mandawar Road, Najibabad, Bijnor, Uttar Pradesh presented the case of the appellant institution on 22/02/2021 i.e. the second opportunity granted to them. In the course of presentation, the appellant submitted that they have forwarded to the NCTE a list of faculty duly approved by the affiliating University i.e. M.P. Rohilkhand University, Bareilly on 28/11/2020 in the prescribed format along with copies of degrees and mark sheets etc. with their letter dt. 29/01/2021. The Committee noted receipt of this letter.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to consider the approved faculty and other compliances of the Letter of Intent to be sent to them by the appellant and take necessary action in accordance with the NCTE Regulation, 2014. The appellant is directed to forward to the NRC the approved faculty list and its connected papers submitted in appeal as also other requisite compliances of the Letter of Intent, with originals thereof, wherever necessary, within 15 days of receipt of the orders on the appeal.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and oral arguments advanced during the submission, Appeal Committee concluded to remand back the case to NRC with a direction to consider the approved faculty and other compliances of the Letter of Intent to be sent to them by the appellant and take necessary action in accordance with the NCTE Regulation, 2014. The

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appellant is directed to forward to the NRC the approved faculty list and its connected papers submitted in appeal as also other requisite compliances of the Letter of Intent, with originals thereof, wherever necessary, within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Mariam Girls College of Higher Education, Kiratpur, Mandawar Road, Najibabad, Bijnor, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

- 1. The President, Mariam Girls College of Higher Education, Kiratpur, 928, 929, 936, Mandawar Road, Najibabad, Bijnor, Uttar Pradesh – 246731.**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-209/E-166316/2020 Appeal/6th Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021


ORDER

WHEREAS the appeal of Holy Child B.Ed. College, Kazigram Gram Panchayat, Malda Head Post Office, Noonbahi Road, Holy Child Campus, Uttar Ramchandrapur, Malda, West Bengal dated 27/09/2020 is against the Order No. ERC-279.23/APE00865/B.Ed./2020/62411 dated 26.02.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Teaching faculty is not appointed as per NCTE Regulation, 2014. Building Plan (BP) is not duly approved by the competent authority. Requisite information of the institutional website has not updated as per clause 7(14)(i) of the NCTE Regulation, 2014."

AND WHEREAS No one from Holy Child B.Ed. College, Kazigram Gram Panchayat, Malda Head Post Office, Noonbahi Road, Holy Child Campus, Uttar Ramchandrapur, Malda, West Bengal appeared on behalf of the appellant institution on 28/10/2020, 19/01/2021 and 22/02/2021. In the appeal memoranda it was submitted that "Due to National Lockdown / State Lockdown (in West Bengal) and COVID-19 pandemic situation, the Institution was physically closed for a long time. Under this circumstance, the officials of the Society/Institution were unable to get the withdrawal order and file an Appeal Application before the Hon'ble Appeal Committee, NCTE New Delhi, within the stipulated date. The Applicant Society/Institution has submitted all the requisite documents including affidavit/undertaking dated 28.01.2015 in compliance with the NCTE Regulation 2014. Besides, the ERC-NCTE was satisfied with all the documents and issued REVISED RECOGNITION ORDER for conducting B.Ed. Course (APE00865) of two years' duration with an annual intake of 100 (two basic units) from the academic session 2015-2016, as per NCTE Regulation 2014, Vide Order No. F.ERC/NCTE/APE00865/B.Ed. (Revised Order)/2015/32048, dated 24.05.2015. The Applicant Society/Institution was initially affiliated to "University of Gour Banga" for the

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academic session 2008-2009, later on it came under "West Bengal University of Teachers' Training Education Planning and Administration" (WBUTTEPA) from the academic session 2017-18 onward with an annual intake of 100 students (two basic units). The Applicant Society/Institution has satisfied all the norms and standards for B.Ed. Course (APE00865) from time to time as laid down by NCTE Regulation 2007 -and/or- NCTE Regulation 2009 -and/or- NCTE Regulation 2014 and successfully running its 12th year (2008-09, 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 2018-19 & 2019-20) of B.Ed. Course from the academic session 2008-2009 onward, under University of Gour Banga -and/or - West Bengal University of Teachers' Training Education Planning and Administration (WBUTTEPA). The Applicant Society/Institution, was also granted recognition by ERC-NCTE for D.El.Ed. Course (APE01015) of two years' duration with an annual intake 50 (one basic unit) from the academic session 2009-2010. The Applicant Society/Institution, at present is in possession of 7281.2 Sq.Mts. of Land and 4234.68 Sq.Mts. of Build-Up Area in the name of the Society/Institution which satisfied the norms for composite institution as per NCTE Regulation, 2007 -and/or- NCTE Regulation, 2009 -and/or NCTE Regulation, 2014. Building Plan and Building Completion Certificate (BCC) as per NCTE format duly approved by the competent authority. The Applicant Society/Institution always maintained every record on Faculty Appointments as per NCTE format duly approved by the concerned Universities, from time to time as per NCTE Regulation 2007 -and/or- NCTE Regulation 2009 -and/or- NCTE Regulation 2014. The issue of Faculty Recruitments is a continuous process, and it required certain time on submission of the final data sheet. It needs to be mentioned that, availability of NET/SET/PHD qualified faculties as per NCTE Regulation 2014 is very rare and exceptional. The Applicant Society/Institution has already applied to the University (WBUTTEPA) for Faculty Selection against the vacant seats, unfortunately the entire process has been delayed for few months due to numerous lockdown and COVID-19 pandemic situation. It is expected to be completed before starting the new academic session 2020 -2021. Accordingly, the final and approved Teaching Staff Format (as per NCTE), shall be submitted. to ERC-NCTE. The Applicant Society/Institution, in its reply dated 20.03.2019 and 21.01.2020 against Show Cause



Notice Vide Ref. No. F.3-3/Regulation/NCTE/ERC/2016-2019/59372, dated 21.02.2019 and Vide Ref. No. ERC/277.6/APE00865/B.Ed./2019/61973, dated 26.12.2019 issued by ERC-NCTE Bhubaneswar, submitted in its written submission along with all relevant documents with a prayer of consideration, which was unfortunately not considered by ERC-NCTE. The Applicant Society/Institution is presently having all the necessary documents including. Teaching Faculty Approval (Previous) and Application to the University (WBUTTEPA) for Selection of New Teaching staff against the Vacant Seats. Approved Building Plan (BP) by the competent authority, Updated Website Information in accordance with the requirements set-up by the ERC-NCTE to establish its position and may satisfy the Hon'ble Appeal Committee in favour of the institution against such refusal. Hence, the Applicant Society/Institution had no other alternative but to file an Appeal under Section 17(1) of the NCTE Act 1993, to consider the case and Remands Back to ERC-NCTE for "restoration of recognition order" or further processing of the application of B.Ed. Course (APE00865)."

AND WHEREAS No one from Holy Child B.Ed. College, Kazigram Gram Panchayat, Malda Head Post Office, Noonbahi Road, Holy Child Campus, Uttar Ramchandrapur, Malda, West Bengal appeared to present the case of the appellant institution on 22/02/2021 i.e. the third and final opportunity granted to them. Appeal Committee noted that neither anyone from the appellant institution appeared nor any communication was received from them. In the above circumstances, the Committee proceeded to consider the appeal on the basis of available records. The Committee noted that the appellant, while claiming in the appeal that the building plan has been approved by the Competent Authority and website information is available, has not been able to provide till now the list of faculty appointed as per NCTE Regulation, 2014, which is a crucial instructional requirement for conducting the teacher training programme. In these circumstances, the Committee concluded that the appeal deserved to be rejected and the order of the ERC, which is justified, be confirmed.


AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the ERC was justified in

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withdrawing recognition. The appeal deserved to be rejected and the order of the ERC is confirmed.

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

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


(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Holy Child B.Ed. College, Kazigram Gram Panchayat, Malda Head Post Office, Noonbahi Road, Holy Child Campus, Uttar Ramchandrapur, Malda, West Bengal – 732101.
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.89-262/E-170453/2020 Appeal/6th Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021

ORDER

WHEREAS the appeal of Smt. Genda Devi Mahavidyalaya, Allipur – Barwara, Tehsil – Kasganj, Sirawali, Barwara, Aligarh, Etah, Uttar Pradesh dated 18/11/2020 is against the Order No. NRC/NCTE/UP-3001/315th Meeting/2020/209248 dated 09.09.2020 of the Northern Regional Committee, withdrawing recognition for conducting for M.Ed. Course on the grounds that “The latest/current faculty list approved & signed on each page by concerned affiliating body in original with the details of their teaching subject, date of birth, date of selection, date of joining, academic qualifications, teaching experience. NET/Ph.D. (NCTE GO dated 09.06.2017), salary structure and related documents duly attested by authorized management representative not submitted. And, notarized original affidavit of Rs. 100/- on non-judicial stamp paper by the management and Rs. 10/- non-judicial stamp paper by each selected/approved faculty in the NCTE prescribed proforma are not submitted. Approved faculty list is not submitted as per Appendix-4 of NCTE Regulation, 2014 (amended from time to time). Copies of valid fixed deposit receipts Nationalised/Scheduled Bank towards Endowment & Reserve Fund in the joint operation mode with RD, NRC, NCTE & Management alongwith duly field Bank Form “A” in original verified signed by the Manager of the Bank as per NCTE Regulations, 2014 are not submitted. Downloaded copies of documents from the website of the institution with hyperlinks of the same as per provisions of 7(14) of the NCTE Regulations, 2014 not submitted.”

AND WHEREAS No one from, Smt. Genda Devi Mahavidyalaya, Allipur – Barwara, Tehsil – Kasganj, Sirawali, Barwara, Aligarh, Etah, Uttar Pradesh appeared on behalf of the appellant institution on 04/12/2020. In the appeal memoranda it was submitted that “Ours is a well reputed postgraduate college offering UG and PG courses in several subjects. The faculty list as approved by the affiliating university with other details as

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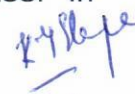
required by NRC has been submitted by us on 20.04.2018 as compliance to the revised recognition order. Followed by another reply on 12.11.2019 copies enclosed. 2. The NRC itself has not taken note of this replies and issued show cause followed by withdrawal. 3. A complete reply as required under relevant provisions of NCTE Regulation 2014 will be produced before your good self at the time of hearing of the appeal.”

AND WHEREAS on 20.01.2021 the appellant, online, requested another opportunity to present their case. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS No one from, Smt. Genda Devi Mahavidyalaya, Allipur – Barwara, Tehsil – Kasganj, Sirawali, Barwara, Aligarh, Etah, Uttar Pradesh appeared to present the case of the appellant institution on 22/02/2021 i.e. the third and final opportunity granted to them. The appellant, with an email dt. 21/02/2021, forwarded a copy of their letter dt. 20/02/2021, in which they requested a date for next hearing after two months on the grounds that the matter of changing the members of the college committee is under process in the office of the Registrar, Society and Chit Funds, Agra and a case for Expert Panel for M.Ed. programme is pending in the High Court, Allahabad on which a final decision will be taken on 15/03/2021.

AND WHEREAS the Committee did not find any justification to grant an additional opportunity, over and above the three permissible opportunities, to the appellant. The appellant consistently failed to appear in person on all the three occasions. The Committee, in the circumstances proceeded to consider the appeal on the basis of available records.

AND WHEREAS the Committee noted that the appellant, in response to the specific grounds on which the order of withdrawal was issued by the NRC, in their explanation given in the online appeal, made some vague statements without providing point-wise reply supported by documentary evidences for consideration of Appeal Committee. In

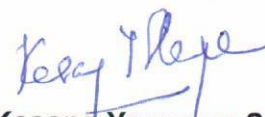


the circumstances, the Committee concluded that the appeal deserved to be rejected and the order of the NRC confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the NRC was justified in withdrawing recognition. The appeal deserved to be rejected and the order of the NRC is confirmed.

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

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



(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Managing Director, Smt. Genda Devi Mahavidyalaya, Allipur – Barwara, Tehsil – Kasganj, 515, 516, Sirawali, Barwara, Aligarh, Etah, Uttar Pradesh – 207403.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-271/E-171070/2020 Appeal/6th Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021

ORDER

WHEREAS the appeal of Majmaa Training College, Kavanur, Rahmath Nagar, Ernad, Malappuram, Kerala dated 24/11/2020 is against the Order No. SRO/NCTE/APSO0723/B.Ed./{KL}/2020/119524 dated 16.10.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Institution was issued a Final Show Cause Notice (FSCN) dated 01.09.2020. The institution submitted its reply on 21.09.2020. The Committee considered the reply and found the following deficiencies:- The institution has not submitted original blueprint of building plan duly approved by the competent authority. The institution has submitted Photocopy of Notarized Building Plan but is not showing the area of Multipurpose Hall and Library However, the size multipurpose hall 1227.83 sq. ft. (1870x610) and Classrooms which are less than the requirement as per NCTE Norms. The institution has submitted photocopy of faculty list duly approved by Registrar University of Calicut, but approval letter issued by the University has not been submitted. The institution has not appointed faculty for Fine Arts & performing Arts. The institution has not submitted certificate of educational qualifications of the faculty."

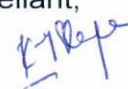
AND WHEREAS Shri L.S. Nishad, Representative and Shinoj K. Narayana, Representative, Majmaa Training College, Kavanur, Rahmath Nagar, Ernad, Malappuram, Kerala presented online the case of the appellant institution on 20/01/2021. In the appeal and during presentation it was submitted that "NCTE neither gave us an opportunity nor notified the non-production of original blueprint of building plan duly approved by competent authority as defect at any time before delivering the impugned order of withdrawal of recognition dated 16.10.2020. Notarized true copy of building plan duly approved by the competent authority was submitted to the NCTE along with the reply to the final show cause notice dated 01/09/2020. Appellant undertakes to produce the

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original blueprint of building plan duly approved by competent authority at the time of hearing of appeal. In fact the true copy of notarized building plan submitted earlier before the NCTE was the building plan approved by the competent authority on 30.08.2008. Later the building was reconstructed/modified and made all necessary changes and arrangements as per the new norms of NCTE. Appellant undertakes to produce the new building plan issued by the local body (Panchayath) at the time of hearing of appeal. That no opportunity was given to the Majma'a Training College to produce the approval letter issued by the university any time before passing the impugned order of withdrawal of recognition dated 16.10.2020. Appellant undertakes to produce the approval letter issued by the University of Calicut at the time of hearing of appeal. That the faculty for fine arts and performing arts have already been appointed and working from the very beginning of the Majma'a Training College. But due to some unseen and technical issues they were not included in the staff list submitted along with the reply to the final Show Cause notice dated 01.09.2020. But later on 29.09.2020 newly approved staff list including faculty of fine arts and performing arts was submitted at NCTE, Delhi. Appellant undertakes to produce the Staff approved list including the faculty for fine arts & performing arts at the time of hearing of appeal. That no opportunity was given to the Majmaa Training College to produce certificates of educational qualifications of the faculty before passing the impugned order of withdrawal of recognition dated 16.10.2020. Appellant undertakes to produce the true copies of certificates of educational qualifications of the faculty at the time of hearing of appeal."

AND WHEREAS the appellant, in a letter dt. 20/01/2021 requested an opportunity for further representing their case. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Shri Nishad L.S., Representative, Majmaa Training College, Kavanur, Rahmath Nagar, Ernad, Malappuram, Kerala presented the case of the appellant institution on 22/02/2021 i.e. the second opportunity granted to them. The appellant, with their letter dt. 22/02/2021, submitted a copy of the building plan, countersigned by the Assistant Engineer, LSGD Section, Kavanur Gram Panchayat, which inter-alia showed the size of the multipurpose hall as 2248 sq. ft. The appellant,



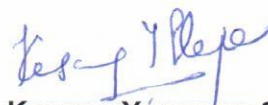
with the appeal, submitted a copy of the approval letter dt. 05/11/2020 issued by the University of Calicut, a copy of approved staff list including faculty for Fine Arts and performing arts and copies of educational qualifications.

AND WHEREAS the Committee, noting that the appellant institution is conducting B.Ed. programme since 2005 with a present intake of 50 seats and has submitted the documents found wanting in the order of withdrawal, concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents submitted in appeal to be sent to them by the appellant, and take necessary action as per NCTE Regulation, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal within 15 days of receipt of orders on the appeal.

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 submitted in appeal to be sent to them by the appellant, and take necessary action as per NCTE Regulation, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Majmaa Training College, Kavanur, Rahmath Nagar, Ernad, Malappuram, Kerala to the SRC, NCTE, for necessary action as indicated above.

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



(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The HR Manager, Majmaa Training College, Kavanur, Rahmath Nagar, Ernad, Malappuram, Kerala – 673639.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Kerala, Thiruvananthapuram.



F.No. 89-274/E-171335/2020 Appeal/6th Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021

ORDER

WHEREAS the appeal of Exalt College of Education, Kanauhali, Garaul, Vaishali (Hajipur), Bihar dated 02/12/2020 is against the Order No. ERC/283.22/ERCAPP666/B.Ed./2020/63031 dated 15.09.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "list of teaching faculty is not in the NCTE prescribed proforma duly approved by the Registrar of the concerned affiliating body. Requisite information of the institutional website has not updated as per clause 7(14)(i) of NCTE Regulation, 2014. Hence, B.Ed. course is withdrawn under section 17(1) of NCTE, Act, 1993 from the next academic session 2021-22."

AND WHEREAS Ms. Chhaya Singh, H.R. Admin., Exalt College of Education, Kanauhali, Garaul, Vaishali (Hajipur), Bihar presented the case of the appellant institution on 20/01/2021. The appellant, in a letter submitted in the course of presentation, due to non-availability of some documents, requested for another opportunity to present their case. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.


AND WHEREAS Sh. Randhir Kumar, Admin., Exalt College of Education, Kanauhali, Garaul, Vaishali (Hajipur), Bihar presented the case of the appellant institution on 22/02/2021 i.e. the second opportunity granted to them. The appellant, with their letter dt. 22/02/2021, submitted particulars of 18 staff members in the proforma duly countersigned by the Registrar, B.R.A. Bihar University, Muzaffarpur. The appellant, in the online appeal, submitted that they have updated their website.

AND WHEREAS the Committee, noting that the appellant has submitted the document found wanting in the withdrawal order and stated that they have updated their website concluded that the matter deserved to be remanded to the ERC with a direction to consider the approved staff list in the proforma as well as updated website information to be sent to them by the appellant, and take necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC the approved faculty list submitted in appeal and also their updated website information 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 ERC with a direction to consider the approved staff list in the proforma as well as updated website information to be sent to them by the appellant, and take necessary action as per the NCTE Regulation, 2014. The appellant is directed to forward to the ERC the approved faculty list submitted in appeal and also their updated website information within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Exalt College of Education, Kanauhali, Garaul, Vaishali (Hajipur), 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 Chairman, Exalt College of Education, Kanauhali, 436-428, Garaul, Vaishali (Hajipur), Bihar – 844101.
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.



F.No.89-44/E-176132/2021 Appeal/6 Mtg.-2021/22nd February, 2021

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/03/2021

ORDER

WHEREAS I.B. Women College of Education, Road, Rohtak, Haryana preferred an appeal dated 01/07/2015 against the Order No. NRC/NCTE/HR-1570/234th Meeting/2015/98834-839 dated 14.05.2015 of the Northern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "1. the land documents attached with the application of the institution for B.Ed. course received by NRC on 31.03.2008 show that a plot of 3500 sq. yards bearing plot no. 169/25/2/2/1 situated in Ram Gopal Colony, Nagar Palika, Rohtak has been purchased through a registered Sale deed dated 08.12.2005 by Mother Teresa Educational Society from one Sumer Singh S/o Sw. Nand Ram for its proposed B.Ed. course. 2. The reply of the society (received by NRC on 09.03.2015) shows that the building of B.Ed. course is situated on a land measuring 2500 sq. mts. and it has been obtained by the society through a private lease deed dated 22.07.2007 from one Amarjeet S/o Sw, Jagbir. This lease deed specifically mentions that only I.B. College of Education and Management shall be run on this leased land/building whereas the name of the Institution which is being run at present (as is being claimed by the institution) is I.B. Women College of Education and Management. 3. VT inspected the institution on 17.09.2009 under section 17 of NCTE, Act, and its report reveals the address of institution as "Plot No. 111, Delhi Bye Pass Road, Rohtak". This VTR also mentions that the building of the institution is being used for Dreamland Public School only and no Teacher Education programme is being run from this building. 4. A letter no. CH-IX/11/3559-66 dated 16.02.2011 from Superintendent Colleges, MDU Rohtak reveals that the concerned institution has no land and building in the name of college and the same is being run in the school. The institution does not possess any land on ownership basis/Government lease basis since 2nd September, 2008 (the date of grant of recognition) till date. 5. The institution does not have its own building built exclusively for running B.Ed. course. 6. A list of teaching staff

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(attached with the letter of institution dated 06.03.2015) reveals that there is no Principal in the institution since 01.07.2013 which means that this B.Ed. programme is being run for last 01 year and 09 months without any Principal. Furthermore, the list of teaching staff has not been approved by the affiliating university. 7. The institution has not submitted the building completion certificate duly approved by the Competent Authority, with regard to the building built for the proposed B.Ed. course on the Plot No. 169/25/2/21 purchased on 08.12.2005 by the Society. 8. VT Report under Section 17 (dated 17.09.2009) reveals the following: Dreamland Public School is being run in the inspected building & no teacher education programme is being run in this building. Faculty has not been appointed as per NCTE norms for B.Ed. On the basis of above-mentioned facts, it gets established beyond doubt that the institution has tried to mislead the NRC and has obtained recognition by concealing, distorting and fabricating the facts. Hence, NRC decided to withdraw the recognition of the institution for B.Ed. course from the end of the academic session next following the date of order of withdrawal on the above points."

AND WHEREAS Appeal order dated 25/02/2016 was issued confirming the impugned order of withdrawal issued by NRC. Appellate order was quite comprehensive and covered the points raised by appellant institution in its appeal dated 01/07/2015 vis a vis grounds on which recognition was withdrawn.

AND WHEREAS appellant has now preferred a representation by quoting following orders of High Court of Punjab and Haryana at Chandigarh:-

- i) CWP 29082 of 2017 order dated 20.12.2017.
- ii) CWP 17543 of 2018 order dated 19/07/2018.
- iii) CWP 24302 of 2018 order dated 09.01.2019.
- iv) CWP 20466 of 2020 order dated 01.12.2020.

AND WHEREAS Dr. Dayavati Yadav, Principal, I.B. Women College of Education, Road, Rohtak, Haryana presented the case of the appellant institution on 22/02/2021. In the representation and during personal presentation it was submitted that consequent upon the directions of High Court issued in case no. CWP 17543 of 2018, NCTE has

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not decided the representation which was marked at Annexure 6 of the CWP. Appellant has further referred to the order dated 01.12.2020 of CWP no. 20466 of 2020 which directs the respondent to duly consider the appeal moved by the petitioner.

AND WHEREAS Appeal Committee noted that:-

- (a) Recognition granted to the college for conducting B.Ed. course was withdrawn by the NRC in their order dt. 14.05.2015.
- (b) The appeal of the college against the order of the NRC was rejected and the order was confirmed by the Council in their order dt. 25/02/2016.
- (c) The college approached the Hon'ble High Court of Punjab & Haryana through CWP 29082 of 2017. Hon'ble High Court in their order dt. 20.12.2017, allowed the petition to be withdrawn with liberty to make a "representation".
- (d) The college made a representation dt. 07/02/2018 addressed to both NCTE and NRC.
- (e) The college again approached the High Court through CWP No. 17543 of 2018 for not considering their representation. The High Court in their order dt. 19/07/2018 directed the NCTE (Respondent No. 1) to decide the representation expeditiously but not later than two weeks.
- (f) NCTE in their letter dt. 30/08/2018 requested the NRC to comply with the order of the High Court.
- (g) The NRC in their letter dt. 17/09/2018 informed the college that the representation is devoid of merits and no action is required in the matter.
- (h) The college again approached the High Court through CWP 24302 of 2018 (O & M) and the Division Bench the High Court in their order dt. 09/01/2019, noting that NRC passed the order even though the directions were for to the NCTE to decide the matter as mandated earlier, asked for passing a speaking order within 4 weeks.
- (i) The college wrote to NCTE on 16/10/2019 requesting to consider the averments in the Writ Petition and the 'representation' and grant personal hearing.

K. V. Raje

AND WHEREAS Appeal Committee noted the points of consideration:-

1. The college approached the High Court through CWP 20466 of 2020 (O & M) stating that aggrieved by the order dt. 25/02/2016 (Appellate order) they filed a representation followed by a statutory appeal dt. 16/10/2019 and that they have not been disposed of. The High Court in its order dt. 01/12/2020 directed that the appeal be considered and a speaking order passed within 15 days.

AND WHEREAS there is no direction whatsoever from the High Court to the college to file a fresh appeal. It is well known that there cannot be an appeal against the appellate order itself. As per High Court's direction what is pending is disposal of the 'representation' and not appeal dt. 07/02/2018 by the Council. The High Court had set aside the order of the NRC disposing of the said representation, which was not their job but that of the NCTE.

AND WHEREAS Appeal Committee noted that appellant institution in its representation dated 07/02/2018 had made a request to reconsider the appellate order dated 25/02/2016 without appreciating the fact that there is no provision, in the NCTE Act on Rules framed thereunder, for the NCTE to review the Appellate order. Appeal Committee further noted that appellant neither in its representation dated 07/02/2018 nor in its letter dated 16/10/2019 has submitted any justification with regard to the deficiencies noticed by different Visiting Teams and other grounds on the basis of which recognition was withdrawn. Further to these facts, appellant institution was not issued Revised Recognition order under NCTE, Regulation, 2014 by NRC as done in case of other institutions who have switched over to the two year B.Ed. programme with revised and upgraded instructional and infrastructural facilities. The B.Ed. programme conducted by appellant institution stands discontinued from 2016 onwards. In the existing circumstances, appellant institution is at liberty to apply afresh as and when NCTE issues notification inviting applications for the course under NCTE, Regulation, 2014.

AND WHEREAS Appeal Committee decided to confirm its earlier decision conveyed to appellant institution by order dated 25/02/2016.

K. J. Raje

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the NRC was justified in withdrawing recognition. The appeal deserved to be rejected and the order of the NRC dt. 14/05/2015 is confirmed.

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

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



(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Director, I.B. Women College of Education, 156, SEC-1, Road, Rohtak, Haryana – 124001.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.