



F.No.89-365/E-135674/2019 Appeal/5th Mtg.-2020/4th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/03/2020

ORDER

WHEREAS the appeal of College of Teacher Education, Tinsukia, Dahotia Chuk, Rongagora, Tinsukhia, Assam dated 14/09/2019 is against the Order No. ER-275.14.27/APE00096/B.Ed./2019/61397 dated 26.08.2019 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the following grounds that "the approved faculty list is not as per NCTE Regulations as three teachers are part time."

AND WHEREAS Mrs. Kaberi Shantana Das, Secretary and Sh. Dibru Bikash Dihingia, Representative, College of Teacher Education, Tinsukia, Dahotia Chuk, Rongagora, Tinsukhia, Assam presented the case of the appellant institution on 21/11/2019. In the appeal it was submitted that "3 (three) part time teachers have been appointed as full-time teacher by the Governing Body of the College. The faculty list is also approved by the affiliating university along with these three teachers and already sent to ERC, NCTE, Bhubaneswar on 27-08-2019." Further, the appellant, in the course of personal presentation, gave a letter dt. 21/11/2019, requesting for another opportunity for hearing so that they can submit proper documents. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS Sh. D. Nath Bhattacharya, President and Mrs. Kaberi Shantana Das, Principal, College of Teacher Education, Tinsukia, Dahotia Chuk, Rongagora, Tinsukhia, Assam presented the case of appellant institution on 04/02/2020. Appeal

Committee noted that appellant in the course of appeal hearings on 21/11/2019 and 04/02/2020 submitted copies of (i) list of faculty approved by affiliating university for the year 2019-20, (ii) Building Completion Certificate (BCC) for a total built up area of 7484 Sq. feet, (iii) FDRs of Rs. 7 lakh and 5 lakh, (iv) Building Plan (which is not legible) and (v) Affidavit of having an updated website.

AND WHEREAS Appeal Committee noted that appellant institution was required to submit the above documents by a Show Cause Notice (SCN) dated 21/02/2019. Appeal Committee noted that appellant institution has been able to rectify the deficiency relating to approval and appointment of faculty on full time basis which is stated as reason for withdrawal of recognition in the impugned order dated 26/08/2019. Appeal Committee further observed from the building plan and the B.C.C. that appellant institution does not possess the required built up area which is stated to be 7484 sq. feet. Minimum built up area required for conducting B.Ed. programme with an intake of 50 seats is 1500 sq. meters. The built up area related norms have been in force since NCTE Regulations, 2009 and are required to be followed by all teacher education institutions in accordance with Clause 8 (11) of NCTE Regulations, 2014.

AND WHEREAS Appeal Committee noted that though inadequacy of built up area is not cited as reason for withdrawal, the appellant of its own was required to submit evidence of possessing required built up area as per terms and conditions of revised recognition order dated 22/05/2015 and the S.C.N. dated 21/02/2019. Appeal Committee, therefore, decided to confirm the impugned order of withdrawal dated 26/08/2019.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned order of withdrawal dated 26/08/2019.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, College of Teacher Education, Plot No. 34, Dag No. 89, Tinsukia, Dahotia Chuk, Rongagora, Tinsukhia – 786125, Assam.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.



F.No.89-369/E-135955/2019 Appeal/5th Mtg.-2020/4th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/03/2020

ORDER

WHEREAS the appeal of Department of Physical Education University of Mumbai, Vidyanagari, Bandra, Mumbai, Maharashtra dated 27/09/2019 is against the Order No. WRC/APW01749/124043/310th/2019/205507 dated 22.08.2019 of the Western Regional Committee, withdrawing recognition for conducting B.P.Ed. Course on the following grounds "Clarification letter was issued to the institution vide letter dated 09.01.2019. The summary of the case submitted reveals that the institution has not submitted reply of clarification. Hence, the Committee decided to withdraw the recognition under section 17(1) of the NCTE Act, 1993 for B.P.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

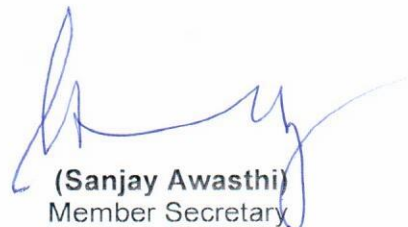
AND WHEREAS Dr. Ajay Deshmukh, Registrar and Dr. Rashmi Oza, Dean, Department of Physical Education University of Mumbai, Vidyanagari, Bandra, Mumbai, Maharashtra appeared on behalf of the appellant institution on 04/02/2020 and submitted that deficiency of 2 Associate Professors has been removed by promotion of fresh applicants.

AND WHEREAS Appeal Committee noted that appellant institution is a Department of Physical Education of the University of Mumbai and is conducting various courses in Physical Education which include B.P.Ed., M.P.Ed., Ph.D. and Certificate courses. The appellant institution for its B.P.Ed. course, had continued with the deficiency of 2 Associate Professors despite clarificatory letters of WRC dated 24/05/2018 and 09/01/2019 seeking clarifications from the appellant institution. Department of Physical Education, University of Mumbai in its presentation made before Appeal Committee on 04/02/2020 submitted list of faculty approved by Registrar of

University and this list includes the names of One Professor, 02 Associates Professors, 07 Assistant Professors and Sports Trainers. Appeal Committee decided that appellant institution is required to submit the faculty list to WRC within 15 days of the issue of appeal order and shall also comply with the other requirements of the revised recognition order dated 31/05/2015. Appeal Committee further decided to remand back the case to WRC for revisiting the matter after the appellant institution submits the required documents within 15 days of the issue of appeal order.

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 WRC for revisiting the matter after the appellant institution submits the required documents within 15 days of the issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of Department of Physical Education University of Mumbai, Vidyanagari, Bandra, Mumbai, Maharashtra to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Registrar, Department of Physical Education University of Mumbai, 4094, Vidyanagari, CST Road, Bandra, Mumbai – 400098, Maharashtra.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.



F.No.89-375/E-136403/2019 Appeal/5th Mtg.-2020/4th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/03/2020

ORDER

WHEREAS the appeal of Gorakh Singh College, Maharajganj, Siwan, Bihar dated 28/08/2019 is against the Order No. ER-274.14.50/APE00751/B.Ed./2019/61422 dated 28/08/2019 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the following grounds that "The institution is still deficient on the following grounds:- Faculty list comprises 1+14, which is less than required 1+15 as per NCTE Regulations, 2014. Faculties at sl. No. 8 to 14 of the list appointed after Gazette Notification dated 09.06.2017, who do not possess requisite qualification. Recognition granted to B.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021."

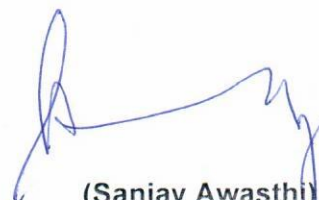
AND WHEREAS Sh. Manas Mohan Pandey, Representative, Gorakh Singh College, Maharajganj, Siwan, Bihar presented the case of the appellant institution on 22/11/2019. In the appeal and during personal presentation it was submitted that "ERC issued first show cause notice dated 21.02.2019 and college replied on 12.03.2019 with all necessary attachment. In proceedings of 271 meeting of the ERC NCTE held on 24-25 April 2019 ERC issued the final show cause notice under section 17(1) of NCTE Act on the ground that the submitted faculty list comprises 1+14 which is less than required 1+15 as per NCTE Regulation 2014. The institution again replied on dated 27.05.2019 with all necessary documents in respect of show cause notice of 271 meeting of the ERC, NCTE held on 24-25 April 2019 which is issued by letter no. F.ER 271.14.11/ (APE00751)/B.Ed./2019/60361 dated 14.05.2019. In the proceedings of 274 meeting of the ERC, NCTE held on 15-16 July 2019, ERC has withdrawn the recognition granted to B.Ed. course from the academic session 2020-21."

AND WHEREAS Sh. Gorakh Singh, Management and Sh. Manas Mohan Pandey, Representative, Gorakh Singh College, Maharajganj, Siwan, Bihar presented the case of the appellant institution on 04/02/2020. Appeal Committee noted the submission made

by appellant on 04/02/2020 with regard to selection and appointment of faculty and observed that the list earlier submitted to ERC contained the names of 1 + 14 faculty and the faculty (Archana Mishra) at serial no. 8 was shown as possessing Ph.D. In the list submitted by appellant on 04/02/2020 faculty at serial numbers 9 to 15 are shown to be possessing NET or equivalent qualifications. The deficiency therefore stands removed. Appellant institution is recognised for conducting B.Ed. course since 2007 and therefore, Appeal Committee decided to remand back the case to ERC for revisiting the matter. Appellant institution should submit to ERC within 15 days of the issue of appeal order, original of the faculty list approved by affiliating university with evidence of qualifications of the faculty and letter of university granting approval.

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 for revisiting the matter. Appellant institution should submit to ERC within 15 days of the issue of appeal order, original of the faculty list approved by affiliating university with evidence of qualifications of the faculty and letter of university granting approval.

NOW THEREFORE, the Council hereby remands back the case of Gorakh Singh College, Maharajganj, Siwan, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Gorakh Singh College, 1022, 1029, Maharajganj, Siwan – 841238, Bihar.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.



F.No.89-388/E-136849/2019 Appeal/5th Mtg.-2020/4th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/03/2020

ORDER

WHEREAS the appeal of Millennium College of Education, Village–Goura, Suraj Nagar, Huzur, Madhya Pradesh dated 24/09/2019 is against the Order No. WRC/APW00615/223157/B.Ed./MP/310th/2019/205993 dated 05.09.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that “in-spite of earlier 3 opportunities given to submit Building Completion Certificate, the institution has failed to submit the same. Hence, the committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. Programme with effect from the end of the academic session next following the date of communication of the said order.”

AND WHEREAS Sh. Vinod Yadav, Chairman and Dr. Susheel Tiwari, OSD, Millennium College of Education, Village–Goura, Suraj Nagar, Huzur, Madhya Pradesh presented the case of the appellant institution on 25/11/2019. In the appeal and during personal presentation it was submitted that “they have already submitted required document (i.e. Building Completion Certificate) on time on 04/09/2019 which was within given time limit and again they have submitted same copy along with fresh covering letter on 04/09/2019.”


AND WHEREAS the Committee noted that the certificate dt. 27/10/2018 issued by Bhopal Municipal Corporation and submitted by the appellant was not in the format prescribed by the NCTE. The appellant in the course of appeal hearing on 25/11/2019 gave a letter dt. 25/11/2019 requesting for an opportunity to submit the Building Completion Certificate in the specified format. The Committee acceded to the request and decided to give the appellant another opportunity to present their case.

AND WHEREAS Appeal Committee noted that appellant institution is recognised for conducting B.Ed. course since the year 2004 and was required to submit a Building

Completion Certificate (BCC) for establishing that appellant institution possess required built up area as per NCTE Regulations, 2014. Earlier B.C.C. submitted by the appellant was not in the format prescribed by NCTE. Sh. Vinod Yadav, Chairman and Sh. Sushil Tiwari, OSD, Millennium College of Education, Village–Goura, Suraj Nagar, Huzur, Madhya Pradesh presented the case of the appellant institution on 04/02/2020. Appellant during the course of appeal hearing on 04/02/2020 submitted copy of a B.C.C. dated 04/12/2019 issued by Municipal Corp., Bhopal. The B.C.C. indicates the year of construction as 2007 and a total built up area of 45668.51 sq. feet spread over ground floor + first floor + second floor and third floor of the building located at Survey no. 234/2. Appellant institution is required to submit authenticated copy of the B.C.C. to WRC within 15 days of the issue of appeal order. Appeal Committee further decided to remand back the case to WRC for revisiting the matter after the appellant submits the B.C.C.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced the hearing, Appeal Committee concluded to remand back the case to WRC for revisiting the matter after the appellant submits the B.C.C.

NOW THEREFORE, the Council hereby remands back the case of Millennium College of Education, Village–Goura, Suraj Nagar, Huzur, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Millennium College of Education, Village – Goura, 234/2, Suraj Nagar, Nathu Barkheda Road, Huzur – 462044, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-398/E-138005/2019 Appeal/5th Mtg.-2020/4th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/03/2020

ORDER

WHEREAS the appeal of Shri Rawatpura Sarkar College of Education, MGCGV Chitrakoot, Satna Road, Majhgawa, Satna, Madhya Pradesh dated 25/09/2019 is against the Order No. WRC/APW08247/225175/309th/M.Ed./2019/205278 dated 09/08/2019 of the Western Regional Committee, withdrawing recognition for conducting for M.Ed. Course on the grounds that "the Show Cause Notice was issued to the institution vide letter dt. 31.01.2017. The reply of the show cause notice of the institution has not been received."

AND WHEREAS Ms. Amita Saxena, Director, Shri Rawatpura Sarkar College of Education, MGCGV Chitrakoot, Satna Road, Majhgawa, Satna, Madhya Pradesh presented the case of the appellant institution on 26/11/2019. In the appeal and during personal presentation it was submitted that "Shri Rawatpura Sarkar College of Education, Chitrakoot has always made compliance of NCTE Norms and it did not receive any show because notice dated 31st July 2017. Therefore, the Institute reply did not reach NCTE office. This is brought out humbly that the College had already submitted all documents pertaining to staff, land as mention in NCTE WRC withdrawal 09 Aug 2019 earlier vide SSCE/16-17/20 dated- 26/11/2016. Our College Infrastructure, staff is complete as per Norms and Standards. We are Accredited by NAAC also."

AND WHEREAS Appellant during the course of appeal hearing on 26/11/2019 submitted a written request seeking another opportunity to be heard and for submitting documents. Appeal Committee, as per extant appeal rules, decided to grant another (second) opportunity to the appellant to present its case before the Appellate Authority.

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 31/01/2017 was issued to appellant institution seeking, in compliance to the revised recognition order dated 20/05/2015, (i) staff profile duly approved by affiliating body, (ii) originally notarised CLU/NEC/BP and Building Completion Certificate. The impugned order of withdrawal dated 09/08/2019 was issued on the ground that 'no reply to S.C.N. was submitted by the appellant institution.' Appeal Committee noted that appellant after noting the minutes of 309th Meeting of WRC held on 23-26th July, 2019 informed WRC by its letter dated 31/07/2019 that it had not received the S.C.N. dated 31/01/2017.

AND WHEREAS Sh. Atul Kumar, Secretary and Sh. R. Singh, Representative, Shri Rawatpura Sarkar College of Education, MGCGV Chitrakoot, Satna Road, Majhgawa, Satna, Madhya Pradesh appeared before Appeal Committee on 04/02/2020 and submitted copies of (i) letter dated 27/12/2019 issued by Awadesh Partap Singh University conveying approval for one Principal and 27 faculty for B.Ed. & M.Ed. programme, (ii) Letter dated 16/12/2019 and letter dated 25/01/2019 of affiliating university conveying approval for appointment of 2 Professors and 6 Assistant Professors, (iii) Letter dated 25/01/2019 conveying approval for 12 Assistant Professor + 3 Assistant Professors in Arts and Craft. Appellant further submitted copies of B.C.C., C.L.U., N.E.C., land documents and Building Plan. Appeal Committee decided that appellant institution is required to submit to WRC authenticated copies of all these documents to WRC within 15 days of the issue of appeal order and on receiving the required documents, WRC shall revisit the matter and issue appropriate revised order.

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 WRC for revisiting the matter after the appellant institution submits to WRC requisite documents.

NOW THEREFORE, the Council hereby remands back the case of Shri Rawatpura Sarkar College of Education, MGCGV Chitrakoot, Satna Road, Majhgawa, Satna, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Director, Shri Rawatpura Sarkar College of Education, Near PWD Rest House, 54, MGCGV Chitrakoot, Satna Road, Majhgawa, Satna – 485334, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-401/E-138243/2019 Appeal/5th Mtg.-2020/4th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/03/2020

ORDER

WHEREAS the appeal of N.N. Ghosh Sanatan Teachers Training College, KoKodro, Kanke, Ranchi, Jharkhand dated 19/10/2019 is against the Order No. ER-275.14.37/(ERCAPP1221)/B.Ed./2019/61412 dated 26/08/2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Faculty list not approved by affiliating body duly stamped. Faculty list comprises 1+12 instead of 1+15 as per NCTE Regulations, 2014. Faculties at sl. No.5, 10 & 12 appointed after 09.06.2017 for Pedagogy subjects do not have NET/Ph.D. qualification as per Gazette Notification No. 237 of NCTE published on 09.06.2017."


AND WHEREAS Sh. V.N.S. Pillai, Management Representative and Dr. S.N. Pathak, Principal, N.N. Ghosh Sanatan Teachers Training College, KoKodro, Kanke, Ranchi, Jharkhand presented the case of the appellant institution on 26/11/2019. In the appeal and during personal presentation it was submitted that "The faculty list got duly stamped and hard copy is submitted. Three of the existing faculty who were appointed in 2015 and 2016 were not included in the aforesaid list. However, a fresh list of 1+15 is submitted with copy of the university approved list. 3. We are sorry to inform that no candidates with NET / Ph.D. applied for the post/attended the interview. However, the most suitable ones according to the prevailing situation were appointed. The Chairman and Management Committee has taken at most care for the teaching of students by inviting qualified faculty from St. Xaviers College, Ranchi till alternative arrangements are done. The following faculty members from St. Xaviers College, Ranchi are invited and are taking classes. 1. Dr. Raman Kumar Das, HOD, Department of Mathematics. 2. Prof. Seema Rani, Department of English. 3. Dr. Ajay Sreevastava, HOD, Botany. 4. Dr. V.K. Pandey, Department of Economics and 5. Dr. S.B. Bhattacharya, retired HOD, Commerce." Appellant during the course of appeal hearing on 26/11/2019 submitted a written request dated 26/11/2019 seeking another opportunity to be heard and for

submission of required documents. Appeal Committee as per extant appeal rules decided to grant another (second) opportunity to the appellant to present its case before the Appellate Authority.

AND WHEREAS Sh. V.N.J. Pillai, Management Representative, N.N. Ghosh Sanatan Teachers Training College, KoKodro, Kanke, Ranchi, Jharkhand appeared before Appeal Committee on 04/02/2020 and submitted a faculty list containing the names of a Principal and 15 faculty. The above list, stated to be approved by affiliating body, is under the signatures of Dean, Student's Welfare, Ranchi University. Appeal Committee decided that appellant should submit the list of faculty alongwith letter of university conveying approval to ERC within 15 days of the issue of appeal order. Appeal Committee further decided to remand back the case to ERC for revisiting the matter carefully after verifying the qualifications of faculty and approval granted by the affiliating university.

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 for revisiting the matter carefully after verifying the qualifications of faculty and approval granted by the affiliating university.

NOW THEREFORE, the Council hereby remands back the case of N.N. Ghosh Sanatan Teachers Training College, KoKodro, Kanke, Ranchi, Jharkhand to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, N.N. Ghosh Sanatan Teachers Training College, January, KoKodro, Sanatan Road, Kanke, Ranchi – 834006, Jharkhand.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.



F.No.89-411/E-139111/2019 Appeal/5th Mtg.-2020/4th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/03/2020

ORDER

WHEREAS the appeal of Rabindra Nazrul Smriti B.Ed. Educational Institute, Hetampur Rajbari, Dubrajpur, Birbhum, West Bengal dated 18/10/2019 is against the Order No. ER-274.14.101/APE00686/B.Ed./2019/61302 dated 20/08/2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "no reply of SCN on the following grounds received and the stipulated time period has already been over. Building completion certificate is not submitted. Photocopy of FDRs are not in joint mode with RD, ERC, NCTE as per Regulations, 2014. Faculties mentioned at sl. No. 1 to 11 of the approved list have been newly appointed after 09.06.2017 who do not passes requisite NET/Ph.D. qualification as per Gazette Notification No. 237 of NCTE published 02 units (100) intake of B.Ed. course. In view of the above, the Committee decided as under: Recognition granted to B.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021."

AND WHEREAS Sh. Swarup Kumar Das, Secretary and Sh. Kalachand Rakshit, Member, Rabindra Nazrul Smriti B.Ed. Educational Institute, Hetampur Rajbari, Dubrajpur, Birbhum, West Bengal presented the case of the appellant institution on 26/11/2019. In the appeal and during personal presentation it was submitted that "During the said period I was under Medical Supervision and Doctor advised restricted movement for back pain about two months. Moreover, the interview also could not be organized for the recruitment of teachers within the stipulated time as our University provided us with the University expert much later after the said period was over."

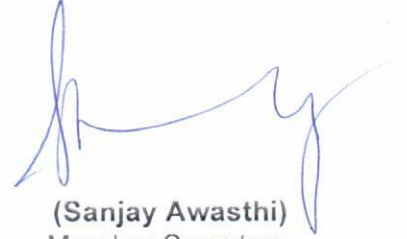
AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 20/08/2019 is on the ground that no reply to S.C.N. was received within stipulated

time. Appeal Committee noted that a Show Cause Notice (SCN) dated 17/06/2019 was issued to appellant institution seeking reply within 21 days and the appellant had submitted a reply dated 04/08/2019 to the S.C.N. This reply is found placed on the regulatory file. This reply was received in the office of ERC on 13/08/2019 (Dy. No. 88026). Appeal Committee noted that ERC in its 274th Meeting held on 15th & 16th July, 2019 (Minutes – Serial no. 256) took a decision to withdraw recognition without allowing a reasonable gap of time which might have occurred between the issue of Show Cause Notice and its receipt and reply by the addressee appellant.

AND WHEREAS Sh. Swarup Kumar Das, Secretary and Sh. Amal Kumar Das, Staff, Rabindra Nazrul Smriti B.Ed. Educational Institute, Hetampur Rajbari, Dubrajpur, Birbhum, West Bengal presented the case of the appellant institution on 04/02/2020. Appeal Committee further noted that appellant institution by its letter dated 31/08/2019 received in the office of ERC on 03/09/2019 had submitted a detailed reply along with all the required documents. Further the appellant submitted before Appeal Committee (i) copies of FDRs held in joint name, (ii) Building Completion Certificate (B.C.C.) dated 02/07/2019 signed by Assistant Engineer, P.W.D., Birbhum and a revised list of faculty containing the names of a Principal and 4 + 11 faculty approved by affiliating university. Appeal Committee decided that appellant institution is required to submit to ERC, authenticated copies / originals of these documents, within 15 days of the issue of appeal order. Appeal Committee further decided to remand back the case to ERC for revisiting the matter.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that appellant institution is required to submit to ERC, authenticated copies / originals of required documents, within 15 days of the issue of appeal order. Appeal Committee further decided to remand back the case to ERC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Rabindra Nazrul Smriti B.Ed. Educational Institute, Hetampur Rajbari, Dubrajpur, Birbhum, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Rabindra Nazrul Smriti B.Ed. Educational Institute, 1008, Hetampur, Hetampur Rajbari, Dubrajpur, Birbhum – 731124, West Bengal.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-163/E-115228/2019 Appeal/5th Mtg.-2020/4th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 11/03/2020

ORDER

WHEREAS the appeal of Sri Lakshmi College of Education, No. 4 & 5, Srigandakaval, Magadi Main Road, Sunkadakatte – 560091, Karnataka dated 23.04.2019 is against the Order No. SRO/NCTE/SRCAPP3548/B.Ed/KA/2016-17/76581 dated 20/10/2015 of the Southern Regional Committee, refusing recognition for conducting B.Ed. Course on the following grounds that as per the land document submitted, the land is leased out by a private party (Sri N. Ramachandraiah) to the society for a period of 30 years.

AND WHEREAS the representative of Sri Lakshmi College of Education, No. 4 & 5, Srigandakaval, Magadi Main Road, Sunkadakatte – 560091, Karnataka presented the case of the appellant institution on 11/06/2019. In the appeal and during personal presentation the appellant submitted the following:- SRC decision to reject the application of the institution without taking into consideration the land documents of the Trust is bad, perverse and illegal and thus same cannot be sustained in the eyes of law. The order-dated 20.10.2015 for rejecting of application of the applicant is liable to be quashed and set aside. Appellant has invested huge amount of capital and manpower for development of infrastructure and facilities at its institution and it has been continuously litigating for securing its rights and for running, Teacher Education course. Appellant has available with it all the infrastructure and facilities for running B.Ed. course as per applicable norms. Under Regulations, 2014 the "Council" has "powers to relax" any condition/ regulation which causes undue hardship. This is a fit case for relaxation and giving benefit to appellant who substantially satisfies norms and standards under Regulations, 2014. Appellant reserves its right to place on record relevant pronouncement and documents at the time of arguments."

AND WHEREAS Dr. Y.N. Prasad, A.O. and Sh. Ramachandraiah, Secretary, Sri Lakshmi College of Education, No. 4 & 5, Srigandakaval, Magadi Main Road, Sunkadakatte – 560091, Karnataka presented the case of the appellant institution on 04/02/2020. Appeal Committee noted that appellant institution had filed a Writ Petition (C) no. 9800 and C.M. No. 40455 of 2019 in the High Court of Delhi at New Delhi and the Hon'ble Court vide order dated 11/09/2019 has directed as under:-

"I may only note that Regulation 8 (4), however, does require the institution or society sponsoring the institutions to be in possession of the land on the date of the application either on the basis of ownership or on the basis of lease from the Government or Government institutions. The fact that a challenge was laid to the said Regulation which was not entertained has already been noted by me hereinabove.

The needful will be done by the petitioner within two weeks from the date of the receipt of the copy of the order.

If the petitioner approaches the NCTE within the timeframe indicated above, the NCTE will dispose of the application in accordance with law within a period of eight (8) weeks."

AND WHEREAS Appeal Committee noted that appellate authority in its previous order dated 05/07/2019 did not admit the appeal on grounds of delay. The appellate authority apart from citing delay for not admitting the appeal had also discussed the merits of the case keeping in view Clause 8 (4) of NCTE Regulations, 2014.

AND WHEREAS Appeal Committee pursued the order dated 11/09/2019 of Hon'ble High Court and noticed that in para 7 of the above order Hon'ble Court has mentioned the averment made by petitioner's Counsel stating that 'there are orders of this court which required NCTE to consider subsequent circumstances such as the one obtaining in the instant case to which a reference has been made in para 3 and 4 of the order'.

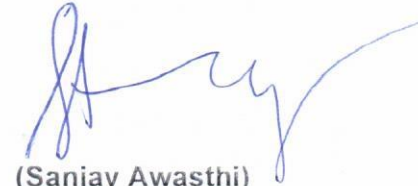
AND WHEREAS Appeal Committee noted that in para 3 and 4 of the Court's order, a reference is made to the petitioner's statement that petitioner on 29/11/2018, acquired ownership which was earlier on lease.

AND WHEREAS Appeal Committee noted that appellant institution submitted online application dated 23/06/2015 seeking recognition for B.Ed. course. Appeal Committee observed that Clause 7 (1) and 7 (2) (b) of the NCTE Regulation, 2014 mentioned the grounds which will lead to summary rejection of an application. Non submission of land documents is one of these grounds. When land documents are referred, this is particularly those land documents which will hold valid as on the date of online application.

AND WHEREAS Appeal Committee further noted that if the petitioner intends to challenge the provisions of NCTE Regulation, 2014 or seek any relaxation therefore, Appellate Authority has no mandate and it will be for the NCTE Council to decide. Appellant is at liberty to address a representation to NCTE Council in this regard. Appeal Committee, in the existing circumstances, has no option but to confirm the impugned order dated 20/10/2015.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned order dated 20/10/2015.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sri Lakshmi College of Education, No. 4 & 5, Srigandakaval, Magadi Main Road, Sunkadakatte – 560091, Karnataka.
2. The Secretary, Ministry of Human Resource Development, 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.