

9

F.No.89-300/E-172968/2020 Appeal/5<sup>th</sup> Mtg.-2021/22<sup>nd</sup> January, 2021**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/02/2021

**ORDER**

**WHEREAS** the appeal of Shri Samay Jee H.A. Mahavidyalaya, Jairam Patti, Bhaisahi, Jairampatti, Nath Nagar, Sant Kabir Nagar, Uttar Pradesh dated 20/12/2020 is against the Order No. NRC/NCTE/UP-2281-B.P.Ed./317<sup>th</sup> (Virtual) Meeting/2020/210122 dated 14.10.2020 of the Northern Regional Committee, refusing recognition for conducting for B.P.Ed. Course on the grounds that "Copy of land document submitted by the institution to the VT member is different from the copy of land document submitted at the time of submission of application. While submitting online application on 28.12.2006 the institution has mentioned Khasra no. 401Kh in the land document, but the land document submitted to the VT members is different bearing Khasra no. 771 Gh, 854, 589, 415k, 396, 995/14, 401mi, 293 and 460. Land document does not match. The new land documents submitted by the institution is executed/registered on 17.03.2015 & 13.09.2017. As per clause 8(4)(i) of NCTE Regulations 2014, no institution shall be granted recognition unless institution or society sponsoring the institution is in possession of land on or before the date of application."

**AND WHEREAS** Sh. Babu Lal, Manager, Shri Samay Jee H.A. Mahavidyalaya, Jairam Patti, Bhaisahi, Jairampatti, Nath Nagar, Sant Kabir Nagar, Uttar Pradesh presented the case of the appellant institution on 22/01/2021. In the appeal and during personal presentation it was submitted that "The institution applied for recognition in the year of 2006 for B.P.Ed. Course. The recognition was refused by NRC on dated 23-01-2009. The appeal was filed by the institution under Section 18. The direction was given by the Appeal Committee to NRC to consider the case again. The NRC considered our case and inspection was conducted on dated 27-07-2011. The Report was considered by Regional Committee and notice was issued to our institution. The reply of Show cause

Key 4 Rep

notice (SCN) was submitted by the institution but NRC refused the recognition and passed order date 14-10-2020 without considering the facts and on the ground which is not relevant."

**AND WHEREAS** Appeal Committee noted that appellant institution submitted application on 28/12/2006 seeking recognition for conducting B.P.Ed. programme. Application was processed by NRC and recognition was first refused on 23/01/2009. Appellant preferred appeal against the refusal order. The case was remanded back to NRC which issued Show Cause Notice (SCN) dated 22/08/2009. Appeal Committee noted that after considering the submissions made by appellant thereafter and analysing the Inspection Report, NRC in its 306<sup>th</sup> Meeting held on 28 – 30 August, 2019 decided to issue a Show Cause Notice. Appellant submitted a reply on the points raised in the S.C.N. which was received in the office of N.R.C. on 10/10/2019 NRC after noting that appellant had acquired some additional land to make up the deficiency much after the date of its initial application, decided to refuse recognition.

**AND WHEREAS** Appeal Committee noted that in the present case, application seeking recognition was submitted by applicant in the year 2006 and NCTE Regulations have been revised thrice thereafter in 2007, 2009 and 2014. Application submitted by applicant is assessed to be deficient as applicant does not qualify in terms of Clause 8 (4) (i) of NCTE Regulation, 2014 under which recognition for all the teacher education courses are granted. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 14/10/2020.

**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 refusal order dated 14/10/2020.



**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 Manager, Shri Samay Jee H.A. Mahavidyalaya, Jairam Patti, 401, Bhaisahi, Jairampatti, Nath Nagar, Sant Kabir Nagar, Uttar Pradesh – 272176.**
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.89-304/E-173270/2020 Appeal/5<sup>th</sup> Mtg.-2021/22<sup>nd</sup> January, 2021

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/02/2021

**ORDER**

**WHEREAS** the appeal of Sanskar International Mahila Shikshak Shiksha Mahavidyalaya, Hanumangarh Junction, Hanumangarh, Rajasthan dated 25/12/2020 is against the Order No. WRC/NCTE/RJ-421/B.Ed./321<sup>st</sup>/2020/212675 dated 14.12.2020 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Recognition was granted to the institution on 07.08.2006 on rented premises with a condition that to shift the institution in its own premises within a period of three years from the date of issue of recognition order. The institution has not shifted the institution in its own premises till date. Accordingly, Show Cause Noted was issued to the institution on 30.09.2020. The institution has not submitted the reply of the Show Cause Notice till date. In view of the above, the Committee decided that the recognition of B.Ed. programme of the institution be withdrawn under clause 7(15) from the next academic session 2021-22."

**AND WHEREAS** S/Sh. Rajneesh Kumar and Vikas Kumar Sharma, Lecturers, Sanskar International Mahila Shikshak Shiksha Mahavidyalaya, Hanumangarh Junction, Hanumangarh, Rajasthan presented the case of the appellant institution on 22/01/2021. In the appeal and during personal presentation it was submitted that "NRC, NCTE had granted recognition to the institution in our own land building on 07/08/2006. Consequent upon having granted recognition in own premises our institution started functioning in own land and building which is our permanent premises. It may be appreciated that at no point of time we proposed to run B.Ed. course in rented building. Consequently, NRC, NCTE too has issued order which has nowhere mentions that recognition is granted in rented building. In order to support our stand I am enclosing a photocopy of the application form and affidavit submitted in NRC seeking recognition in 2004 as material proof. These documents also establish that neither we have applied in rented building nor recognition

*Handwritten signature in blue ink.*



was granted in rented building. Therefore, the question of applying for shifting of the institution does not arise. The show cause issued on 30/09/2020 was received by post on 15/10/2020. After receiving we prepared a reply and dispatched by courier on 21/10/2020. We are enclosing a copy of the reply dated 21/10/2020 and receipt of the courier as a proof."

**AND WHEREAS** Appeal Committee verified the submissions made by appellant vis-a-vis grounds leading to withdrawal of recognition. Appeal Committee noted from the regulatory file that appellant in its application dated 30/12/2004 seeking recognition for B.Ed. programme, had entered under Col 3.1 that the land is held on long term lease. Copy of Lease Deed dated 14/02/2003 submitted with application was for an initial period of 19 years further renewable three times on increase of lease rent. The recognition order dated 07/08/2006, however, did not stipulate any condition that applicant institution was required to shift to its own land & building. Recognition order, however, mentioned that 'the institution shall adhere to all the regulations and guidelines as framed by NCTE from time to time.'

**AND WHEREAS** Appeal Committee noted that a Show Cause Notice (SCN) dated 30/09/2020 was issued to appellant institution which was not replied to and impugned order of withdrawal dated 14/12/2020 mentions it as one of reasons.

**AND WHEREAS** appellant with its appeal memoranda stated that reply to S.C.N. was submitted by a letter dated 21/10/2020 sent by Courier. Regulatory file, however, does not contain this letter. Appeal Committee noted that appellant in its letter dated 21/10/2020 has submitted that their institution started in own land and building which is their permanent premises and where additional intake/courses were sanctioned subsequently by the Regional Committee.

**AND WHEREAS** Appeal Committee decided that appellant institution is required to submit to WRC within 15 days of the issue of appeal order (i) copy of its letter dated 21/10/2020 (Reply to S.C.N.), (ii) Certified copy of Land documents to prove that land and

*Receipt*

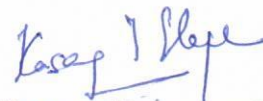
built up area is owned by the society/Trust/Institution. (iii) copy of recognition orders pertaining to additional intake or additional courses sanctioned to appellant institution subsequent to the year 2006.

**AND WHEREAS** Appeal Committee decided to remand back the case to WRC for revisiting the matter after the appellant institution submits the documents as mentioned in para 6 above.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to WRC for revisiting the matter after the appellant institution submits the documents as mentioned in para 6 above.

**NOW THEREFORE, the Council hereby remands back the case of Sanskar International Mahila Shikshak Shiksha Mahavidyalaya, Hanumangarh Junction, Hanumangarh, Rajasthan to the WRC, NCTE, for necessary action as indicated above.**

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



**(Mrs. Kesang Yangzom Sherpa)**  
Member Secretary

1. The Secretary, Sanskar International Mahila Shikshak Shiksha Mahavidyalaya, Hanumangarh Junction, Hanumangarh, Rajasthan – 335512.
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.