



F.No.89-72/E-156212/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

ORDER

15/09

WHEREAS the appeal of Yanamadala Kamala College of Education, Srungavarapukota, Vizianagaram, Andhra Pradesh dated 09/03/2020 is against the Order No. SRO/NCTE/APSO0217/B.Ed/AP/2020/14072 dated 20/01/2020 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "the Management of the institution had not submitted required documents in response to Show Cause Notice (SCN) issued to the institution on 03/05/2019. Another opportunity was given to the institution by serving a Final Show Cause Notice (FSCN) dated 30/07/2019. The institution vide letter dated 01/11/2019 submitted its reply / representation in response to Final Show Cause Notice (FSCN). On perusal of the same the Committee found the following defects / Shortcomings / deficiencies as per provisions of the NCTE Regulations, 2014 which are as under:- The institution submitted photocopy of staff list B.Ed. (1+8) countersigned by Principal, Yanamadala Kamala College of Education approved by Registrar, Andhra University. The Principal & One lecturer do not possess M.Ed. The institution has not appointed the faculty of Performing Arts. The institution has appointed only 9 faculties against the requirement of 1+15 for 2 basic units of B.Ed. as per NCTE Regulations, 2014. The Committee also observed that the institution has not shifted to new premises."

AND WHEREAS Sh. K.A. Naidu, Principal, Yanamadala Kamala College of Education, Srungavarapukota, Vizianagaram, Andhra Pradesh presented online the case of the appellant institution on 27/07/2020. In the appeal and online presentation it was submitted that "As per the NCTE Old and Revised Norms of 2017 M.A. Education with B.Ed. is equalent to M.Ed. The Principal possesses M.A. Education (Regular-69) with B.Ed., (71.57) which is equalent to M.Ed. and also possessed M.A. Applied

Economics-61.10 and M.Sc. Psychology (61.90), M.Phil. in Edn., Ph.D. in Edn. He is working in the College of Education from 2003 till date at various positions i.e. faculty and Principal. The Affiliating body also approved him during the academic years. All the Photocopies of Service Certificates and Staff Approval lists are enclosed. He is fully qualified to work in B.Ed. College as Principal as per NCTE Norms and the latest copy of University Staff Approval list is enclosed. T. Suryanarayana (One Faculty member) possesses M.A. Education (62.36) with B.Ed. (67.28) and M.A.in Telugu (55.40). As per the NCTE revised Norms of 2017 M.A. Education with B.Ed. is equalent to M.Ed.(Copy Enclosed). As Per the norms and Standards of NCTE, we recently appointed one faculty in performing Arts who is approved by the university. The copy of Approved Staff list is enclosed. As the admissions are poor, we have opted for 1 unit and submitted the proposals to SRC-NCTE for running Single Unit vide Lr.No.5/2013/YKC, Dt. 05-09-2015. We are running the college with Single Unit from 2015 onwards. The Affiliation Body (Andhra University) is according affiliation orders for single unit i.e. for 50 students. Copies of Affiliation orders are enclosed. Under the above circumstances we have appointed 1+8 Faculties (earlier) for running Single Unit and the same approved by the affiliating body (Andhra university) and copies of the same are here with enclosed. Recently we have appointed the Faculty of Performing Arts and obtained the latest Staff approval from University for 1+9 Faculties and the copy of the same is enclosed.”

AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 20/01/2020 withdrawing recognition for conducting B.Ed. course is on grounds:-

- (i) Principal and one lecturer donot possess M.Ed.
- (ii) Institution has not appointed faculty in Performing Arts.
- (iii) Institution has appointed 9 faculty against the requirement of 1+15 for 2 basic units.
- (iv) Institution has not shifted to new premises.

AND WHEREAS Appeal Committee noted that appellant institution by its letter dated 28/11/2015 and affidavit furnished therewith requested SRC that it requires intake of 50 seats (1 basic unit) from 2015-16. Appellant again reminded SRC by its letter

dated 08/05/2017 to issue revised orders for 50 students. Further it is noted that SRC in its 342nd Meeting held on 5-6 July, 2017 decided to reduce intake of 51 B.Ed. Institutions of Telangana from academic year 2018-19 with faculty strength reduced to 1+9. Appeal Committee also noted that Andhra University by its letter dated 13/12/2016 had granted conditional affiliation to appellant institution for B.Ed. course with an intake of 50 seats (1 unit).

AND WHEREAS Appeal Committee noted that appellant institution had submitted reply dated 12/08/2019 to the final Show Cause Notice (SCN) dated 30/07/2019 and enclosed therewith required land, building and faculty details. Appeal Committee noted that at no stage of time after the academic year 2018-19. The appellant institution was required to appoint 1 + 15 faculty as affiliation granted by the university was for 50 seats and SRC in its 342nd Meeting had already decided to reduce the intake. Appeal Committee further noted that another ground of withdrawal order pertaining to 'shifting of premises' was not mentioned in the Final Show Cause Notice (SCN) dated 30/07/2019. The appellant institution was therefore, deprived of the opportunity to submit written representation on this point.

AND WHEREAS Appeal Committee noted that finding the 'non shifting to its own premises' as one of the ground for withdrawal, the appellant institution had submitted a Demand Draft dated 28/02/2020 for Rs. 1,50,000/- as Inspection fee and proposal for shifting. Appeal Committee decided that appellant institution is required to submit to SRC a comprehensive proposal in performa prescribed by NCTE for shifting to its own premises. Appeal Committee decided to remand back the case to SRC for revisiting the matter.

AND WHEREAS After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during online presentation of the appeal, concluded to remand back the case to SRC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Yanamadala Kamala College of Education, Srungavarapukota, Vizianagaram, Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above.

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


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

- 1. The Secretary, Yanamadala Kamala College of Education, Srungavarapukota, S.R. Peta Road, Vizianagaram – 835145, Andhra Pradesh.**
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 Andhra Pradesh, Hyderabad.



F.No.89-73/E-156208/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

15/09

ORDER

WHEREAS the appeal of Ashu Kishu Memorial and Rabi Kisku Teachers Training Institute, Lupungdih, Tankacha, Chandil, West Singhbhum, Jharkhand dated 11/03/2020 is against the Order No. ER-279.18/ (ERCAPP656)/B.Ed./2020/62391 dated 26/02/2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "original renewed FDRS of Rs. 5 lakh & 7 lakh not submitted as per NCTE regulation 2014. Fire safety certificate is not renewed. Requisite information of the institutional website has not updated as per clause 7(14) (i) of the NCTE regulation 2014."

AND WHEREAS Sh. Jagadish Mahto, Secretary and Sh. Ramesh Kisku, Member, Ashu Kishu Memorial and Rabi Kisku Teachers Training Institute, Lupungdih, Tankacha, Chandil, West Singhbhum, Jharkhand presented the case of the appellant institution on 27/07/2020. In the appeal and during personal presentation it was submitted that "After show cause I created a new FDR Rs 7 lakh at HDFC mango branch, Jamsedpur and already renewed FDR 5 lakh at Indian Overseas Bank Purulia. Apply for renewed Fire Safety Certificate as Consolidated department and it was submitted. Our website WWW.AKMRKTTI.ORG.IN already being updated as requisite information of the institute maintain as per Rule 7(14)(I) of the NCTE, Regulation, 2014."

AND WHEREAS Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme since 2013 and revised recognition order under NCTE Regulation, 2014 was issued on 29/05/2015 for an intake of 100 seats (2 Units). Appeal Committee noted that appellant institution with its reply dated 29/06/2019 to the SCN dated 18/06/2019 had submitted (i) zerox copy of FDRs (with original certificate dated


28/06/2019 issued by Indian Overseas Bank), (ii) Fire Safety Certificate (original) dated 31/12/2018.

AND WHEREAS appellant during the course of appeal hearing on 27/07/2020 submitted zerox of (i) FDRs, (ii) Fire Safety Certificate dated 09/06/2020 and (iii) Printout of Website. Appellant is required to submit to ERC originals of the above documents to ERC within 15 days of the issue of appeal order. Appeal Committee 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 to remand back the case to ERC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Ashu Kishu Memorial and Rabi Kisku Teachers Training Institute, Lupungdih, Tankacha, Chandil, West Singhbhum, Jharkhand to the ERC, NCTE, for necessary action as indicated above.

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


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

1. The Secretary, Ashu Kishu Memorial and Rabi Kisku Teachers Training Institute, Lupungdih, Tankacha, NH-18, Purulia to Chandil Road, Chandil, West Singhbhum – 832401, 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.89-74/E-156134/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

15/09

ORDER

WHEREAS the appeal of Pandua College of Education, Pandua, Hooghly, West Bengal dated 06/03/2020 is against the Order No. ERC/214.8.39/ERCAPP3811/D.El.Ed./2016/47907 dated 09/07/2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "show cause notice was issued on 09.02.2016 on the following grounds:- Building plan indicating the total land area and total built-up area not submitted. The institution is required to submit a blue print of building plan indicating plot No., total land area, total built-up area etc. & duly approved by any Govt. Engineer. No reply from the institution received till date in response to the show cause notice. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing code No. ERCAPP3811 of the institution regarding permission for D.El.Ed. programme is refused under section 15(3)(b) of NCTE Act 1993."

AND WHEREAS Sh. S.K. Najir Ali, Vice President, Pandua College of Education, Pandua, Hooghly, West Bengal presented the case of the appellant institution on 27/07/2020. In the appeal and during personal presentation it was submitted that "we are facing various problem for not submitting the building plan. Due to illness of Secretary, the Management Committee has not decided to take action."

AND WHEREAS Appeal Committee noted that appellant institution filed a Writ Petition (C) 1497/2020 in the Hon'ble High Court of Delhi at New Delhi and Hon'ble High Court issued order dated 10/02/2020 directing as under:-

"The limited prayer of the petitioner before me is that is appeal against the order of ERC dated 09/07/2016 has not been decided as yet."

Mr. Sanjay Sharawat, who appears on behalf of the petitioner says that if the appeal has been decided, there has been no notice served on the petitioner as to when the appeal was taken up for hearing.

Given these circumstances, the Writ Petition is disposed of with a direction to Appeal Committee of NCTE to decide the appeal within the next 10 days and in case the appeal has already been decided, it will furnish a copy of same to petitioner within 3 days of the receipt of the copy of the order."

AND WHEREAS Appeal Committee noted that as on the order dated 10/02/2020 of the Hon'ble High Court of Delhi, there was no appeal made by the appellant/petitioner pending in NCTE. The averments 'that its appeal against the order of ERC dated 09/07/2016 has not been decided as yet', made by petitioner in the Hon'ble High Court of Delhi in the above case are therefore, blatantly incorrect and misrepresentation of the facts. Appellant preferred online appeal against the order dated 09/07/2016 of ERC on 06/03/2020. Hard copy of Appeal Memoranda was received in NCTE on 13/03/2020.

AND WHEREAS Appeal Committee further noted that the impugned refusal order dated 09/07/2016 mentioned the time limit of 60 days for preferring an appeal in case the institution was not satisfied with the order. Appeal Committee further noted that ERC by issuing a Show Cause Notice (SCN) dated 09/02/2016 had asked the appellant institution to submit building plan approved by Government Engineer. On being asked to state the reasons for delay of more than 3 years & 6 months appellant stated that it was due to illness of Secretary.

AND WHEREAS Appeal Committee noted that appellant institution had not adhered to the time limit for (i) submitting reply to the S.C.N., (ii) filing appeal and has also misrepresented the facts before Hon'ble High Court of Delhi. Appeal Committee, therefore, decided not to condone the delay of 3 years and 6 months in preferring appeal by the appellant. Appeal is accordingly not admitted.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded that delay of more than 3 years and 6 months in preferring appeal is not condonable. Accordingly, appeal is not admitted.

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


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

1. The Secretary, Pandua College of Education, Pandua, Hooghly – 712149, 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.89-75/E-156140/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

ORDER

15/09

WHEREAS the appeal of Boinchee College of Education, Boinchee Gram, Pandua, Hooghly, West Bengal dated 07/03/2020 is against the Order No. ERC/214.8.42/ERCAPP3792/D.El.Ed/2016/47902 dated 09.07.2016 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "Building Plan including total land area and total built-up area not submitted."

AND WHEREAS Sh. S.K. Najir Ali, Vice President, Boinchee College of Education, Boinchee Gram, Pandua, Hooghly, West Bengal presented the case of the appellant institution on 27/07/2020. In the appeal and during personal presentation it was submitted that "we are submitting the blueprint of building plan including plot no Total land area and Total build up area approve by the Govt. Engineer."

AND WHEREAS Appeal Committee noted that appeal dated 07/03/2020 made by appellant is second in sequence. The first appeal was made by appellant on 10/11/2016 and Appellate Authority by its order dated 18/04/2017 had rejected the appeal and confirmed the impugned refusal order dated 09/07/2016.

AND WHEREAS Appeal Committee noted that Section 18 of the NCTE Act and Appeal rules framed thereunder don't contain any provision for re-appealing. First appeal dated 10/11/2016 was rejected and appeal order dated 09/07/2016 issued

confirming the impugned refusal order, Appeal Committee decided not to admit the 2nd appeal dated 07/03/2020 made by appellant.

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


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

1. The President, Boinchee College of Education, 337, 334, Boinchee Gram, Pandua, Hooghly – 712135, 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.89-76/E-156149/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

ORDER

15/09

WHEREAS the appeal of Deptt. of Education Assam University, Dorgakona, Hailakandi, Assam dated 29/01/2020 is against the Order No. ER-278.2/APE00523/M.Ed./2020/62264 dated 05.02.2020 of the Eastern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that “two show cause notices issued on 14.02.2019 & 18.05.2019 and no reply has been received till date.”

AND WHEREAS Ms. D. Bapchi, Professor, Deptt. of Education Assam University, Dorgakona, Hailakandi, Assam presented online the case of the appellant institution on 27/07/2020. In the appeal and during online presentation it was submitted that “Department was unaware of first show cause notice issued on 14.02.2019 as it has not reached the department whereas the second show cause notice issued on 18.05.2019 was received by the Department of Education, Assam university and immediately Department of Education had submitted documents regarding additional infrastructure and human resource through email of Head, Department of Education rambalan47@gmail.com to revisedordererc@gmail.com on 12-06-2019 followed by hard copy through speed post.(copy of email enclosed). The Department is fully equipped with both infrastructure and manpower required to run M.Ed. as per NCTE-Regulation 2014. Details of Infrastructure and Human Resource (A) Infrastructure-Ground and three Floor Building- Total built up area 1.Additional Infrastructure facility- Vertical extension of existing building- 1600 square metre (copy attached) Total constructed area at present- 3326 Square metre@ 100 completion certificate from competent authority executive engineer CPWD Silchar division of vertical extension of the department of education building (2nd and 3rd floor extension of existing building of department of education for additional infrastructural 1600 square meter. 2.Teaching and

non-teaching positions- 37 teaching position (17 regular faculty members (Three professors, Two associate professors and 12 assistant professors (copy enclosed) and 8 teaching positions advertised (Three professors, Two associate professors and Three assistant professors), one assistant professor vacant, 11 Guest /contractual positions of assistant professor (11 positions has been sanctioned by UGC (UGC Sanctioned letter enclosed) (contractual/ guest faculty till NCTE decides about the duration of M.Ed. course) and 12 non-teaching positions(at present 8 is working and three has appointed by university but still not joined in the dept and one vacant position to be advertised)."

AND WHEREAS Appeal Committee noted that Department of Education, Assam University was granted recognition to conduct M.Ed. programme with an intake of 25 seats from the year 2007. Revised recognition order dated 31/05/2015 under NCTE Regulation, 2014 was also for an intake of 25 seats. Appeal Committee noted that ERC issued 2 Show Cause Notice (SCNs) dated 14/02/2019 and 18/05/2019 seeking compliance report from the appellant institution for adherence to the revised Norms and Standards of M.Ed. programme as per NCTE Regulation, 2014.

AND WHEREAS appellant in its appeal memoranda and online presentation stated that SCN dated 14/02/2019 was not received and on getting the second SCN dated 18/05/2019 it had submitted required documents by Email on 12/06/2019 (02:04 P.M.). Appellant further stated that due to use of University campus as Covid Centre, it cannot trace and forward the speed post receipt as acknowledgement of having sent the reply by post also. Appellant with its appeal memoranda has submitted print out of the compliance dated 12/06/2019.

AND WHEREAS Appeal Committee decided that appellant institution is required to submit to ERC copy of its reply dated 12/06/2019 along with enclosures within 15 days of the issue of appeal orders. 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 online submissions made by appellant, Appeal Committee concluded to remand back the case to ERC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Deptt. of Education Assam University, Dorgakona, Hailakandi, Assam to the ERC, NCTE, for necessary action as indicated above.

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


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

1. The Registrar, Deptt. of Education Assam University, Dorgakona, Hailakandi, Silchar, Cachar – 788011, 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.89-77/E-156189/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

15/09

ORDER

WHEREAS the appeal of C.M.J. University, Jorabat, Byrnihat, G.S. Road, Meghalaya dated 11/03/2020 is against the Order No. ERC/232.9.6/Application ID: 8891/B.Ed. (Part time)/2016/51481 dated 27.02.2017 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. (Part Time) Course on the grounds that "the applicant has submitted Demand Draft of Rs. 1.50 lacs towards processing fee. As per the online NCTE portal, payment through online only is accepted. As per the printout copy of the online application it is observed that Application Number is not available. The application did not appear on the dashboard of the online NCTE portal due to which online process cannot be carried out."

AND WHEREAS Sh. Rajkumar Miglani, Manager and Sh. Praful Chand Nag, Assistant Manager, C.M.J. University, Jorabat, Byrnihat, G.S. Road, Meghalaya presented the case of the appellant institution on 27/07/2020. In the appeal and during personal presentation it was submitted that "due to law server we could not pay online, and we had submitted demand draft which was returned to us after long time."

AND WHEREAS Appeal Committee noted that for the applications invited in 2016 by NCTE, online payment of processing fee was the only permissible mode. Application number is automatically printed on the application after online payment is accepted on the NCTE portal. In the instant case, appellant had failed to make online payment of processing fee and hence the application did not appear on the dashboard of the online NCTE portal.

AND WHEREAS Appeal Committee further noted from the regulatory file that date of online submission of application is 28/05/2016 whereas the Demand Draft of

processing fee is dated 25/05/2016. It proves that applicant had got the demand draft prepared 3 days in advance and its plea that online payment of application fee could not be made as server was busy does not hold logical. Appeal Committee further noted that appellant had enclosed with its appeal memoranda copy of an appeal order dated 22/10/2018 wherein its appeal was rejected and impugned order issued by ERC was confirmed. Section 18 of the NCTE Act and Appeal rules framed thereunder has no provision for repealing. Appeal Committee further noted that Demand draft of Rs. 1,50,000/- being the processing fee was returned to appellant institution with the impugned order dated 27/02/2017. Virtually application of appellant institution does not exist and appeal preferred by appellant has already been decided. Appeal Committee, therefore, decided to confirm the impugned order dated 27/02/2017 issued by ERC.

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 27/02/2017 issued by ERC.

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

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


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

1. The Pro-Vice Chancellor, C.M.J. University, 115, Jorabat, Byrnihat, G.S. Road, 14 Mile, Ri-Bhoi, Meghalaya – 793101.
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 Meghalaya, Shillong.



F.No.89-78/E-156394/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

ORDER

15/09

WHEREAS the appeal of C.M.J. University, Jorabat, Byrnihat, G.S. Road, Meghalaya dated 14/03/2020 is against the Order No. ERC/232.9.5/Application ID:8319/D.El.Ed./2016/51483 dated 27.02.2017 of the Eastern Regional Committee, refusing recognition for conducting D.El.Ed. Course on the grounds that "the applicant has submitted Demand Draft of Rs. 1.50 lakhs towards processing fee. As per the online NCTE Portal, payment through online only is accepted. As per the printout copy of the online application it is observed that application Number is not available. The application is not appeared on the dashboard of the online NCTE portal due to which online process cannot be carried out."

AND WHEREAS Sh. Rajkumar Miglani, Manager and Sh. Praful Chand Nag, Assistant Manager, C.M.J. University, Jorabat, Byrnihat, G.S. Road, Meghalaya presented the case of the appellant institution on 27/07/2020. In the appeal and during personal presentation it was submitted that "we sent application fee in demand draft, but regional committee returned back after date."

AND WHEREAS Appeal Committee noted for the applications invited in 2016 by NCTE, online payment of processing fee was the only permissible mode. Application number is automatically printed on the application after online payment is accepted on the NCTE portal. In the instant case, appellant had failed to make online payment of processing fee and hence the application did not appear on the dashboard of the online NCTE portal.

AND WHEREAS Appeal Committee further noted from the regulatory file that date of online submission of application is 28/05/2016 whereas the Demand Draft of

processing fee is dated 25/05/2016. It proves that applicant had got the demand draft prepared 3 days in advance and its plea that online payment of application fee could not be made as server was busy does not hold logical. Appeal Committee further noted that appellant had enclosed with its appeal memoranda copy of an appeal order dated 22/10/2018 wherein its appeal was rejected, and impugned order issued by ERC was confirmed. Section 18 of the NCTE Act and Appeal rules framed thereunder has no provision for repealing.

AND WHEREAS Appeal Committee further noted that Demand draft of Rs. 1,50,000/- being the processing fee was returned to appellant institution with the impugned order dated 27/02/2017. Virtually application of appellant institution does not exist, and appellant had also failed to prefer appeal within the stipulated period of 60 days. Appeal Committee, therefore, decided to confirm the impugned order dated 27/02/2017 issued by ERC.

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 27/02/2017 issued by ERC.

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

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


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

1. The Pro-Vice Chancellor, C.M.J. University, 115, Jorabat, Byrnihat, G.S. Road, 14 Mile, Ri-Bhoi, Meghalaya – 793101.
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 Meghalaya, Shillong.



F.No.89-79/E-156369/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

ORDER

15/09

WHEREAS the appeal of Shuttaria College of Education (Modern Education Trust), Nijagal, Nelamangala, Bangalore, Karnataka dated 09/03/2020 is against the Order No. SRO/NCTE/APS02191/B.Ed/KA/2019/12996 dated 10.12.2019 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "the original files of the institution alongwith other related documents, NCTE Act, 1993, Regulations Guidelines issued by NCTE from time to time and documents furnished by the institution were carefully considered by the SRC and the following deficiency /Observations were made:- "The institution was issued final show cause notice on 15.07.2019. but the institution has not yet submitted its reply till date." Hence, the Committee decided to withdraw the recognitions granted to Shuttaria College of Education for conducting B.Ed. course."

AND WHEREAS Sh. Saiyad Aaber, Secretary, Shuttaria College of Education (Modern Education Trust), Nijagal, Nelamangala, Bangalore, Karnataka presented online the case of the appellant institution on 27/07/2020. In the appeal and during online presentation it was submitted that "Our institution has not received any notice or withdrawal order from SRC, NCTE till date. You can make out that the withdrawal order was given to us by Bangalore University. Bangalore University in its letter dated.21.12.2019 has informed that SRC, NCTE has withdrawn recognition of our institution and has informed not to make admissions for the session 2020-2021 and has attached order from SRC, NCTE. Only then we got a copy of withdrawal of recognition order of NCTE. Till such time our institution was not aware of any show cause notice issued by the NCTE. We have even enquired with the post office wherein they have also informed that no such letter has been received from NCTE, New Delhi. Our institution is having an exclusive campus for the B.Ed. college. Our institution would

have timely responded to the show cause notice of SRC. whereas we were totally unknown of any such notice issued by SRC. we earnestly request the appeal committee to kindly consider the documents submitted along with this appeal and request to reinstate the recognition of our B.Ed. college and oblige. we are submitting the following document for kind consideration : 1. Certified copy of the land documents for having exclusive one acre of land for the B.Ed. college and its English translated version. 2. Approved building plan. 3. Building completion certificate from the government engineer. 4. Land use certificate issued by the tahsildar. 5. Non-encumbrance certificate and its English translated version. 6. Form a for having FDRS of Rs.5 lakhs and Rs.5 lakhs. 7. Approved site plan. 8. Staff profile of our institution duly approved by the registrar, Bangalore University."

AND WHEREAS Appeal Committee noted that appellant institution is conducting B.Ed. programme since 2006 with an intake of 100 seats. Appeal Committee noted that impugned order of withdrawal dated 10/12/2019 is on the ground that the institution has not replied to Show Cause Notice (SCN) dated 15/07/2019.

AND WHEREAS Appeal Committee noted that by issuing S.C.N. dated 15/07/2019 SRC had required the appellant institution to submit (a) Certified copy of Land document with English version, (b) Land Use Certificate (c) N.E.C. (d) Approved Building Plan and Site Plan (e) B.C.C., (f) Faculty list approved by affiliating body (g) FDRs, (h) Details of other Teacher Education programmes etc.

AND WHEREAS Appeal Committee noted the submission made online by appellant and the documents attached with the Appeal Memoranda. Appellant stated that it did neither receive the S.C.N. nor the impugned order of withdrawal and came to know about withdrawal of recognition from the affiliating university on 23/12/2019. Appellant with its Appeal Memoranda enclosed copies of (i) FDRs, (ii) B.C.C., (iii) C.L.U. dated 09/06/2005, (iv) N.E.C. dated 25/05/2018, (v) Sale deed for land, (vi) Building Plan, (vii) List of faculty approved by affiliating body on 06/06/2019.

AND WHEREAS Appeal Committee, finding that the documents furnished by appellant institution pertain to a date prior to the issue of impugned order, is of the view that appellant, had it received the SCN dated 15/07/2019, was in a position to furnish a reply with copies of required documents. Appeal Committee decided that appellant institution is required to submit to SRC within 15 days of the issue of appeal order a complete and comprehensive reply to S.C.N. dated 15/07/2019 enclosing therewith all required documents with English translation. Appeal Committee further decided to remand back the case to SRC for revisiting the matter.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and online arguments advanced by the appellant, Appeal Committee concluded to remand back the case to SRC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Shuttaria College of Education (Modern Education Trust), Nijagal, Nelamangala, Bangalore, Karnataka to the SRC, NCTE, for necessary action as indicated above.

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


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

1. The President, Shuttaria College of Education (Modern Education Trust), 35/1B, Nijagal, Nelamangala, Bangalore – 562123, 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.



F.No.89-80/E-156414/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

ORDER

15/09

WHEREAS the appeal of University Bt. & Evening College, Gunjabari, Cooch Behar, West Bengal dated 05/03/2020 is against the Order No. ERC-279.37/WB-S/N-1/2000/B.Ed./2020/6243 dated 26.02.2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “no reply has been received against the final show cause notice issued on 26-08-2019.”

AND WHEREAS Dr. Aniruddha Burman, Assistant Professor, University Bt. & Evening College, Gunjabari, Cooch Behar, West Bengal presented online the case of the appellant institution on 27/07/2020. In the appeal and during online presentation it was submitted that “there was no delay in sending the show cause reply. Show Cause Notice was issued on 26-08-2019 and we replied on 12-09-2019 vide letter no. 288/UBTEC-NCTE/19 and sent by speed post on 17/09/2019 vide consignment no. EW883079847in and emailed on 12-09-2019.

AND WHEREAS Appeal Committee noted that appellant university is recognised for conducting B.Ed. programme since 2001. Revised recognition order dated 29/05/2015 under NCTE Regulation, 2014 was issued with reduced intake of 50 seats, Appeal Committee noted that appellant university by its letter dated 14/03/2019 had submitted reply to the 1st Show Cause Notice (SCN) dated 21/02/2019. Appeal Committee noted that a 2nd S.C.N. dated 26/08/2019 was issued to appellant institution on grounds of violation of Clause 5 & 6 of Appendix – 4 and Clause 8 (14) of NCTE Regulation, 2014.

AND WHEREAS Appeal Committee noted that Clause 5 & 6 of Appendix – 4 are quite exhaustive and ERC was required to pin-point the particular deficiency. As

regards Clause 8 (14), Appellant university submitted that it had uploaded and submitted necessary details to ERC on email on 12/09/2019. Appeal Committee noted that appellant university had resubmitted to ERC a detailed reply in this regard on 26/02/2020 which is found available on the regulatory file from page 288 to 341.

AND WHEREAS Appeal Committee 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 online submissions made by appellant, Appeal Committee concluded to remand back the case to ERC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of University Bt. & Evening College, Gunjabari, Cooch Behar, West Bengal to the ERC, NCTE, for necessary action as indicated above.

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


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

1. The Principal, University Bt. & Evening College, Gunjabari, Keshab Road, Cooch Behar – 736101, 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.

(10)



F.No.89-82/E-156554/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

15/09

ORDER

WHEREAS the appeal of Swami Vivekananda College of Education for Women, North 24-Pargana, West Bengal dated 08/03/2020 is against the Order No. ERC-279.33/APE00532/B.Ed./2020/62421 dated 26.02.2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "FDRs of Rs. 5 lakh and Rs. 7 lakh is not submitted. The khata no. /Plot No. and total built up area earmarked for the course duly signed by the Competent Authority is not submitted. Building Completion Certificate (BCC) in the prescribed proforma mentioning the khatta no. / Plot No. and total built up area duly signed by the Competent Authority is not submitted."

AND WHEREAS Sh. Rajesh Rana, Representative, Swami Vivekananda College of Education for Women, North 24-Pargana, West Bengal presented online the case of the appellant institution on 27/07/2020. In the appeal and during online presentation it was submitted that "we replied to the previous notice as dated 21/02/2019 mentioned in the withdrawal notice u/s 17 (1) and we have all papers ready as mentioned in the withdrawal order."

AND WHEREAS Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme from the year 2007 and revised recognition order dated 23/05/2015 under NCTE Regulation, 2014 was issue for an intake of 100 seats (2 units). Appellant institution by its letter dated 14/03/2019 had requested ERC to confirm whether ERC has received the documents submitted personally on 07/02/2018. Appeal Committee noted that appellant is under misconception that revised recognition dated 23/05/2015 is for an intake of 50 seats whereas the order clearly mentions the annual intake of 100 seats.

AND WHEREAS Appeal Committee noted that appellant institution in reply dated 13/01/2020 to Show Cause Notice (SCN) dated 26/12/2019 had submitted a list containing the names of a Teacher-in-charge and six faculty. The appellant with its appeal papers has submitted a building plan which is approved a Assistant Engineer (Retired) of Ministry of Defence. The built-up area shown in this building plan is 550 sq. meters on ground floor and 294 sq. meters on first floor. Total built up area comes to 844 sq. meters which is far less than the required built up area. Further a retired official cannot be a Competent Authority to issue approval for a Building plan.

AND WHEREAS Appeal Committee noted that appellant institution does not possess the required (i) built up area and (ii) academic faculty as required under the NCTE Regulation, 2014. Appellant has thus failed to comply with the Terms and Conditions of revised recognition order. Appeal Committee, therefore, decided to confirm the impugned order of withdrawal dated 26/02/2020 issued by ERC.

AND WHEREAS after perusal of the Memoranda of appeal, affidavit, documents on record and online submissions made by appellant, Appeal Committee concluded to confirm the impugned order of withdrawal dated 26/02/2020 issued by ERC.

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

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


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

1. The Secretary, Swami Vivekananda College of Education for Women, 20, Riverside Road, Barrackpore Cantonment Board, North 24-Pargana – 700120, 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.89-83/E-156786/2020 Appeal/13th Mtg.-2020/27th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

15/09

ORDER

WHEREAS the appeal of Radha Govind Teachers Training (M.Ed.) College, Jara Tola, Ramgarh, Jharkhand dated 17/03/2020 is against the Order No. ER-280.65/APE00794/M.Ed./2020/62555 dated 03.03.2020 of the Eastern Regional Committee, withdrawing recognition for conducting M.Ed. Course on the grounds that "there is a mismatch of built up area both Building Plan (BP) & Building Completion Certificate (BCC). Photocopy of Building Plan (BP) is in piecemeal and not approved by Competent Authority. Photocopy of Building Plan (BP) is in piecemeal and not approved by Competent Authority."

AND WHEREAS Dr. Nirmal Kumar Mondal, Registrar (I/c), Radha Govind Teachers Training (M.Ed.) College, Jara Tola, Ramgarh, Jharkhand presented online the case of the appellant institution on 27/07/2020. In the appeal and during online presentation it was submitted that "Wrong documents were sent by mistake. The Photocopy of building plan (BP) was in piecemeal and was not approved as it was delayed in the Competent Authority office when it was sent for verification and signature."

AND WHEREAS Appeal Committee noted that appellant institution is recognised to conduct M.Ed. programme since 2007 and with its appeal memoranda has submitted copy of building plan and Building Completion Certificate (B.C.C.) countersigned by Assistant Engineer, P.W.D. Ramgarh. Appeal Committee noted that proposed built up area as per building plan and constructed built-up area as per B.C.C. is 5400 sq. meters. Appellant institution is required to submit originals of Building Plan and B.C.C. to ERC within 15 days of the issue of Appeal order. Appeal Committee 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 online submission made by appellant, Appeal Committee concluded to remand back the case to ERC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Radha Govind Teachers Training (M.Ed.) College, Jara Tola, Ramgarh, Jharkhand to the ERC, NCTE, for necessary action as indicated above.

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


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

1. The Registrar, Radha Govind Teachers Training (M.Ed.) College, Jara Tola, Behind Ramgarh College, Ramgarh, Jharkhand – 829122.
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, Bhubaneshwar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

(12)

F.No.89-84/E-157346/2020 Appeal/13th Mtg.-2020/27th July, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 10/09/2020

15/09

ORDER

WHEREAS the appeal of Bijoy Krishna Girls College, M.G. Road, Howrah, West Bengal dated 26/02/2020 is against the Order No. ER-274.14.87/APE00029/B.Ed./2019/61298 dated 20.08.2019 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "approved faculty list by the concerned affiliating body along with requisite documents. Approved building plan by the concerned competent Govt. Engineer/Authority. Approved building completion certificate by the concerned competent Govt. Engineer/Authority. FDRs towards Endowment fund and Reserve fund after conversion into joint operation mode as prescribed in the NCTE Regulations, 2014. Confirmation on website updates of the institutions with all details along with affidavit. No reply received and the stipulated time period has already been over."

AND WHEREAS Dr. (Ms.) Ruma Bhattacharya, Principal, Bijoy Krishna Girls College, M.G. Road, Howrah, West Bengal presented the case of the appellant institution on 27/07/2020. In the appeal and during personal presentation it was submitted that "now we have arranged all the necessary documents for which our withdrawal of recognition issued. Now we are ready to submit all the required documents."

AND WHEREAS Appeal Committee noted that impugned order dated 20/08/2019 withdrawing recognition for B.Ed. programme is on the ground of non-submission of reply to two Show Cause Notice (SCNs) dated 20/04/2018 and 18/05/2019.

AND WHEREAS Appeal Committee noted that appellant institution is conducting B.Ed. programme since 2002 and a revised recognition order dated 29/05/2015 was issued under NCTE Regulation, 2014. The revised recognition order was for an intake of 100 seats (2 units) and further it was subject to adherence of the Norms and Standards for B.Ed. programme as per Appendix – 4 of NCTE Regulation, 2014. The appellant institution was required to submit compliance of the conditions of the revised recognition of its own. Appeal Committee noted that appellant institution neither reported compliance nor did send any reply to the Public Notice dated 20/04/2018 and S.C.N. dated 18/05/2019.

AND WHEREAS Appeal Committee noted that appellant with its appeal memoranda and subsequently submitted documents has furnished (a) list containing the names of Principal and 12 faculty, (b) Building Plan and Building Completion Certificate (B.C.C.) approved/issued by Howrah Municipal Corporation and (c) copy of FDRs. Appellant institution has further requested that it may be considered for grant of recognition for 50 seats (one unit) for which teaching faculty is adequate.

AND WHEREAS Appeal Committee decided that appellant institution is required to submit to ERC a complete and comprehensive reply along with all required documents within 15 days of the issue of appeal orders. The appellant is also required to submit a formal request letter to ERC for considering reduction in the intake. Appeal Committee further decided to remand back the case to ERC for revisiting the matter keeping in view that appellant institution is prepared for a reduced intake of 50 seats (one unit).

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, document on record and online submissions made by appellant, Appeal Committee concluded to remand back the case to ERC for revisiting the matter keeping in view that appellant institution is prepared for a reduced intake of 50 seats (one unit).

NOW THEREFORE, the Council hereby remands back the case of Bijoy Krishna Girls College, M.G. Road, Howrah, West Bengal to the ERC, NCTE, for necessary action as indicated above.

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


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

1. The Principal, Bijoy Krishna Girls College, 5/3, M.G. Road, 24, Howrah, West Bengal – 711101.
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.