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F.No.89-85/E-157694/2020 Appeal/14th Mtg.-2020/28th 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 Mariya Adhyapak Mahavidhyalay, Tukum, Chandrapur, Maharashtra dated 13/03/2020 is against the Order No. WRC/APW05047/123620/B.Ed./313th/2020/208458 dated 09.03.2020 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "As per approval of the University, only four staff have been appointed on regular basis. The remaining six lecturers are appointed on Clock Hour Basis which is not as per NCTE Norms. From the list submitted the staff i.e. Ku. P.N. Wankhede, Ku. V.G. Khadke, Shri R.S. Khadke and Pallavi Bongiwar are not qualified as per NCTE Norms."

AND WHEREAS Dr. (Ms.) Kiran Raghatate, Assistant Professor, Mariya Adhyapak Mahavidhyalay, Tukum, Chandrapur, Maharashtra presented online the case of the appellant institution on 28/07/2020. In the appeal memoranda and during online presentation it was submitted that "In college procedure to fill remaining posts on regular basis is going on. The college had sent the permission letter to the University on 03/07/2018 to fulfill post of regular Assistant Professor. The college received a letter on date 12/03/2019 by the University. The college has obtained letter on date 24/06/2019 by the University for publishing advertisement for filling the vacancies by fixation of reservation. The college advertised in the newspaper Lokasatta and Indian Express on dt. 20/07/2019. College received the list of University Committee members by University on 13/12/2019. The college took the Committee for the post of Assistant Professor and Principal on 22/01/2019, in this Committee 9 members was presented from University. According to the Rules of NCTE and UGC the marks of selected Assistant Professors were fulfilled as the University member approved all four professors. The college has issued an appointment order on 22/01/2020 to the selected professors. College

submitted all required documents to the University on 28/01/2020 for the approval of the selected professors by the University. Although there is a delay in submitting the recruitment report to the WRC Delhi, please consider placing a restore order considering the above so that the college can join the admission process for session 2020, and also college is interested to run B.Ed. program, and also fulfill the all requirements of NCTE."

AND WHEREAS Appeal Committee noted that appellant institution is conducting B.Ed. programme since 2008 and a revised recognition order dated 12/08/2015 was issued under NCTE Regulation, 2014 for a intake of 100 seats (2 Units of 50 seats). The requirement of faculty for an intake of 100 seats as per Revised NCTE Regulation, 2014 is:-

- | | | | |
|----|---|---|-------|
| 1. | Principal | - | One |
| 2. | Perspective in Education | - | Four |
| 3. | Pedogogy subjects
(Math, Science, Social Science,
Language) | - | Eight |
| 4. | Health & Physical Education | - | One |
| 5. | Fine Arts | - | One |
| 6. | Performing Arts | - | One |

(If the student's strength for two years is one hundred (with one basic unit) only, the number of faculty shall be reduced to 8.)

AND WHEREAS Appeal Committee noted that revised recognition order dated 12/08/2015 was subject to the condition that appellant institution will abide by the revised Norms and Standards prescribed in Appendix – 4 of NCTE Regulation, 2014. Failure of the appellant institution to comply with the required Norms and Standards led to withdrawal of recognition by an order of WRC dated 28/09/2018. Appellant appealed against the withdrawal order and Appellate Authority by its order dated 11/06/2019 keeping in view an order dated 26/03/2019 of Hon'ble High Court, Nagpur Bench referred the case to WRC as Hon'ble Court had directed that the case of appellant be considered keeping in view the request of appellant institution for a reduced intake of 50

seats. WRC accordingly in compliance with the orders of Hon'ble High Court, reconsidered the matter and issued Show Cause Notice dated 09/07/2019 to appellant institution. Appellant institution replied to the S.C.N. on 16/08/2019 but could not submit the list of faculty approved by affiliating university even for the reduced intake of 50 seats (one unit). Appeal Committee considers that to conduct a Teacher Education programme, availability of required number qualified faculty is a must and affiliating universities bear the responsibility to verify that selected faculty possesses required qualifications and experience as required under the NCTE Regulation. Appeal Committee noted that even on the date of appeal hearing i.e. 28/07/2020, the appellant institution could not submit the list containing the name of a Principal and seven faculty approved by affiliating university. Appeal Committee, therefore, decided to confirm the impugned order of withdrawal dated 09/03/2020.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and online submission made by appellant, Appeal Committee concluded to confirm the impugned order of withdrawal dated 09/03/2020.

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 Principal, Mariya Adhyapak Mahavidhyalay, 69/2 Near S.T. Workshop, Opp. S.P. Law College, Tukum, Chandrapur – 442401, 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.

(3)



F.No.89-87/E-157926/2020 Appeal/14th Mtg.-2020/28th 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 Kaliabor College of Education, Kuwaritol, Pubtharia, Nagaon, Assam dated 14/04/2020 is against the Order No. ERC-279.65/APE00454/B.Ed./2020/62405 dated 26.02.2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "built-up area is less as prescribed in Regulation, 2014. List of teaching faculty namely Dr. Minati Sarmah Bharali & Mrs. Minakshi Borah are not qualified as per NCTE Regulation, 2014."

AND WHEREAS Dr. Tileswar Kumbang, Principal, Kaliabor College of Education, Kuwaritol, Pubtharia, Nagaon, Assam presented the case of the appellant institution on 28/07/2020. In the appeal and during personal presentation it was submitted that "we have completed our college building, which is now as per the NCTE Regulation, 2014. Dr. Minati Sarmah Bharali have recently fulfilled the academic criteria as well as Minakshi Borah as per NCTE Regulation, 2014."

AND WHEREAS Appeal Committee noted that appellant institution is conducting B.Ed. programme since 2006 and was issued a revised recognition order dated 22/05/2015 under NCTE Regulation, 2014. The revised recognition order was for an intake of 100 seats and B.Ed. programme having been converted into a two year programme required additional faculty and built up area as per Norms and Standards (Appendix – 4 NCTE Regulation, 2014).

AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 26/02/2020 is on the ground that two of the faculty were not qualified and built up area was not as per Regulation, 2014.

AND WHEREAS Appeal Committee noted that grounds mentioned in the withdrawal order dated 26/02/2020 are not clearly mentioned in the final S.C.N. dated 22/08/2019 so far as the requirement of built up area is concerned.

AND WHEREAS appellant during the course of appeal hearing on 28/07/2020 submitted (i) list of faculty approved by Gauhat University containing the names of Principal 16 faculty and (ii) Building Completion Certificate (B.C.C.) approved by Executive Engineer, P.W.D. with a built up area of 3226 sq. meters (old building) and 668 sq. meters (New building). Appeal Committee decided that appellant institution is required to submit to ERC within 15 days of the issue of appeal order (i) originals of faculty list approved by affiliating body and (ii) B.C.C. 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 to remand back the case to ERC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Kaliabor College of Education, Kuwaritol, Pubtharia, Nagaon, 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 Secretary, Kaliabor College of Education, 426/448, Kuwaritol, Near NH-37, Pubtharia, Nagaon – 782137, 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.89-89/E-157935/2020 Appeal/14th Mtg.-2020/28th 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 Parwati Science College, Kirtinagar College Chowk, Madhepura, Bihar dated 11/05/2020 is against the Order No. ERC/280.11/ERCAPP575/B.Ed./2020/62593 dated 06.03.2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "2 Pedagogy faculties appointment is under process, which is not permissible as per NCTE Regulation, 2014. Requisite information of the institutional website has not updated as per clause 7(14)(i) of the NCTE Regulation, 2014."

AND WHEREAS Sh. Satish Kumar Singh, Assistant Professor, Parwati Science College, Kirtinagar College Chowk, Madhepura, Bihar presented the case of the appellant institution on 28/07/2020. In the appeal and during personal presentation it was submitted that "Process of appointment of two (2) pedagogy faculties was completed on 16/02/2020 and requisite faculties format was submitted to the university on 17/02/2020 for countersignature by the registrar of the University. Unfortunately, the format was countersigned on 04/03/2020 and sent to us on the same and due to that the format for faculty members could not be submitted on time. So far as the updating of website is concerned, it has already been updated at www.bed.pscmadhepura.org & www.pscmadhepura.org.

AND WHEREAS Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme with an intake of 100 seats since 2013 and a revised recognition order under NCTE Regulation, 2014 was issued on 22/05/2015.

AND WHEREAS Appeal Committee noted that in response to final Show Cause Notice (SCN) dated 28/01/2020, appellant institution informed ERC that affiliating

university has been requested to expedite the process of granting approval to the selection of two faculty in replacement of 2 pedagogy faculty. Appellant on the date of appeal hearing on 28/07/2020 informed that affiliating university finally approved the list of faculty containing the names of Principal and 15 faculty on 04/03/2020. Appellant further has also furnished the printout of updated website. Appeal Committee decided that appellant institution is required to submit to ERC within 15 days of the issue of appeal order (i) Original list of faculty approved by affiliating university, (ii) Printout of updated website. 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 to remand back the case to ERC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Parwati Science College, Kirtinagar College Chowk, Madhepura, Bihar 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, Parwati Science College, Kirtinagar College Chowk, Madhepura – 852113, 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.

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F.No.89-90/E-157931/2020 Appeal/14th Mtg.-2020/28th 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 Dakshin Dinajpur B.Ed. College, Fulbari, Hazickak, South Dinajpur, West Bengal dated 26/04/2020 is against the Order No. ER-279.26/(ERCAPP333)/B.Ed./2020/62470 dated 28.02.2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "total built up area is not mentioned in the BCC submitted by the institution. FDRs of Rs. 5 lakh and 7 lakh is not submitted. Latest copy of fire safety certificate duly signed by the Govt. Competent Authority is not submitted. Website of the institution is not functional as per clause 7(14)(i) of the NCTE Regulation 2014."

AND WHEREAS Sh. Tapan Kanti Majumder, C.E.O., Dakshin Dinajpur B.Ed. College, Fulbari, Hazickak, South Dinajpur, West Bengal presented the case of the appellant institution on 28/07/2020. In the appeal and during personal presentation it was submitted that "Total built up area is 2514 sq. mtr. in column no 14, 15 and 16 in Building Completion Certificate as per your prescribed format which was submitted earlier. FDRs of Rs. 5 lakh and 7 lakh submitted earlier. At the time of recognition submitted the fire Safety Certificate, after this never asked to submit the same. The website of institution www.ddbedcollege.org.in is functioning."

AND WHEREAS Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme with an intake of 100 seats since 2013 and revised recognition order dated 26/05/2015 was also issued under the NCTE Regulation, 2014. Appeal Committee noted that as per terms and conditions of the revised recognition order the appellant institution had submitted to ERC by speed post dated 02/12/2015 the zerox copies of Land deed, Mutation Certificate, CLU, NEC, Building Plan & Building Completion Certificate.

AND WHEREAS Appeal Committee noted that appellant during appeal hearing on 28/07/2020 submitted before Appellate Authority copies of (i) FDRs, (ii) Building Completion Certificate (B.C.C.) with built up area of 2514 sq. meter issued by Executive Engineer, Dakshin Dinajpur Zila Parishad, (iii) Latest Fire Safety Certificate dated 29/06/2020. Appeal Committee decided that appellant institution is required to submit / original of above documents to ERC within 15 days of the issue of appeal order alongwith printout of latest website pages. Appellant should also ensure that FDRs are held in joint name with Regional Director, ERC. 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 to remand back the case to ERC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Dakshin Dinajpur B.Ed. College, Fulbari, Hazickak, South Dinajpur, 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 Secretary, Dakshin Dinajpur B.Ed. College, 58, Fulbari, NH-512, Hazickak, South Dinajpur – 733140, 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.89-92/E-157969/2020 Appeal/14th Mtg.-2020/28th 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 Institute for Education, Vill. Bijay, PO – Sini, District – Seraikella-Kharswan, Jharkhand dated 17/03/2020 is against the Order No. ERC-280.3/ERCAPP1405/B.Ed./2020/62561 dated 03.03.2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that “teaching faculty mentioned at Sl. No. 1, 3, 5 & 15 are having less than required 55% marks in P.G. Degree. Built-up area is less than the requirement of 4000 sq. mts. For running 02 units of B.Ed. and 02 units of D.El.Ed. course as per NCTE Regulation, 2014. Hence, B.Ed. course is withdrawn under section 17(1) of NCTE, Act, 1993 from the next academic session 2020-21.”

AND WHEREAS Sh. R.N. Mohanty, Director, Institute for Education, Vill. Bijay, PO – Sini, District – Seraikella-Kharswan, Jharkhand presented online the case of the appellant institution on 28/07/2020. In the appeal and during online presentation it was submitted that “Show Cause Notice was issued according to the Proceedings of 274th Meeting of ERC NCTE held on 15-16 July 2019 regarding the following (i) Approved faculty list by the concerned affiliating body along with requisite documents. (ii) Approved building plan by the competent Govt. Engineer/Authority. (iii) Approved building completion certificate by the competent Govt. Engineer/Authority. (iv) FDRs towards Endowment fund and Reserve fund after conversion into joint operation mode as prescribed in the NCTE Regulations, 2014. (v) Confirmation on website updates of the institutions with all details along with affidavit. (vi) Fire safety certificate issued from the competent Govt. Authority. Show cause was issued by ERC NCTE vide Letter No. 565/C dated 06-08-2019. Reply was filed concerning all the points and dealing with all the requisite documents as desired by the ERC NCTE in detail and that reply was received on 08-08-2019 at the ERC NCTE Office. But without contemplation and

comprehension of the reply so filed and without any findings of discrepancies in the filed reply, a final show cause notice u/s 17(1) of NCTE Act was issued in the Proceedings of 278th Meeting 16-18th January 2020 vide 19/ERCAPP1405 dated 18th January 2020 in which almost same discrepancies and points had been raised probably without going through the show cause reply submitted by the Institute as indicated above. The final show cause as issued in January 2020 was replied vide Letter No. 585/C dated 30-01-2020 with all details and reference to earlier show cause reply and documents submitted as desired by the ERC NCTE. The Institute received the Order vide the Minutes of 279th Meeting of ERC in Sl. No. 19/ERCAPP1405 dated 16th February 2020 clarifying the withdrawal of B. Ed. course u/s 17(1) of NCTE Act. On receiving this withdrawal notice a rejoinder vide Ref. No. 588/C dated 25-02-2020 explaining the effective control of NCTE Regulation 2009 in appointment of the teaching faculties in Sl. No. 1, 3, 5 & etc. when the NCTE Regulation 2014 was not effective because the date of appointment of teaching faculties was 24-02-2014 much before the promulgation of the NCTE Regulations 2014 and also according to the Regulation 2014 regarding para 6.1 as under laid in Appendix 4 specifying (For the institutions established prior to this Regulations, for an additional intake of one hundred students, built up area is to be increased by 500 sqm (five hundred square metre) and the requirement of additional land may not apply to them). When the Institute had been started since July 2014 this can be turned as to be Institutions established prior to the Regulation 2014. So the D.El.Ed. + B.Ed. as indicated in the Chart would have built up area of 3000 sqm and an additional intake of 100 students more the built up area has to be increased up to 500 sqm i.e. in total 3500 sqm. But however on my fervent pleas the RD could not have understood the interpretation of the provision of the Para 6.4 regarding infrastructure on my meeting with him on 26th February 2020. The ERC NCTE has conceded the discrepancies pointed out earlier as to be below the required percentage of marks for the teaching faculties in consonance with the provisions of NCTE Regulation 2009 and not according to the NCTE Regulation 2014 but again stuck to the earlier point of controversy that for 100 students of B. Ed. and 100 students of D. El. Ed. the required built area has to be 4000 sqm, vis-à-vis the claim of the institution as to be minimum 3500 sqm according to the provisions of para 6.1 as pointed out above. In the course

of the filing of the rejoinder no. 588/C dated 25-02-2020 an additional built up area of 9000 sqft (836 sqm) has been submitted before the RD along with the copy of the Building plan approved by Competent Authority of the Rank of Executive Engineer and Building Completion Certificate in the Proforma of the NCTE by Assistant Engineer for consideration, but because of the this biasness though the ERC NCTE could comprise on their wrong footings regarding appointments of the Teaching Faculties on 24-02-2014 but could not entertain and accommodate the plea of placing a built up area of 836 sqm. thus, in total of 3693 sqm. + 836 sqm. 4529 sqm., which is much above 4000 sqm. Under this circumstance and conditions, the intake of 50 students may kindly be restored to the Institute.”

AND WHEREAS Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme since 2014 with an intake of 100 seats. Revised recognition order dated 25/05/2015 was issued under NCTE Regulation, 2014. Appellant institution is a composite institution conducting B.Ed. & D.El.Ed. programme with an intake of 100 seats each.

AND WHEREAS Appeal Committee noted that withdrawal of recognition for B.Ed. programme is on the grounds that (i) Four of its faculty whose name appear at serial no. 1,3,5 and 15 are having less than 55 % marks in P.G. Degree and (ii) Built up area is less than requirement of 4000 sq. meters required for running 2 units of B.Ed. and 2 units of D.El.Ed. programme.

AND WHEREAS appellant in its appeal memoranda and submissions made before Appellate Authority submitted that faculty at serial no. 1,3 & 5 were appointed before NCTE Regulations, 2014 came into force and as such their qualifications are according to the Norms and Standards prescribed in NCTE Regulation, 2009. Having improved the percentage of marks in 2010 the faculty at serial no. 15 appointed in 2017 is qualified as per NCTE Regulation, 2014.

AND WHEREAS Appeal Committee further noted that appellant institution by its letter dated 25/02/2020 had furnished to ERC copies of two Building Completion Certificate dated 16/01/2018 and 07/05/2019 for built up area of 39754 sq. feet and 9000 sq. feet. The total built up area is therefore, calculated to be 48754 sq. feet and is adequate for conducting B.Ed. and D.El.Ed. programmes with an intake of 100 seats in each course.

AND WHEREAS Appeal Committee noted that keeping in view the submissions made by appellant institution to ERC by its letter dated 25/02/2020, ERC is required to revisit the matter. Appeal Committee decided to remand back the case to ERC for revisiting the matter by taking into consideration the two Building Completion Certificates and the improved marksheet of faculty at serial no. 15.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and online arguments advanced during the appeal hearing, Appeal Committee concluded to remand back the case to ERC for revisiting the matter by taking into consideration the two Building Completion Certificates and the improved marksheet of faculty at serial no. 15.

NOW THEREFORE, the Council hereby remands back the case of Institute for Education, Vill. Bijay, PO – Sini, District – Seraikella-Kharswan, 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 Director, Institute for Education, Vill. Bijay, PO – Sini, District – Seraikella-Kharswan, Jharkhand – 833220.
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.89-93/E-157972/2020 Appeal/14th Mtg.-2020/28th 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 D.M. College of Teacher Education, D.M. College Campus, Thangmeiband, Lamphel, Manipur, Manipur West dated 23/04/2020 is against the Order No. ER-280.6/(MP-S/E-2/92&APE00169)/B.Ed./2020/62519 dated 03.03.2020 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "the institution has appointed Part-time teacher, which is not permissible as per NCTE Regulation, 2014."

AND WHEREAS Dr. Konika, Assistant Professor, D.M. College of Teacher Education, D.M. College Campus, Thangmeiband, Lamphel, Manipur, Manipur West presented online the case of the appellant institution on 28/07/2020. In the appeal and during online presentation it was submitted that the appointment of the regular teaching staffs is under process by the State Government and shortly it will be completed to fulfill the necessary requirements of the institution.

AND WHEREAS Appeal Committee noted that appellant institution is conducting B.Ed. programme since 1997-98 with different intakes ranging from 273 to 180. The intake for B.Ed. programme was finally sanctioned as 150 (3 basic units) from academic session 2016-17 vide ERC order dated 04/12/2015. Appeal Committee also noted that the appellant institution is a Government Teacher Training Institution of the Government of Manipur.

AND WHEREAS Appeal Committee noted that appellant institution, of late, has obtained the approval of affiliating body i.e. Manipur University to the appointment of one Principal and 21 faculty. Last column of the faculty list which was submitted by appellant through E-mail is slightly incomplete and date of appointment of faculty is not

verifiable to ascertain the applicability of NCTE amended Regulations of June, 2017. Appeal Committee decided that appellant institution is required to submit to ERC the approved list of faculty in original 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 to remand back the case to ERC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of D.M. College of Teacher Education, D.M. College Campus, Thangmeiband, Lamphel, Manipur, Manipur West 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, D.M. College of Teacher Education, 14 ASO, 1-1993, D.M. College Campus, Thangmeiband, Lamphel, Manipur – 795001, Manipur West.
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 Manipur, Imphal.



F.No.89-94/E-156788/2020 Appeal/14th Mtg.-2020/28th July, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 10/09/2020

ORDER

13/09

WHEREAS the appeal of Chambal B.Ed. Mahavidhyalaya, Dharamgarh, Porsa, Morena, Madhya Pradesh dated 18/02/2020 is against the Order No. WRC/APW01980/223404/B.Ed./M.P./310th/2019/206082 dated 05.09.2019 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "the institution has submitted 1+7 staff list which is insufficient for two units of B.Ed. Faculty for Fine Arts & Music subject not appointed."

AND WHEREAS Sh. Sanjay Sharma, President, Chambal B.Ed. Mahavidhyalaya, Dharamgarh, Porsa, Morena, Madhya Pradesh presented the case of the appellant institution on 28/07/2020. In the appeal and during personal presentation it was submitted that "our institute is running one basic unit (50) of B.Ed. course successfully, but my recognition has been withdrawn due to the reason that Institution is not having sufficient faculty for two units B.Ed. though our institute has only one basic unit. We have sufficient staff or one basic unit 1+7, see order no. WRC/APPW01980/223404/259/2016/174447 Dated 13.10.2016."

AND WHEREAS Appeal Committee noted that revised recognition order dated 31/05/2015 for B.Ed. programme mentioned the intake as one basic unit. Subsequently in a Show Cause Notice (SCN) dated 08/09/2016 the intake sanctioned was again mentioned as one unit. After receiving a written request dated 20/09/2016 from the appellant institution, WRC issued a order dated 13/10/2016 finally permitting reduced intake of 50 students (one unit).

AND WHEREAS Appeal Committee noted that appellant institution in response to a SCN dated 06/09/2018 had submitted list of faculty approved by Registrar Jiwaji

University, Gwalior. This list contained the names of a Principal and 7 lecturers. The impugned order of withdrawal dated 05/09/2019 on the ground that 'Institution has submitted 1+7 staff list which is insufficient for 2 units of B.Ed.' is not based on facts as intake sanctioned to appellant institution is only one unit. Appeal Committee, therefore, decided to set aside the impugned order of withdrawal dated 05/09/2019.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned order of withdrawal dated 05/09/2019.

NOW THEREFORE, the Council hereby remands back the case of Chambal B.Ed. Mahavidhyalaya, Dharamgarh, Porsa, Morena, Madhya Pradesh to the WRC, 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, Chambal B.Ed. Mahavidhyalaya, Dharamgarh, 2352, Dharamgarh Road, Porsa, Morena – 476115, 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.89-95/E-157990/2020 Appeal/14th Mtg.-2020/28th 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 Maya Ram Mahavidyalaya, Medhauri, Singrauli, Morwa, Singrauli, Madhya Pradesh dated 05/03/2020 is against the Order No. WRC/APW06080/223677/B.Ed./310th/2019/205571 dated 28.08.2019 of the Western Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "Show Cause Notice was issued to the institution vide letter dated 21.12.2016 and reply received on 08.02.2017. The summary of the case reveals that the reply was not submitted within the stipulated time of 30 days as per the Show Cause Notice. Moreover, the staff profile is not submitted in prescribed format. Percentage of Marks is not mentioned in staff profile, Building Completion Certificate, CLU & Building Plan are not in original. 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 Dr. S.K. Dubey, Principal, Maya Ram Mahavidyalaya, Medhauri, Singrauli, Morwa, Singrauli, Madhya Pradesh presented the case of the appellant institution on 28/07/2020. In the appeal and during personal presentation it was submitted that "as per NCTE record letter having reference No. WRC/APW06080/223677/255th/(M.P.)/177301 dated 21/12/2016 was received through post in college on 11/1/2017 that is after 21 days (after the expiry of due date of submission of documents). After receiving the letter, we submitted the concerned documents on 08/02/2017 in NCTE, Bhopal so again we submitted the documents such as original staff profile and original notarized CLU, NEC, Building Plan and Building Completion Certificate."

AND WHEREAS Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme since 2008 and a revised recognition order dated 31/05/2015 was issued under NCTE Regulation, 2014 for an intake of 2 units (100 seats). Appeal Committee noted that in reply to a Show Cause Notice (SCN) dated 21/12/2016 the appellant institution submitted its reply dated 06/02/2017. Appellant with its reply enclosed (i) List containing the names of Head of Department + 15 Faculty approved by affiliating body, (ii) C.L.U., (iii) Building Plan with approvals (iv) B.C.C. (3269 sq. meters). Appeal Committee noted that list of faculty was in prescribed format and it lacked certain essential information and the letter of approval of affiliating body was dated back to 23/02/2011 and 21/12/2012 whereas the year of appointment of faculty in most of the cases is 2014 and 2016.

AND WHEREAS Appeal Committee noted that appellant with its appeal memoranda had submitted a list of faculty approved by affiliating body in March, 2020. Appeal Committee observed that 11 of the faculty in the list are shown as appointed in July, 2017 and the column relating to NET/SCET/Ph.d. (Education) in the list is left blank remarked as N/A. Appeal Committee noted that faculty appointed after June, 2017 is required to possess qualification as per amended Regulation of June, 2017.

AND WHEREAS Appeal Committee decided that appellant institution should be allowed another opportunity to submit the list of faculty strictly mentioning the NET/SLET/Ph.d. qualifications possessed by academic staff. This opportunity is based on the presumption that faculty appointed in July, 2017 must have been selected and recommended by University prior to the date of notification of amended NCTE Regulation of June, 2017. In case any faculty does not possess required qualification, appellant institution should be allowed reasonable time to replace the faculty. With the above observations, Appeal Committee decided to remand back the case 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 for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Maya Ram Mahavidyalaya, Medhauli, Singrauli, Morwa, Singhrouli, Madhya Pradesh to the WRC, 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 Director, Maya Ram Mahavidyalaya, 61/2, Medhauli, Singrauli, Shukla Mode, Morwa, Singhrouli – 486889, 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.89-96/E-157939/2020 Appeal/14th Mtg.-2020/28th 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 Swami Vivekananda Tribal College of Teacher Education, Kaliara-1, Midnapur, West Bengal dated 11/01/2020 is against the Order No. ER-213.6(i)19/ERCAPP2676/B.Ed./2016/46223 dated 02.05.2016 of the Eastern Regional Committee, granting recognition for conducting B.Ed. Course with an intake of one units. Wherein application was for seeking recognition for two units."

AND WHEREAS Sh. Tapas, Representative, Swami Vivekananda Tribal College of Teacher Education, Kaliara-1, Midnapur, West Bengal presented online the case of the appellant institution on 28/07/2020. In the appeal and during online presentation it was submitted that "our institution, Swami Vivekananda Tribal College of Teacher Education (ERCAPP1701) was recognized by the NCTE D.El.Ed. course with 50 intake from the academic session, 2014-2015 under the Regulations, 2009 vide Recognition Order No. ERC/7-169.6.6/NCTE/D.El.Ed./2014/24143 Date- 21.02.2014. As per NCTE norms, 2014, all Teacher Education institutions must be under composite scheme and so, we applied on 27.05.2015 for recognition of B.Ed. course with 100 intake (ERCAPP2676). As per NCTE guide line, we submitted to the V.T. members notarized Essential Data Sheet seeking 100 intake. As per NCTE norms, seeking 100 intakes for B.Ed. course, we submitted Undertaking as per prescribed format on NJS of Rs.100. Considering our prayer, 7(13) was issued on 28.03.2016 pursuing the decision taken in the 208th meeting of the ERC vide order No. ER-208.7.4/NCTE/ERCAPP2676/B.Ed.(Addl. Course)/2016/ 44882 Dated 28.03.2016. In compliance with the 7(13), we submitted all requisite papers we submitted as per ERC, NCTE prescribed format the Teacher Panel list approved by the Affiliating Body we submitted also two approved Teacher Panel list - one for existing D.El.Ed. with approved 50 intake and other for B.Ed. with 100 intake. After reply of 7(13), as per decision taken

in the 213th ERC Meeting, we got 7(16) for B.Ed. course with 50 intake instead of applied 100 intake. The decision of 50 intakes was just due to insufficient Mathematics Teacher - which was one instead of two. There was no specific mention of two Mathematics Teachers in the NCTE norms, 2014, Appendix-4 where requirement of 8 (eight) teachers for 4 (four) Pedagogy subjects has been noted not mentioning specific subject-wise number of teacher. And so, we were of the concept that there must be eight Pedagogy subject teachers but it is not compulsory to maintain equal number for each subject. Accordingly, we prepared the faculty list where one Mathematics Teacher has been empanelled but we maintained requisite eight numbers in the said group. The said Faculty Panel list was duly approved by the affiliating University. Moreover, there is one qualified teacher in Mathematics for our existing D.El.Ed. course. Hence for the both D.El.Ed. and B.Ed. course, there are two Mathematics teachers who are teaching jointly for two courses and this system is admissible as per provision of the NCTE norms, 2014, Appendix-4 where in the 5th Column, it is clearly noted as follows: "In a composite institution, the Principal and academic, administrative and technical staff can be shared." In spite of having all other facilities, only due to misunderstanding of the related norms of the NCTE and also there not mentioning of subject-wise number of Pedagogy subject teachers we have missed the 100 intake. It would be far better and effective if the decision of the ERC would be issuing a Deficiency Letter to the college in order to give a chance to fulfill the condition. We could forthwith take the necessary step to engage another Mathematics teacher. After 2016, there is no notification inviting application for enhancement of intake quota. In the circumstances, seeking one more intake (50) for our B.Ed. course, we appeal to your honour for reconsideration of the decision of the ERC (213th Meeting)."

AND WHEREAS Appeal Committee noted that appellant institution is aggrieved with the impugned order dated 02/05/2016 granting recognition for B.Ed. course with an intake of one unit instead of two units. Appeal Committee noted that appellant institution has expressed its assumption that grant of recognition with an intake of one unit of B.Ed. course was made because there was only one teacher in Mathematics in the approved list submitted to ERC. From the regulatory file it is verified that appellant institution had

submitted the name of only one faculty of Mathematics. There is no mention of this reason in the notes recorded on the regulatory file.

AND WHEREAS Appeal Committee noted that orders issued under Section 14, Section 15 and Section 17 of the NCTE Act are appealable only if appeal is preferred within time limit prescribed under the Rules. Appellant institution was, therefore, required to appeal against the recognition order within 60 days from 02/05/2016 and also submit reasonable and acceptable reasons leading to delay in preferring appeal. There has been an unexplained delay of more than 41 months. Appeal Committee decided not to condone the delay and appeal is accordingly not admitted. Appellant institution is at liberty to apply afresh for increase in intake as and when NCTE issues Notification inviting fresh application for the course.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during online presentation of appeal, Appeal Committee concluded not to condone the delay and appeal is accordingly not admitted. Appellant institution is at liberty to apply afresh for increase in intake as and when NCTE issues Notification inviting fresh application for the course.

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


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

1. The Secretary, Swami Vivekananda Tribal College of Teacher Education, NH-6, Kaliara-1, Midnapur – 721149, 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.