



F.No.89-91/E-157927/2020 Appeal/24th Mtg.-2020/23rd October, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of B.S.N. Memorial College of Education, Kothavalasa, Vizianagaram, Andhra Pradesh dated 30/04/2020 is against the Order No. SRO/NCTE/APSO0316/B.Ed./AP/2020/115286-115292 dated 26.02.2020 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the grounds that "The institution has not appointed faculty as per NCTE Regulations, 2014. Building plan submitted by the institution is not approved by the Competent Authority. The institution has not submitted certified copy of the land documents."

AND WHEREAS Sh. Srinivas, Secretary and Sh. Madhusudan, Director, B.S.N. Memorial College of Education, Kothavalasa, Vizianagaram, Andhra Pradesh submitted online request to extend the date of appeal hearing by 30 days. Appeal Committee as per extent appeal rules decided to grant another (second) opportunity to the appellant to present its case before Appellate Authority.

AND WHEREAS Sh. E. Srinivas Rao, Secretary appeared online and presented the case of appellant institution on 23/10/2020. Appellant submitted online copies of (i) list of faculty approved by Andhra University on 23/10/2020, (ii) sale deed documents.

AND WHEREAS Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme since 2003 and a revised recognition order dated 30/05/2015 was issued under NCTE Regulation, 2014.

AND WHEREAS Appeal Committee noted that appellant institution by its letter dated 02/12/2019 had already submitted to SRC (i) copies of Building Completion Certificate for a built up area of 46548 sq. feet., (ii) Building Plan, (iii) C.L.U. and (iv)

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FDRs valid upto November, 2024. Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme since 2003 and with the NCTE Regulation, 2014 coming into force was required to appoint additional faculty and enhance the built up area as per Norms and Standards of Appendix – 4.' Appellant with its online submission has submitted copy of the list of faculty approved by affiliating University and the land documents. Appeal Committee decided that appellant is required to submit to SRC original of the faculty list approved by affiliating University and originally certified copy of land documents within 15 days of the issue of appeal order. Appeal Committee further decided to remand back the case of SRC for revisiting the matter.

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

NOW THEREFORE, the Council hereby remands back the case of B.S.N. Memorial College of Education, Kothavalasa, Vizianagaram, Andhra Pradesh to the SRC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. **The Secretary, B.S.N. Memorial College of Education, 18/5A, 16/6A, K. Kotapadu Road, Kothavalasa, Vizianagaram, Andhra Pradesh – 535183.**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

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F.No.89-105/E-158607/2020 Appeal/24th Mtg.-2020/23rd October, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Koviloor Andavar College of Physical Education and Sports Science, Managiri, Karaikudi, Sivaganga, Tamil Nadu dated 14/04/2020 is against the Order No. SRC/NCTE/APSO9258/M.P.Ed./116078 dated 19.03.2020 of the Southern Regional Committee, withdrawing recognition for conducting for M.P.Ed. Course on the grounds that "it is pertinent to highlight that the institute had applied and submitted Affidavit for additional 10 seats (existing 30 additional 10) in M.P.Ed. course on promulgation of 2009 and 2014 Regulations, but the inspection of the institute was conducted instead of permitting 10 additional seats. Further, SCN and Final SCN was issued. The LUC submitted by the institution is doubtful is nature as it is on the letter head and with the stamp of institution only and the approving authority is not clear and it also do not have the proper format of State Govt. The institution has submitted photocopy of Building Plan which is neither approved nor legible. The institution did not submit English translation (Notarized) of NEC. The institution has not submitted BCC in prescribed format duly approved by the competent authority. The institution has not submitted certified copy of Land document with English translation (Notarized). Whereas there is requirement of 1 Professor, 2 Associate Professor, 3 Assistant Professor and 3 Sports trainers under NCTE Regulations."

AND WHEREAS No one from, Koviloor Andavar College of Physical Education and Sports Science, Managiri, Karaikudi, Sivaganga, Tamil Nadu appeared to present the case of the appellant institution on 31/08/2020. Online link, also, could not be established with appellant institution on 31/08/2020. In the appeal memoranda it is

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submitted that "Land Use Certificate submitted by us need not be doubted. The land details were typed on a plain paper and was duly signed by then president, Mr. T.R.M. Alagappan, Koviloor Panchayat, Koviloor, Karaikudi Taluk, Sivagangai District, Tamil Nadu. Our college seal was stamped on that paper. So it appears that it was our college letter pad. Now new LUC was obtained from the present (existing) president on 13-03-2020, the same was notarized on 14-03-2020 and was posted to NCTE on 15-03-2020. However the decision of withdrawal was taken on 12th and 13th February and the order was issued on 19th March 2020. The photocopy of building plan was approved by then president Mr. T.R.M. Alagappan, Koviloor Panchayat, Koviloor, Karaikudi Taluk, Sivagangai District, Tamil Nadu. The legible copy of the same was sent to NCTE Office on 15-03-2020. The English translation of Non-encumbrance Certificate was obtained from the registration Department of Government of Tamil Nadu on 20th February 2020 and was notarized on 03-03-2020. The same was posted to NCTE on 15-03-2020. The Building Completion Certificate was duly signed by the present President Mrs. S. Sundari Koviloor Panchayat, Koviloor, Karaikudi Taluk, Sivagangai District, Tamil Nadu, on 06-03-2020 and was notarized on the same day. The approved copy was posted to NCTE Office on 15-03-2020. Here was a delay in translating 17 land documents and the same was posted on 15-03-2020. There is one principal, 10 Assistant Professor, 5 sports trainer and 1 yoga trainer and 1 physiotherapist. All of them are duly approved by the registrar of Tamil Nadu Physical Education and Sports University. However, the institution has advertised the post of associated professor in a daily newspaper. Due to national lock down, we have not yet conducted interview. However as soon as the lock down is over two Associate Professor will be appointed." Appeal Committee, as per extant appeal rules, decided to grant another (second) opportunity to the appellant to present its case before the Appellate Authority.

AND WHEREAS Sh. G. Ravinder, Principal, Koviloor Andavar College of Physical Education and Sports Science, Managiri, Karaikudi, Sivaganga, Tamil Nadu presented the case of appellant institution online on 23/10/2020. Appeal Committee noted that appellant institution is recognised to conduct M.P.Ed. programme since 2009. Appeal Committee further noted that appellant institution was conducting M.P.Ed. programme


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with an intake of 30 seats and had applied for 10 additional seats as NCTE Regulation, 2014 provide for 40 seats in one basic unit of M.P.Ed.

AND WHEREAS Appeal Committee noted that following an inspection of the appellant institution conducted on 25th March, 2015, SRC issued a Show Cause Notice (SCN) dated 27/04/2015 seeking from the appellant institution:- (i) Building Completion Certificate (B.C.C), (ii) C.L.U. , (iii) Encumbrance Certificate and (iv) FDRs. A Final S.C.N. dated 21/11/2019 was also issued wherein some more documents were required to be furnished by the appellant institution. It is observed from the relevant regulatory file that appellant institution submitted a reply to SCN which was received in the office of SRC on 11/12/2019. Appellant had again submitted with it's appeal copies of (i) Building Plan, (ii) C.L.U., (iii) Non Encumbrance Certificate, (iv) list of faculty containing the names of a Principal, one Professor, 2 Associate Professors and 8 + 3 Assistant Professors including Yoga Trainer, Sports Trainers and Physiotherapist. Appellant institution has advertised one vacancy of Associate Professor. Appeal Committee noted that for an institution in existence for the last 11 years, C.L.U of land issued by Village Panchayat supported by a Building Completion Certificate (B.C.C.) and building plan also approved by Panchayat authority is an acceptable documents.

AND WHEREAS Appeal Committee decided that appellant institution is required to submit to SRC original of certified land documents and authenticated copies of list of faculty, Building Plan, Building Completion Certificate (B.C.C.) C.L.U. and Encumbrance Certificate within 15 days of the issue of appeal order. 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 submission made by 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 Koviloor Andavar College of Physical Education and Sports Science, Managiri, Karaikudi, Sivaganga, Tamil Nadu to the SRC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

- 1. The Principal, Koviloor Andavar College of Physical Education and Sports Science, 396/397, Managiri, North Car Street, Karaikudi, Sivaganga, Tamil Nadu – 630307.**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu, Chennai.

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F.No.89-112/E-158612/2020 Appeal/24th Mtg.-2020/23rd October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Sidhartha B.Ed. College, Bhalki, Bhalki, Bidar, Karnataka dated 20/03/2020 is against the Order No. SRO/NCTE/APSO9787/B.Ed/KA/2020/14105 dated 20.01.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the institution has not submitted a copy of site plan. The institution has not submitted latest staff list approved by the affiliating University as per the prescribed format. FDR for Endowment Fund & Reserve Fund not submitted. FDR for Endowment Fund & Reserve Fund not submitted."

AND WHEREAS Mohd. Abdulla, Office Assistant, Sidhartha B.Ed. College, Bhalki, Bhalki, Bidar, Karnataka presented online the case of the appellant institution on 31/08/2020. In the appeal memoranda it was submitted that "SRC NCTE has not considered the institution/Appellant request letter dated 12.02.2015 to reduce the intake from 100 students (2 units) to 50 students (1 unit). All the applicable compliance regarding land, built up Area, Staff requirement and FDR for Endowment and Reserve Fund would have changed if the request of the institution would have been processed and accepted. It is pertinent to mention that Appellant has submitted earlier two original FDR both dated 05.11.2014 issued by the State Bank of India, Bidar of Rs.500000/- and 3,00000/- which got matured on 05.11.2019. The Appellant institution requested vide letter dated 07.11.2019 to return the original FDR with SRC NCTE for the renewal and the same has not been given by the SRC NCTE. That SRC, NCTE has not considered the institution/appellant request letter dated 12.02.2015 to reduce the intake from 100 students (2 units) to 50 students (1 unit). All the applicable compliance regarding land, built up area, staff requirement and FDR for endowment and reserve fund would have changed if the request of the institution would have been processed and accepted. It is

pertinent to mention that appellant has submitted earlier two original FDR both dated 05.11.2014 issued by the State Bank of India Bidar of Rs.500000/- and 3,00000/- which got matured on 05.11.2019. The appellant institution requested vide letter dated 07.11.2019 to return the original FDR with SRC, NCTE for the renewal and the same has not been given by the SRC, NCTE (b) Because the SRC, NCTE decision to withdraw the recognition of the institution for the B.Ed. course is not based correct appreciation of facts as Appellant request letter dated 12.02.2015 and subsequent reminder letter dated 07.11.2019 to reduce the intake from 100 students (2 units) to 50 students (1 unit) was taken into consideration while passing the withdrawal order. It is pertinent to mention that appellant has submitted earlier two original FDR both dated 05.11.2014 issued by the State Bank of India Bidar of Rs.500000/- and 3,00000/- which got matured on 05.11.2019. The appellant institution requested vide letter dated 07.11.2019 to return the original FDR with SRC NCTE for the renewal and the same has not been given by the SRC NCTE. It is pertinent to mention that SRC NCTE has given no opportunity to institution of making representation against the proposed order by the Respondent." Appellant during the online submissions made on 31/08/2020 stated that another opportunity may be granted to present required documents before Appellate Authority. Appeal Committee as per extant appeal rules decided to grant another (second) opportunity to appellant to present its case before the Appellate Authority.

AND WHEREAS Appeal Committee noted that appellant institution is conducting B.Ed. programme since the year 2007 and the intake granted was 100 seats. The revised recognition order dated 15/05/2015 was also for 100 seats. Appeal Committee noted that appellant institution by its letter dated 30/07/2015 addressed to SRC submitted an affidavit seeking intake of 50 seats. Appeal Committee further noted that appellant institution by its letter dated 07/11/2019 requested SRC to return the original FDRs so as to enable the institution renew and resubmit the FDRs to SRC. Appeal Committee, also noted that the list of faculty submitted by appellant by its letter dated 08/11/2019 was not countersigned by the affiliating University.

Resubmit FDRs

AND WHEREAS Appeal Committee noted that appellant institution with its appeal memoranda had submitted copy of list of faculty approved by Gulbarga University. This list however, does not indicate the date and year for which the faculty was approved. Appeal Committee, decided that appellant institution is required to submit to SRC within 15 days of the issue of appeal order the approval letter of University and the faculty list in original. As the land on which appellant institution exists bears a single plot number since 2007 the requirement of submitting a site plan need not be pressed. Appeal Committee further decided to remand back the Case to SRC for revisiting the matter after the appellant institution submits original letter of approval and faculty list approved by the affiliating University.

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 SRC for revisiting the matter after the appellant institution submits original letter of approval and faculty list approved by the affiliating University.

NOW THEREFORE, the Council hereby remands back the case of Sidhartha B.Ed. College, Bhalki, Bhalki, Bidar, Karnataka to the SRC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Chairman, Sidhartha B.Ed. College, 8, Bhalki, MIG-II, Housing Board Colony, Bhalki, Bidar, Karnataka – 585328.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bengaluru.

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F.No.89-113/E-158595/2020 Appeal/24th Mtg.-2020/23rd October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Mahatma College of Education, Ariyur, Mathiyanallore, Illuppur, Pudukkottai, Tamil Nadu dated 23/03/2020 is against the Order No. SRC/NCTE/APSO7077/B.Ed./14500 dated 27.01.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the LUC is not in proper format of the State Government and also without any number and date of letter head of issuing authority. The photocopy of BCC had submitted instead of original. The approval of faculty not submitted. The building plan submitted by the institution is not legible. FDRs of only 8 lakhs submitted instead of 12 lakhs. Hence, the Committee decided to withdraw the recognition granted to Mahatma College of Education, Ariyur annavasal Road, Mathiyanallore Post, Illuppur Taluk, Pudukkottai District, Tamilnadu for conducting B.Ed. course w.e.f. the next academic session under clause 17(1) of NCTE Act, 1993 on the grounds mentioned above."

AND WHEREAS Sh. Jai Ganesh, Principal, Mahatma College of Education, Ariyur, Mathiyanallore, Illuppur, Pudukkottai, Tamil Nadu presented the case of the appellant institution on 31/08/2020. In the appeal and during personal presentation it was submitted that "we have rectified all queries and requested to continue to recognition and cancel the withdrawal order against our institution. Also, ready to fulfil further, requirement, if any by the NCTE." Appellant during the course of appeal hearing on 31/08/2020 submitted a letter from Chairman of the Society by which the appellant sought another opportunity as due to Covid – 19 pandemic access to certain documents is delayed. Appeal Committee as per extant appeal rules decided to grant another (second) opportunity to the appellant institution to present its case before Appellate Authority.

AND WHEREAS Sh. Mohd. Nasar, Chairman, Mahatma College of Education, Ariyur, Mathiyanallore, Illuppur, Pudukkottai, Tamil Nadu presented online the case of appellant institution on 23/10/2020 and submitted that appellant institution has fulfilled all the deficiency and B.Ed. programme should be continued.

AND WHEREAS Appeal Committee noted that appellant institution is conducting B.Ed. programme since 2007. Appellant institution with its appeal memoranda had submitted copies of (i) C.L.U. issued by Tehsildar, Illuppur, (ii) Building Plan, (iii) Building Completion Certificate (B.C.C.), (iv) FDRs. Further the appellant institution submitted online the list of faculty approved by Tamil Nadu Teacher Education University. Appellant admitted that delay in submitting approved list of faculty is due to Covid Pandemic – 2019. Appeal Committee decided that appellant is required to submit originals of the (i) faculty list, (ii) approved letter of University, (iii) C.L.U., (iv) FDRs and copies of building plan and B.C.C. to SRC, within 15 days of the issue of appeal order. 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 submission made by appellant, Appellant Committee concluded to remand back the case to SRC for revisiting the matter.

NOW THEREFORE, the Council hereby remands back the case of Mahatma College of Education, Ariyur, Mathiyanallore, Illuppur, Pudukkottai, Tamil Nadu to the SRC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Chairman, Mahatma College of Education, Ariyur, Mathiyanallore, Annavasal Road, Illuppur, Pudukkottai, Tamil Nadu – 622101.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu, Chennai.

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F.No.89-116/E-158887/2020 Appeal/24th Mtg.-2020/23rd October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Teachers Training College B.Ed., Bogdo, Aalo, West Siang, Arunachal Pradesh dated 29/03/2020 is against the Order No. ER-279.4/(ERCAPP876)/B.Ed./2020/62401 dated 26.02.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "total built-up area mentioned in the Building Plan (BP) as well as Building Completion Certificate (BCC) as 1756.97 Sq. Mts. which is not sufficient to run two units of B.Ed. Course. Requisite information of the institutional website has not updated as per clause 7(14)(i) of the NCTE Regulation, 2014."

AND WHEREAS No one from Teachers Training College B.Ed., Bogdo, Aalo, West Siang, Arunachal Pradesh appeared on behalf of appellant institution to present the case on 31/08/2020. Efforts to connect the appellant institution through online link were not successful. In the appeal and during personal presentation it was submitted that now we have met up the shortcomings mentioned in the withdrawal order and the details of which are delineated as under: 1. The building was already completed, but inadvertently we placed the old Building Completion Certificate (BCC). Now we submit the new Building Completion Certificate in which built up area is 2, 956.84 Sq. Mts. which is more than sufficient as per the norm of NCTE. 2. Requisite information's of the institutional website has been updated as per clause 7(14)(i) of the NCTE Regulation, 2014. As per extant appeal rules, Appeal Committee decided to grant another (second) opportunity to the appellant institution.

AND WHEREAS Sh. Kongmi, Representative, Teachers Training College B.Ed., Bogdo, Aalo, West Siang, Arunachal Pradesh presented the case of appellant institution on 23/10/2020 and submitted copies of revised Building Completion

Certificate (B.C.C.) indicating built up area of 3050 sq. meters and printout of website pages. Appeal Committee decided that appellant institution is required to submit original B.C.C. and printout of website pages to ERC within 15 days of the issue of Appeal order. Appeal Committee further decided to remand back the case to ERC for revisiting the matter after the appellant submits the required documents.

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 after the appellant submits the required documents.

NOW THEREFORE, the Council hereby remands back the case of Teachers Training College B.Ed., Bogdo, Aalo, West Siang, Arunachal Pradesh to the ERC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. **The Secretary, Teachers Training College B.Ed., 05/09, Bogdo, Aalo, West Siang, Arunachal Pradesh – 791001.**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Arunachal Pradesh, Itanagar.

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F.No.89-119/E-158826/2020 Appeal/24th Mtg.-2020/23rd October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Sorabh College of Education, Near Goverdhan Temple, Khadli, Dausa, Rajasthan dated 01/05/2020 is against the Order No. NCTE/NRC/NRCAPP201615453/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/SCN/RJ/2017-2018/4; dated 08.02.2018 of the Western Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “reply of Show Cause Notice has not been submitted till date. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

AND WHEREAS Sorabh College of Education, Near Goverdhan Temple, Khadli, Dausa, Rajasthan was asked to present the case of the appellant institution on 01/09/2020 but nobody from the appellant institution appeared before Appellate Authority. Online link also could not established with the appellant institution on 01/09/2020. Appeal Committee, as per extant appeal rules decided to grant another (second) opportunity to the appellant to present its case before Appellate Authority.

AND WHEREAS Sh. Kirpal Singh Meena, Director, Sorabh College of Education, Near Goverdhan Temple, Khadli, Dausa, Rajasthan appeared before Appeal Committee on 23/10/2020 and submitted copy of order dated 21/10/2020 issued by Hon'ble High Court of Delhi in W.P. (C) 8301/2020 and C.M. No. 26886/2020. Hon'ble High Court of Delhi in its order has directed the Appellate Authority to take the written submissions on record and deal with the same as per law uninfluenced by any observation made by the Court.

AND WHEREAS Appeal Committee perused the submission dated 17/10/2020 made by appellant and noted the salient points which include:-

- (i) NRC has delayed the processing of application dated 31/05/2016.
- (ii) Letter of Intent (L.O.I.) dated 02/06/2017 was not sent to affiliating University.
- (iii) Appellant institution has addressed letters dated 07/06/2017, 29/09/2017, 26/08/2018, 18/12/2019 requesting the affiliating body to nominate subject experts.
- (iv) Affiliating University approved the panel of experts on 21/03/2020 and thereafter after certain deliberations University finally granted approval of faculty on 02/09/2020.

AND WHEREAS Appeal Committee after pursuing the relevant regulatory file observed that inspection of the appellant institution was conducted on 29/05/2017 and the Northern Regional Committee in its 270th Meeting held on 29th – 30th May decided to issue a Letter of Intent (L.O.I.) which was issued online on 02/06/2020. The time limit for submitting compliance to L.O.I. was 2 months. The L.O.I. mentioned several conditions inter-alia selection and appointment of faculty which were required to be complied and report sent to NRC.

AND WHEREAS Appeal Committee noted that appellant institution neither submitted any compliance or part compliance nor did seek extension of time to submit compliance. NRC in its 275 Meeting held from 19th to 21st September, 2017 decided to issue a Show Cause Notice (SCN) and S.C.N. was issued online on 25/09/2017. The appellant neither submitted reply to S.C.N. nor did bring to the notice of NRC any difficulty being faced by it in getting approval of affiliating University.

AND WHEREAS Appeal Committee noted that impugned refusal order dated 08/02/2018 in its last para mentioned that appeal lies against the order within 60 days. Appellant neither did prefer a timely appeal nor intimate to NRC progress of action taken by it to secure approval and appointment of faculty.

Per J. R. R. R.

AND WHEREAS Appeal Committee noted that in the Memoranda of Appeal against the column 'Reason for Delay' appellant institution has mentioned 'No' as if no delay had occurred.

AND WHEREAS Appeal Committee noted that there has been an unexplained delay of 26 months in preferring appeal. Appellant has also not submitted any compliance to L.O.I. Appellant has not replied to Show Cause Notice. Appeal Committee apart from not condoning the delay in preferring appeal without any reason and also confirmed the impugned refusal order as no reply to L.O.I. and S.C.N. was submitted by the appellant institution.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded not to condone the delay in preferring appeal without any reason and also confirmed the impugned refusal order as no reply to L.O.I. and S.C.N. was submitted by the appellant institution.

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

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Secretary, Sorabh College of Education, Khadli, Near Goverdhan Temple NH-11, Khadli, Dausa, Rajasthan – 303303.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

F.No.89-120/E-158840/2020 Appeal/24th Mtg.-2020/23rd October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Parijat Academy Teacher Education Institution, West Milan Nagar, C.R. Building, Dibrugarh, Assam dated 01/05/2020 is against the Order No. ER-279.12/APE00298/B.Ed./2020/62417 dated 26.02.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "list of teaching faculty is not duly approved by the affiliating body as per Appendix-4 of NCTE Regulation, 2014. Land is on the private lease basis, which is not accepted. Certified copy of Fire Safety Certificate duly signed by the Govt. Competent Authority is not submitted. Requisite information of the institutional website has not updated as per clause 7(14)(i) of the 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 Ms. Amrita Konwar, Secretary and Ms. Neera Dutta Mudoi, Principal, Parijat Academy Teacher Education Institution, West Milan Nagar, C.R. Building, Dibrugarh, Assam presented the case of the appellant institution on 01/09/2020. In the appeal and during personal presentation it was submitted that "we submit the current faculty list duly signed by the Registrar, Dibrugarh University. Submitted herewith the lease of documents, land affidavit, non-encumbrance certificate, land holding certificate of circle officer. Submitted herewith renewal N.O.C. from Office of the Director, fire and emergency services, Assam."

AND WHEREAS appellate during the course of appeal hearing on 01/09/2020 submitted copy of letter dated 22/08/2020 requesting to quash the name of a parallel institution operating at C.R. Building, Chowkidhingi, Dibrugarh and whose appeal was also listed at Serial No. 11. Appellant further by its letter dated 01/09/2020 requested

for grant of another (second) opportunity to present its case with necessary documents. Appeal Committee, as per extant appeal rules, decided to grant another opportunity.

AND WHEREAS Ms. Amrita Konwar, Secretary and Ms. Jyotish Talukdar, Society Member during the course of appeal hearing on 23/10/2020 submitted copies of:- (i) list of faculty approved by Dibrugarh University, (ii) Non Encumbrance Certificate dated 20/12/2019 issued by District Registrar, (iii) Land documents, (iv) Building Completion Certificate (B.C.C.), (v) Building Plan, (vi) Fire Safety Certificate. Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme since 2005 and continues to function from the same address. Appellant further stated that land and building of the institution which was earlier taken on lease is now owned by the society through a Gift deed during the validity of lease period. Appeal Committee decided that appellant institution is required to submit to ERC originals/zerox copies of the above documents within 15 days of the issue of appeal order. Appeal Committee further decided to remand back the case to ERC for revisiting the matter.

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

NOW THEREFORE, the Council hereby remands back the case of Parijat Academy Teacher Education Institution, West Milan Nagar, C.R. Building, Dibrugarh, Assam to the ERC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Principal, Parijat Academy Teacher Education Institution, West Milan Nagar, 129, C.R. Building, Bye Lane-0, Dibrugarh, Assam – 786003.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Assam, Dispur.



F.No.89-122/E-158897/2020 Appeal/24th Mtg.-2020/23rd October, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Kalyani Devi Mahavidyalaya, Naila, Jamwaramgarh, Jaipur, Rajasthan dated 10/06/2020 is against the Order No. NCTE/NRC/NRCAPP201616062/B.A.B.Ed./B.Sc.B.Ed. – 4 Year integrated/RJ/2017-18/2; dated 27.04.2017 of the Western Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “reply of SCN issued by NRC to the institution has not been received within stipulated time. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

AND WHEREAS No one from, Kalyani Devi Mahavidyalaya, Naila, Jamwaramgarh, Jaipur, Rajasthan appeared on behalf of the appellant institution on 01/09/2020. In the appeal memoranda it is submitted that “SCN issued by NRC to the institution has not been received within stipulated time.” No one from appellant institution appeared before Appeal Committee on 01/09/2020. As per extant appeal rules, Appeal Committee decided to grant another (second) opportunity to the appellant to present its case before the Appellate Authority.

AND WHEREAS Sh. Vimal Kenwat, Chairman of appellant institution appeared before Appeal Committee on 23/10/2020, to submitted a copy of order dated 21/10/2020 issued by Hon'ble High Court of Delhi in W.P. Case No. 8300/2020 and CM nos. 26884/2020 & 26885/2020. Hon'ble High Court in its order dated 21/10/2020 directed as under:-

“There appears to be no impediment to permit the petitioners to place on record the additional written submissions dated 17/10/2020.

Without prejudice to the rights and contentions of the respondents, the Appellate Authority is requested to take the said written submissions

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on record and deal with the same as per law. The Appellate Authority may deal with the appeal uninfluenced by any observations made by this court. Nothing further survives in this petition and the same is disposed of. Pending applications also stand disposed of."

AND WHEREAS Appeal Committee noted that with its appeal memoranda appellant had submitted copies of S.C.N. dated 27/02/2017 and refusal order dated 27/04/2017. Both the above communications were issued online at the address given by appellant institution and as such averment made by appellant that S.C.N. was not formally received and received in the form of email does not support the merit of the case.

AND WHEREAS Appeal Committee noted that S.C.N. dated 27/02/2017 was issued giving an opportunity to appellant institution to submit:-

- (i) Bye laws of society.
- (ii) Land Use Certificate.
- (iii) Approved Building Plan with all necessary details.
- (iv) Non Encumbrance Certificate.

AND WHEREAS appellant in its submission made on 23/10/2020 stated that reply to S.C.N. was sent by Friends Courier Service on 17/04/2017 enclosing therewith all the required documents. Appeal Committee after perusal of relevant regulatory file does not find the communication stated to have been sent through Courier by the appellant institution.

AND WHEREAS Appeal Committee also observed that after issue of impugned refusal order dated 27/04/2017, appellant had failed to prefer appeal within 60 days of the issue of that order as per provisions of appeal rules. Appellant further has not stated any reasons for a delay of 3 years in preferring appeal. Appellant has further not enclosed copies of the documents which it was required to submit with its reply to S.C.N. Appellant in its appeal memoranda dated 10/06/2020 did not contend that the appellant had submitted reply to S.C.N. Appellant's contention that impugned refusal order was

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not published in the official Gazette does not add to any merit of the case as appellant could not show valid reason for not having preferred appeal.

AND WHEREAS Appeal Committee decided that delay of 3 years without any valid reason in preferring appeal is not condonable. 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 the delay of 3 years without any valid reason in preferring appeal is not condonable. Appeal is accordingly not admitted.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Chairman, Kalyani Devi Mahavidyalaya, 66, Naila, Naila to Aarwadi Benada Road, Jamwaramgarh, Jaipur, Rajasthan – 303012.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-140/E-160598/2020 Appeal/24th Mtg.-2020/23rd October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Shri Vijay Swaroop Mahila College of Education, Sikandra, Pt. Deen Dayal Upadhyaypuram, Agra, Uttar Pradesh dated 20/06/2020 is against the order no. F. NRC/NCTE/F-3/UP-1247/2005/5222 dated 06/07/2005 of the Northern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "as per SOP, two SCNs u/s 17 have already been issued. Therefore, the recognition of the institution may be withdrawn as enough opportunities have been given to the institution."

AND WHEREAS No one from, Shri Vijay Swaroop Mahila College of Education, Sikandra, Pt. Deen Dayal Upadhyaypuram, Agra, Uttar Pradesh presented the case of the appellant institution on 02/09/2020. In the appeal and during personal presentation it was submitted that "Appellant institution did not receive any order regarding withdrawal of recognition. Institution has already appointed faculty approved by affiliating University and this faculty is paid salary as per norms." Nobody from appellant institution appeared before Appeal Committee to present the case of appellant institution. Efforts to get the appellant online on 02/09/2020 for appeal hearing also failed. Appeal Committee, as per extant appeal rules decided to grant another (second) opportunity to the appellant to present its case before Appellate Authority.

AND WHEREAS Sh. Shivmurthy and Sh. Shivanandan, Member appeared before Appeal Committee on 23/10/2020 and submitted copy of an order dated 27/08/2020 passed by the Hon'ble High Court of Delhi in W.P. Case No. 5689/2020 and C.M. No.

20567-568/2020. Appeal Committee noted that appellant institution has been allowed by Hon'ble High Court to participate in Counselling and admit students for academic session 2020-21. The direction of Hon'ble Court is, however, subject to the further orders of Appellate Authority. The points of examination before Appeal Committee are:-

- (i) Whether the appellant has submitted reply to Show Cause Notice issued to it after issue of the revised recognition order dated 18/05/2015.
- (ii) Whether the appellant institution has been able to submit documentary evidence of having selected/appointed the required number of faculty i.e. 1 + 15 with the consent of affiliating University and disbursement of salary to faculty through admissible mode as per Clause 10 (2) of NCTE Regulation, 2014.
- (iii) Whether appellant institution has enhanced the Built up area to meet the requirement of Norms and Standards (Appendix – 4).

AND WHEREAS Appeal Committee noted that appellant institution after issue of revised recognition order dated 18/05/2015 to conduct B.Ed. programme with an intake of 100 seats was issued a Show Cause Notice (SCN) dated 19/06/2019 on the grounds that Dr. B.R. Ambedkar University by its letter dated 19/01/2019 addressed to appellant institution had sought from the institution Self Appraised Report before 22/02/2019 for getting the faculty approved and selected.

AND WHEREAS Appeal Committee on perusal of the regulatory file observed that appellant institution by its letter dated 13/07/2019 had informed the Regional Committee that process to select and appoint faculty against vacancies is under process in consultation with the affiliating body.

AND WHEREAS Appeal Committee noted that there are two letters of affiliating body dated 19/01/2019 and 15/02/2019 available on regulatory file. The letter dated 19/01/2019 is addressed to appellant institution whereas letter dated 15/02/2019 is addressed to Regional Director, NCTE. The S.C.N. dated 19/06/2019 issued to

Keyfile

appellant institution refers to both the letters but extracts of only one letter dated 19/01/2019 were forwarded to appellant institution.

AND WHEREAS Appeal Committee could not locate on the regulatory file any reply to the S.C.N. wherein appellant had submitted compliance of the revised recognition order and the first Show Cause Notice dated 26/03/2018. The appellant institution was required to submit to the Regional Committee evidence of having created additional facilities that include (a) additional built up area (b) additional infrastructure and (c) additional faculty as the tenure B.Ed. programme was enhanced from one year to two years.

AND WHEREAS appellant institution has failed to fulfil and report to the Regional Committee the compliance of the terms and conditions of the revised recognition order dated 18/05/2015. Appellant institution has further failed to submit reply to S.C.N. dated 26/03/2018. Appellant also did not submit a complete compliance in response to the 2nd S.C.N. dated 19/06/2020 and the letter dated 13/07/2019 submitted by appellant to the Regional Committee at best can be viewed as acknowledgement of the 2nd S.C.N. dated 19/06/2019.

AND WHEREAS Appeal Committee considers that onus lies on the appellant institution to have reported compliance as per terms and conditions of the revised recognition order and submitted evidence of having faculty approved by affiliating body since the academic session 2015-16 and thereafter. As appellant has failed to respond to the compliance of revised recognition order and has also not submitted reply to the SCNs, Appeal Committee decided to confirm the impugned order of withdrawal dated 09/07/2020.

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 09/07/2020.



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

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

- 1. The Director, Shri Vijay Swaroop Mahila College of Education, PS-1, Sikandra, Pt. Deen Dayal Upadhyaypuram, Agra, Uttar Pradesh – 282005.**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-153/E-161794/2020 Appeal/24th Mtg.-2020/23rd October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Imam Hussain Memorial Teacher Training Institute, Vadakkevila, Manakkad, Kollam, Kerala dated 29/07/2020 is against the Minutes of 386th Meeting of SRC (Item No. 51) dated 24.07.2020 of the Southern Regional Committee deciding to, withdraw recognition for conducting for D.El.Ed. Course on the grounds that "building plan submitted by the Institution which is not approved by competent authority. The institution has not submitted certified copy of the land documents. The institution has not submitted BCC. Staff list of 1+7 faculty submitted by the Institution, which is not approved by the affiliating body."

AND WHEREAS Sh. Santhosh S, Principal, Imam Hussain Memorial Teacher Training Institute, Vadakkevila, Manakkad, Kollam, Kerala presented the case of the appellant institution on 23/10/2020. In the appeal and during online presentation it was submitted that "Building plan approved by the Town Planner, Kollam Corporation and Assistant Engineer Kollam Corporation is already submitted, However, we are sending again through post. We have now applied before the Sub Registrar Officer, Eravipuram to issue certified copy of land documents, which are pending due to the lock down declared by the District Collector, Kollam, wherein the SRO Office is locked w.e.f. 28-07-2020. The SRO office will reopen only after 14 days of lockdown ends. As and when we receive the documents, the same will be furnished. Kindly allow us 2 weeks' time. Building Completion Certificate dewily notarized has already been submitted. However, Notary attested BCC is again submitting through post. The same has already been submitted. As ours being an Government of Kerala Aided Institution, which is under the Director, General Education. The District Education Officer, Kollam is the authorized

person to approve the staff list, who has already been sent. However, a notarized copy of the same is submitting through post."

AND WHEREAS Appeal Committee noted that appellant institution has not enclosed with its appeal memoranda copy of the order issued Section 14 or Section 15 or Section 17 of the NCTE Act. On perusal of the regulatory file. Appeal Committee noted that recognition was once refused to the appellant institution by issue of a refusal order dated 28/08/2000. The present appeal does not refer to the refusal order dated 28/08/2000. Appeal lies only against orders issued under specific Sections of the Act. Appeal Committee observed that SRC in its 386th Meeting held on 23rd & 24th July, 2020 (Item No. 51) had decided to withdraw recognition. Appeal Committee noted that SRC in its subsequent 387th Meeting held on 24th & 25th August, 2020 (Item No. 2) had modified its decision and confirmed its previously issued refusal order dated 28/08/2000. Appeal Committee noted that there was a lot of litigation involved in this case and appellant before preferring appeal shall be well aware of the grounds on which it is required to prefer Appeal. Also if a previous refusal order issued 20 years back is required to be confirmed, the Regional Committee is required to take a decision as to how the diplomas awarded to students who had qualified while studying in this type of institution which despite having been refused recognition had been conducting the course, would be treated.

Appeal Committee is of the opinion that, in continuation of the Show Cause Notice dt. 13/03/2020, SRC was required to issue a speaking order detailing all stages of the case. Appeal if any required to be preferred by appellant should be specific and with reference to deficiencies to be pointed out by SRC in revised speaking orders.

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 SRC for issue of revised speaking order in continuation of the Show Cause Notice dated 13/03/2020.

NOW THEREFORE, the Council hereby remands back the case of Imam Hussain Memorial Teacher Training Institute, Vadakkevila, Manakkad, Kollam, Kerala to the SRC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

- 1. The Principal, Imam Hussain Memorial Teacher Training Institute, Vadakkevila, Manakkad, Kollam, Kerala – 691010.**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Kerala, Thiruvananthapuram.

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F.No.89-155/E-180200/2020 Appeal/24th Mtg.-2020/23rd October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Balaji B.Ed. College, C/o Sh. Ambika Prasad Sahu, Balaghat Road, Barghat, Seoni, Madhya Pradesh dated 16/06/2020 is against the Order No. WRC/APW06067/223672/B.Ed./310th/2019/205951 dated 04.09.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the Show Cause Notice was issued to the Institution vide letter dated 21/12/2016 and reply received on 27/01/2017. 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 for approved intake is not submitted. Building Completion Certificate, CLU, NEC & Building Plan are also not submitted 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 Sh. Ashish Dubey, Secretary and Sh. Mahendr Chaturvedi, Coordinator, Balaji B.Ed. College, C/o Sh. Ambika Prasad Sahu, Balaghat Road, Barghat, Seoni, Madhya Pradesh presented the case of the appellant institution on 23/10/2020. In the appeal and during personal presentation it was submitted that the Balaji B.Ed. College submitted its reply to the show cause notice dated 21/12/2016 by Courier to the Office of WRC and the same was duly received in the Office of WRC on 26/12/2016. A courier receipt containing the stamp and date of receiving is attached as Annexure – 1. Thus, the reply to the show cause notice was received within the specified time of 21 days. As per show cause notice dated 21/12/2016, the institution was required to submit the original staff profile and photocopy of CLU, NEC, Building Plan & Building Completion Certificate originally notarized. Accordingly, we submitted the originally notarized copy of CLU, NEC, approved Building Plan & Building Completion Certificate. Further, we also submitted original staff profile of our faculty. Thus, we submitted complete reply in respect of each

aspect mentioned in the show cause notice dated 21/12/2016. Original staff profile was submitted alongwith our reply. Further, the ground mentioned in the withdrawal order to the effect that Building Completion Certificate, CLU, NEC & Building Plan are also not submitted in original, is contrary to the show cause notice dated 21/12/2016 as the said show cause notice only required us to submit photocopy of CLU, Building Completion Certificate, NEC & Building plan originally notarized, which we submitted alongwith our reply to the Regional Committee. It is submitted that our institution is an old institution duly recognized by WRC as far back as in 2009. It is submitted that the Hon'ble Supreme Court of India in the case of National Council for Teacher Education & Anr. Vs. Vaishnav Institute of Technology and Management [2012 (5) SCC 139] has held as under regarding action to be taken against an old institution under Section 17 of the NCTE Act, 1993:- "24. What is clear from the provisions of the 1993 Act is that post-recognition, an institution acquires a different position. On recognition by the Regional Committee under Section 14 and on affiliation being granted by the examining body, once the recognised institution starts functioning, the interest of teachers, employees and the students intervene. In order to ensure that the recognised institutions function in accordance with the 1993 Act, the 1997 Rules, Regulations and the conditions of recognition and, at the same time, the functioning of such recognised institutions is not disturbed unnecessarily, the provision for inspection and follow-up action pursuant thereto has been made in Section 13. In view of the above position, it is submitted that the withdrawal order dated 04.09.2019 of the WRC may kindly be set aside and our recognition for B.Ed. Course may kindly be restored."

AND WHEREAS Appeal Committee noted that appellant institution was recognised to conduct B.Ed. programme in the year 2009 with an intake of 100 seats. The institution was further issued revised recognition order dated 27/05/2015 which was subject to fulfilment of Norms and Standards for B.Ed. programme as per revised NCTE Regulation, 2014. Appeal Committee noted that appellant institution submitted a compliance report dated 25/10/2015 to WRC and WRC after considering this report issued a S.C.N. dated 21/12/2016. Appeal Committee on perusal of the reply dated 27/01/2017 to S.C.N. noted that list of faculty submitted was attested by a Section Officer of Rani Durgawati University, Jabalpur. Obviously, this list cannot be treated as a original faculty list

Resubmitted

approved by the University. Appellant with its reply to S.C.N. had however, submitted notarised copies of C.L.U., Building Completion Certificate (B.C.C.), Non Encumbrance Certificate etc.

AND WHEREAS appellant with its appeal memoranda has submitted copy of the list of faculty approved by Registrar, Rani Durgawati Vishwavidyalya, Jabalpur and other land related documents. Appellant on the day of appeal hearing also submitted copies of bank statement as evidence of having remitted salary into the bank accounts of faculty.

AND WHEREAS Appeal Committee decided that appellant institution is required to submit original list of faculty approved by affiliating University and originally notarised copies of C.L.U., Building Completion Certificate, Non Encumbrance Certificate, FDRs and Bank statements to WRC within 15 days of the issue of appeal order. Appeal Committee further decided to remand back the case to WRC for revisiting the matter after getting the required documents from the appellant institution.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to WRC for revisiting the matter after getting the required documents from the appellant institution.

NOW THEREFORE, the Council hereby remands back the case of Balaji B.Ed. College, C/o Sh. Ambika Prasad Sahu, Balaghat Road, Barghat, Seoni, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

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



(Mrs. Kesang Yangzom Sherpa)
Member Secretary

1. The Principal, Balaji B.Ed. College, C/o Sh. Ambika Prasad Sahu, Balaghat Road, Barghat, Seoni, Madhya Pradesh – 480661.
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No.89-158/E-162243/2020 Appeal/24th Mtg.-2020/23rd October, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/11/2020

ORDER

WHEREAS the appeal of Dr. S.N.S. College of Education, Chinnavedampatti, Sarvanampatti Road, Coimbatore, Tamil Nadu dated 09/06/2020 is against the Order No. SRO/NCTE/APSO8819/B.Ed/TN/2020/115209-115215 dated 25.02.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the institute did not submit, originally certified copy of Land documents. The building plan is neither approved nor legible. The site plan is neither approved by the Coimbatore, Local Planning Authority nor legible. The institution has submitted Xerox copy of NEC in regional language. The institute did not submit the documents of society/trust etc. The land has been leased from private person to trust vide lease deed dt. 24.01.2007 for 51 years. The institute had submitted a certificate of land dt. 09.07.2015 vide which it is certified that the land is owned by S. Rajalakshmi whereas the LUC submitted by the institute shows that the land is owned by the Trust. These both documents are contrary to each other. The size of classroom, Hall etc. are less than the requirement of NCTE Regulations."

AND WHEREAS Dr. A. Mary, Principal and Dr. V. Kathiresan, Administrative Officer, Adm. Officer, Dr. S.N.S. College of Education, Chinnavedampatti, Sarvanampatti Road, Coimbatore, Tamil Nadu presented online the case of the appellant institution on 23/10/2020. In the appeal and during online presentation it was submitted that "SRC vide its order dated 26.02.2020 has withdrawn recognition observing deficiencies which were already clarified by the institution. Appellant institution submitted application to the SRC, NCTE for starting the B.Ed. course and also submitted documents as per the NCTE Regulations. SRC after scrutiny of the

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documents and all relevant factors granted permission vide its order dated 28.11.2007 for running B.Ed. Course. NCTE issued the Revised Regulation 2014 and the institution vide its compliance dated 30.10.2015 submitted the compliance of the new Regulation. That it is submitted that the SRC, NCTE conducted the expert visit of the institution on 24.10.2016. SRC, NCTE after considering the inspection report decided to issue the Show Cause Notice 09.02.2017 to the institution. Institution vide its letter dated 20.02.2017 submitted the compliances alongwith all the documents. SRC in its withdrawal order has mentioned that institution vide it's another letter dated 22.03.2018 submitted the compliances, however, no such letter was submitted by the institution and seems that the SRC has noted the same in haste. SRC, NCTE without verifying the documents submitted by the institution, issued another show cause notice dated 12.07.2019. Institution vide its letter dated 02.08.2019 submitted all the documents once again to the SRC. SRC, NCTE vide its withdrawal order dated 26.02.2020 withdrew the recognition of the Appellant institution on the grounds without giving any opportunity to the institution. Institution is again submitting the documents before this Committee as were found under deficiencies of the SRC in its withdrawal order. The following documents are being submitted a. Certified Copy of the Original Land Documents. b. Approved and legible Building Plan. c. Approved Site Plan. d. Translated Copy and Copy of the NEC. e. Documents of the Trust/Society f. Size of classrooms. g. Lease Certificate. Expert team of the NCTE visited the Appellant Institution and verified the infrastructural and instructional facilities. Thereafter, the SRC verified the visiting team report and viewed the CD and considered the documents including Building Completion Certificate, Building Plan etc. and accorded the recognition order to the Appellant Institution and the recognition won't have been withdrawn without ascertaining the proper facts. SRC vide its order dated 26.02.2020 withdrew the recognition of the Appellant Institution pointing out certain other point also which was not a part of show cause notice and appellant had no opportunity to justify."

AND WHEREAS Appeal Committee noted that appellant institution is recognised to conduct B.Ed. programme since 2007 and a revised recognition order dated 30/04/2015 was also issued under NCTE Regulation, 2014 for an intake of 100 seats.

Resg. & Rgpe

Appeal Committee noted from the regulatory file that since grant of initial recognition in the year 2007, there has been no change in the address of the institution and as such under the NCTE Regulation, 2014 the appellant institution is required to provide evidence that (i) it possesses the required built up area and additional infrastructure and (ii) faculty as per revised Norms and Standards for B.Ed. programme (Appendix-4).

AND WHEREAS Appeal Committee noted that appellant institution in reply to final S.C.N. dated 12/07/2019 had submitted to SRC. (i) Copies of land document, (ii) land use certificate, (iii) N.E.C., (iv) approved building plan, (v) Building Completion Certificate, (vi) FDRs, (vii) Form 'A', (viii) list of faculty, (ix) website printout etc. Appeal Committee further noted that appellant with its appeal memoranda has submitted copy of amended lease deed registered in 2018 where in the scheduled land measuring 6394.03 sq. meters was transferred to Sr. SNS Charitable Trust by the owner of the land. Appellant with its appeal memoranda had also submitted the list of faculty approved by affiliating body. The FDRs submitted by appellant are in auto renewal mode.

AND WHEREAS Appeal Committee noting the submissions made by appellant decided that appellant institution is required to submit to SRC within 15 days of the issue of appeal order originally certified copy of renewed lease deed in favour of the trust original faculty list FDRS, Building Completion Certificate, Non Encumbrance Certificate. 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 submission made by appellant. Appeal Committee concluded to remand back the case to SRC for revisiting the matter.

Resubmission

NOW THEREFORE, the Council hereby remands back the case of Dr. S.N.S. College of Education, Chinnavedampatti, Sarvanampatti Road, Coimbatore, Tamil Nadu to the SRC, NCTE, for necessary action as indicated above.

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

(Mrs. Kesang Yangzom Sherpa)
Member Secretary

- 1. The Secretary, Dr. S.N.S. College of Education, 487, Chinnavedampatti, Sarvanampatti Road, Coimbatore, Tamil Nadu – 641006.**
2. The Secretary, Ministry of Education, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamilnadu, Chennai.