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F.No.89-493/E-145673/2019 Appeal/6th Mtg.-2020/24th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/03/2020

ORDER

WHEREAS the appeal of Shri Dhanrajji Shrichandji Badamia Teachers Training College, Varkana, Rani Station, Pali, Rajasthan dated 19/11/2019 is against the Order No. NRC/NCTE/NRCAPP-201615301, (ID No.-9513)/306th Meeting/2019/206386 dated 15.10.2019 of the Northern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "SCN was issued to the institution on 11.02.2019. NRC considered the reply dated 05.04.2019 submitted by the institution and decided to refuse the recognition on following grounds:- The institution has not submitted the certified registered land documents issued by the Registering Authority or Civil Authority concerned. As per land document khasra No. 314 but khasra No. 364 has been mentioned in the building plan. Land documents and building plan does not match. Latest affiliation letter from the affiliating body has not been submitted. Hence, the committee decided that the application is rejected and recognition is refused u/s 14 of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

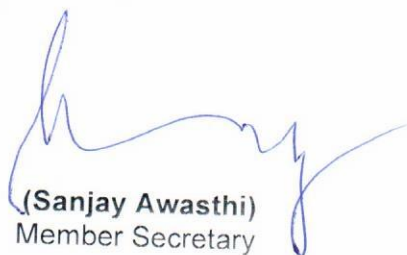
AND WHEREAS Sh. Anil Kothari, CEO and Sh. Ramesh Choudhary, Representative, Shri Dhanrajji Shrichandji Badamia Teachers Training College, Varkana, Rani Station, Pali, Rajasthan presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation it was submitted that the institution has submitted the certified registered land documents issued by the registering authority on 6th April 2019 by hand (the copy of the receiving at NCTE on date is enclosed as Annexure). As per land document it is khasra number 364 only. This has been mentioned clearly as khasra number 364 only, in the building plan also 314 is the account number in Govt. Jamabandi. So, the khasra number must be read as 364. The khata number (account number) and khasra number are two different entities. The latest affiliation letter from the affiliating body was submitted as and when asked for (which was in force at the time of submission). And now also they are resubmitting the

latest affiliation letter for the session 2019-20 (latest) received from the affiliating body. The appellant with their appeal and also in the course of presentation, submitted the documents in support of their submissions vis a vis the grounds mentioned in the refusal order.

AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the documents given in appeal, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC all the documents submitted in the appeal, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the documents given in appeal, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC all the documents submitted in the appeal, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shri Dhanrajji Shrichandji Badamia Teachers Training College, Varkana, Rani Station, Pali, Rajasthan to the WRC, NCTE, for necessary action as indicated above.


(Sanjay Awasthi)
Member Secretary

1. The Principal, Shri Dhanrajji Shrichandji Badamia Teachers Training College, 364, Varkana, Rani Station, Pali – 306601, Rajasthan.
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 Rajasthan, Jaipur.



F.No.89-495/E-145964/2019 Appeal/6th Mtg.-2020/24th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/03/2020

ORDER

WHEREAS the appeal of Shri Balaji College, Buhana, Jhunjhunu, Rajasthan dated 12/12/2019 is against the Order No. NCTE/NRC/NRCAPP201616546/B.A. B.Ed./B.Sc. B.Ed. – 4 Year Integrated/RJ/2017-18/2 dated 11.04.2017 of the Northern Regional Committee, refusing recognition conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “SCN was given in 262nd meeting (Part-4) and reply received on 21.02.2017. The institution has not submitted the certified registered land documents issued by the Registering Authority or civil authority concerned. The institution has not submitted the Non-Encumbrance Certificate issued by the Competent Authority indicating that the land is free from all encumbrances. Submitted land use certificate shows that total converted land is only 2500 sq. mts. which is not sufficient for the proposed and the existing courses. 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 the appellant, aggrieved by the order of the NRC dt. 11/04/2017, filed a S.B. Civil Writ Petition No. 15236/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court in their order dt. 20/09/2019, allowed the Writ Petition to be withdrawn with liberty to the petitioner to file an appeal before the NCTE with a direction to the NCTE to decide the appeal on merits and the technicalities of limitation may not be taken into account while deciding the appeal on merits.

AND WHEREAS Sh. Naveen Yadav, Representative and Sh. Yogesh Chandra, Representative, Shri Balaji College, Buhana, Jhunjhunu, Rajasthan presented the case of the appellant institution on 24/02/2020. In the appeal and during personal

presentation it was submitted that the institution had duly submitted the certified registered land documents along with the application at the time of submission of application. NRC did not send any show cause seeking the land documents. The institution was never served with the copy of the show cause asking for documents. The institution has all the requisite documents as mentioned in the rejection order. Further the rejection order was also not served on the institution. NRC did not send any show cause seeking the NEC document. The appellant, with their letter dt. 24/02/2020, enclosed a certified copy of registered land document, two land use certificates for 2500 sq. mts. each issued on 04/07/2014 and 16/01/2020 and a NEC dt. 19/02/2020.

AND WHEREAS the Committee noted from the file of the NRC that a Show Cause Notice dt. 20/01/2017 was sent by email to the appellant on the email address given by them in their online application dt. 30/06/2016. The file also contains a letter dt. 21/02/2017 sent by the appellant forwarding certain documents to meet the deficiencies. In this letter the Show Cause Notice number and date also have been mentioned. In these circumstances, the appellant's claim that they were never served with a show cause notice asking for documents is not correct.

AND WHEREAS the Committee noted that the appellant, with their letter dt. 21/02/2017, did not send a certified copy of the registered land document but only enclosed a photo copy the sale deed and also did not send the Land Use Certificate for an additional 2500 sq. mts, which he obtained only on 16/01/2020 to meet the deficiencies specifically pointed out in the show cause notice. In these circumstances, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the NRC is confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri Balaji College, Buhana, Jhunjhunu – 333515, Rajasthan.
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 Rajasthan, Jaipur.



F.No.89-496/E-145850/2019 Appeal/6th Mtg.-2020/24th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/03/2020

ORDER

WHEREAS the appeal of Shree Mulayam Singh Yadav Mahila P.G. College, Jalalpur, Ambedkar Nagar, Uttar Pradesh dated 14/11/2019 (hard copy received on 18/12/2019) is against the Order No. NRC/NCTE/NRCAPP-14721/254 Meeting/2016/152940 dated 18.07.2016 of the Northern Regional Committee, refusing recognition for conducting for D.El.Ed. Course on the grounds that "the institution was issued show cause notice No. 130867 dated 07.12.2015 on the ground that "As per online application land is situated at Khasra No. 294, and is favour of Mulayam Singh Yadav Balika Mahavidyalaya and proposed college name is Sri Mulayam Singh Yadav Mahila P.G. College which is not as per Norms." The institution has not responded to the show cause notice within stipulated period."

AND WHEREAS Sh. R.S. Yadav, Representative and Sh. Dinesh, Representative, Shree Mulayam Singh Yadav Mahila P.G. College, Jalalpur, Ambedkar Nagar, Uttar Pradesh presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation it was submitted that the Regional Director has not appreciated the submission of the appellant that the "Shree Mulayam Singh Yadav Mahila P.G. College Jalalpur, Ambedkar Nagar, U.P. And Mulayam Singh Yadav Mahila P.G. College Jalalpur, Ambedkar Nagar, U.P. and Mulayam Singh Yadav Mahila Mahavidyalay, Jalalpur, Ambedkar Nagar, U.P. are the name of same college. The Regional Director has erred in not considering the evidence on record that vide letter no. 2013/5844 dated 24-01-2013, Dr. Ram Manohar Lohia Avadh University, Faizabad, U.P. has accepted the amendment in name of the college by adding the word "Shree" before name of college i.e. "Shree" Mulayam Singh Yadav Mahila P.G. College Jalalpur, Ambedkar Nagar, U.P. A copy of the letter no. 2013/5844 dated 24-01-2013 is annexed. The Regional Director has erred in not considering the evidence on record that vide letter

no. 1136/satar-6-2013-3(121)2012 dated 03.07.2013, Uttar Pradesh Government, Higher Education Department-6, Lucknow issued letter with given consent to the appellant to amend by adding word "Shree" before the name of the college. The copy of the letter no. 1136/satar-6-2013-3(121)2012 dated 03.07.2013 is annexed. The Regional Director has erred in not considering the evidence on record that vide order no. 21, dated 22.10.2013, Additional District Magistrate was pleased to allow the appellant to amend by adding word "Shree" before the name of the college, and the same was recorded khasra and khatoni vide land ghata no. 293,294. The copy of the order no. 21 dated 22.10.2013 is annexed. The Regional Director has erred by rejecting the application on the ground that a little error / or clerical mistake by institution in the affidavit mentioned 'Shree' and 'PG', are arbitrary, illegal and against natural justice of law. However, the institution has completed all formalities as per Rules. The appellant, in a written submission made in the course of hearing, took a plea that they did not receive the show cause notice dated 07/12/2015 and on receipt of the refusal order dt. 18/07/2016, they sent a representation on 14/09/2016 (to the NRC) giving documentary evidence about change of name of the institution but they did not get any reply.

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by three years, one month and 26 days beyond the prescribed period of sixty days.

AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under the above-mentioned Sections of the Act may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor; provided such an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the appellant, in the online appeal, submitted that Shri Phool Chand Yadav, Manager-Cum-Founder member of the college, who is 72 years old, was suffering from bronchitis attack since 05/06/2016 onwards and was on bed. He could not therefore, contact his counsel to consult for further action in challenging the impugned order dt. 18/07/2016. The appellant enclosed copies of medical prescriptions and a medical certificate dt. 27/01/2019 from a private doctor certifying that Shri Phool Chand Yadav was under his treatment from 05/06/2016 and was advised rest, without indicating its duration or date of fitness.

AND WHEREAS the Committee is not satisfied that the appellant had sufficient cause for not preferring the appeal within the prescribed period. Further he did not appeal for nearly ten months after he obtained a medical certificate as mentioned above. In these circumstances, the Committee decide not to condone the delay. Hence the appeal is not admitted.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded not to condone the delay. Hence the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Shree Mulayam Singh Yadav Mahila P.G. College, 293/294, Jalalpur, Ambedkar Nagar, Uttar Pradesh – 224159.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.



F.No.89-497/E-146221/2019 Appeal/6th Mtg.-2020/24th February, 2020
NATIONAL COUNCIL FOR TEACHER EDUCATION
G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 19/03/2020

ORDER

WHEREAS the appeal of Yamunabai Kukhe B.Ed. College, Wadala Bahiroba, Ahmednagar Aurangabad Highway, Newasa, Ahmednagar, Maharashtra dated 22/11/2019 is against the Order No. WRC/APW04255/123505/311th/2019/206658 dated 10.10.2019 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 17.03.2017. The summary of the case submitted reveals that the institution has not submitted reply of the Show Cause Notice. 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. S.J. Zine, Representative, Yamunabai Kukhe B.Ed. College, Wadala Bahiroba, Ahmednagar Aurangabad Highway, Newasa, Ahmednagar, Maharashtra presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation it was submitted that In fact reply was submitted on 06/05/17 to show cause notice dated 17/03/17 and request was made to grant one unit of 50 students intake instead of 2 units, and considering reply revised recognition order is issued on 06/06/17 in favour of present institution granting 1 unit of 50 students intake however said revised recognition order is not considered in impugned order and said impugned order is wrongly passed.

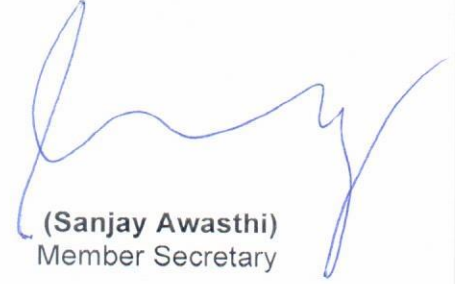
AND WHEREAS the Committee noted from the file of the WRC that a reply dt. 06/05/2017 to the Show Cause Notice dt. 17/03/2017 has been received on 19/05/2017

and is available in the file, but the documents mentioned therein are not available in the file. The appellant, in their appeal, claimed that pursuant to their reply the WRC issued a revised recognition order on 06/06/2017 granting one unit of 50 students. While the appellant did not submit a copy of this order, the file also does not contain such an order. The appellant also submitted that the revised order has not been referred to in the impugned order and hence the letter is incorrect. The appellant in the course of presentation submitted a copy of their reply dt. 06/05/2017 with enclosures and bearing an impression of speed post receipt dt. 12/05/2017.

AND WHEREAS in view of apparent contradictions between the submissions of the appellant and the facts revealed from the file, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to reconsider the matter, taking into account the reply of the appellant dt. 06/05/2017, to be sent to them by the appellant again with all the enclosures referred to therein, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC, a copy of their reply dt. 06/05/2017 with all its enclosures and also a copy of the revised recognition order dt. 06/06/2017 granting one unit of 50 students, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to reconsider the matter, taking into account the reply of the appellant dt. 06/05/2017, to be sent to them by the appellant again with all the enclosures referred to therein, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC, a copy of their reply dt. 06/05/2017 with all its enclosures and also a copy of the revised recognition order dt. 06/06/2017 granting one unit of 50 students, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Yamunabai Kukhe B.Ed. College, Wadala Bahiroba, Ahmednagar Aurangabad Highway, Newasa, Ahmednagar, Maharashtra to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Yamunabai Kukhe B.Ed. College, 148, Wadala Bahiroba, Ahmednagar Aurangabad Highway, Newasa, Ahmednagar – 414602, Maharashtra.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.



F.No.89-498/E-141224/2019 Appeal/6th Mtg.-2020/24th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/03/2020

ORDER

WHEREAS the appeal of Sharad Education Institution, Rajuri, Junnar, Pune, Maharashtra dated 09/12/2019 is against the Order No. WRC/APW03756/123442/311th/2019/206704 dated 11.10.2019 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 31.03.2017. The summary of the case submitted reveals that the institution has not submitted reply of the Show Cause Notice. 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."

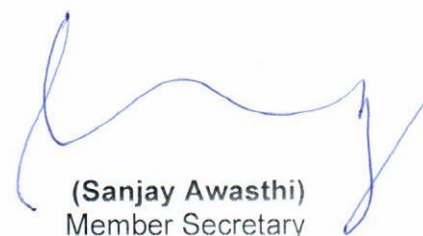
AND WHEREAS Sh. Ghangale B.S., Representative and Sh. Ghangale M.B., Representative, Sharad Education Institution, Rajuri, Junnar, Pune, Maharashtra presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation it was submitted that reply was given on 25/04/17 and request was made to grant only one unit of 50 students intake and same is neither rejected or considered.

AND WHEREAS the Committee noted from the file of the WRC that the appellant, with their letter dt. 24/04/2017, in reply to the Show Cause Notice dt. 31/03/2017, did not submit any documents found wanting in the Show Cause Notice. The appellant, in the course of hearing on 24/02/2020 only submitted, without any explanation for not sending them in reply to the show cause notice, some land related documents and a staff profile which does not bear the approval of the affiliating body. In view of this

position, the Committee concluded that the WRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the WRC confirmed.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, and the documents available on records, the Committee concluded that the WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the WRC is confirmed.

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



(Sanjay Awasthi)
Member Secretary

1. **The President, Sharad Education Institution, 1708, Rajuri, Junnar, Pune – 412411, Maharashtra.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.



F.No.89-499/E-146149/2019 Appeal/6th Mtg.-2020/24th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/03/2020

ORDER

WHEREAS the appeal of Dhattarwal Teacher Training College, Lamba Hamirwas, Mandrella, Jhunjhunu, Rajasthan dated 26/08/2019 is against the Letter No. New Appl./RF/Raj./NRCAPP-8269/2013-14/62601-602 dated 15.10.2013 of the Northern Regional Committee, thereby returning the application for conducting D.E.C.Ed. course on the following grounds that “राष्ट्रीय अध्यापक शिक्षा परिषद् नई दिल्ली द्वारा 19 राज्यों का शिक्षक शिक्षा पाठ्यक्रम अर्न्तगत बी.एड. पाठ्यक्रम में कम 16 पर अंकित राजस्थान राज्य में वर्ष 2009-2010 से 2016-17 तक 62137 सीटें अधिक बताए जाने के कारण राज्य सरकार ने नीतिगत निर्णय लेते हुए राज्य में सभी प्रकार के निजी संस्थाओं को वर्ष 2009-10 से 2014-15 तक निजी बी.एड. की नवीन संस्थाओं को एनओसी जारी नहीं करने का नीतिगत निर्णय लेते हुए राज्य में सभी प्रकार की निजी संस्थाओं को बी.एड. पाठ्यक्रम हेतु नवीन संस्थाओं को एनओसी जारी नहीं करने का निर्णय लिया गया था। एन संस्थाओं में अल्प संख्यक बी.एड. नीति संस्थाएं भी सम्मिलित हैं। अतः निर्देशानुसार इन संस्थाओं पर भी राज्य सरकार का प्रतिबन्ध यथावत रहेगा। अतः तदनुसार कार्यवाही करने का श्रम करें।

In terms of the above decision of the State Govt. your above application i.e. NRCAPP-6198 is returned herewith in original along with all attached documents.”

AND WHEREAS Sh. Sandeep Kumar, Secretary, Dhattarwal Teacher Training College, Lamba Hamirwas, Mandrella, Jhunjhunu, Rajasthan presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation, the appellant referred to an order dated 31/10/2018 in W.P. No. 619/2018 passed by the Hon'ble High Court of Delhi titled “Saraswati Deep College of Education Vs. NCTE” and submitted that the confirmation of appeals based upon this order is not justifiable as this order pertains to the State of Haryana and not to the State of Rajasthan. Further, this order passed by the Hon'ble High Court was set aside by the Hon'ble Supreme Court of India in Civil Appeal No. 5923-5924 of 2019 vide order dated 29/07/2019. The appellant also submitted that such kind of appeals were earlier being remanded back prior to 31/12/2018 by the Appeal Committee and also processed by

the office of NRC as per NCTE Regulation, 2014. The appellant referred to minutes of NRC meeting 295th to 306th where such applications were processed, and NRC asked Institutions to submit NOC and processing fees etc. Hon'ble High Court of Delhi vide its order dated 18/10/2019 in W.P. No. 8820/2019 titled "Sir Chhotu Ram College of Education Vs. NCTE" directed NRC to decide all such applications on merits within 12 weeks. The NRC in its 311th Meeting also took decision to process these application in compliance to orders of the Hon'ble High Court.

AND WHEREAS Appeal Committee noted that the institution applied for B.Ed. course in the year 2012 vide application number NRCAPP 6198 whereas it preferred an appeal for D.El.Ed. course. Moreover, the submission of the appeal has been delayed by six years beyond the prescribed period of sixty days.

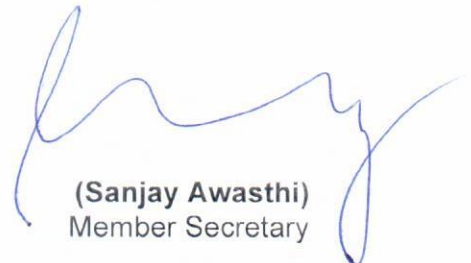
AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under the above mentioned Sections of the Act may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor; provided such an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the Committee noted that the appellant, in the online appeal, mentioned that the delay in appeal is not applicable.

AND WHEREAS the Committee, on perusal of the explanation given by the appellant noted that appellant, has nowhere explained sufficient cause for not preferring the appeal within the prescribed period. Further, despite the letter dt. 25/06/2014

clearly mentioning that the institution, if not satisfied by the letter, can prefer an appeal within 60 days of issue of that letter, the appellant delayed submission of the appeal for an inordinately long period without any explanation. Moreover, the appellant had submitted application seeking recognition for B.Ed. course and it preferred an appeal for D.El.Ed. course. The impugned letter dated 25/06/2014 also refers to refund of processing fee deposited by the appellant institution. Therefore, virtually no application submitted by appellant had remained pending in the office of NRC since June, 2014. In these circumstances, Committee decided neither to condone the delay in submission in submission of appeal nor to admit appeal application for a course which was not applied for at all. Appellant institution is at liberty to apply afresh as and when NCTE issues notification inviting fresh applications under NCTE Regulation, 2014.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded neither to condone the delay in submission in submission of appeal nor to admit appeal application for a course which was not applied for at all. Appellant institution is at liberty to apply afresh as and when NCTE issues notification inviting fresh applications under NCTE Regulation, 2014.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Dhattarwal Teacher Training College, 256, Lamba Hamirwas, Mandrella, Jhunjhunu – 333023, Rajasthan.
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 Rajasthan, Jaipur.



F.No.89-500/E-146045/2019 Appeal/6th Mtg.-2020/24th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/03/2020

ORDER

WHEREAS the appeal of Shantiniketan College of Education, Uppalwadi Industrial Eastate, Kamptee, Nagpur, Maharashtra dated 05/12/2019 is against the Order No. WRC/APW07837/125227/311th/2019/206828 dated 14.10.2019 of the Western Regional Committee, withdrawing recognition for conducting for M.Ed. Course on the grounds that "the Show Cause Notice was issued to the institution vide letter dated 09.01.2019 and reply received on 04.02.2019. On perusal of the reply of the institution the Committee observed that: The institution has submitted staff list of 1+9 faculty members in which staff at Sr. Nos. 3, 5, 7, 9 & 10 are not qualified as per NCTE Regulations, 2014. FDRs of Rs. 5+3 lakhs are not submitted in original and also additional required FDR Rs. 4 lakhs is not submitted by the institution. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for M.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

AND WHEREAS Sh. Ejaj Ahmad, Secretary, Shantiniketan College of Education, Uppalwadi Industrial Eastate, Kamptee, Nagpur, Maharashtra presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation it was submitted that the WRC has held that the staff at Sr. No. 3,5,7,9 & 10 of the approved list are not qualified as per the norms in as much as these candidates have less than the minimum prescribed marks of 55 percent at their post graduate degree level course, as per NCTE Regulation 2014. However, it is respectfully submitted that the staff at Sr. No. 3,7,9, & 10 in the approved list submitted by the institute are the candidates belonging to SC/OBC categories and as per the Rules and procedures prescribed by the Govt of India, MHRD and UGC, particularly as per UGC ordinance no. 19 (conditions of service of appointed teachers of the university and the Selection

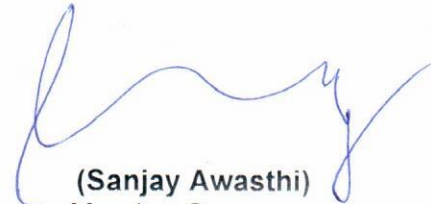
Committee procedures for their appointment), they are entitled for the relaxation of 5 percent marks against the minimum prescribed marks of 55 percent of the post graduate degree course, for the purpose of eligibility of their recruitment as teaching staff. Therefore, the staff at Sr. No. 3,7,9 & 10 having scored more than 50 percent marks at their respective postgraduate degree level and by claiming the relaxation 5 percent marks as provided, are duly qualified to be the teaching staff of the institute. As far as the staff at Sr. No. 5 of the approved list submitted by the institution is concerned, she is also held to be not qualified as per the NCTE Norms inasmuch as she has scored less than the minimum prescribed marks of 55 percent at her post graduate degree level course, as per NCTE Regulation 2014. However, it is submitted that the staff at Sr. No. 5 of the approved list has actually scored 58.7 percent at her post graduate degree level course, but, due to inadvertence and typographical error, her score for post graduate degree course came to be mentioned as 50 percent instead of 58.7 percent in the approved list submitted by the institute. The institute has herewith attached the copy of the mark list of the staff at Sr. No. 5 for the perusal of this authority. In view of the total marks obtained by the staff at Sr. No. 5, she is also qualified to be the teaching staff of the institute. It is humbly submitted that during the hearing of the earlier appeal by which the matter was remanded back to the WRC, the institution has submitted before this appellate authority that their institution is an existing teacher education institution running the M.Ed. Program from year 2009. Having already maintained the endowment fund and reserve fund by way of the FDR's for 8.00 lakhs as per Regulation 2009, they are exempted to maintain the same at the revised rates as per NCTE Regulations 2014. The appellate authority has also considered the contention of the institution and observed in its order dated 12/09/2018 as under, "Appeal Committee also noticed that institution already recognized for conducting a Teacher Education Programme are not required to enhance the amount of FDR's." Therefore, in view of the above submission and observation of the Appeal Committee, it is not obligatory to their institution to enhance or make FDR for additional amount of Rs. 4.00 lakhs inasmuch as their institution is an existing institution and have already maintained the requisite FDR's as per Regulation 2009 for Rs. 8.00 lakhs. Moreover, in the FAQ uploaded on the official website of the WRC, it is also stated therein that existing Teacher Education Institution

who have already maintained endowment and reserve fund as Rs. 5 lakhs and Rs.3 lakhs respectively per program need not maintain the same at the revised rates as per NCTE Regulations 2014. The institution has already submitted the original of the above FDR's of the endowment of 5 lakh and reserve fund of 3 lakh in the custody of the WRC vide letter dated 02.01.2016 through speed-post. Therefore, the institution cannot be asked to submit the original of the said FDRs of Rs. 5+3 lakhs inasmuch as the WRC itself is having the custody of the original of the said FDR's. For the perusal of the Hon'ble Authority, the institution hereby attached that the copy of letter dated 02/01/2016 alongwith the FDR's maintained for the endowment and reserve fund as Rs. 5 lakhs and Rs. 3 lakhs respectively together with the copy of the FAQ which is uploaded on the official website of the WRC. The appellant enclosed to their appeal, copies of the caste certificates of the staff at S. Nos. 3,7,9 and 10 and marks certificate of the staff at S. No. 5. The appellant has also enclosed copies of letters regarding FDRs.

AND WHEREAS in view of the submissions made and documents furnished by the appellant, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the documents given in appeal, to be submitted to them by the appellant, and take further action as per the NCTE Regulation, 2014. The appellant is directed to forward to the WRC the documents submitted in appeal, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the documents given in appeal, to be submitted to them by the appellant, and take further action as per the NCTE Regulation, 2014. The appellant is directed to forward to the WRC the documents submitted in appeal, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shantiniketan College of Education, Uppalwadi Industrial Eastate, Kamptee, Nagpur, Maharashtra to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shantiniketan College of Education, 22/1, 22/3, Uppalwadi, Uppalwadi Industrial Eastate, Kamptee, Nagpur – 440026, Maharashtra.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.



F.No.89-503/E-147670/2019 Appeal/6th Mtg.-2020/24th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/03/2020

ORDER

WHEREAS the appeal of N.K. Girls College, Bakra, Jhunjhunu Road, Jhunjhunu, Rajasthan dated 09/12/2019 is against the Order No. NCTE/NRC/NRCAPP201716799/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/SCN/RJ/2017-2018/{{LSG_Sl_No}}; dated 12/12/2017 of the Northern Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “the institution was issued SCN on 25.09.2017; reply of the same was received on 28.10.2017. The same was considered by the Committee and following observations were made. The institution was inspected by VT on 13.08.2017, whereas building completion certificate submitted by the institution states the year of completion of building as 2016 which clearly show that institution submitted fake building completion certificate. Moreover, it has been accepted by the institution on the building map that the map pertains to the proposed future building. Thus, it is clear that the building did not exist on the date of inspection. The photographs of the resource rooms reveal that institution has not procured required equipment and other material as required under NCTE norms of NCTE Regulations, 2014. From the photographs of classrooms, it is revealed that the labels on rooms Nos. from 4-15 have been pasted on the same room. Thus, in fact it is only the same room shown with different numbers. The institution has thus tried to cheat NRC. The rent deed of the school is of 24.10.2017 i.e. after the issuance of SCN which is not acceptable. The size of the multipurpose hall at the time of inspection was only 864 sq. ft. against the requirement of 2000 sq. mtrs. 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 Sh. Ram, Secretary, N.K. Girls College, Bakra, Jhunjhunu Road, Jhunjhunu, Rajasthan presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation it was submitted that this institution is running B.A. course recognized by Director, College Education Govt. of Rajasthan, Jaipur and Affiliated by Pandit Deen Dayal Upadhyay Shekhawati University, Sikar. Copy of N.O.C. and Affiliation letter is annexed. Pandit Deen Dayal Upadhyay Shekhawati University, Sikar had issued N.O.C. for B.A. B.Ed./B.Sc. B.Ed. course to this institution on 27.05.2016. Copy of N.O.C. is annexed. NRC, NCTE had issued a Show Cause Notice on 25.04.2017 in which certain deficiencies had been mentioned and 21 days' time had been given for making reply of Show Cause Notice. Copy of SCN is annexed. This institution had submitted reply of SCN along with all required documents to NRC, NCTE on 12.05.2017 vide diary number 169184. Copy of reply letter is annexed. A Visiting Team had inspected the college and submitted the Inspection Report to NRC, NCTE. After considering the Inspection Report, NRC, NCTE had issued a Show Cause Notice dated 25.09.2017 mentioning certain deficiencies. Copy of Show Cause Notice is annexed. This institution had submitted reply of SCN along with all required documents to NRC, NCTE on 28.10.2017. Copy of reply letter is annexed. The Secretary, Shriram was hospitalized on 10.12.2017 and he had to be kept on complete bed rest for 8 months. Copy of Medical Certificate is annexed. After discharge from hospital of Shriram, Secretary this institution has filed a S.B. Civil writ Petition No. 20021/2019 in Hon'ble High Court Rajasthan, Jaipur. Hon'ble High Court has passed an order on 29.11.2019 and directed the petitioner to file an appeal u/s 18 of NCTE Act, 1993 and Appellate Authority is directed to decide the Appeal within period of two months. Copy of the order of Hon'ble High Court is annexed. The building of the college is complete in all respects. No construction is pending. Building Completion Certificate and photographs of the building had been already submitted to NRC, NCTE along with reply of Show Cause Notice on 28.10.2017. Copy of Building Completion Certificate and photographs of the building are annexed. All labs available in the college are fully equipped and well-furnished as per norms and requirements of NCTE Regulations, 2014. Copy of bills, copies of stock registers and photographs of all labs had been already submitted to NRC, NCTE along with reply of Show Cause Notice on 28.10.2017.

Copy of bills, copies of stock registers and photographs of all labs are annexed. All required infrastructural facilities are available in the college campus. Photographs of Principal room, Staff room and office room had been already submitted to NRC, NCTE along with reply of Show Cause Notice on 28.10.2017. Copy of Photographs of Principal room, Staff room and office room are annexed. A school is running by the society in Bakra in a rented building. Copy of certificate issued by Sarpanch, Gram Panchayat, Bakra and copy of rent agreement had been already submitted to NRC, NCTE along with reply of Show Cause Notice on 28.10.2017. Copy of certificate issued by Sarpanch, Gram Panchayat, Bakra and copy of rent agreement are annexed. The size of Multipurpose Hall is 82 X 25 (2050 Sq. Ft.). Copy of certificate issued by J.En., PWD and photographs of Multipurpose Hall had been already submitted to NRC, NCTE along with reply of Show Cause Notice on 28.10.2017. Copy of certificate issued by J.En., PWD and photographs of Multipurpose Hall are annexed. There are 15 classrooms available in the college campus. Photographs of classrooms and copy of building map had been already submitted to NRC, NCTE along with reply of Show Cause Notice on 28.10.2017. Copy of Photographs of classrooms and copy of building map are annexed. Civil Construction of the building are fully completed. No construction is pending. Certificate issued by J.En., PWD had been already submitted to NRC, NCTE along with reply of Show Cause Notice on 28.10.2017. Copy of Certificate issued by J.En., PWD is annexed. There are 25 computers available in the ICT Resource Centre. Copy of bills and photographs of ICT Resource Centre had been already submitted to NRC, NCTE along with reply of Show Cause Notice on 28.10.2017. Copy of bills and photographs of ICT Resource Centre is annexed. Required number of books, Journals and other materials are available in the library as per NCTE Regulations, 2014. Copies of bills and photographs of library and reading room had been already submitted to NRC, NCTE along with reply of Show Cause Notice on 28.10.2017. Copy of bills and photographs of library and reading room are annexed. DVD of college campus showing building completion, availability of required facilities in labs, Multipurpose Hall, classrooms, floors of the building, computer lab and library and reading room had been already submitted to NRC, NCTE along with reply of Show Cause Notice on 28.10.2017. Copy of DVD showing above facilities is annexed. NRC, NCTE has rejected the application of this

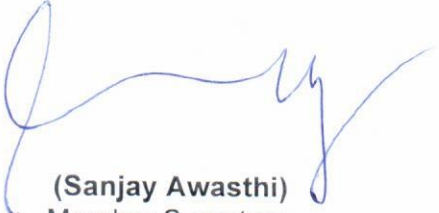
institution for grant of recognition of B.A. B.Ed./B.Sc. B.Ed. course on illegal, unlawful, arbitrary, unjustified and unconstitutional basis. Therefore, it is prayed that the rejection order issued by NRC, NCTE be set aside and directions be issued to NRC, NCTE for issuance of L.O.I. prior to grant of recognition of B.A. B.Ed./B.Sc. B.Ed. course to this institution.

AND WHEREAS the Committee noted that the submission of the appeal has been delayed by one year nine months and twenty five days beyond the prescribed period of sixty days.

AND WHEREAS the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under the above mentioned Sections of the Act may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor; provided such an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

AND WHEREAS the appellant in the appeal submitted that the Secretary, Shriram was hospitalised on 10/10/2017 and was kept on bed rest for 8 months. This has been stated as the reason for delay in appeal. The Committee noted that while the bed rest ended after 8 months, the appellant inordinately delayed filing the appeal till 09/12/2019. The Committee is not satisfied that the appellant had sufficient cause for not preferring the appeal within the prescribed period. In these circumstances, the Committee decided not to condone the delay. Hence the appeal is not admitted.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded not to condone the delay. Hence the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, N.K. Girls College, Bakra, Jhunjhunu Road, Jhunjhunu – 333001, Rajasthan.
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 Rajasthan, Jaipur.



F.No.89-505/E-148076/2019 Appeal/6th Mtg.-2020/24th February, 2020

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 19/03/2020

ORDER

WHEREAS the appeal of Ramkrishna College, Madhubani, College Road, Rahika, Madhubani, Bihar dated 24/12/2019 is against the Order No. ERC/274.12(ii).2/ERCAPP1123/B.Ed./2019/61555 dated 11.09.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "faculty list approved by the concerned affiliating body is not submitted. No reply received. Reply of SCN dated 18.06.2019 is not satisfactory as the institution did not comply fulfilment of conditions mentioned under Clause 7(14)(i) of NCTE Regulations, 2014 and display the same on their official website. In view of the above, the Committee decided as under: - The Committee is of the opinion that recognition granted to B.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021."

AND WHEREAS Dr. A. Kumar Mandal, Principal and Sh. Prabhat Kumar, Tech. Assistant, Ramkrishna College, Madhubani, College Road, Rahika, Madhubani, Bihar presented the case of the appellant institution on 24/02/2020. In the appeal and during personal presentation it was submitted that as regards deficiencies (i) as quoted above it is stated that the college had already replied the 1st notice & 2nd final notice through its letter mentioned as Annexure 2 & 3 above. However, the list of faculties of B.Ed. course of the college duly certified by the Registrar of the affiliating university is enclosed herewith (Copy enclosed and marked as Annexure - 4). As regards deficiencies (ii) as quoted above, it is stated that the GPS was not working properly as also the college had already updated the website namely - www.rkclnmu.ac.in and all the required information's are available on this website.

AND WHEREAS the Committee noting the submissions of the appellant and the documents enclosed, concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents given in appeal, to be submitted to them by the appellant, and take further action as per NCTE Regulation, 2014. The appellant is directed to forward to the ERC the documents submitted in appeal and copies of their website containing all the required information, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the documents given in appeal, to be submitted to them by the appellant, and take further action as per NCTE Regulation, 2014. The appellant is directed to forward to the ERC the documents submitted in appeal and copies of their website containing all the required information, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Ramkrishna College, Madhubani, College Road, Rahika, Madhubani, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Ramkrishna College, Madhubani, College Road, Rahika, Madhubani – 847211, 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.