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F.No.89-441/E-140319/2019 Appeal/23<sup>rd</sup> Mtg.-2020/22<sup>nd</sup> October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 20/11/2020

**ORDER**

**WHEREAS** the appeal of State College of Teacher Education, High School Road, Kohima, Nagaland dated 24/10/2019 is against the Order No. ER-275.14.32/ERCAPP1419/M.Ed./2019/61410 dated 26.08.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for M.Ed. Course on the grounds that "Principal and other faculty members are not as per NCTE Regulations, 2014. Faculty comprises 1+8 against the requirement of 1+10 as per NCTE Regulations, 2014. Building plan and building completion certificate are not submitted. Recognition granted to M.Ed. course is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021."

**AND WHEREAS** Dr. K. Hukato Swu, Deputy Director, State College of Teacher Education, High School Road, Kohima, Nagaland presented the case of the appellant institution on 29/01/2020. In the appeal and during personal presentation it was submitted that delay in Government process for Appointment of full-fledged Principal, Professor and Associate Professor For M.Ed. Section. Appellant during the course of appeal hearing submitted a written request seeking another opportunity to submit its case before the Appeal Committee which was agreed to. As per extant appeal rules, Appellant institution is granted another (second) opportunity to present its case.

**AND WHEREAS** Dr. Hekishe Sema, Deputy Director, State College of Teacher Education, High School Road, Kohima, Nagaland presented online the case of the appellant institution on 03/09/2020. In the appeal and during online presentation it was submitted that "Delay in Government process for Appointment of full-fledged Principal, Professor and Associate Professor for M.Ed. Section. Appellant during the course of appeal hearing submitted online request seeking another opportunity to submit its case

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before the Appeal Committee which was agreed to. As per extant appeal rules, appellant institution is granted another (Third) opportunity to present its case.

**AND WHEREAS** Dr. H. Sema, Principal, State College of Teacher Education, High School Road, Kohima, Nagaland presented online the case of the appellant institution on 22/10/2020 i.e. the third and final opportunity granted to them. In pursuance of the submissions made during online presentation, the appellant sent a letter dated 22/10/2020 by email signed by the Director, Higher Education, Government of Nagaland, enclosing a faculty list for M.Ed. programme in the State College of Teacher Education, Kohima. This list consists of an Acting Principal, a Vice Principal and nine Assistant Professors, who are reported to have joined in the past on various dates. In this letter, it has been assured that the college had all the necessary requirements as per NCTE norms once the M.Ed. programme is restored.

**AND WHEREAS** the Committee noted that the withdrawal order, besides pointing out the deficiency in staff, mentioned that building plan and Building Completion Certificate have not been submitted. The appeal is silent on these two items. Moreover, the faculty list does not contain faculty of the rank of Professor and Associate Professor (2 each).

**AND WHEREAS** the Committee, noting that the appellant submitted a faculty list of 1 + 9 all of the rank of Assistant Professors, observed that this list of faculty is not as per NCTE Regulation. Appeal Committee further noted that Government of Nagaland had made a request to NCTE on 09/03/2020 for seeking relaxation of education qualification in appointment of faculty. Appellant, however, could not submit any letter granting relaxation of the Competent Authority.

**AND WHEREAS** Appeal Committee, therefore, decided to confirm the impugned order of withdrawal dated 26/08/2017.





**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and online submission made by appellant, Appellant Committee concluded to confirm the order of withdrawal dated 26/08/2019.

**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 Principal, State College of Teacher Education, 067, High School Road, Kohima, Nagaland – 797001.
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 Nagaland, Kohima.

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F.No.89-210/E-166409/2020 Appeal/23<sup>rd</sup> Mtg.-2020/22<sup>nd</sup> October, 2020  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 20/11/2020

**ORDER**

**WHEREAS** the appeal of Rashtriya Sanskrit Sansthan (Deemed University), Chandan Hazuri Road, Puri, Orissa dated 23/03/2020 is against the Order No. ERCAPP4019/B.Ed.(Shiksha Shastri)/2020/62149 dated 28.01.2020 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "list of teaching faculty is not appointed as per NCTE Regulation, 2014. Requisite information of the institutional website has not updated as per clause 7 (14) (i) of the NCTE Regulation, 2014."

**AND WHEREAS** Sh. Ramakant Mishra, Associate Professor, Rashtriya Sanskrit Sansthan (Deemed University), Chandan Hazuri Road, Puri, Orissa presented the case of the appellant institution on 22/10/2020. In the appeal and during personal presentation it was submitted that sufficient teaching faculty are available for B.Ed. course only as per NCTE Regulation, 2014. The said information also uploaded in the institutional website as earlier. The appellant, with their letter dt. 08/10/2020 (received on 19/10/2020), enclosed a list of teaching staff, countersigned by the Director, Central Sanskrit University (formely Rashtriya Sanskrit Sansthan), a Deemed University. The list consists of a Principal, three Professors and ten Assistant Professors, besides teachers for sports, Arts and Craft and Dance. The list indicates that all the teaching staff are passed UGC NET or its equivalent, thus qualified as per NCTE Regulations, 2014.

**AND WHEREAS** in view of the above position, the Committee concluded that the matter deserved to be remanded to the ERC with a direction to consider the faculty list, to be submitted to them by the appellant and take further action as per the NCTE

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Regulation, 2014. The appellant is directed to forward to the ERC, the staff list submitted in appeal and also proof for updating their website with the requisite 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, Appeal Committee concluded to remand back the case to the ERC with a direction to consider the faculty list, 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 ERC, the staff list submitted in appeal and also proof for updating their website with the requisite information within 15 days of receipt of orders on the appeal.

**NOW THEREFORE, the Council hereby remands back the case of Rashtriya Sanskrit Sansthan (Deemed University), Chandan Hazuri Road, Puri, Orissa 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, Rashtriya Sanskrit Sansthan (Deemed University), Plot No. 19, 20, Chandan Hazuri Road, Puri, Orissa – 752001.
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 Orissa, Bhubaneswar.

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F.No.89-114/E-158597/2020 Appeal/23<sup>rd</sup> Mtg.-2020/22<sup>nd</sup> October, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 20/11/2020

**ORDER**

**WHEREAS** the appeal of Ridhi Sidhi Teacher Education Training Center, Samrthpura, Sikar, Rajasthan dated 18/03/2020 is against the Letter No. New Appl./RF/Raj./NRCAPP No.-8104/2013-14/46903 dated 04.06.2013 of the Northern Regional Committee (now WRC), returning their application for conducting D.El.Ed. course on the grounds that "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulations 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it is clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble

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Supreme Court and the decision taken by the NCTE Committee, the NRC decided that the recommendations of the State Govt. of Rajasthan i.e. not to allow setting up of new D.El.Ed. institutions in the State be accepted and the applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants."

**AND WHEREAS** Appeal Committee noted that appellant institution filed a S.B. Civil Writ Petition no. 13496/2019 in the Hon'ble High Court of Judicature for Rajasthan Bench at Jaipur and the Hon'ble High Court by its order dated 14/08/2019 ordered that:-

*"In the circumstances, I am not inclined to exercise the extraordinary equitable jurisdiction of this court under Article 226 of the Constitution of India against the order of refusal impugned and would remit the petitioner-Sansthan to the remedy of the statutory appeal provided under Section 18 of the Act of 1993.*

*In the event of the appeal being filed, it is expected that it will be disposed of within a period of one month by the Appellate Authority.*

*The direction for expedited disposal are not reflective of the merits of the petitioner's case and it is clarified that it be disposed of by the Appellant Authority strictly in accordance with law.*

*The petition stands disposed of accordingly."*

**AND WHEREAS** No one from, Ridhi Sidhi Teacher Education Training Center, Samrthpura, Sikar, Rajasthan appeared on behalf of the appellant institution on 31/08/2020. In the appeal memoranda it is submitted that the application of the institute was rejected and the permission was refused by the northern regional committee on the basis of the ban imposed by the state government on opening of new D.El.Ed. institutions. Since at the time of submitting the application by the institute there was no ban by the State Government and the same was imposed after the invitation of the applications by the Northern Regional Committee and therefore, the initial decision of the Northern Regional Committee to return the application of the institute on the basis of the ban imposed by the State Government was illegal and contrary to the provisions

*Resg. I. K. K.*



of section 14 and 15 of the National Council for Teacher Education Act, 1993 which provides statutory right to the applicant institutions to submit their applications and to have the consideration of the same in case of availability of the infrastructure and instructional facilities. The issue of the rejection of the applications on the basis of the state ban imposed by has already been considered by the Supreme Court in the case of Saraswati Deep College of Education versus National Council for Teacher Education, Civil appeal number 5923 3-5 924 of 2019 where by the order passed by the Delhi High Court dismissing the appellants case on the basis of the ban on setting up new colleges has been set aside. On the basis of the above mentioned judgment of the Hon'ble supreme court, the Hon'ble Delhi High Court in its decision dated 18<sup>th</sup> October 2019 in the case of sir Chhotu Ram Jat College of Education versus National Council for teacher education and other has directed The National Council for teacher education and its Northern regional committee to consider the similar cases where in the applications for dismissed on the basis of the ban imposed by the state government after inviting applications by the regional committee of the National Council for teacher education in the year 2012 afterwards or in the preceding academic sessions. That the judgment passed by the Hon'ble Delhi High Court in the above noted writ petition bearing number 8820 / 2019 titled as sir Chhotu Ram Jaat College of Education versus National Council for teacher education is applicable on all the similar cases as the interim directions have been passed by the Hon'ble Delhi High Court. That the Oplulent Institute challenged the refusal order before The Hon'ble Rajasthan High Court at Jaipur bench by way of filing SB civil writ petition number 13496 / 2019 which has been decided by the Hon'ble High Court by virtue of order dated 14<sup>th</sup> August 2019 where by the liberty to submit the appeal before the appellate authority of the National Council for teacher education has been granted to the petitioner Institution. The appellant institution has preferred this appeal immediately after receiving the copy of the order of the Hon'ble High Court and therefore, in view of the Liberty granted by the Hon'ble High Court, The appeal submitted by the petitioner Institute is required to be processed on its merits. It is submitted that as per the provisions of Section 18 of the NCTE act, 1993 as well as the rules of 1993 provides condonation of delay in filing the appeal in case of providing sufficient explanation in filing the appeal. It is submitted that after the verdict of the Hon'ble Delhi High Court in

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the case of sir Chhotu Ram Jat college, appellant institution has been provided at the noval cause of action for processing of its application also in view of the Liberty granted by the Hon'ble Rajasthan High Court Jaipur bench, the directions issued by the Hon'ble Delhi High Court are required to be followed in case of the petitioner institution also by way of processing its application which was wrongly rejected in view of the state ban imposed by the state of Rajasthan on opening of new institutions. Since, the ban imposed by the state government has been considered and decided contrary to the regulations, therefore the delay in filing of the appeal is required to be condoned so as to make compliance of the orders passed by the Hon'ble Supreme Court in Civil appeal number 592 3-5 924 of 2019 and the orders passed by the Hon'ble Delhi High Court in writ petition civil number 8820 / 2019 which requires condonation of delay and processing of The appeal of the institute on its merits which reflects that the initial rejection of the application was bad due to the non-consideration of the verdict of the Hon'ble Supreme Court on the same issue as reflected under order dated 29th of July 2019 as passed in the Civil appeal number 592 3-5 924 of 2019. the institution had filed a S.B. Civil Writs. No.13496/2019 to the High Court of Judicature for Rajasthan, the copy of the court order dt. 14.08.2019 is attached herewith for your reference.

**AND WHEREAS** Sh. Sanjeev Kumar, Secretary, Ridhi Sidhi Teacher Education Training Center, Samrthpura, Sikar, Rajasthan presented the case of the appellant institution on 22/10/2020 i.e. the second opportunity granted to them.

**AND WHEREAS** the relevant regulatory file of the NRC is not available. Appeal Committee further noted that the NRC by their impugned letter dt. 04/06/2013, while returning the application to the appellant in original along with the attached documents also returned the FDR for Rs. 3 lakhs. The NCTE was also advised to return the processing fee of Rs. 50,100/- to the applicant.

**AND WHEREAS** it has been brought to the notice of the Committee in the meeting held on 22/10/2020 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No.

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45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new Teacher Education (T.E.) institutions in the State returned the applications for setting up T.E. colleges to the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in the above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including Haryana from the academic year 2010-11 till the next academic year, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

**AND WHEREAS** the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. The Committee also noted that in view of the NRC returning the application in original to the appellant, with a request to the NCTE to refund the processing fee also, virtually no application existed after 04/06/2013. Appellant institution did not prefer timely appeal and also did not submit any reason for delay of more than 6 years and 6 months in preferring appeal. In view of this position, the Committee concluded that (i) No appeal lies against a non-existent application. (ii) N.R.C. was justified in returning the application at the particular time. The appeal

*Keypillage*



deserves to be rejected and the decision of the N.R.C. confirmed. The appellant institution is, however, free to apply afresh as and when NCTE issues Notification inviting application for Teacher Education courses.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the position stated in paras above, the Committee concluded that (i) No appeal lies against a non-existent application. (ii) N.R.C. was justified in returning the application at the particular time. The appeal deserves to be rejected and the decision of the N.R.C. confirmed. The appellant institution is, however, free to apply afresh as per extant NCTE Regulations, as and when NCTE issues Notification inviting fresh applications for the course.

**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 Chairman, Ridhi Sidhi Teacher Education Training Center, Samrthpura, Aam Rasta, Sikar, Rajasthan – 332001.**
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.89-162/E-162682/2020 Appeal/23<sup>rd</sup> Mtg.-2020/22<sup>nd</sup> October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 20/11/2020

**ORDER**

**WHEREAS** the appeal of Shri Amritnath Teacher Education College, Guda Gorji, Udaipurwati, Jhunjhunu, Rajasthan dated 11/03/2020 is against the Order No. New Appl./RF/Raj/NRCAPP4838/2013-14/48156 dated 10.06.2013 of the Western Regional Committee, returning their application for conducting D.El.Ed. course on the grounds that "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulations 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it is clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the



NCTE Committee, the NRC decided that the recommendations of the State Govt. of Rajasthan i.e. not to allow setting up of new D.El.Ed. institutions in the State be accepted and the applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants."

**AND WHEREAS** the appellant, aggrieved by the letter of the NRC dt. 10/06/2013, filed a S.B. Civil Writ Petition No. 15593/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 18/02/2020, dismissed the petition by observing that the petitioner would be at liberty to approach the Appellate Authority and will also be at liberty to file appropriate application for seeking condonation of delay and the Authorities are expected to decide the same as per the provisions of law.

**AND WHEREAS** Sh. Krishan Chahar, Secretary, Secretary appeared before the Committee on 22/10/2020 to present the case of the appellant institution.

**AND WHEREAS** the Committee noted that the submission of the appeal has been delayed by over six years and six months beyond the prescribed period of sixty days.

**AND WHEREAS** the Committee noted that according to the provisions of Section 18 (!) 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 Regulation, 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 prescribed period 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 Hon'ble High Court, in their order dt. 18/02/2020, observed that the petitioner, while approaching the Appellate Authority, would be at liberty to file appropriate application seeking condonation of delay. Despite this clear cut order, the appellant chose not to file an application for condonation of delay. In the online appeal the appellant merely stated that 'Hon'ble High Court of Rajasthan, Jaipur case S.B. Civil Writ Petition No. 15593/2019 order dt. 18/02/2020.' This is not a cause for not preferring an appeal within the prescribed period.

**AND WHEREAS** the Committee noted that the appellant has not given cause for not preferring the appeal against an order issued in the year 2013, within the prescribed period. In these circumstances, the Committee decided not to admit the appeal. The appellant institution is, however, free to apply afresh as and when NCTE issues Notification inviting applications for Teacher Education courses.

**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 appellant has not given cause for not preferring the appeal against an order issued in the year 2013, within the prescribed period. In these circumstances, the Committee decided not to admit the appeal. The appellant institution is, however, free to apply afresh as and when NCTE issues Notification inviting applications for Teacher Education courses.

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

(Mrs. Kesang Yangzom Sherpa)  
Member Secretary

1. The Secretary, Shri Amritnath Teacher Education College, 91, Guda Gorji, Udaipurwati, Jhunjhunu, Rajasthan – 333022.
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.89-163/E-162683/2020 Appeal/23<sup>rd</sup> Mtg.-2020/22<sup>nd</sup> October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 20/11/2020

**ORDER**

**WHEREAS** the appeal of Shri Sraddhanath Teacher Education, Gudha Gorji, Jhunjhunu, Rajasthan dated 02/03/2020 is against the Order No. New Appl./RF/Raj/NRCAPP-3188/2013-14/47231 dated 16.06.2013 of the Western Regional Committee, returning their application for conducting D.El.Ed. course on the grounds that "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulations 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it is clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the

*Res. I. K. S.*



NCTE Committee, the NRC decided that the recommendations of the State Govt. of Rajasthan i.e. not to allow setting up of new D.El.Ed. institutions in the State be accepted and the applications so received be returned to the respective institutions. Also, the application fees be refunded to the applicants."

**AND WHEREAS** the appellant, aggrieved by the letter of the NRC dt. 16/06/2013 filed a S.B. Civil Writ Petition No. 15589/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 18/02/2020, dismissed the petition by observing that the petitioner would be at liberty to approach the Appellate Authority and will also be at liberty to file appropriate application for seeking condonation of delay and the Authorities are expected to decide the same as per the provisions of law.

**AND WHEREAS** Sh. Krishan Chahar, Director, Shri Sraddhanath Teacher Education, Gudha Gorji, Jhunjhunu, Rajasthan appeared before the Committee on 22/10/2020 to present the case of the appellant institution.

**AND WHEREAS** Appeal Committee noted that relevant regulatory file of NRC is not available. Appeal Committee further noted that NRC by impugned letter dated 10/06/2013 returning the application to the appellant institution returned in original the application alongwith the FDRs of Rs. 5 lakh and 3 lakh. The application processing fee was also returned to the appellant institution by NRC. The NCTE was also advised to return the processing fee of Rs. 50,100/- to the appellant.

**AND WHEREAS** it has been brought to the notice of the Committee in the meeting held on 22/10/2020 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the

*For I. y. Dye*



recommendations of the State Government of Haryana not to allow setting up of new Teacher Education (T.E.) institutions in the State returned the applications for setting up T.E. colleges to the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in the above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including Haryana from the academic year 2010-11 till the next academic year, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

**AND WHEREAS** the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. The Committee also noted that in view of the NRC returning the application in original to the appellant, with a request to the NCTE to refund the processing fee also, virtually no application existed after 05/06/2013. Appellant institution did not prefer timely appeal and also did not submit any reason for delay of more than 6 years and 6 months in preferring appeal. In view of this position, the Committee concluded that (i) No appeal lies against a non-existent application. (ii) N.R.C. was justified in returning the application at the particular time. The appeal deserves to be rejected and the decision of the N.R.C. confirmed. The appellant institution is, however, free to apply afresh as and when NCTE issues Notification inviting application for Teacher Education courses.



**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing and taking into account the position stated in paras above, the Committee concluded that (i) No appeal lies against a non-existent application. (ii) N.R.C. was justified in returning the application at the particular time. The appeal deserves to be rejected and the decision of the N.R.C. confirmed. The appellant institution is, however, free to apply afresh as per extant NCTE Regulations, as and when NCTE issues Notification inviting fresh applications for the course.

**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 Sraddhanath Teacher Education, Gudha Gorji, Jhunjhunu, Rajasthan – 333022.**
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.89-169/E-163160/2020 Appeal/23<sup>rd</sup> Mtg.-2020/22<sup>nd</sup> October, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 20/11/2020

**ORDER**


**WHEREAS** the appeal of St. Johns College of Education, Vizayaragava Mudaliar Chatram, Palayamkottai, Tirunelveli, Tamil Nadu dated 27/08/2020 is against the Order No. SRO/NCTE/APSO3025/B.Ed/TN/2020/114793-114799 dated 25.02.2020 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the institution submitted land showing ownership whereas the NEC shows the land on lease. The LUC is not the proper format of State Govt. The institution submitted the copy of building plan which is not approved. The BCC is not approved. The institution has only submitted approval of affiliating universities in respect 14 against the requirement of 15 under NCTE Regulations. The faculties, namely, Roselin Diana, Salakumari J, R. Bala Subramanian and Edwin Devadoss T. are not qualified as per NCTE Regulations. Further letters regarding approval of faculties issued by the University have not been submitted. The institution did not submit documents regarding trust/society. The institution did not submit the details of uploading the requisite information on website."

**AND WHEREAS** the appellant filed a W.P. (MD) No. 9911 of 2020 and W.M.P. (MD) No. 8870 of 2020 before the Madurai Bench of Hon'ble Madras High Court for disposal of appeal dt. 27/08/2020 preferred by the appellant against the withdrawal order of the SRC dt. 25/02/2020. The Hon'ble High Court, in their order dt. 14/09/2020, taking note of the submissions made by the learned Counsels on either side, directed the NCTE (the Appellate Authority) to consider the appeal dt. 27/08/2020 and dispose of the same on merits and in accordance with law, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order.

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**AND WHEREAS** Sh. Dinesh, Secretary, St. Johns College of Education, Vizayaragava Mudaliar Chatram, Palayamkottai, Tirunelveli, Tamil Nadu presented the case of the appellant institution on 22/10/2020. In the appeal and during personal presentation it was submitted that our College is functioning very well from its inception to till date. In the year 2017 there was a dispute over the administration and Management of the Diocese of Tirunelveli as well as TDTA and cases were filed before Hon'ble High Court Chennai on 05.08.2019 The Hon'ble High Court Chennai appointed Hon'ble Justice N. Paul Vasantha Kumar (Chief Justice of Jammu and Kashmir, Retd.) and Hon'ble Justice Jothimani (Retd.) as the Administrators of Tirunelveli Diocese and TDTA. The Administrators are residing in Chennai and due to COVID 19 they are not able to come to Tirunelveli now. Moreover, the term of the office of the earlier office bearers ended on 31.05.2020. The Chairman of the Trust Viz Bishop also retired. Now on 09.07.2020 new Bishop from Trichy taken additional Charge as representative of Moderator. One of the defect is to cancel the lease deed is to effected only after getting resolution passed in TDTA meeting. Now due to COVID 19 and the above said reasons the TDTA meeting was not convened. They assured to do it in short period of time. LUC received as per the proper format of State Government dated 27/05/2020 3. Copy of Building Plan approved by the Competent Authority dated May 2020 4. Building Completion Certificate approved by the Competent Authority dated 28/05/2020 5. We submit approved list of Staff by the TNTEU and the same with NCTE format duly filled in submitted for attestation at their end. Due to COVID-19 period not yet received. 6. At the time of Recognition itself we submitted the same. Anyhow we enclosed again. 7. Our Website always updated one. website address submitted for your ready reference. <http://admin@stjohnsedn.org> Due to the prevailing situation arised out of COVID 19 we are not able fulfil one or two of the short comings mentioned in your Show Cause notice dated 25.02.2020. So, we humbly request you to grant one-year time to fulfil the requirements and allow as to admit first year students for the academic year 2020 -2021. Moreover in the meantime, I humbly request you to stay your order of Withdrawing Recognition for conducting B.Ed., Programme in F.SRO/NCTE/APSO3025/B.Ed./TN/2020, 114733 - 114799 dated 25.02.2020 and render Justice."





**AND WHEREAS** the appellant, after attending the hearing on 22/10/2020, submitted a written statement with supporting documents, which was received in the Council on 29/10/2020. In the written statement submissions have been made in respect of various grounds mentioned in the withdrawal order. The documents submitted include (i) Land Use Certificate dt. 27/05/2020 issued by the Tehsildar, Palayamkottai, Tirunelveli, Distt.; (ii) existing building plan dt. 20/05/2020. It is mentioned that the buildings were constructed in the year 1968 and there is no provision in the Tamilnadu Country and Town Planning Act, which came into effect from 1971, for approval of the plans of the buildings constructed before the commencement of the said Act and hence it is not possible to have approved plans for buildings constructed before 1971; (iii) Building Soundness Certificate; together with a copy of the proceedings of the Distt. Collector, Tirunelveli dt. 24/10/2019; (iv) Building Completion Certificate; (v) a staff list of 1 + 13 signed by the Registrar, Tamilnadu Teacher's Education University assuring that steps have been initiated to get approval for the 15<sup>th</sup> staff; (vi) Trust Deed and (vii) printout of their website.

**AND WHEREAS** the Committee noting the submissions of the appellant in the written statement and the documents enclosed, concluded that the matter deserved to be remanded to the SRC with a direction to consider the written statement of the appellant and supporting documents, to be sent to them by the appellant, and take further action as per NCTE Regulation, 2014. The appellant is directed to forward to the SRC their written statement and all 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, Appeal Committee concluded to remand back the case to the SRC with a direction to consider the written statement of the appellant and supporting documents, to be sent to them by the appellant, and take further action as per NCTE Regulation, 2014. The appellant is directed to forward to the SRC their written statement and all documents submitted in appeal within 15 days of receipt of orders on the appeal.



**NOW THEREFORE, the Council hereby remands back the case of St. Johns College of Education, Vizayaragava Mudaliar Chatram, Palayamkottai, Tirunelveli, 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, St. Johns College of Education, Vizayaragava Mudaliar Chatram, 1680, North High Ground Road, Palayamkottai, Tirunelveli, Tamil Nadu – 627002.**
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.89-183/E-164822/2020 Appeal/23<sup>rd</sup> Mtg.-2020/22<sup>nd</sup> October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 20/11/2020

**ORDER**

**WHEREAS** the appeal of Bhalothia T.T. College, Sehi Kalan, Surajgarh, Jhunjhunu, Rajasthan dated 16/09/2020 is against the order no. NRC/NCTE/NRCAPP-14551/257<sup>th</sup> (Part-3) Meeting/2016/160067-70 dated 13/10/2016 of the Northern Regional Committee refusing recognition for conducting B.Ed. course on the ground that the institution was given Show Cause Notice vide letter dt. 04/12/2015 with direction to submit the reply within 30 days. The institution did not submit any reply of Show Cause Notice within stipulated time.

**AND WHEREAS** the appellant, aggrieved by the order of the NRC, filed a S.B. Civil Writ Petition No. 17418/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 18/10/2019, allowed the Writ Petition to be withdrawn with liberty to the petitioner to file an appeal before the NCTE with directions to the NCTE to decide the appeal on merits ignoring the limitation period.

**AND WHEREAS** Sh. Virender Bhalotia, Representative, Bhalothia T.T. College, Sehi Kalan, Surajgarh, Jhunjhunu, Rajasthan presented the case of the appellant institution on 22/10/2020. The appellant, in its appeal submitted that they sent their reply to the Show Cause Notice dated 04/12/2015 on 21/12/2015 through courier and the said reply was not considered by the respondents. The appellant enclosed a photocopy of their reply on which a print of a courier receipt is affixed. He also enclosed a copy of the No Objection Certificate dt. 18/12/2015 issued by the University of Rajasthan for the session 2015-16.

**AND WHEREAS** the Committee noted that the file of the NRC does not contain the reply of the appellant stated to have been sent on 21/12/2015. The Committee also

noted that the appellant, till he filed a Writ Petition before the Hon'ble High Court in the year 2019, did not take any action on the refusal order dated 13/10/2016, which they received nearly three years back. Even after the Hon'ble High Court passing their order on 18/10/2019, the appellant took nearly another one year to file their appeal, on the ground that it was not received from their Advocate and Covid – 19 pandemic thereafter. This indicates the lack of seriousness on the part of the appellant.

**AND WHEREAS** the Committee, in compliance with the orders of the Hon'ble High Court, considered the appeal. Notwithstanding the claim of the appellant that they sent their reply to the Show Cause Notice through a courier, the fact remains that it was not received in the NRC and it is not available in the relevant regulatory file. 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 dt. 13/10/2016 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.**

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

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

1. **The Secretary, Bhalothia T.T. College, 146, Sehi Kalan, Surajgarh, Jhunjhunu, Rajasthan – 333026.**
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.89-187/E-165055/2020 Appeal/23<sup>rd</sup> Mtg.-2020/22<sup>nd</sup> October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 20/11/2020

**ORDER**

**WHEREAS** the appeal of Shraddha Yadav (Smt. Gomati Smarak Vigyan Mahavidhyalay), Nawab Nagar Parson, Etah, Uttar Pradesh dated 27/09/2020 is against the Order No. NRC/NCTE/UP-515/313<sup>th</sup> Meeting/2019/208589 dated 10.07.2020 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** Appeal Committee noted that appellant institution had filed a W.P. (C) no. 5317 of 2020 and C.M. No. 19193/2020 in Hon'ble High Court of Delhi and Hon'ble High Court vide order dated 16/09/2020 directed as under:-

*"The respondent shall take appropriate steps in this regards forthwith including changing the status of the petitioner institution on the website, due intimation to the affiliating University and to the concerned Department of Higher Education, State of U.P.*

*This order is subject to further orders that the appellate authority may pass. The appellate authority may dispose of the appeal uninfluenced by any observations made by this court and as per law."*

*Nothing further survives in this petition. The petition is accordingly disposed of. All pending applications, if any, are also disposed of.*

**AND WHEREAS** the Appellant/Secretary, Shraddha Yadav (Smt. Gomati Smarak Vigyan Mahavidhyalay), Nawab Nagar Parson, Etah, Uttar Pradesh presented the case of the appellant institution on 22/10/2020. In the appeal and during personal presentation it was submitted that "Appeal filed is as per direction of Hon'ble High Court New Delhi order dated 16/9/2020. The institution has not received show cause notice

dated 12/6/2019 issued by NCTE. So, the institution has not submitted reply of show cause notice. As per show cause notice one principal and 15 lecturers in B.Ed. course are available in institution. The above faculty member are approved by the affiliating University."

**AND WHEREAS** Appeal Committee noted that impugned order of withdrawal dated 10/07/2020 was issued on the ground that appellant institution has not replied to the two Show Cause Notice (SCN) dated 22/03/2018 and 12/06/2019. Appeal Committee noted that whereas 1<sup>st</sup> S.C.N. dated 22/03/2018 was issued to the institution at its Nawab Nagar address, the 2<sup>nd</sup> S.C.N. dated 17/06/2019 was issued at the institution address with 2<sup>nd</sup> copy to the Manager of the society. It is therefore, difficult to believe that appellant institution had not received these S.C.Ns. Appeal Committee further noted that as per terms and conditions of the Revised Recognition Order (RRO) dated 05/06/2015 the appellant institution was required to submit to NRC compliance and self Appraisal Reports on several points on an annual basis. Appeal Committee observed that appellant institution did not submit compliance on terms and conditions specified in the R.R.O. dated 05/06/2015.

**AND WHEREAS** Appeal Committee noted that appellant after issue of the impugned order of withdrawal dated 10/07/2020 had submitted with its appeal memoranda copies of letters dated 23/06/2014, 13/06/2016, 14/08/2020 by which affiliating University conveyed approval of H.O.D. and 10 + 9 faculty respectively. Appeal Committee noted that letter of approval dated 14/08/2020 is issued subsequent to the withdrawal order which means that appellant institution got approval of nine faculty after the impugned withdrawal order. The appellant has not submitted a consolidated list of faculty authenticated by affiliating University in the absence of which it cannot be ascertained whether the appellant institution had the required number of faculty approved by affiliating body from academic session 2015-16 onwards. Appellant institution has also failed to show compliance of other conditions such as enhanced built up area, increased infrastructural facilities and records of having paid salary to faculty and other staff through permissible mode as per Clause 10 (2) of the NCTE Regulation, 2014.

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**AND WHEREAS** Appeal Committee noted that on specific directions of the Hon'ble High Court, the appellant institution has been allowed by NRC to participate in counselling for academic session 2020-21. Appeal Committee noted that onus lies on the appellant institution to submit (i) full compliance of the terms and conditions of the revised recognition order and (ii) Reply to the S.C.Ns dated 22/03/2018 and 12/06/2019.

**AND WHEREAS** Appeal Committee decided that appellant institution is required to submit to NRC within 15 days of the issue of appeal order a full and final compliance of the terms and conditions of revised recognition order and the two S.C.Ns with evidence of having paid salary to the academic faculty for all preceding years i.e. 2016-17, 2017-18, 2018-19 and 2019-20. Appeal Committee decided to remand back the case to NRC for revisiting the matter after appellant institution submits the required documentary evidences within 15 days.

**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 the NRC for revisiting the matter after appellant institution submits the required documentary evidences within 15 days.

**NOW THEREFORE, the Council hereby remands back the case of Shraddha Yadav (Smt. Gomati Smarak Vigyan Mahavidhyalay), Nawab Nagar Parson, Etah, Uttar Pradesh to the NRC, 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, Shraddha Yadav (Smt. Gomati Smarak Vigyan Mahavidhyalay), 128/298, Parson, Nawab Nagar Parson, Etah, Uttar Pradesh – 207001.
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.89-68/E-155754/2020 Appeal/23<sup>rd</sup> Mtg.-2020/22<sup>nd</sup> October, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 20/11/2020

**ORDER**

**WHEREAS** the appeal of Nagarjuna College of Education, Eherukupalli, Tenali Revenue Division, Cherukupalli, Guntur, Andhra Pradesh dated 28/02/2020 is against the Order No. SRO/NCTE/APSO0222/B.Ed/AP/2019/12750 dated 09/12/2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "The institution was issued Final Show Cause Notice on 11.10.2019. But the institution has not submitted its reply." Hence, the Committee decided to withdraw the recognition granted to Nagarjuna College of Education, Tenali Revenue Division, Opp: Petrol Pump, Veera Raghavapet Cherukupalli Post & Mandal, Guntur District, Cherukupalli – 522309, Andhra Pradesh for conducting B.Ed. courses w.e.f. the next academic session under clause 17(1) of NCTE Act, 1993 on the grounds mentioned above."

**AND WHEREAS** No one from Nagarjuna College of Education, Eherukupalli, Tenali Revenue Division, Cherukupalli, Guntur, Andhra Pradesh appeared on behalf of the appellant institution on 24/07/2020. Online link also could not be established with the appellant institution on 24/07/2020. In the appeal memoranda it was submitted that "no show cause notice as mentioned in the withdrawal order was ever received by the appellant institution. The appellant further submitted that the appellant institution was granted recognition for B.Ed. course for the academic session 2003-04 vide order dt. 04/04/2003. Revised recognition order dated 11.05.2015 was issued by the SRC NCTE to the appellant institution for conducting B.Ed. course with 2 units. It is relevant to state that as per the revised recognition order, the appellant institution increased the built-up area and faculty and was running successfully till date. It is relevant to state that the revised recognition order stipulated that the SRC shall inspect the proposed premises during August, September, October 2015 and if on inspection, it was found that the



institution does not fulfil the norms, the recognition would be withdrawn. A true copy of the revised recognition order dated 15.05.2015 is enclosed. It is submitted that Appellant institution was surprised to see the withdrawal order dated 09.12.2019 passed by the SRC observing that appellant has not responded to the show cause notices. Appellant is hereby submitting the following documents to prove the compliance of the revised recognition order dated 11.05.2015 to the following effect: (i) A copy of staff profile of qualified teaching staff appointed by institution duly approved by affiliating body, till date. (ii) Building completion certificate (BCC) as per Govt. format issued by Govt. Engineer (iii) FDRs of Rs.5 Lakhs, as endowment fund, and Rs.7 lakhs, as reserve fund per course, in joint operation with Regional Director, SRC (NCTE) as per NCTE Regulations, 2014. (iv) Originally notarised CLU (Certificate of land Use) by designated authority, (v) Non- Encumbrance Certificate by designated authority. (vi) Approved building plan issued designated authority.” Appeal Committee as per extant appeal rules decided to grant another (second) opportunity to the appellant to present its case before Appeal Committee.

**AND WHEREAS** Sh. A. Venkata Rao, President and A. Laxmi Parsanna, Representative, Nagarjuna College of Education, Eherukupalli, Tenali Revenue Division, Cherukupalli, Guntur, Andhra Pradesh presented online the case of the appellant institution on 22/10/2020 i.e. the second opportunity granted to them.

**AND WHEREAS** the Committee noted that the SRC withdraw recognition on the ground that the institution did not reply to the Final Show Case Notice issued on 11/10/2019. The Committee noted that the SRC issued a Show Cause Notice earlier on 09/04/2019. The file does not contain any replies to both the Show Cause Notices. The appellant, with their appeal has submitted a number of documents found wanting as per the withdrawal order.

**AND WHEREAS** the Committee noting the submission of various documents concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and

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take further action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC all the documents in the appeal, with originals, wherever necessary 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, Appeal Committee concluded to remand back the case to the SRC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take further action as per the NCTE Regulation, 2014. The appellant is directed to forward to the SRC all the documents in the appeal, with originals, wherever necessary within 15 days of receipt of orders on the appeal.

**NOW THEREFORE**, the Council hereby remands back the case of Nagarjuna College of Education, Eherukupalli, Tenali Revenue Division, Cherukupalli, Guntur, 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, Nagarjuna College of Education, Eherukupalli, Tenali Revenue Division, Cherukupalli, Guntur, Andhra Pradesh – 522309.
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.