



F.No.89-330/E-132031/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Lakshmi Narayan College, Bagwanpur, Vaishali Hajipur, Bihar dated 16/08/2019 is against the Order No. ER-272.14.107 / (ERCAPP536) /B.Ed./2019/60845 dated 19.06.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "show cause notice u/s 17(1) was issued on 14.02.2019 & 21.05.2019. The submitted faculty list is not complete as per NCTE Regulations, 2014 and Gazette Notification No. 237 of NCTE published on 09.06.2017. In view of the above, the Committee decided as under: The Committee is of the opinion that recognition granted to B.Ed. course of the application bearing Code No. ERCAPP536 is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-21."

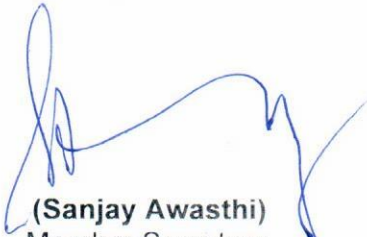
AND WHEREAS Dr. Ramesh Kumar, Principal, Lakshmi Narayan College, Bagwanpur, Vaishali Hajipur, Bihar presented the case of the appellant institution on 28/11/2019. In the personal presentation appellant submitted that "Lakshmi Narayan College is recognized for conducting B.Ed. course from academic session 2012-13 and some of the faculty positions could not filled up timely due to reservation of vacancies for Scheduled Caste. The total built up area is 2551 sq. meters. The vacancies meant for being filled up by Scheduled Caste candidates have now been filled up."

AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 19/06/2019 made effective from academic session 2020-21 is on the ground that submitted faculty list submitted by appellant institution is not complete as per NCTE Regulation, 2014. Appellant during the course of appeal hearing on 28/11/2019 submitted a list containing the names of 1 Principal and 16 Assistant Professors approved by Registrar, B.R.A. Bihar University. Appellant is required to

submit this list approved on 25/11/2019 by affiliating body to ERC within 15 days of the issue of appeal order. Appeal Committee decided to remand back the case to ERC for revisiting the matter after the appellant submits the required details of faculty approved by affiliating body within 15 days of the issue of appeal order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to ERC for revisiting the matter after the appellant submits the required details of faculty approved by affiliating body within 15 days of the issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of Lakshmi Narayan College, Bagwanpur, Vaishali Hajipur, Bihar to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Principal, Lakshmi Narayan College, Plot No. 73, Bagwanpur, NH-77, Vaishali (Hajipur) – 844114, 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.



F.No.89-333/E-130251/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of PSG College of Education, Tiruchengode Road, Sankari, Salem, Tamil Nadu dated 10/07/2019 is against the Order No. SRC/NCTE/APSO3886/104884 dated 04.06.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the institute submitted photocopy of FDRs (instead of original) towards Endowment and Reserve Fund of Rs. 5+3 = 8 Lakhs in joint account against the requirements of Rs. 12 lakhs as stipulated under NCTE Regulations, 2014. The list of faculty submitted by the institution reveals that (i) list related to facilities namely Lalitha Sudharshana B., Madheswaran S.V. and Veenkatachalam S. is surprisingly only bears the stamp of Registrar, TNTEU, without signature, (ii) the principal does not possess required 8 years teaching experience from any TTI, hence, is not qualified and (iii) one Lecturer namely Selvam R. having P.G. Degree in M.Com. Hence, not qualified as commerce is not a school subject. The institute has not submitted certified copy of Land Use Certificate issued by the Competent Authority. The Building Completion Certificate issued by the Competent Authority not submitted. The latest Encumbrance Certificate issued by the Competent Authority not submitted. Certified copy of land documents issued by the Competent Authority not submitted."

AND WHEREAS Dr. R. Vendhan, Principal, PSG College of Education, Tiruchengode Road, Sankari, Salem, Tamil Nadu was presented the case of the appellant institution on 28/11/2019 and submitted copies of:-

- (i) Letter issued by State Bank of India confirming the FDRs of Rs. 5 lakh, 3 lakh and 4 lakh in joint name with Regional Director, SRC.
- (ii) FDRs.
- (iii) Letter dated 01/07/2019, issued by Tamil Nadu Teacher Education University stating that Dr. R. Vendhan is eligible for the post of Principal w.e.f. 14/06/2019.

- (iv) Copies of staff (Faculty) approved by affiliating university in 2016 and 2017.
- (v) Change of Land Use Certificate.
- (vi) Building Completion Certificate dated 04/10/2019. Building license dt. February, 2019.
- (vii) Building plan.
- (viii) Encumbrance Certificate dt. 17/05/2019.
- (ix) Lease Deed documents.

AND WHEREAS Appeal Committee observes that though appellant institution was duty bound to have reported compliance to the terms and conditions of revised recognition order, yet SRC should have issued a Show Cause Notice (SCN) seeking written representation of the appellant institution in terms of Proviso to Section 17 (1) of the NCTE Act. Appeal Committee noted from the relevant regulatory file that appellant institution was not given any opportunity to submit written representative (i.e. Show Cause Notice) against the proposed grounds of withdrawal of recognition. Appeal Committee, therefore, decided to set aside the impugned order of withdrawal dated 04/06/2019. SRC is required to revisit the matter afresh.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit documents on record & oral arguments advanced during the hearing, Appeal Committee concluded to set aside the impugned order of withdrawal dated 04/06/2019. SRC is required to revisit the matter afresh.



(Sanjay Awasthi)
Member Secretary

1. The Secretary/Correspondent, PSG College of Education, Tiruchengode Road, Sankari, Salem – 637301, Tamil Nadu.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu, Chennai.



F.No.89-336/E-133106/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Shri M.D. Mehta Mahila B.Ed. College, Darbargarh, Dhrol, Jamnagar, Gujarat dated 09/07/2019 is against the Order No. WRC/APW00571/323168/B.Ed./308th/GUJ/2019/204264 dated 01.07.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Show Cause Notice was issued to the institution on 21.08.2016. The institutes replied vide letters dt. 18.11.2016 and 24.08.2017. A scrutiny of the documents show that the following deficiencies still present. Principal on regular basis is not appointed. The existing number of lecturers qualifies the institute for an annual intake of one unit. The Building Completion Certificate is not issued by a Govt. Engineer and on prescribed format. The institute has only submitted FDR of Rs. 7 lakhs whereas the requirement is Rs. 12 lakhs as per NCTE Regulations, 2014. Hence, show Cause Notice the issued why recognition should not be withdrawn in view of the above deficiencies."

AND WHEREAS Ms. Sudhaben Khandheriya, Secretary and Juli Zaveri, Accountant, Shri M.D. Mehta Mahila B.Ed. College, Darbargarh, Dhrol, Jamnagar, Gujarat presented the case of the appellant institution on 28/11/2019 and submitted copies of list of faculty approved by Saurashtra University, FDRs and B.C.C.

AND WHEREAS Appeal Committee noted that recognition granted to appellant institution for conducting B.Ed. programme with an intake of 100 seats was withdrawn by issue of an order dated 22/06/2018 which was subsequently appealed against.

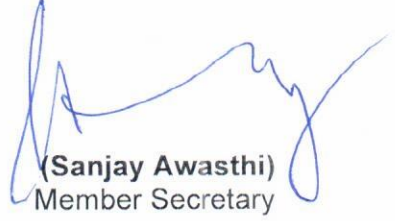
Appellate Authority by issue of order dated 02/04/2019 remanded back the case to WRC to consider the list of faculty which the appellant had submitted before the Appeal Committee and was required to submit to WRC within 15 days of the issue of appeal order.

AND WHEREAS Appeal Committee noted that WRC after considering the reply dated 10/04/2019 of appellant decided to stick by their earlier decision to withdraw recognition taken by order dated 20/06/2018. Appeal Committee noted that once the case was remanded back by the Appellate Authority WRC ought to have issued a speaking order instead of conveying the decision to confirm its earlier order by issue of a letter dated 01/07/2019. Moreover, appellant institution on the day of appeal hearing submitted copies of FDR, B.C.C. and faculty list containing the names of one Principal and 20 faculty approved by affiliating body. Appeal Committee noticed that B.C.C. though not in the prescribed format, contained the built-up area authenticated by Municipal Engineer of Dhrol Nagarpalika. The list of faculty which contains the names of some extra faculty has a foot note stating that "(i) Serial No. 1 is Principal, (ii) Faculty at Sl. No. 3, 5, 7 to 21 are NET/SLET/Ph.D. qualified, (iii) Faculty at Serial No. 2,4, 6 and 22 were appointed before NCTE Regulation (Amendment) 2017.

AND WHEREAS appellant is required to submit to WRC copy of the list of faculty, FDRs and B.C.C. within 15 days of the issue of appeal order. Considering the submissions made by appellant, Appellant Committee decided to remand back the case to WRC for revisiting the matter.

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

NOW THEREFORE, the Council hereby remands back the case of Shri M.D. Mehta Mahila B.Ed. College, Darbargarh, Dhrol, Jamnagar, Gujarat to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Shri M.D. Mehta Mahila B.Ed. College, 2929, Darbargarh, Dhrol, Jamnagar – 361210, Gujarat.
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 Gujarat, Gandhinagar.



F.No.89-246/E-121765/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Shri Bhairavnath Nisang Mandal, Karagaon, Parbhani, Maharashtra dated 26/02/2018 is against the Order No. WRC/OAPW02797/123360/285th/2017/10002 dated 01.08.2018 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Show Cause Notice was issued to the institution on 20.03.2017. The institution has not replied so far. Therefore, Recognition is withdrawn from the academic session 2018-19."

AND WHEREAS Shri Bhairavnath Nisang Mandal, Karagaon, Parbhani, Maharashtra was asked to present the case of the appellant institution on 31/07/2019 and 15/10/2019 i.e. two opportunities were granted to them, but nobody from the institution appeared. The Committee decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Dr. Sajid Rasool Shaikh, Director, Shri Bhairavnath Nisang Mandal, Karagaon, Parbhani, Maharashtra appeared before Appeal Committee on 28/11/2019 and submitted copies of FDRs and a B.C.C. issued by Deputy Engineer, Parbhani. Appellant also submitted copies of communications dated 05/04/2018, 21.05.2018 & 27/06/2018 issued by Swami Ramanandtirth Marathwada University concerning the selection process of faculty. Appellant further submitted that once the recognition for B.Ed. course is restored, approval of faculty will be obtained from the affiliating university.

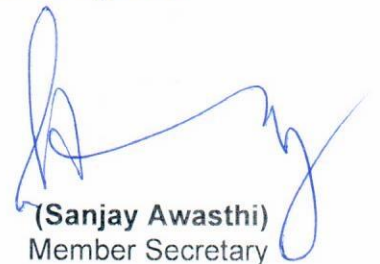
AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 01/01/2018 was issued after giving appellant institution ample opportunity to

comply with the Norms and Standards of NCTE Regulation, 2014. The revised recognition order dated 31/05/2015 was subject to compliance of these norms and then a Show Cause Notice (SCN) dated 20/03/2017 was issued seeking written representation within a period of 21 days. Appellant neither complied with the terms and conditions of revised recognition order dated 31/05/2015 nor did submit reply to S.C.N. dated 20/03/2017. Appellant in its appeal memoranda also did not submit any explanation for non compliance to the revised Norms and Standards and non submission of reply to S.C.N. dated 20/03/2017. Submission of hard copy of the appeal was also delayed by about 15 months.

AND WHEREAS Appeal Committee noted that request made by appellant to restore the recognition is not tenable. Appeal Committee decided to confirm the impugned order of withdrawal dated 01/01/2018 on the grounds that appellant has not submitted reply to S.C.N. dated 20/03/2017.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned order of withdrawal dated 01/01/2018 on the grounds that appellant has not submitted reply to S.C.N. dated 20/03/2017.

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



(Sanjay Awasthi)
Member Secretary

1. **The Secretary/Appellant, Shri Bhairavnath Nisang Mandal, Karagaon, Parbhani – 431401, 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.89-261/E-123430/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Rajputana Teacher Training College, Shyam Nagar, Kotputli, Jaipur, Rajasthan dated 30/06/2019 is against the Order No. NRC/NCTE/NRCAPP-15591/299th/Meeting/2019/202817 dated 01.05.2019 of the Northern Regional Committee, refusing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the following grounds that "SCN was issued to the institution on 18.01.2019 for not submitting the reply of LOI issued on 09.01.2018. 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."

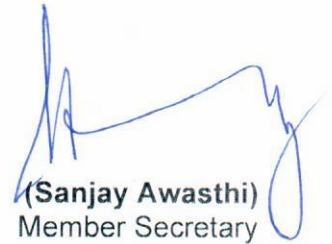
AND WHEREAS Sh. Mahendra Choudhary, Director and Sh. Umesh Choudhary, Co-Dir., Rajputana Teacher Training College, Shyam Nagar, Kotputli, Jaipur, Rajasthan presented the case of appellant institution on 28/11/2019 and submitted that reply to S.C.N. dated 18/01/2019 was furnished on 15/02/2019 enclosing therewith an affidavit stating that particulars of faculty have been sent to affiliating university for approval. Due to Lok Sabha Elections the process of approval is delayed. As soon as approval of university is received, the same will be sent to N.R.C."

AND WHEREAS Appeal Committee noted from the regulatory file that appellant's reply to S.C.N. is found placed in the regulatory file. The reasons for delay in submitting compliance of L.O.I. also seem to be genuine as due to Lok Sabha Elections the process of approval might have been delayed by the affiliating university. Copies of F.D.Rs in joint name were prepared by appellant in February, 2018 itself. Appellant on the day of appeal hearing on 28/11/2019 was able to submit the list of faculty and approval letter of the affiliating university.

AND WHEREAS appellant institution is required to submit to NRC a complete and comprehensive compliance report in response to L.O.I. within 15 days of the issue of appeal order. Appeal Committee decided to remand back the case to N.R.C. for revisiting the matter after the appellant submits reply to L.O.I. within 15 days of issue of Appeal order.

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 N.R.C. for revisiting the matter after the appellant submits reply to L.O.I. within 15 days of issue of Appeal order.

NOW THEREFORE, the Council hereby remands back the case of Rajputana Teacher Training College, Shyam Nagar, Kotputli, Jaipur, Rajasthan to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. **The Director, Rajputana Teacher Training College, 618, Shyam Nagar, Kotputli, Jaipur – 303108, Rajasthan.**
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 Rajasthan, Jaipur.



F.No.89-265/E-123813/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Sri Gokulakrishna College of Education, Aattakarampatti, Pennagaram Main Road, Pappinaickanahalli, Sogathur, Pennagaram Road, Dharmapuri, Tamil Nadu dated 01/07/2019 is against the Order No. SRC/NCTE/APSO9377/104254-4259 dated 07.05.2019 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. Course on the following grounds that "certified copy of land documents issued by the competent authority not submitted. According to the Certificate of Encumbrance submitted by the institution the nature of land is agriculture. The Land Use Certificate submitted by the institution cannot be relied upon on the face Certificate of Encumbrance of Property and mentioned above under point No.2. The Building Completion Certificate submitted by the institution is not in proper format. The Building Plan submitted by the institution is not approved by the competent authority. Fire safety certificate dt. 03.10.2018 submitted by the institution is expired. The faculty list submitted by the institution is not approved by the affiliating body and also the faculty is not qualified as required under NCTE, Regulations. License of building at 05.11.2014 issued by the Tehsildar, Dharmapur. The validity of this license has already been expired on 30.06.2017. The copy of FDRs of Rs. 5+3 lakhs submitted by the institution instead of original against the requirement of 12 lakhs. Hence, after thorough examination of all the relevant documents the Committee decided to withdraw the recognition of B.Ed. course from the academic session 2019-20."

AND WHEREAS Dr. R Raja Sekar, Trustee of Sri Gokulakrishna College of Education, Aattakarampatti, Pennagaram Main Road, Pappinaickanahalli, Sogathur, Pennagaram Road, Dharmapuri, Tamil Nadu presented the case of the appellant

institution on 28/11/2019. In the appeal and during personal presentation the appellant submitted the following:-

I enclosed certified of land documents issued by the competent authority. That is no. 2 sub-register office. I enclosed certified copy of dry land that has been given by the tahsildar. The land which is can be used for the construction of Sri Gokulakrishna College of Education. The land use certificate is issued by the Tahsildar, the land can be used to construct and run the Sri Gokulakrishna College of Education (B.Ed.) Dharmapuri. I enclosed the building completion certificate in the proper format. I enclosed the copy of building plan, that is approved signed and approved by the panchayat president who is the authority the belongs to panchayat union. I enclosed the fire and safety Certificate, it is valid for one year (from 03.10.2018 to 03.10.2019) refer to fire and safety certificate. We submitted the proposal for staff approval of qualification as per the NCTE Norms, to Tamilnadu Teachers Education University, but yet not received approval copy. (the reason is the competent authority who is giving the staff approval are not available in the university) the in charge is available, but they are not giving the staff approval copy). When we will get staff approval copy we will submit soon to you. I enclosed the copy of building licence from competent authority. The copy of FDR Rs. 5+3 lakhs have been submitted. The remaining 4 lakhs will be submitted soon. (the reason for delaying is as per the NCTE Regulation 2014 ... one who already running with one unit they need not to maintain 7+5 lakhs. It is mentioned under in the frequently asked questions session in the NCTE. If the institution should maintain the 7+5 means...we need a time to start the academic session of 2019-2020. We will pay with in the period of July.

AND WHEREAS Appeal Committee noted that appellant institution was issued revised recognition order dated 23/03/2015 for conducting B.Ed. course with an intake of one unit (50 seats). The revised recognition order was subject to fulfillment of certain

conditions as per Norms and Standards of NCTE Regulations, 2014 and reporting compliance to SRC before 31/10/2015.

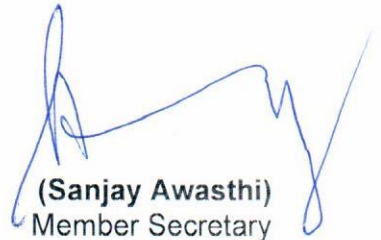
AND WHEREAS Appeal Committee noted that appellant during the course of appeal hearing submitted copies of (i) List of faculty, (ii) FDRs (iii) Fire Safety Certificate, (iv) Building Completion Certificate (B.C.C.), CLU. On perusal of these documents, Appeal Committee noted that the earlier lists of faculty submitted by appellant institution did not bear the signature and stamp of Registrar, Tamil Nadu Teacher Education University dated 01/12/2016. Appellant has not been able to substantiate this approval by submitting any approval letter of the affiliating university which is required to be submitted as per Clause 7 (16) of the NCTE Regulation, 2014. The copy of B.C.C. submitted by appellant is not issued by any Officer/Engineer of the Civil Authority.

AND WHEREAS Appeal Committee on perusal of the regulatory file noticed that Show Cause Notice dated 19/02/2019 issued to appellant institution was on different grounds and it had some inspection points in view. The deficiency of faculty was not pointed out in this S.C.N. while considering the appeal matter it is not certain whether the required building plan, B.C.C., N.E.C., C.L.U. relates to old premises or the proposed premises where appellant wants to shift.

AND WHEREAS Appeal Committee, therefore, decided to remand back the case to SRC for revisiting the matter for clarifying the points on which appellant institution is found deficient. Appellant institution should also be given opportunity to submit written representation on the specific points under proviso to Section 17 (1) of the NCTE Act.

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 SRC for revisiting the matter for clarifying the points on which appellant institution is found deficient. Appellant institution should also be given opportunity to submit written representation on the specific points under proviso to Section 17 (1) of the NCTE Act.

NOW THEREFORE, the Council hereby remands back the case of Sri Gokulakrishna College of Education, Aattakarampatti, Pennagaram Main Road, Pappinaickanahalli, Sogathur, Pennagaram Road, Dharmapuri, Tamil Nadu to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Chairman, Sri Gokulakrishna College of Education, Aattakarampatti, Pennagaram Main Road, Pappinaickanahalli, 12/2, Sogathur, Pennagaram Road, Dharmapuri – 636809, Tamil Nadu.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu, Chennai.



F.No.89-269/E-124823/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Sant Bhagwan Baba M.Ed. College, Bee-Parli Road, Kaij, Maharashtra dated 26/03/2019 is against the Order No. WRC/APW06344/125127/287th/2018/194781 dated 02.02.2018 of the Western Regional Committee, withdrawing recognition for conducting M.Ed. Course on the ground that "the case file was seen. Show Cause Notice was issued to the institution on 11.11.2016. The institution has not replied so far. Hence, Recognition is withdrawn from the session 2018-19. FDRs if any, be returned."

AND WHEREAS Dr. Kishor Chatrabuj More, Principal, Sant Bhagwan Baba M.Ed. College, Bee-Parli Road, Kaij, Maharashtra presented the case of the appellant institution on 28/11/2019 and submitted that "Appellant institution had submitted a reply dated 26/11/2016 to Show Cause Notice (SCN) dated 11/11/2016."


AND WHEREAS Appeal Committee noted that revised recognition order dated 05/12/2015 granting recognition for M.Ed. programme to the appellant institution was subject to fulfillment of certain conditions and reporting compliance thereof. Appeal Committee further noted that the Regional Committee issued a Show Cause Notice (SCN) dated 11/11/2016 seeking written representation from the appellant institution within 21 days for non submission of staff profile for the session 2015-16, originally notarized CLU/NEC/B.P/B.C.C. Appellant could not furnish any evidence to prove that appellant had submitted any compliance report to the Regional Committee. Submission of hard copy of the appeal is also delayed by the appellant beyond 14 months.

AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 02/02/2018 was made effective from the academic year 2018-19 which tentamounts that

recognition granted for M.Ed. course already stands discontinued. Appellant has failed to show any evidence that it had replied to the S.C.N. dated 11/11/2016 or had timely complied to conditions of revised recognition order dated 05/12/2015. Appeal Committee, therefore, decided to confirm the impugned order of withdrawal dated 02/02/2018.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned order of withdrawal dated 02/02/2018.

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



(Sanjay Awasthi)
Member Secretary

1. The President, Sant Bhagwan Baba M.Ed. College, Plot No. 25, Bee-Parli Road, Kaij – 431123, 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.89-276/E-125572/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

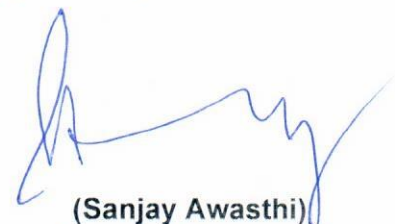
WHEREAS the appeal of Arya Kanya Gurukul College of Education, Village – Mormajra, Via Goli, Majra, Karnal, Haryana dated 13/07/2019 is against the Order No. NRC/NCTE/NRCAPP201615072 (ID No. 8034)/300th Meeting/2019/203112 dated 16.05.2019 of the Northern Regional Committee, refusing recognition for conducting for B.P.Ed. Course on the grounds that “the institution has not submitted the list of faculty as per NCTE Regulations, 2014. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

AND WHEREAS Sh. Sahil Mehta, Accountant and Sh. Amit Sharma, Assistant, Arya Kanya Gurukul College of Education, Village – Mormajra, Via Goli, Majra, Karnal, Haryana presented the case of the appellant institution on 17.10.2019. In the appeal the appellant submitted the details of two Associate Professors and six Assistant Professors. Regarding non-appointment of a Principal for the Physical Education Course as per NCTE Norms, as pointed out in the Show Cause Notice, the appellant, in a letter dt. 24/08/2019, submitted that the proceedings for Principal, B.P.Ed. course are under consideration for approval of the concerned university and they will submit the same as soon as they are received. The appellant also enclosed a copy of the letter dt. 21/08/2019 from Kurukshetra University, in which they informed the appellant that the matter relating to approval for the post of Principal, B.P.Ed. course is under consideration. The appellant during the course of appeal hearing requested another opportunity to submit all papers. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the third and final opportunity to present their case.

AND WHEREAS Sh. Ram Singh, Member and Sh. Sahil Mehta, Accountant presented the case of appellant institution on 28/11/2019. Appeal Committee noted that this is the third and last opportunity of the appellant to present its case before Appellate Authority as appellant had already been granted opportunities on 26/08/2019 and 17/10/2019. Appeal Committee noted from the regulatory file that a Letter of Intent (L.O.I.) dated 19/01/2018 was issued to appellant institution seeking compliance within a period of 02 months. The impugned refusal order dated 16/05/2019 was issued by NRC after giving ample time to appellant institution to appoint faculty and Principal. Appellant was further allowed three opportunities to present its case before Appellate Authority. Appellant has submitted list of faculty but failed to submit evidence of having appointed a Principal with the approval of affiliating university. Appeal Committee, therefore, decided to confirm the impugned refusal order dated 16/05/2019.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 16/05/2019.

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



(Sanjay Awasthi)
Member Secretary

1. The Convener, Arya Kanya Gurukul College of Education, Village – Mormajra, Assandh Road, Via Goli, Majra, Karnal – 132046, Haryana.
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 Haryana, Chandigarh.



F.No.89-298/E-126925/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Nalanda Mahila Shikshak Prashikshan Mahavidyalaya, Village/PO – Dipnagar, City – Biharsharif, Nalanda, Bihar dated 20/07/2019 is against the Order No. ERC/268.14(i).23/ERCAPP253/B.Ed./2019/59633 dated 03.03.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that “Faculty list duly approved by the concerned affiliating body not submitted. Validity of FDRs towards Endowment and Reserve fund expired and not yet renewed.”

AND WHEREAS Appeal Committee noted that appellant institution had filed a Civil Writ No. 8521/2019 in the High Court of Judicature at Patna and the Hon'ble High Court by its order dated 12/07/2019 directed as under:-

“Considering the fact that the petitioner has remedy by way of appeal before the National Council for Teachers Education, the writ petition is disposed of with liberty to the petitioner to approach the National Council for Teachers Education within a period of 15 days. On filing of the appeal by the petitioner-institution, the NCTE is required to give opportunity of hearing to the petitioner and pass appropriate order in accordance with law within a maximum period of 30 days from the date of filing of such appeal.

The petitioner is granted liberty to file appeal by way of memorandum of appeal in hard copy and the NCTE cannot refuse the memo of appeal on the ground that it is not submitted online. In the event the NCTE refuses to entertain appeal, the Court shall take the matter seriously.

Objection of the NCTE that under the scheme there is provision for filing appeal is online, does not impress this Court as this Court has relegated the petitioner to approach NCTE.

While disposing of the writ petition the Court directs the NCTE to entertain the appeal in hard copy.

With the aforesaid, the writ petition stands disposed of.”

AND WHEREAS Nalanda Mahila Shikshak Prashikshan Mahavidyalaya, Village/PO – Dipnagar, City – Bihar Sharif, Nalanda, Bihar was issued three notices to present its case before Appellate Authority but appellant institution failed to appear before Appeal Committee for making personal presentation of its case and instead sought adjournment of hearing on first two occasions on 27/08/2019 and 17/10/2019. In the appeal memoranda it was submitted that the petitioner institution submitted an application to the Registrar, Magadh University to nominate representative. Thereafter the petitioner institution filed its reply stating therein that the Managing Committee of the Institution has appointed the faculty member against the vacant post and has submitted an application to the Registrar, Magadh University to nominate representative and the same was under process. NCTE vide Order F.No. ERC/268.14(i).23/ERCAPP253/B.Ed.2019/59633 dated 03.03.2019 has not considered the reply of show cause of the appellant and without considering the material facts withdrawn the recognition of college w.e.f. the academic session 2019-20. The ERC, NCTE did not take into consideration the fact that the appellant institution has already furnished details regarding faculty list as well as submitted receipts of payment already made for FDR towards Endowment and Reserve fund. (Copy of Faculty List duly approved by the concerned affiliating body not submitted FDRs towards Endowment and Reserve fund). Appellant institution filed C.W.J.C No-8521/2019 which was heard and disposed of on 12.07.19.”

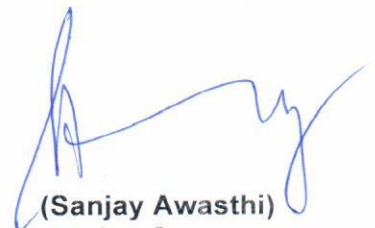
AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 03/03/2019 was on the ground that appellant institution has not submitted (i) list of faculty approved by affiliating university (ii) Renewed FDRs (iii) Reply to the S.C.N. dated 28/11/2018.

AND WHEREAS Appeal Committee noted that appellant along with its appeal memoranda had submitted copies of two additional FDRs of Rs. 2 lakh each valid upto March, 2023 but have not submitted any evidence of having renewed the FDRs of Rs. 5 lakh and 3 lakh towards Endowment & Reserve Fund respectively, Appellant has also failed to submit list of faculty approved by affiliating university despite having been given show cause notice and three opportunities by the Appellate Authority. Appeal

Committee, therefore, decided to confirm the impugned order of withdrawal dated 03/03/2019.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record, Appeal Committee decided to confirm the impugned order of withdrawal dated 03/03/2019.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Nalanda Mahila Shikshak Prashikshan Mahavidyalaya, Plot No. 1240, Street No. NH-82, Vill/PO – Dipnagar, Tehsil/Taluka – Bihar Block (Town Block) City – Bihar Sharif, District – Nalanda, Bihar-803111.
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.



F.No.89-299/E-126947/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Vina Karuna Teacher Training College, Purana Dumka, Kewat Para, Jharkhand dated 01/04/2019 is against the Order No. ERC/265.6.16/ERCAPP201646079 (ID No. 10326)/B.Ed./2019/59096 dated 22.01.2019 of the Eastern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "letter of Intent u/c 7(13) was issued in favour of the institution on 01.03.2018 basing upon the required documents including No Objection Certificate dated 25.05.2016 from the affiliating body submitted by the institution along with application, but in the meantime a letter bearing No. SKMU/IC/112/2018 dated 22.06.2018 issued by Registrar of Sido-Kanhu Murmu University received through NCTE Hqrs. Stating that NOC had not been issued by the University to the institution. Subsequently, the institution submitted a copy of fresh No Objection Certificate issued by the Registrar of Sido-Kanhu Murmu University vide letter No. SKMU/R/113/2018 dated 27.11.2018. As decided by ERC in 264th meeting, a letter vide No. 58794 dated 31.12.2018 issued to the Registrar, Sido-Kanhu Murmu University, Dumka, Jharkhand to verify the authenticity in the matter of issuance of No Objection Certificate dated 25.05.2016, 22.06.2018 & 27.11.2018 and to submit the exact report. Confirmation received from Registrar, Sido-Kanhu Murmu University, Dumka Jharkhand vide letter Reference No. SKMU/R-G/960/18 dated 22.12.2018 informing that the letter No. SKMU/R/113/2018 dated 27.11.2018 was not issued by this University and requested to turn down the proposal immediately. In view of the above, the Committee decided as under: The Committee is of the opinion that application bearing application No. ERCAPP201646079 of the institution regarding recognition to B.Ed. programme is refused under section 14(3)(b) of NCTE Act 1993."

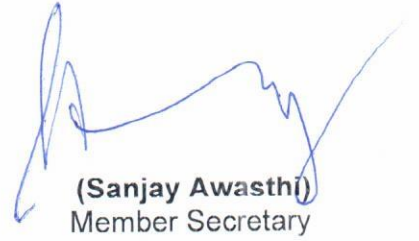
AND WHEREAS Vina Karuna Teacher Training College, Purana Dumka, Kewat Para, Jharkhand was asked to present the case of the appellant institution on 27/08/2019 and 17/10/2019 but nobody from the appellant institution appeared before Appeal Committee to present the case. Appeal Committee, as per extant appeal rules, decided to grant another (third) opportunity to the appellant to present its case. However, a letter dated 16/10/2017 written by appellant institution addressed to Member Secretary, NCTE was received. Appellant by the said letter had requested for two months time to submit N.O.C. from University.

AND WHEREAS Dr. Pawan Kumar, Secretary and Sh. Jagadish Mahato, Trusty, Vina Karuna Teacher's Training College appeared before Appeal Committee on 28/11/2019 and submitted that an Inspection Team of the university had inspected the institute. N.O.C. will be made available by the affiliating university as soon as head of the Inspection Team submits its report to the University.

AND WHEREAS Appeal Committee noted that as per Clause 5 (3) of NCTE Regulation, 2014, N.O.C. of affiliating body is required to be submitted by applicant along with printout of its online application. Appellant in this case had submitted its application in the year 2016. Appellant submitted a N.O.C. dated 25/05/2016 which as per affiliating body was not issued by them. Appeal Committee noted that apart from refusal of recognition on the ground, the Regional Committee should take legal action against the management of the institution under Clause 7 (3) of the NCTE Regulation, 2014. Appeal Committee decided to confirm the impugned refusal order dated 22/01/2019.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned refusal order dated 22/01/2019.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary/Appellant, Vina Karuna Teacher Training College, Purana Dumka, Mortanga Road, Kewat Para – 814101, Jharkhand.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.



F.No.89-303/E-127857/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of S.M.Y. College of Education, Rai, Mink, Morar, Gwalior, Madhya Pradesh dated 29/07/2019 is against the Order No. WRC/APP42/223/B.Ed./307th/2019/203995 dated 01.06.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "and whereas, the matter was placed before the WRC in its 307th meeting held on May 30-31, 2019 and the Committee decided that "...In view of the direction of the Hon'ble High Court of Delhi in W.P. (C) 4552/2019 & CM APPL 2027/2019 order dated 3004/2019 at point No. 07, as directed by the Hon'ble High Court to communicate to the petitioner through Email: smycollegegwalior@yahoo.com to appear before WRC to convince regarding deficiency. Accordingly, mail sent to the petitioner on dated 28.05.2019 but the petitioner did not appear as on 30-31 May, 2019. The institution submitted a letter dated 03.05.2019 enclosing copy of Hon'ble High Court order dated 30.04.2019 only and no other documents submitted by the institution regarding deficiency. Hence, the Committee decided that withdrawal order dated 11.04.2019 stands."

AND WHEREAS Appeal Committee noted that appellant institution had filed a Writ Petition (C) No. 7364 and CM No. 30718 of 2019 in the High Court of Delhi and the Hon'ble Court vide order dated 10/07/2019 has directed the petitioner to seek redressal in accordance with law under Section 18 of the NCTE Act.

AND WHEREAS S.M.Y. College of Education, Rai, Mink, Morar, Gwalior, Madhya Pradesh presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation the appellant submitted a written request seeking another opportunity to submit required documents in support of its claim to have rectified the

deficiencies. Appeal Committee decided to grant another (second) opportunity to the appellant to present its case before Appeal Committee.

AND WHEREAS Sh. Prem Singh Rajput, Director and Sh. Kuldeep Singh Yadav, Staff of the appellant institution attended appeal hearing on 17/10/2019 and submitted a written request seeking another opportunity to present its case. Appellant Committee decided to grant third and final opportunity to the appellant to present its case before the Appellate Authority.

AND WHEREAS Sh. Prem Singh Rajput, Director and Sh. Kuldeep Singh Yadav, Staff of the appellant institution attended the appeal hearing on 28/11/2019 and submitted a list of faculty containing the names a Principal/HOD and 15 (12+3) faculty approved by Jiwaji University on 21/11/2019.

AND WHEREAS Appeal Committee noted that impugned order of withdrawal dated 10/06/2019 is third in sequence. First order was issued on 08/01/2018. Appellant appealed against the withdrawal order and Appellate Authority by its order dated 24/07/2018 remanded back the case to WRC to revisit the matter if the appellant submit to WRC the approved faculty list and other documents such as FDRs, B.C.C. etc.

AND WHEREAS Appeal Committee noted that WRC after considering the replies submitted by appellant and after issuing a Show Cause Notice (SCN) again issued an order dated 11/04/2019 confirming its earlier withdrawal order dated 08/01/2018.

AND WHEREAS Appeal Committee noted that appellant institution filed a W.P. (C) no. 4552/2019 and C.M. Appl. 20273/2019 in the High Court of Delhi and the Hon'ble High Court by its oral judgement dated 30/04/2019 decided as under:-

"In the circumstances, I am of the opinion that the interests of justice would be subserved if this Writ Petition is disposed of by setting aside the impugned decision and allowing the petitioner to appear before the WRC on the date and time which shall be communicated by the WRC on petitioner's e-mails, which is

smycollegegwalior@yahoo.com, so that the petitioner could convince the WRC that the deficiencies stood rectified."

AND WHEREAS Appeal Committee observed from the impugned withdrawal order dated 01/06/2019 that WRC in compliance with the directions of Hon'ble High Court communicated through E-mail dated 28/05/2019 asking the appellant to appear before WRC to convince regarding the deficiency. The appellant institution did not appear before WRC.

AND WHEREAS appellant after issue of the impugned withdrawal order dated 10/06/2019 preferred online appeal dated 29/07/2019 and alongwith its appeal memoranda submitted a list of faculty containing the names of a Principal and 12 faculty. During appeal hearing on 27/08/2019 and 17/10/2019 appellant sought adjournment of hearing and further opportunity to submit the letter of approval and required faculty list. Appeal Committee noted from the letter of approval and faculty list submitted by appellant on 28/11/2019 that the date of appointment of Principal and 13 faculty is after 01/08/2019 and approval of university was conveyed on 27/07/2019 and 21/11/2019. Appeal Committee noted that impugned order of withdrawal which is in chain of the earlier orders dated 08/01/2018 and 11/04/2019 stands operative from the academic session 2018-19 and the final approval of faculty is conveyed on 21/11/2019. Appellant had also failed to avail the opportunity to appear before WRC on 30th – 31st May, 2019 and explain the deficiencies. It is obvious that appellant institution was not in possession of the approved list of faculty on the date it was asked to appear before Western Regional Committee on 30th -31st May, 2019 as per directions of Hon'ble High Court of Delhi. Appeal Committee, therefore, decided to confirm the impugned order of withdrawal dated 10/06/2019.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to confirm the impugned order of withdrawal dated 10/06/2019.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, S.M.Y. College of Education, Rai, 27, Mink, Morar, Gwalior – 474006, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-425/E-141009/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Shri Siddhi Vinayak College, Khureri, Badagaon Road, Morar, Gwalior, Madhya Pradesh dated 05/11/2019 is against the Orders No. WRC/NCTE/APW02528/222131/306th/2019/203362 dated 10.05.2019 and WRC/NCTE/APP3122(APP3122(Addl.)/D.El.Ed./307/2019/203882 dated 07/06/2019 of the Western Regional Committee, withdrawing recognition for conducting for D.El.Ed. Course on the grounds that "the Show Cause Notice was issued to the institution on 07.02.2019. The institution has neither submitted reply nor submitted the documents asked in the Show Cause Notice dated 07.02.2019. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for D.Ed. (D.El.Ed.) programme with effect from the end of the academic session next following the date of communication of the said order."

AND WHEREAS the appellant, aggrieved by the orders of the WRC, filed a W.P. (C) 11034/2019 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 16/10/2019, disposed of the petition with liberty to the petitioner college to take recourse to the statutory remedy available to it. The Hon'ble High Court also observed that in case, the petitioner college files an appeal with the Appellate Committee of the NCTE, the Appellate Committee will dispose of the petition with due expedition, though, not later than eight weeks from the date of filing of the appeal.

AND WHEREAS Sh. P. Prabodh Tripathi, Director, Shri Siddhi Vinayak College, Khureri, Badagaon Road, Morar, Gwalior, Madhya Pradesh presented the case of the appellant institution on 28/11/2019. In the appeal and during personal presentation it was submitted that in 297th meeting of NCTE dated 13, 14 September 2018 WRC took a decision to submit all the relevant documents related to building shifting by the college.

But our college doesn't receive any letter about that. Institution's representative met Regional Director of WRC on the basis of WRC meeting minutes and told them that they already submitted all the documents with the application of building shifting on 05/09/2018. Then, RD looked into their file and directed them to submit following documents: Diversion Certificate, Non-Encumbrance Certificate and Building Completion Certificate. Then, all the documents were submitted by institution on 04/10/2018. All remaining documents were submitted by institution on 10/10/2018. After that, in 301th meeting of WRC, NCTE dated 17, 18 January 2019, WRC decided that institution didn't reply the show cause notice dated 19/09/2018 that's why they refuse the application of building shifting. But the fact is that their institution didn't receive any show cause notice. In 301st meeting of NCTE dated 17, 18 January 2019 WRC decide to refuse the permission of shifting and direct us to submit all the documents related to the current premises of the institution. Then, all the relevant documents were submitted by the institution through speed post on 22/04/2019 to NCTE, WRC and all the documents were received by NCTE, WRC on 26/04/2019. But after that NCTE withdrew the recognition of D.El.Ed. Basic Unit on 10/05/2019 and D.El.Ed. Additional on 07/06/2019. Please set aside the withdrawal orders of D.El.Ed. Course basic dated 10/05/2019 and D.El.Ed. Course additional dated 07/06/2019.

AND WHEREAS the appellant, in the course of presentation, in support of their having sent a reply on 24/04/2019, submitted a copy of the speed post receipt dt. 24/04/2019 and a copy of track report showing that the item was delivered on 26/04/2019.

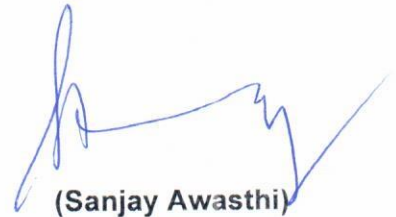
AND WHEREAS the Committee noted from the file of the WRC that the Show Cause Notice issued is dated 24/01/2019 and not 07/02/2019 as stated in the withdrawal orders dt. 10/05/2019 and 07/06/2019.

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 reply dt. 24/04/2019, to be sent again by the appellant to them and take further action as per the NCTE Regulations, 2019. The appellant is directed to forward to the WRC, their reply

letter dt. 24/04/2019 with all its enclosures, 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 WRC with a direction to consider the reply dt. 24/04/2019, to be sent again by the appellant to them and take further action as per the NCTE Regulations, 2019. The appellant is directed to forward to the WRC, their reply letter dt. 24/04/2019 with all its enclosures, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shri Siddhi Vinayak College, Khureri, Badagaon Road, Morar, Gwalior, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Director, Shri Siddhi Vinayak College, Khureri, 1503, Badagaon Road, Morar, Gwalior – 474006, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-426/E-141013/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Shri Siddhi Vinayak College, Khureri, Badagaon Road, Morar, Gwalior, Madhya Pradesh dated 04/11/2019 is against the Order No. WRC/APW01684/223295/B.Ed./309th/2019/205031 dated 01.08.2019 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 24.01.2019. The reply of the Show Cause Notice of the institution has not been received. 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 the appellant, aggrieved by the order of the WRC, filed a W.P. (C) 11034/2019 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court, in their order dt. 16/10/2019, disposed of the petition with liberty to the petitioner college to take recourse to the statutory remedy available to it. The Hon'ble High Court also observed that in case, the petitioner college files an appeal with the Appellate Committee of the NCTE, the Appellate Committee will dispose of the petition with due expedition, though, not later than eight weeks from the date of filing of the appeal.

AND WHEREAS Sh. Prabodh Tripath, Director, Shri Siddhi Vinayak College, Khureri, Badagaon Road, Morar, Gwalior, Madhya Pradesh presented the case of the appellant institution on 28/11/2019. In the appeal and during personal presentation it was submitted that in 297th meeting of NCTE dated 13, 14 September 2018 WRC took decision to submit all the relevant documents related to building shifting by the college. But our college doesn't receive any letter about that. Institutions representative met Regional Director of WRC on the basis of WRC meeting minutes and told them that they

already submitted all the documents with the application of building shifting on 05/09/2018. Then, Regional Director looked into their file and directs us to submit following documents: Diversion Certificate, Non-Encumbrance Certificate and Building Completion Certificate. Then, all the documents were submitted by institution on 04/10/2018. All remaining documents were submit by the institute on 10/10/2018. After that, in 301ST meeting of WRC, NCTE dated 17, 18 January 2019, WRC decided that institution didn't reply the show cause notice dated 19/09/2018 that's why they refuse the application of building shifting. But the fact is that their institution didn't receive any show cause notice. In 301st meeting of NCTE dated 17, 18 January 2019 WRC decide to refuse the permission of shifting and direct us to submit all the documents related to the current premises of the institution. Then, all the relevant documents submitted by the institution through speed post on 22/04/2019 to NCTE WRC and all the documents were received by NCTE, WRC on 26/04/2019. But after that NCTE withdrew the recognition of B.Ed. on 01/08/2019. Please set aside withdrawal order of B.Ed. course dated 01/08/2019 and consider the application of building shifting of our institution.

AND WHEREAS the appellant, in the course of presentation, in support of their having sent a reply on 24/04/2019, submitted a copy of the speed post receipt dt. 24/04/2019 and a copy of track report showing that the item was delivered on 26/04/2019.

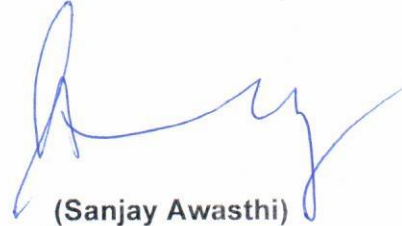
AND WHEREAS in view of the above position, the Committee concluded that the matter deserved to be remanded to the WRC with a direction to consider the reply dt. 24/04/2019, to be sent again by the appellant to them and take further action as per the NCTE Regulations, 2019. The appellant is directed to forward to the WRC, their reply letter dt. 24/04/2019 with all its enclosures, within 15 days of receipt of orders on the appeal.

AND WHEREAS the appellant, in the appeal also claimed that they have sent letters dt. 04/10/2018 and 10/10/2018 regarding the information required for considering their request for shifting of premises. Since the WRC has taken a stand that a reply to their clarificatory letter dt. 19/09/2018 has not been received, the appellant is directed to

forward to the WRC their letters dt. 04/10/2018 and 10/10/2018 again with all their enclosures and any other documents considered necessary for taking appropriate action on their proposal for shifting of premises.

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 WRC with a direction to consider the reply dt. 24/04/2019, to be sent again by the appellant to them and take further action as per the NCTE Regulations, 2019. The appellant is directed to forward to the WRC, their reply letter dt. 24/04/2019 with all its enclosures, within 15 days of receipt of orders on the appeal. The appellant, in the appeal also claimed that they have sent letters dt. 04/10/2018 and 10/10/2018 regarding the information required for considering their request for shifting of premises. Since the WRC has taken a stand that a reply to their clarificatory letter dt. 19/09/2018 has not been received, the appellant is directed to forward to the WRC their letters dt. 04/10/2018 and 10/10/2018 again with all their enclosures and any other documents considered necessary for taking appropriate action on their proposal for shifting of premises.

NOW THEREFORE, the Council hereby remands back the case of Shri Siddhi Vinayak College, Khureri, Badagaon Road, Morar, Gwalior, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Director, Shri Siddhi Vinayak College, Khureri, 1503, Badagaon Road, Morar, Gwalior – 474006, Madhya Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.



F.No.89-174/E-116212/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Sri Gavisiddeshwara College of Education, Gavimath Road, Koppal, Karnataka dated 05/05/2019 is against the Order No. SRO/NCTE/APSO2097/B.Ed/KA/2019-101959 dated 06.03.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Show Cause Notice dt. 29.08.2018 was issued to the institution on the following grounds:- Land documents are there. It is a case of Govt. allotted land. But, they do not seem to have clear title. The land is reported to be mortgaged with KSFC Bank. Ask them to clarify. Obtain a latest copy of the EC. LUC is in order. Building plan is given. It is not approved by the competent authority. Sy. No. & area are not mentioned. It is only a photocopy, not original. Built up area shown is 1930 sq. mts. BCC is duly approved. It does not indicate the type of roofing. The built-up area shown is 1930 sq. mts., Total area required is (B.Ed. 2000 + D.El.Ed. 1500) 3500 sq. mts. The area available is adequate only for one unit of B.Ed. or one unit of D.El.Ed. FDRs are required in original in joint account with a 5 years validity @ Rs. 7+5 lakhs per programme. They have given only Rs. 9 lakhs. The FDRs are not in joint account. Also, their validity has expired. The faculty list is not approved by the Registrar. Nobody has authenticated it. Faculty recruited after 09.06.2017 should have NET or SLET or Ph.D. Obtain latest approved faculty list. The institution did not submit any reply in reference to the Show Cause Notice dt. 29.08.2018 till date. Hence, after thorough examination of all the relevant documents, the Committee decided to withdraw the recognition of B.Ed. course from the academic session 2019-20."

AND WHEREAS Appeal Committee noted that appellant institution has filed a Writ Petition no. 112255 of 2019 in the High Court of Karnataka and the Hon'ble Court by its order dated 03/09/2019 has set aside the appellate order, dated 05/07/2019 with

directions to dispose of the appeal within 30 days of the receipt of certified copy of the Court order. Hon'ble High Court in para 5 of its order had stated that Appellate Authority ought to have taken note of compliance of deficiencies as pointed out by petitioner. Hon'ble Court further mentioned that petitioner institution is willing to furnish such other material as may be required by Appellate Authority to decide the appeal.

AND WHEREAS Sh. Shiddalingayya Hiremath, Manager, Sri Gavisiddeshwara College of Education, Gavimath Road, Koppal, Karnataka presented the case of the appellant institution on 28/11/2019. In the appeal and during personal presentation it was submitted that " Secretary of Sri. Gavisiddeshwara Vidhyavardhaka Trust i.e. S.G.V.V.T., Koppal, Karnataka, i.e. Sri. S. Mallikarjun suffered from T2DM/Anemia/pericardial effusion/ Upper Gastrointestinal bleeding, Vascular Ectasia and he was suggested strict bed rest from 20th August 2018 to 17th October 2018. Therefore, for the afore mentioned bonafide reason, we could not obtain requisite permission from him and reply to the show cause notice dated 29.08.2018, effectively. The Medical Certificate dated 10.04.2019 issued by the G.S.R. Multi Speciality Hospital, Gavimath Road, Koppal. The 16th Peethadipati of Sri. Gavisiddeshwara Mutt, i.e. Sri. Mahashantaveer Mahaswamigalu donated the said land to SGVVT, in 1963. The said land is converted into NA purposes in 1988 to 1989. Since then the land is of the exclusive ownership of the SGVVT Trust. The Land was mortgaged with KSFC Bank, Koppal Branch as part of a financial transaction. However, the said loan amount was fully repaid on 10.08.2018 and the No Objection i.e. the Loan Clearance Certificate was issued by KSFC on 14.03.2019. The Loan Clearance Certificate issued by KSFC, Koppal dated 14.03.2019 and the Latest Encumbrance Certificate. The New Building Plan obtained by us, is issued by the Civil Engineer and approved by the Commissioner, City Municipal Council, Koppal. The said copy also shows that the Land measuring 30,227 Sq. Ft i.e. 2811.81 Sq. mts. is used for the propose of construction of the College. Original copy of the Building Plan, approved by the Civil Engineer issued by the Commissioner, City Municipal Council, Koppal. is produced herewith. The New Building Plan clearly depicts that the built-up area inclusive of Ground and First Floor is 2811.81Sq. mts. i.e. 30,227Sq.Ft., which suffices the requirement for B.Ed. College. According to NCTE the

minimum requirement is 2000 Sq. Mts. However, the current Building Plan reflects that the Built-up area is more than the requirement. The Photographs of the Building along with the CD, will be physically produced. It is submitted that, we had addressed a letter dated 06.09.2016 to the Regional Director, Southern Regional Committee, Bangalore intimating that since there were no sufficient admissions to the D.El.Ed. Course, the same were sought to be suspended temporarily. The New Building Plan clearly depicts that the built-up area inclusive of Ground and First Floor is 2811.81Sq. mts. i.e. 30,227 Sq.Ft., which suffices the requirement for B.Ed. College. According to NCTE the minimum requirement is 2000 Sq. Mts. The current plan of the building will be extended further, when the Management decides to run D.El.Ed. Course. As stated above, the Management vide its letter dated 06.09.2016 has intimated the Regional Director, Southern Regional Committee, Bangalore regarding temporary suspension of D.El.Ed Course, since there was scarcity of admissions. Therefore, the current Built Up area is adequate for running of 2 Units of B.Ed. Course. Needful is done and the True Copies are submitted herewith and the Original Copies of the FDR receipts for an amount of Rs. 12 Lakhs will be produced during physical submission. Difference amount of Rs.3 Lakhs is paid and the receipts are annexed herewith. The FDR receipts clearly show that the FDR receipts drawn on Pragathi Krishna Gramin Bank, bearing No. 176920 and 176921, both bearing value date 29.10.2015 are valid upto 29.10.2025 and the FDR receipt drawn on State Bank of India, Jawahar Road, Koppal bearing No. 20206 dated 11.04.2019, is valid upto 11.04.2024. It is humbly submitted that, the request of approval of the Faculty List was sent to the affiliated University i.e. Vijayanagara Sri Krishnadevaraya University, Bellary. Thereafter, on 27.02.2016 the new list was sent for approval to the University and several reminders have been issued. However, the University did not positively reply to the requests or the correspondences issued by us, till date. That, on 03.05.2019, the University has communicated the new approved list authenticated by the Registrar. The new list approved on 03.05.2019, by the Registrar, Vijayanagara Sri Krishnadevaraya University, Bellary, is annexed herewith. Duly authenticated list is produced. The new staff approved by the Registrar, are very well qualified with the requisite qualifications i.e. NET or SLET or Ph.D. The same is visible in the new list annexed herewith. The same has been obtained and annexed herewith.

The reason for the same has been mentioned in the point No.1. The Medical Certificate dated 10.04.2019 issued by the G.S.R. Multi Speciality Hospital, Gavimath Road, Koppal is produced herewith. It is humbly brought to your kind notice that the Secretary of Sri. Gavisiddeshwara Vldhyavardhaka Trust i.e. S.G.V.V.T., Koppal, Karnataka, i.e. Sri. S. Mallikarjun suffered from T2DM/Anemia/ pericardial effusion/ Upper Gastro Intestinal bleeding, Vascular Ectasia and he was suggested strict bed rest from 20th August 2018 to 17th October 2018. Therefore, for the afore mentioned bonafide reason, we could not obtain requisite permission from him and reply to the show cause notice dated 29.08.2018, effectively. The Medical Certificate dated 10.04.2019 issued by the G.S.R. Multi Speciality Hospital, Gavimath Road, Koppal."

AND WHEREAS appellant reappeared before Appeal Committee on 28/11/2019 and submitted copies of:

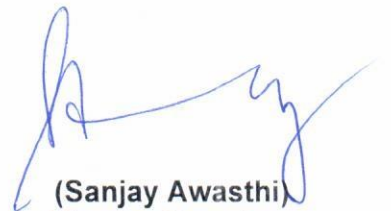
- (i) Change of Land Use Certificate (Proceedings of Tehsildar, Koppal for Survey no. 225 & 226.
- (ii) Non encumbrance certificate dated 03/04/2019 for survey no. 225.
- (iii) B.C.C. (built up area 2811.81 sq. meters) date of inspection dated 03/07/2019.
- (iv) FDRs of Rs. 7 lakh & 5 lakh dated 09/09/2019.
- (v) a) List of faculty containing the names of Principal and 9 faculty. Permanent approval certified only for NCTE purpose.
b) 3 faculty temporary approval subject to condition that they will acquire essential qualifications as per NCTE norms.
c) 3 faculty cannot be considered as candidates do not possess essential qualifications.
- (vi) Building plan with a proposed built up area of 2811 sq. meters.

AND WHEREAS Appeal Committee noted that Hon'ble High Court had set aside the Appellate order dated 05/07/2019 on the ground that disposal of appeal dated 05/05/2019 by the Appellate Authority did not reflect consideration of the compliance of deficiencies by the appellant. Appeal Committee on reconsideration of the submissions

made by appellant institution on 28/11/2019 still finds that list of faculty submitted by appellant contains the names of only 9 faculty approved by affiliating university. The remaining six faculty are not found to be qualified as per NCTE Norms & Standards. The revised recognition order dated 15/05/2015 under NCTE Regulation, 2014 made it incumbent on the appellant institution to comply with the revised Norms and Standards and report compliance before 31/10/2015. Perusal of the regulatory file by Appeal Committee reveals that at no point of time after the revised recognition order was issued for an intake of 100 seats (2 units of 50 each), the appellant had ever submitted to SRC a list containing the names of one Principal and 15 faculty qualified as per NCTE norms and approved by the affiliating university. Without undermining other requirements, Appeal Committee is of the opinion that possession of academic faculty is most essential for conducting a course and an institution cannot be allowed to conduct a course with almost 40 % of its faculty not possessing the required qualifications as per regulations. Appeal Committee, therefore, reaffirms its earlier decision to confirm the impugned order of withdrawal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record, supplementary submissions made on 28/11/2019 and the order dated 03/09/2019 issued by Hon'ble High Court of Karnataka, Appeal Committee decided to reaffirm its earlier decision to confirm the impugned order of withdrawal.

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



(Sanjay Awasthi)
Member Secretary

1. **The Secretary, Sri Gavisiddheshwara College of Education, Gavimath Campus, Gavimath Road, Koppal – 583231, Karnataka.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bangalore.



F.No.89-428/E-140290/2019 Appeal/38th Mtg.-2019/28th November, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 23/12/2019

ORDER

WHEREAS the appeal of Tagore Shiksha Mahavidyalaya, Jambudi Hapsi, Indore, Madhya Pradesh dated 25/10/2019 is against the Order No. WRC/APW00095/223125/APP3321(Addl.)/B.Ed./310th/2019/206098 dated 05.09.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the summary of the case reveals that the reply was not submitted within the stipulated time of 30 days as per the show cause notice. Moreover, the staff profile of 1+15 is insufficient for approved intake of 4 units, staff list, building completion certificate, CLU NCTE & building plan are not submitted in original."

AND WHEREAS Dr. Deepa Jain, Principal and Sh. Sanjay Parikh, Secretary, Tagore Shiksha Mahavidyalaya, Jambudi Hapsi, Indore, Madhya Pradesh presented the case of the appellant institution on 28/11/2019. In the appeal and during personal presentation it was submitted that "All notarized document submitted by the management to WRC NCTE, Bhopal twice."

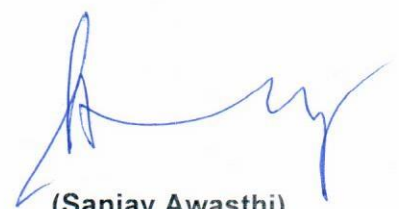
AND WHEREAS Appeal Committee noted that appellant institution had filed a Writ Petition (C) No. 11031 of 2019 in the High Court of Delhi and the Hon'ble High Court by its order dated 16/10/2019 has directed that Appellate Authority will dispose of the petition not later than eight weeks from the date of filing appeal. Appellant institution preferred online appeal on 25/10/2019 and printout of appeal memoranda was received on 08/11/2019.

AND WHEREAS Appeal Committee noted that a Show Cause Notice (SCN) dated 12/05/2017 was issued to appellant institution seeking original staff profile, notarized CLU, NEC, Building Plan and Building Completion Certificate. Appeal Committee noted

that appellant institution by its letter dated 09/06/2017 submitted reply to S.C.N. enclosing therewith notarized copies of the required documents. Appellant institution further by its letter dated 01/10/2018 submitted to WRC two lists of faculty approved by the affiliating universities. The first list contained the name of Principal and 16 faculty marked as 'B.Ed. Staff Profile (Unit – I)' and the 2 list contained the names of 16 faculty and a librarian marked as 'B.Ed. Staff Profile (Additional Unit)'. The staff profile was received in the office of WRC on 01/10/2018.

AND WHEREAS Appeal Committee further noted that appellant institution is recognized for conducting B.Ed. course since the year 2002 and is also conducting D.El.Ed. & M.Ed. programming apart from B.Ed. course. Withdrawal of recognition on the ground that reply to S.C.N. was delayed is not justified. Moreso, when the Regional Committee itself had failed to notice that appellant had in fact submitted two lists of faculty containing names of required number of faculty for 4 units. Appeal Committee decided to set aside the impugned order of withdrawal dated 05/09/2019.

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



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Tagore Shiksha Mahavidyalaya, Jambudi Hapsi, Indore – 452113, Madhya Pradesh.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.