



F.No.89-15/E-149714/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of Rajendra Shiksha Samiti, Sihali Khurd, Mundawar, Alwar, Rajasthan dated 01/01/2020 is against letter no. Old/APP/NRCAPP-7059/253/2017/169512 dt. 23/03/2017 of the NRC returning their application for conducting D.El.Ed. course on the ground that "in cases where the institutions have submitted the applications by Offline mode alongwith Court orders and where no processing has been initiated by NRC, all such applications be returned to the institutions along with all documents as they have not submitted the applications as per Clause 5 of the NCTE Regulations, 2014."

**AND WHEREAS** the appellant, aggrieved by the letter of the NRC, filed a S.B. Civil Writ Petition No. 20063/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 04/12/2019, dismissed the petition as withdrawn, with liberty to challenge the order by way of statutory appeal. The Hon'ble High Court also observed that however, if the petitioner files the appeal within a period of 30 days from today (i.e. 04/12/2019), it is expected from the appellate authority to decide the same on its merit in accordance with law.

**AND WHEREAS** Sh. Ghasiram Yadav, Chairman and Sh. Ravindra Kumar, Principal, Rajendra Shiksha Samiti, Sihali Khurd, Mundawar, Alwar, Rajasthan presented the case of the appellant institution on 27/02/2020. The appellant, in their appeal, submitted that (i) they had submitted application online on 30/12/2012 and their application was returned by the NRC with their letter dt. 19/06/2013 on the grounds stated therein; (ii) they approached the Hon'ble High Court of Rajasthan through W.P. No. 9218/16 and the Hon'ble High Court in their order dt. 20/07/2016 directed the NRC to

process the application as per NCTE Regulations, 2014; and (iii) the NRC again returned their application with their letter dt. 23/03/2017 on the ground that the application was not made as per Section 5 (a) of the NCTE Regulations, 2014. The appellant, in their appeal made further submissions that some applications were considered without reference to ban imposed by the State Government and the Appellant Authority also decided that ban imposed after calling applications was not applicable. The appellant enclosed a copy of the Appellate order dt. 27/11/2017 in respect of JBM College of Education, Shadipur, Haryana. The appellant has also drawn attention to the orders of the State Government of Rajasthan dt. 01/01/2018 about grant of No Objection for opening of D.El.Ed. courses in private institutions during 2019-20.

**AND WHEREAS** the Committee noted that the ground on which the appellant's application was returned by the NRC in their letter dt. 23/03/2017, against which the appeal has been preferred, relates to non-submission of application as per the provisions of Clause 5 of the NCTE Regulations, 2014. The appellant, nowhere in the appeal has claimed that he has fulfilled the requirement of those provisions.

**AND WHEREAS** the relevant regulatory file of the NRC is not available. It has been brought to the notice of the Committee in their meeting held on 27/12/2018 that the Council, in their letter no. F.67/19/2018 – US (Legal)-HQ dt. 18/12/2018, addressed to all their Regional Committees, in the context of the various orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India referred to therein, directed ensuring compliance of the orders of the Hon'ble Courts and adherence to the provisions of the Regulations 5(3), 7(4), 7(5), and 7(6) of the NCTE Regulations, 2014, irrespective of its stage of processing of application, course, year of application and State it pertains.


**AND WHEREAS** in view of the above categorical decision of the Council, the Committee concluded that the NRC was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the NRC confirmed.



**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the NRC confirmed.

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

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

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

1. **The Secretary, Rajendra Shiksha Samiti, Plot No. 951-952, Sihali Khurd, Mundawar, Alwar – 301401, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

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F.No.89-16/E-149761/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
 G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 15/07/2020

### ORDER

**WHEREAS** the appeal of Christ College, Kachanaria, Bhopal Road, Biaora, Rajgarh, Madhya Pradesh dated 04/10/2019 is against the Order No. WRC/APW05501/223588/B.Ed./310<sup>th</sup>/2019/206058 dated 05.09.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the clarification letter was issued to the institution vide letter dated 03/01/2018 and reply received on 13/02/2018. 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+13 is insufficient for approved intake of two basic units. Percentage of staff not mentioned in staff list. FDRs of 5+3 lakhs, Building Completion Certificate, CLU & Building plan are not submitted in original. Hence, the committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

**AND WHEREAS** Dr. Susheel Kumar Prasad, Chairman, Christ College, Kachanaria, Bhopal Road, Biaora, Rajgarh, Madhya Pradesh presented the case of the appellant institution on 27/02/2020. In the appeal and during personal presentation it was submitted that the show cause notice dated 21.10.2016 was received on 24.11.2016 and reply given on 08.12.2016 within 30 days of receiving. Institution has staff profile of 1+15 in the month of January 2018 but on 19.02.2018 two employees resigned from the institution and therefore on the same day institution has given a letter for conducting interview as per college code 28 to the registrar Barkatullah University. The university has appointed the employees on 09.07.2018 and notification was issued on 24.09.2018. The University on 24.04.2019 has issued the staff profile 1+15. The staff profile was issued by the University in their own proforma therefore the institution has no control



over it. The institution has already deposited the original FDR No. 454093 Rs. 5,00,000 since 10.06.2013, FDR No. 257235 Rs. 4,00,000 since 26.02.2018, FDR No. 257835 renewed on 13.08.2019 Rs. 3,00,000. The aforesaid FDRs are deposited with NCTE, WRC Bhopal in original since 2013. Whereas the FDR which was renewed on 13.08.2019 was deposited with NCTE, WRC Delhi. The information is submitted vide letter dated 07.02.2018 and 26.02.2018. The institution at the time of inspection submitted all the original documents with inspection team which was conducted in the year 2016. The institution in reply to show cause notice dated 21.01.2016 has again submitted the original documents on 08.12.2016 at WRC, Bhopal office. The institution humbly submit that they are ready and willing to submit the same again if it is directed. The grounds raised regarding non-submission of Building Completion Certificate, C.L.U. and Building Plan are false which is evident from the clarification letter dated 03.01.2018 where aforesaid ground does not find place. The office of WRC, Bhopal was shifted in the year 2018 to Delhi and therefore the aforesaid documents and original FDR of Rs. 5,00,000 is not found in the Delhi office. The institution has given number of reminders to WRC, Bhopal as well as to WRC Delhi for renewal of FDR of Rs. 5,00,000.

**AND WHEREAS** the Committee noted from the documents submitted with the appeal, that the Building Completion Certificate has been issued by a licensed Engineer, which has only been countersigned by a Government Engineer. The built-up area indicated in the Building Completion Certificate (60,406 Sq. Ft.) do not match with the Building Plan. Further while the building plan envisaged built up area in ground and first floors only, the building completion certificate indicates built up area in the second floor also. Thus, there is discrepancy in the documents. From the staff list submitted it is seen that some of the faculty members appointed after the issue of amendments to the NCTE Regulations on 29/05/2017, do not possess the requisite qualifications of NET/Ph.d. In these circumstances, the Committee concluded that the appeal deserved to be rejected and the order of the WRC Confirmed.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the WRC was justified in withdrawing

recognition and therefore, the appeal deserved to be rejected and the order of the WRC is confirmed.

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

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

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

1. **The President, Christ College, Kachanaria, Bhopal Road, NH-12, Biaora, Rajgarh – 465674, 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.



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F.No.89-17/E-149769/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**


**WHEREAS** the appeal of Tara College of Education, Village – Bassa Waziran, Bhugnara, Nurpur, Kangra, Himachal Pradesh dated 30/12/2019 is stated to be against an order of the NRC dt. 13/06/2016.

**AND WHEREAS** Sh. Swarn Singh, Assistant Professor, Tara College of Education, Village – Bassa Waziran, Bhugnara, Nurpur, Kangra, Himachal Pradesh presented the case of the appellant institution on 27/02/2020. In the appeal and during personal presentation it was submitted that institution is appealing for additional 1 unit (50 seats) as at present only 1 unit (50) seats are there. Request to grant recognition for two units (100 seats) for the academic year 2020-21 onwards.

**AND WHEREAS** the appellant has not enclosed a copy of the order dt. 13/06/2016, against which he has appealed. The relevant file of the NRC contains an order dt. 03.03.2015 in which NRC granted recognition for two units (100) of B.Ed. The order dt. 13.06.2016 is also not found in the file of the NRC.

**AND WHEREAS** the Committee, noting that the appellant has not submitted a copy of the order against which they have appealed, decided that no action is called for on the appeal. The appellant may, therefore, be informed accordingly.

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

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

1. The Chairman, Tara College of Education, Village – Bassa Waziran, Bhugnara, Nurpur, Kangra – 176201, Himachal Pradesh.
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 Himachal Pradesh, Shimla.



F.No.89-18/E-149686/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of Periyar Maniammai Institute of Science & Technology (PMIST) (Deemed to be University), Periyar Nagar, Vallam Thanjavur, Tamil Nadu dated 03/01/2020 is against the Order No. SRO/NCTE/APSO9534/B.Ed./TN/2019 and SRO/NCTE/SRCAPP97/ B.Sc.B.Ed./TN/2019/111386 dated 06.11.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. and B.Sc. B.Ed. Courses on the grounds that "the building plan submitted by the institution is signed by Registered Architect whereas the same should be approved by the Competent Govt. Authority. The built-up area shown is not adequate for both B.Ed. and B.Sc. B.Ed. programme. The approved staff list both for B.Ed. & B.Sc. B.Ed. are repetitive and the number of faculty required are not as per NCTE Norms. In view of the above, the Committee decided that to withdraw the recognition granted to Periyar Maniammai University, Department of Education School of Humanities Universities, Science & Management, Periyar Nagar, Vallam, Thanjavur-613403, Tamil Nadu for conducting B.Ed. & B.Sc. B.Ed. courses under clause 17(1) of NCTE Act, 1993"

**AND WHEREAS** Dr. P. K. Srinivas, Dean and Dr. G. Thamiluanan, Assistant Professor, Periyar Maniammai Institute of Science & Technology (PMIST) (Deemed to be University), Periyar Nagar, Vallam Thanjavur, Tamil Nadu presented the case of the appellant institution on 27/02/2020. In the appeal and during personal presentation it was submitted that the Housing and Urban Development Department (UD4 (3)), Government of Tamilnadu vide G.O. (Ms) No. 76, dated:14-06-2018, has given concurrence for the buildings of the Educational Institutions constructed prior to 01-10-2011. Since Periyar Maniammai Institute of Science and Technology (PMIST) buildings were constructed prior to 01-10-2011, the institution has applied to the Directorate of Town and Country Planning (DTCP), Government of Tamilnadu for approval of the PMIST buildings and paid the



necessary charges of Rs. 68,17,682/- on 11-09-2018 as prescribed by the Government of Tamilnadu. Hence, the buildings are deemed to be approved by the competent Government Authority. i) The built-up area shown is adequate. It would be seen from the building plan, the total built-up area in Ground and First floors is 2311.76 Sqm. which is more than adequate for Four Year Integrated B.Sc. B.Ed. programme. ii) The Second floor has 1122.76 Sqm of built-up area which is earmarked for two years B.Ed. programme. Both B.Ed. & B.Sc. B.Ed. programmes are offered in the same building. Hence, common facilities like multipurpose hall (200 sq.m.) etc., are being shared between both the programmes. iii) This education department building is located in the institute campus which has 1,61,874 sq.m. built up area and other facilities like Indoor Auditorium, Seminar halls, Central library, play grounds etc. iv) B.Ed. Programme has been kept in abeyance for the past 4 years and hence no B.Ed. activities. This was already informed to SRC, Bengaluru vide Lr. No. PMU/Regr./ 4995/ 2016, dated: 17-08-2016. i) The approved staff list has the required number of faculty in position as per NCTE norms for the four Years Integrated B.Sc. B.Ed. Programme. Hence no repetitive of faculty. ii) The approved staff list for B.Ed. programme has the required number of faculty without repetition and this B.Ed. Programme has been kept in abeyance for the past 4 years. The appellant, with their letter dt. 28/02/2020, submitted copies of building plan and building completion certificate and separate faculty lists for B.Sc. B.Ed. and B.Ed. courses.

**AND WHEREAS** the Committee noted that the Building Plan was prepared in 2001 and the building was completed in 2010. The built up area of 3433 sq. mts. is adequate for B.Sc. B.Ed. course as the B.Ed. course has been kept in abeyance for the last 4 years. The staff list for B.Sc. B.Ed. is also adequate.

**AND WHEREAS** in view of the above position and the clarifications given about (i) deemed approval of the buildings by the Director of Town and Country Planning, Government of Tamil Nadu and (ii) keeping in abeyance B.Ed. course for the last 4 years, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents submitted in appeal and take further action as per

the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal within 15 days of receipt of orders on the appeal.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to the SRC with a direction to consider the documents submitted in appeal and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal within 15 days of receipt of orders on the appeal.

**NOW THEREFORE**, the Council hereby remands back the case of Periyar Maniammai Institute of Science & Technology (PMIST) (Deemed to be University), Periyar Nagar, Vallam Thanjavur, Tamil Nadu to the SRC, NCTE, for necessary action as indicated above.

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

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

1. The Pro Vice-Chancellor, Periyar Maniammai Institute of Science & Technology (PMIST) (Deemed to be University), Periyar Nagar, Vallam Thanjavur – 613403, 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.89-19/E-149685/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of Periyar Maniammai Institute of Science & Technology (PMIST) (Deemed to be University), Periyar Nagar, Vallam Thanjavur, Tamil Nadu dated 03/01/2020 is against the Order No. SRO/NCTE/APSO9534/B.Ed./TN/2019 and SRO/NCTE/SRCAPP97/ B.Sc.B.Ed./TN/2019/111386 dated 06.11.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "the building plan submitted by the institution is signed by Registered Architect whereas the same should be approved by the Competent Govt. Authority. The built-up area shown is not adequate for both B.Ed. and B.Sc. B.Ed. programme. The approved staff list both for B.Ed. & B.Sc. B.Ed. are repetitive and the number of faculty required are not as per NCTE Norms. In view of the above, the Committee decided that to withdraw the recognition granted to Periyar Maniammal University, Department of Education School of Humanities Universities, Science & Management, Periyar Nagar, Vallam, Thanjavur-613403, Tamil Nadu for conducting B.Ed. & B.Sc. B.Ed. course under clause 17(1) of NCTE Act, 1993"

**AND WHEREAS** Dr. P. K. Srinivas, Dean and Dr. G. Thamiluanan, Assistant Professor, Periyar Maniammai Institute of Science & Technology (PMIST) (Deemed to be University), Periyar Nagar, Vallam Thanjavur, Tamil Nadu presented the case of the appellant institution on 27/02/2020. In the appeal and during personal presentation it was submitted that the Housing and Urban Development Department (UD4 (3)), Government of Tamilnadu vide G.O. (Ms) No. 76, dated:14-06-2018, has given concurrence for the buildings of the Educational Institutions constructed prior to 01-10-2011. Since Periyar Maniammai Institute of Science and Technology (PMIST) buildings were constructed prior to 01-10-2011, the institution has applied to the Directorate of Town and Country Planning (DTCP), Government of Tamilnadu for approval of the PMIST buildings and paid the



necessary charges of Rs. 68,17,682/- on 11-09-2018 as prescribed by the Government of Tamilnadu. Hence, the buildings are deemed to be approved by the Competent Government Authority. i) The built-up area shown is adequate. It would be seen from the building plan, the total built-up area in Ground and First floors is 2311.76 Sqm. which is more than adequate for four year Integrated B.Sc. B.Ed. programme. ii) The Second floor has 1122.76 Sqm. of built-up area which is earmarked for two years B.Ed. programme. Both B.Ed. & B.Sc. B.Ed. programmes are offered in the same building. Hence, common facilities like multipurpose hall (200 sq.m.) etc., are being shared between both the programmes. iii) This education department building is located in the institute campus which has 1,61,874 sq.m. built up area and other facilities like Indoor Auditorium, Seminar halls, Central library, play grounds etc. iv) B.Ed. Programme has been kept in abeyance for the past 4 years and hence no B.Ed. activities. This was already informed to SRC, Bengaluru vide Lr. No. PMU/Regr./ 4995/ 2016, dated: 17-08-2016. i) The approved staff list has the required number of faculty in position as per NCTE norms for the four years integrated B.Sc. B.Ed. Programme. Hence no repetitive of faculty. ii) The approved staff list for B.Ed. programme has the required number of faculty without repetition and this B.Ed. Programme has been kept in abeyance for the past 4 years. The appellant with their letter dt. 28/02/2020, submitted copies of building plan and building completion certificate and separate faculty lists for B.Sc. B.Ed. and B.Ed. courses.

**AND WHEREAS** the Committee noted that the Building Plan was prepared in 2001 and the building was completed in 2010. The built up area of 3433 sq. mts. is adequate for B.Sc. B.Ed. course as the B.Ed. course has been kept in abeyance for the last 4 years. The staff list for B.Sc. B.Ed. is also adequate.

**AND WHEREAS** in view of the above position and the clarifications given about (i) deemed approval of the buildings by the Director of Town and Country Planning, Government of Tamil Nadu and (ii) keeping in abeyance B.Ed. course for the last 4 years, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the documents submitted in appeal and take further action as per



the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal within 15 days of receipt of orders on the appeal.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to the SRC with a direction to consider the documents submitted in appeal and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the documents submitted in appeal within 15 days of receipt of orders on the appeal.

**NOW THEREFORE**, the Council hereby remands back the case of Periyar Maniammai Institute of Science & Technology (PMIST) (Deemed to be University), Periyar Nagar, Vallam Thanjavur, Tamil Nadu to the SRC, NCTE, for necessary action as indicated above.

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

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

1. The Pro Vice-Chancellor, Periyar Maniammai Institute of Science & Technology (PMIST) (Deemed to be University), Periyar Nagar, Vallam Thanjavur – 613403, 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.

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F.No.89-21/E-150843/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of Dr. Jagannath Mishra Mahavidyalaya B.Ed., Bara Jagannath, Post Office - H.P.O., Jail Road, Mushari, Muzaffarpur, Bihar dated 18/01/2020 is against the Order No. ERC/273.2.3/APE00978/B.Ed./2019/60921 dated 27.06.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "show cause notice u/s 17(1) were issued on 20.04.2018, 26.11.2018 & 17.01.2019. No reply received from the institution in response to SCNs dated 17.01.2019 regarding submission of faculty list approved by the concerned affiliating body. Despite repeated SCN for compliance, the said institution has failed to fulfil the Norms as per NCTE Regulations, 2014. 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. APE00978 is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2019-2020. Whereas, the order of withdrawal was not issued to the institution and the matter was re-considered by ERC in its 273<sup>rd</sup> (Emergent) meeting held on 14<sup>th</sup> June, 2019 through online mode and observed that in terms of Section 17(1) of NCTE Act, 1993, order withdrawing or refusing recognition passed by the Regional Committee shall come into force only with effect from the end of the academic session next following the date of communication of such order. In the instant cases, all formalities and process of counselling for admission of students have been completed by the affiliating/examining bodies for the next academic session 2019-2020. In view of the above, the Committee decided as under:- Recognition to B.Ed. course be withdrawn from the academic session 2020-2021 instead of 2019-2020 in all respects and orders be issued accordingly"

**AND WHEREAS** Dr. Nutan Kumari, Principal, Dr. Jagannath Mishra Mahavidyalaya B.Ed., Bara Jagannath, Post Office - H.P.O., Jail Road, Mushari, Muzaffarpur, Bihar



presented the case of the appellant institution on 27/02/2020. In the appeal and during personal presentation it was submitted that faculty list was not counter signed by B.R.A Bihar University Muzaffarpur according the time frame of ERC-NCTE time, so the list of faculty members was not sent within time. As we got the counter signed faculty list by University on 11/09/2019 we sent it by email and through speed post immediately to NCTE-ERC, Bhubaneswar for kind perusal but till now we have not received any order regarding restoration of recognition. The admission process for B.Ed. session 2020-21 is likely to be started by the nodal University and till now no decision has been taken by ERC-NCTE, Bhubaneshwar. Thus, in larger interest of students we appeal for kind consideration on the issue of recognition restoration, which was held up only on the basis of faculty list. Till now we were waiting for decision from ERC NCTE, BBS. But no response received from ERC-NCTE BBS. Yesterday we came to know that our matter was not considered at ERC-NCTE and we may go to appeal. The appellant, in the course of presentation, submitted a copy of the faculty list, signed by the Registrar, B.R.A. Bihar University, Muzaffarpur on 09/09/2019.

**AND WHEREAS** the Committee, noting the submission of the approved faculty list, concluded that the matter deserved to be remanded to the ERC with a direction to consider the approved list, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC, the approved faculty list, 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 approved list, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC, the approved faculty list, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Dr. Jagannath Mishra Mahavidyalaya B.Ed., Bara Jagannath, Post Office - H.P.O., Jail Road, Mushari, Muzaffarpur, Bihar to the ERC, NCTE, for necessary action as indicated above.

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

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

1. The Principal, Dr. Jagannath Mishra Mahavidyalaya B.Ed., Bara Jagannath, 78 Post Office - H.P.O., Jail Road, Mushari, Muzaffarpur, Bihar - 842001.
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 - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.





F.No.89-22/E-150971/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of Jijamata Bahu Uddyashiya Shikshan Prasarak Mandal Patoda (BK) Manvendra Kendre B.Ed. College, Jalkot, Latur, Maharashtra dated 20/09/2019 is against the Order No. WRC/APW01817/123264/310<sup>th</sup> /2019/205785 dated 03.09.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the Show Cause Notice was issued to the institution vide letter dated 02.01.2017. The summary of the case submitted reveals that the institution has not submitted reply of the Show Cause Notice. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

**AND WHEREAS** Sh./Ms. Kendre A.M., Society Member and Kendre A.T., Representative, Jijamata Bahu Uddyashiya Shikshan Prasarak Mandal Patoda (BK) Manvendra Kendre B.Ed. College, Jalkot, Latur, Maharashtra presented the case of the appellant institution on 27/02/2020. In the appeal and during personal presentation it was submitted that (i) they have not received WRC Show Cause Notice dated 02/01/2017 (ii) Staff profile for the session 2015-16 is attached here with. (ii) Original Land Use Certificate, Building Plan, Building Completion Certificate (original in regional language) as well as translated copy is attached here with.

**AND WHEREAS** the Committee noted that the WRC in their Show Cause Notice dt. 02/01/2017 (which has not been returned undelivered), inter-alia, called for staff profile for the session 2015-16, duly approved by the affiliating body. The Committee noted that the appellant, with their appeal, forwarded a staff profile for 2015-16, which has not been approved by the affiliating body.

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

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the WRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the WRC is confirmed.

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

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

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

1. The Principal, Jijamata Bahu Uddyashiya Shikshan Prasarak Mandal Patoda (BK) Manvendra Kendre B.Ed. College, 171, Jalkot, Latur – 413532, 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.89-23/E-151112/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of Taj Memorial Teacher Training College, Sharund, Kotputli, Jaipur, Rajasthan dated 01/01/2020 is against the Order No. NRC/NCTE/NRCAPP-13692/298<sup>th</sup> Meeting/2019/201522 dated 15.03.2019 of the Northern Regional Committee, granting recognition for conducting one unit B.A. B.Ed. course "The applicant wants recognition for two units (100 intake)."

**AND WHEREAS** Dr. Naresh Kumar, Society Member and Dr. Naveen Kumar Yadav, Principal, Taj Memorial Teacher Training College, Sharund, Kotputli, Jaipur, Rajasthan presented the case of the appellant institution on 27/02/2020. In the appeal and during personal presentation it was submitted that the institution was issued letter of intent for B.A. B.Ed. course without mentioning the unit. They got the staff approved and appointed for two units of B.A. B.Ed. course and submitted the same to NRC. Despite the above, the NRC granted permission to their institution for one unit. The institution has appointed the staff for two units of B.A. B.Ed. course and created infrastructural and instructional facilities for two units of the course. The Appeal Committee is requested to kindly consider their request and grant permission to their institution for two units.

**AND WHEREAS** the Committee noted from the file of the NRC, that the appellant, in their application dt. 24/06/2015, only mentioned the name of the course as B.A. B.Sc. The appellant, in their affidavit dt. 28/04/2016, mentioned their requirement as 100 seats for B.A. B.Ed. and B.Sc. B.Ed. courses. The Inspection Team in their report dt. 02/05/2016 noted that the proposal was for B.A. B.Ed. (50) and B.Sc. B.Ed. (50). The Letter of Intent did not mention the intake. The appellant, with their letter dt. 04/02/2019, inter-alia submitted a staff list of one Principal and 15 other faculty members, approved

by Rajasthan University, Jaipur. The file however does not contain any reasons recorded for granting recognition for one unit (50) of B.A. B.Ed. only.

**AND WHEREAS** in view of the above position, the Committee concluded that the matter deserved to be remanded to the NRC with a direction to send a speaking communication to the appellant, clarifying the position about granting recognition for one unit only.

**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 with a direction to send a speaking communication to the appellant, clarifying the position about granting recognition for one unit only.

**NOW THEREFORE, the Council hereby remands back the case of Taj Memorial Teacher Training College, Sharund, Kotputli, Jaipur, Rajasthan to the WRC, NCTE, for necessary action as indicated above.**

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

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

1. **The Chairman, Taj Memorial Teacher Training College, Khasra No. 433, Sharund, Kotputli, Jaipur – 303105, Rajasthan.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.





F.No.89-24/E-151338/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of R.K. College, Town Kithore, Garh Road, Mawana, Meerut, Uttar Pradesh dated 16/10/2019 is against the Order No. NCTE/NRCAPP201615074/Diploma in Elementary Education [D.El.Ed.]/UP/2017-2018/2; dated 17.04.2017 of the Northern Regional Committee, refusing recognition for conducting for D.El.Ed. Course on the grounds that "the applicant institution has not submitted the reply of the SCN issued by the NRC on 02.03.2017 within the stipulated time. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution"

**AND WHEREAS** Dr. Mahesh Kumar, H.O.D. and Sh. Javed Ali, Representative, R.K. College, Town Kithore, Garh Road, Mawana, Meerut, Uttar Pradesh presented the case of the appellant institution on 27/02/2020. In the appeal and during personal presentation it was submitted that the institute has not received any order from NCTE, neither by e-mail nor by post. Through NCTE, the institute has received neither Show Cause Notice nor the rejection order. During the period of recognition principal of the college was suffered with heart problem and he was on six months medical leave. During the period of recognition clerk of the college left the college and technical problems like use id password create.


**AND WHEREAS** the Committee noted that submission of the appeal has been delayed by two years, three months and twenty nine days beyond the prescribed period of sixty days.

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

**AND WHEREAS** the appellant has not given any convincing reason for the delay in submission of the appeal. The Committee is, therefore, not satisfied that the appellant had sufficient cause for not preferring the appeal within the prescribed period. In these circumstances, the Committee decided not to admit the appeal.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Appeal Committee concluded not to admit the appeal.

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

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

1. **The Chairman, R.K. College, Town Kithore, Garh Road, Mawana, Meerut – 250104, Uttar Pradesh.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.





F.No.89-25/E-151350/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of Maa Bharti Teachers Training College, Dundlod, Sakhu Mirjwas Road, Nawalgarh, Jhunjhunu, Rajasthan dated 21/01/2020 is against the Order No. NCTE/NRCAPP201615390/B.A.B.Ed./B.Sc.B.Ed. – 4 Year Integrated/RJ/2017-2018/2; dated 19.04.2017 of the Northern Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that “the applicant institution has not submitted the reply of the SCN issued by the NRC on 10.02.2017 within the stipulated time. Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

**AND WHEREAS** the appellant, aggrieved by the order of the NRC filed a S.B. Civil Writ Petition No. 21908/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court disposed of the petition by their order dt. 02/01/2020. The operative part of the order reads as below:

“Considering the facts of the present case, this Court is not inclined to entertain the Writ Petition and to set aside the Show Cause Notice and the order dated 19<sup>th</sup> April, 2017, however, the petitioner institution would be at liberty to approach the Appellate Authority by putting forward their explanation for not approaching the Appellate Authority within the time prescribed under the National Council for Teacher Education Act, 1993.

With the aforesaid, the present Writ Petition stands disposed of.”

**AND WHEREAS** Dr. S.C. Saini, Principal, Maa Bharti Teachers Training College, Dundlod, Sakhu Mirjwas Road, Nawalgarh, Jhunjhunu, Rajasthan presented the case of the appellant institution on 27/02/2020. In the appeal and during personal presentation it was submitted that after submission of the hard copy of their application on 10/06/2016, getting no response from NRC, wrote a letter to them on 08/07/2019 and another letter on 10/08/2019 enquiring about the status of their application. The appellant submitted that only after they filed an application under RTI on 04/10/2019, they received a copy of the rejection order dt. 19/04/2017 along with a reply dt. 02/12/2019. Thereafter the appellant filed the writ petition no. 21908/2019 on which the Hon'ble High Court passed an order on 02/01/2020. The appellant preferred the Appeal to the Council on 21.01.2020.

**AND WHEREAS** the submission of the appeal has been delayed by two years, seven months and 2 days beyond the prescribed period of sixty days. The appellant, in the online appeal merely stated that the "delay condoned by Hon'ble High Court.

**AND WHEREAS** the Committee noted that the Hon'ble High Court, in their order dt. 02/01/2020, directed the appellant to put forward their explanation for not approaching the Appellate Authority within the time prescribed under the NCTE Act, 1993. The Hon'ble High Court has not condoned the delay as claimed by the appellant.

**AND WHEREAS** the Committee noted that according to the provisions of Section 18 (1) of the NCTE Act, 1993, any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed. According to the provisions of Rule 10 of the NCTE Rules, 1997, any person aggrieved by an order made under the above mentioned Sections of the Act may prefer an appeal to the Council within sixty days of issue of such orders. According to the provisions of Section 18 (2) of the NCTE Act, no appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor; provided such an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies



the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

**AND WHEREAS** the Committee noted that the order of refusal dt. 19/04/2017 was sent to the email address of the appellant as given by them in their online application itself. Therefore, the question of not receiving this order should not arise. Further, as submitted by the appellant, they have formally taken up the matter with NRC to find out the status of their application only in July, 2019 i.e. nearly after three years of their applying for grant of recognition.

**AND WHEREAS** the Committee, after carefully considering the matter in its entirety, concluded that the delay in preferring the appeal cannot be condoned. In these circumstances, the appeal is not admitted.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Appeal Committee concluded not to admit the appeal.

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

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

1. The Principal, Maa Bharti Teachers Training College, 507, Dundlod, Sakhu Mirjwas Road, Nawalgarh, Jhunjhunu – 333702, Rajasthan.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.



F.No.89-26/E-151625/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020


**ORDER**

**WHEREAS** the appeal of M.S. Institute of Education, Village–Mustafapur, Khagaul, Danapur, Patna, Bihar dated 25/01/2020 is against the decision of the ERC taken in their 278<sup>th</sup> meeting held on 16 – 18<sup>th</sup>, January, 2020 to withdraw recognition for conducting B.Ed. Course on the grounds that “FDR of Rs. 12 lakh (Rs. 5 lakh + Rs. 7 lakh) has not been submitted by the institution as per NCTE Regulation, 2014.”

**AND WHEREAS** M.S. Institute of Education, Village–Mustafapur, Khagaul, Danapur, Patna, Bihar, in their letter no. MSIE/2020/NCTE-103 dt. 24/02/2020, informed that the ERC in their 279<sup>th</sup> Meeting held on 14 – 16, February, 2020 decided to cancel their earlier decision to withdraw recognition and to restore recognition. The appellant, in their letter, stated that their appeal has since become irrelevant and they are withdrawing the same.

**AND WHEREAS** the Committee decided to allow the appellant to withdraw their appeal. The appellant may be intimated accordingly.

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

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

1. The Principal, M.S. Institute of Education, Village – Mustafapur, Khagaul, Cantt Road, Danapur, Patna – 801105, 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 - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.





F.No.89-27/E-151735/2020 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of Sri Chakra College of Education, Sheriguda, Ibrahimpatnam, Rangareddy, Telangana dated 22/01/2020 is against the Order No. SRO/NCTE/APSO8574/B.Ed/TS/2019-112928 dated 10.12.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the original files of the Institution alongwith other related documents, NCTE Act, 1993, Regulations Guidelines issued by NCTE from time to time and documents furnished by the institution were carefully considered by the SRC and the following observations were made:- The institution was issued final Show Cause Notice on 11.10.2019. But the institution has not yet submitted its reply till date. Hence, the Committee decided to withdraw the recognitions granted to Srinivasa Educational Society, Sy. No. 209, Sheriguda Village, Ibrahimapatnam Mandal, H.M.D.A. Rangareddy District, Pin-501510, Telangana for conducting B.Ed. course w.e.f. the next academic session under clause 17(1) of NCTE Act, 1993 on the grounds mentioned above."

**AND WHEREAS** Sh. Mohammed Yadulla, Treasurer, Sri Chakra College of Education, Sheriguda, Ibrahimpatnam, Rangareddy, Telangana presented the case of the appellant institution on 27/02/2020. In the appeal and during personal presentation it was submitted that we are in receipt of the above Notice on 23<sup>rd</sup> Oct., 2019. They have submitted their reply along with all the enclosures to SRC office on 6<sup>th</sup> Nov., 2019, under office seal. They are enclosing the scanned copies of the notice & acknowledgement given by your office for your ready reference and request your goodness to restore recognition of our college. (File No: APS08574, Course-B.Ed.).

**AND WHEREAS** the Committee noted that the reply of the appellant to the Show Cause Notice is not in the file of the SRC. Since the appellant has submitted a copy of their reply, bearing the stamp of SRC, the Committee concluded that the matter deserved to be remanded to the SRC with a direction to consider the reply to the Show Cause Notice, to be sent to them by the appellant again, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC their reply to the Show Cause Notice again 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 reply to the Show Cause Notice, to be sent to them by the appellant again, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC their reply to the Show Cause Notice again within 15 days of receipt of orders on the appeal.

**NOW THEREFORE, the Council hereby remands back the case of Sri Chakra College of Education, Sheriguda, Ibrahimpatnam, Rangareddy, Telangana to the SRC, NCTE, for necessary action as indicated above.**

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

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

1. **The Secretary, Sri Chakra College of Education, Sy. No. 209, Sheriguda, Ibrahimpatnam, Sagar Road, Rangareddy – 501510, Telangana.**
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 Telangana, Hyderabad.



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F.No.89-413/E-139153/2019 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of Tarkeshwar Prasad Varma College, Shikarpur, Narkatiaganj, Champaran West, Bihar dated 30/09/2019 is against the Order No. ER-275.14.30/(ERCAPP942) B.Ed./2019/61361 dated 22/08/2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "Building plan and building completion certificate are not approved by competent Govt. Engineer. Two faculties fall short of requirement under NCTE Regulations, 2014 for running 100 intake of B.Ed. course."

**AND WHEREAS** Dr. Anant Jha, Representative and Sh. Alok Ranjan, Assistant Professor, Tarkeshwar Prasad Varma College, Shikarpur, Narkatiaganj, Champaran West, Bihar presented the case of the appellant institution on 27/11/2019. In the appeal and during personal presentation it was submitted that the building completion certificate of the college has already been submitted in the designated format, but it has been overlooked. The two vacant posts against which objection has been raised were reserved for the SC/ST category. However, recently the college has obtained permission from the University regarding the publication of advertisement against the two posts mentioned above. Accordingly, we have published advertisement in the National newspaper.

**AND WHEREAS** the appellant, in the course of presentation, in a letter dated 27/11/2019, requested another opportunity to submit faculty list according to the Regulations, 2014. The Committee acceded to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case.

**AND WHEREAS** Dr. Anant Jha, HOD and Sh. Alok Ranjan, Faculty, Tarkeshwar Prasad Varma College, Shikarpur, Narkatiaganj, Champaran West, Bihar presented the

case of the appellant institution on 27.02.2020 i.e. the second opportunity granted to them. The appellant, with their letter dt. 26/02/2020, submitted a new faculty list duly signed by the Registrar, BRA, Bihar University, Muzaffarpur and a copy of the Building Completion Certificate signed by a Government Engineer.

**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 and the Building Completion Certificate, to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the faculty list and Building Completion Certificate 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 and the Building Completion Certificate, to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the faculty list and Building Completion Certificate within 15 days of receipt of orders on the appeal.

**NOW THEREFORE, the Council hereby remands back the case of Tarkeshwar Prasad Varma College, Shikarpur, Narkatiaganj, Champaran West, Bihar to the ERC, NCTE, for necessary action as indicated above.**

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

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

1. **The Principal, Tarkeshwar Prasad Varma College, Shikarpur, Plot No. 6/30, Narkatiaganj, Champaran West, Bihar – 845455.**
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 - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.





F.No.89-149/E-114694/2019 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
 G-7, Sector-10, Dwarka, New Delhi-110 075

Date: 15/07/2020

### **ORDER**

**WHEREAS** the appeal of Smt. Motadevi D.El.Ed. School, Mahwa, Hinduan Road, Mahwa, Rajasthan dated 15/04/2019 against the Letter No. New Appl./RF/Raj./NRCAPP-7006/2013-14/46896 dated 04.06.2013 of the Northern Regional Committee, returning their application for conducting D.El.Ed. course was confirmed vide Appellate order no. 89-149/E-114694/2019 Appeal/15<sup>th</sup> Mtg., 2019/79614 dated 11/06/2019.

**AND WHEREAS** the appellant, aggrieved by the order of Appellate Authority filed a S.B. Civil Writ Petition No. 16012/2019 before the Hon'ble High Court of Judicature for Rajasthan, Jodhpur. The Hon'ble High Court, in their order dt. 06/11/2019 quashed and set aside, the order of Appellate Authority dated 11/06/2019. The Hon'ble High Court also ordered that the claim of the petitioner shall be decided afresh as per their eligibility conditions in accordance with the Act of 1993 and the Regulations of 2014 so also in tune with the law on the subject. While doing so, the stand of the State of Rajasthan shall also be taken into consideration. The Hon'ble High Court also observed that "needless to say that the appellate authority, while deciding petitioner's appeal pursuant to the order instant, shall take into consideration, the letter no. प 4.7(4) प्रबी/आयो/2019 dt. 09/07/2019."

**AND WHEREAS** the Committee, in their 4<sup>th</sup> meeting held on 01.02.2020 decided to adjourn the matter to a subsequent meeting.

**AND WHEREAS** the Committee considered the matter in their 8<sup>th</sup> Meeting held on 27/02/2020. The Committee noted that the appellant with their letter no. 102/19 dt. 08/11/2019, forwarding a copy of the Hon'ble High Court's order dt. 06/11/2019,

requested reconsideration of their appeal in accordance with the orders of the Hon'ble High Court.

**AND WHEREAS** the Committee noted that the Hon'ble High Court, in their order directed that the claim of the petitioner shall be decided afresh as per their eligibility conditions, in accordance with the Act of 1993 and the Regulations of 2014 and taking into consideration the letter of the State Government dt. 09/07/2019 addressed to the Regional Director, NRC.

**AND WHEREAS** the Committee noted that the Council periodically revises their Regulations, inter-alia prescribing eligibility conditions for grant of recognition for various teacher training programmes. In that series the Council issued the Regulations in 2014, which are the latest on the subject. These Regulations have repealed the Regulations earlier issued in 2009. The Regulations of 2014 have made substantial changes in the procedure for making applications. Further the Council invites applications as and when necessary for such courses which are needed to meet the requirements of State Government's/U.T. Administrations. Applications can be submitted only as and when they are called for and not at any other time. The manner of applications and the time limit are specified in Clause 5 of the 2014 Regulations.

**AND WHEREAS** the Committee noted that the question of the appellant meeting the eligibility conditions laid down in the 2014 Regulations does not arise as (i) there is no application as such submitted as per the 2014 Regulations; and (ii) the application submitted under the repealed Regulations of yesteryears has been returned to the appellant long time back and virtually no application exists as of now.

**AND WHEREAS** the Committee noted that the latest position about the latest stand of the Council about consideration of applications has been clearly brought out in paras 4 and 5 of the Appellate order dt. 11.06.2019. Further Hon'ble High Court has directed the appellate authority to take into consideration the State Government's letter dt.



09/07/2019 addressed to the Regional Director, NRC in which they have expressed their disagreement for granting recognition.

**AND WHEREAS** the Committee, after re-consideration of the matter and noting that (i) the Regulations of 2014 only are applicable at present, which have made many changes in various provisions compared to the repealed Regulations of the earlier years; (ii) applications invited under the 2014 Regulations only are eligible for consideration now; (iii) the application returned to the appellant in 2013 is now defunct; and (iv) the State Government of Rajasthan, have informed their disagreement for granting recognition, virtually closing doors even for inviting fresh applications from the State Government of Rajasthan concluded that the appeal deserved to be rejected.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record, Appeal Committee concluded that the appeal deserved to be rejected.

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

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

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

1. The Secretary, Smt. Motadevi D.El.Ed. School, Mahwa, Hinduan Road, Mahwa, Rajasthan – 321608.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.

(16)



F.No.89-148/E-114692/2019 Appeal/8<sup>th</sup> Mtg.-2020/27<sup>th</sup> February, 2020

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

Date: 15/07/2020

**ORDER**

**WHEREAS** the appeal of Poddar B.S.T.C. College, Lili, Kathumar Road, Laxmangarh, Rajasthan dated 15/04/2019 against the Letter No. F. 7-15/NRC/NCTE/Returning of Application/S.No. – 268/Rajasthan/2009 dated 07.03.2009 of the Northern Regional Committee, returning their application for conducting D.El.Ed. course on the following grounds that “the NCTE Hqtrs. has independently decided to reiterate the decision already taken by NCTE not to grant recognition for B.Ed./STC/Shiksha Shastri course to any institution in the State of Rajasthan for the academic session 2009-10 and to return all the applications along with processing fee and documents to the institution concerned was confirmed vide Appellate order No. 89-148/E-114692/2019 Appeal/15<sup>th</sup> Meeting – 2019/15<sup>th</sup> May, 2019/79610 dt. 11/06/2019.

**AND WHEREAS** the appellant, aggrieved by the order of Appellate Authority filed a S.B. Civil Writ Petition No. 15961/2019 before the Hon'ble High Court of Judicature for Rajasthan, Jodhpur, the Hon'ble High Court, in their order dt. 01/11/2019 quashed and set aside, the order of Appellate Authority dated 11/06/2019. The Hon'ble High Court also ordered that the claim of the petitioner shall be decided afresh as per their eligibility conditions in accordance with the Act of 1993 and the Regulations of 2014 so also in tune with the law on the subject. While doing so, the stand of the State of Rajasthan shall also be taken into consideration. The Hon'ble High Court also observed that “needless to observe that the appellate authority, while deciding petitioner's appeal pursuant to the order instant, shall take into consideration the letter no. प 4.7(4) प्रणी/आयो/2019 dt. 09/07/2019 also.”



**AND WHEREAS** the Committee, in their 4<sup>th</sup> meeting held on 01.02.2020 decided to adjourn the matter to a subsequent meeting.

**AND WHEREAS** the Committee considered the matter in their 8<sup>th</sup> Meeting held on 27/02/2020. The Committee noted that the appellant with their letter dated 08/11/2019, forwarding a copy of the Hon'ble High Court's order dt. 06/11/2019 requested reconsideration of their appeal in accordance with the orders of the Hon'ble High Court.

**AND WHEREAS** the Committee noted that the Hon'ble High Court in their order directed that the claim of the petitioner shall be decided afresh as per their eligibility conditions in accordance with the Act of 1993 and the Regulations of 2014 and also taking into consideration the State Government's letter dt. 09/07/2019 addressed to the Regional Director, NRC.

**AND WHEREAS** the Committee noted that the Council periodically revises their Regulations, inter-alia prescribing eligibility conditions for grant of recognition for various teacher training programmes. In that series the Council issued the Regulations in 2014, which are the latest on the subject. These Regulations have repealed the Regulations earlier issued in 2009. The Regulations of 2014 have made substantial changes in the procedure for making applications. Further the Council invites applications as and when necessary for such courses which are needed to meet the requirements of State Government's/U.T. Administrations. Applications can be submitted only as and when they are called for and not at any other time. The manner of applications and the time limit are specified in Clause 5 of the 2014 Regulations.

**AND WHEREAS** the appellant submitted an application on 31/10/2008 i.e. even before the issue of 2009 Regulations and only in accordance with the then existing Regulations. When their application was returned by the NRC on 07/03/2009 on the

grounds indicated in their letter of that date, the appellant did not deem it fit to challenge the same through an appeal, provision for which existed in the Act of 1993 itself. He chose to appeal only on 15/04/2009.

**AND WHEREAS** the Committee noted that the question of the appellant meeting the eligibility conditions laid down in the 2014 Regulations just does not arise as (i) there is no application as such submitted as per the 2014 Regulations and (ii) the application submitted and the repealed Regulations of yesteryears has been returned to the appellant a long time back and virtually no application exists as of now.

**AND WHEREAS** the Committee noted that the position about the latest stand of the Council about consideration of applications has been clearly brought out in paras 6 and 7 of the Appellate order dt. 11/06/2019. Further the Hon'ble High Court has noted the submission of the Respondent that the State Government of Rajasthan in their letter dt. 09/07/2019 to the Regional Director, NRC informed their disagreement for granting recognition and with this virtually the door even for inviting fresh applications from the State of Rajasthan stands closed.

**AND WHEREAS** the Committee noting that the appellant has not agitated for years together after return of their application on 07/03/2009; (ii) the Regulations of 2014 only are applicable at present, which have made many changes in various provisions compared to the repealed Regulations of the earlier years; (iii) applications invited under the 2014 Regulations only are eligible for consideration now and (iv) the application returned to the appellant in 2009 is now defunct, concluded that the appeal deserved to be rejected.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record, Appeal Committee concluded that the appeal deserved to be rejected.



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

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

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

1. **The Secretary, Poddar B.S.T.C. College, Lili (Laxmangarh) Kathumar Road, Laxmangarh, Rajasthan - 321607.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Rajasthan, Jaipur.