



F.No.89-313/E-129510/2019 Appeal/29th Mtg.-2019/11th October, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 25/10/2019

ORDER

WHEREAS the appeal of Virendra College of Education, Majhilgaon, Pratapgarh, Uttar Pradesh dated 09/08/2019 is against the Order No. NRC/NCTE/NRCAPP-14053/253rd (Part-1) Meeting/2016/151916 dated 28.06.2016 of the Northern Regional Committee, refusing recognition for conducting for B.Ed. Course on the grounds that "non-submission of NOC from the affiliating body as required under Clause 5(3) of the NCTE Regulations, 2014".

AND WHEREAS Sh. Manoj Kumar Mishra, President & Secretary, Virendra College of Education, Majhilgaon, Pratapgarh, Uttar Pradesh presented the case of the appellant institution on 11/10/2019. In the appeal and during personal presentation it was submitted that (i) the society had made good all the deficiencies while submitting reply to the deficiency letter dt. 19/10/2015; (ii) the No Objection Certificates for their B.Ed. course and D.El.Ed. course have been issued by Competent Authority; (iii) due to re-affiliation of colleges, which were earlier under the control of Dr. Ram Manohar Lohia Awadh University, Faizabad, to Allahabad State University, copy of the No Objection Certificate issued by Allahabad State University is being enclosed; and (iv) the delay in submission of No Objection Certificate is not because of the society concerned.

AND WHEREAS the Committee noted from the copy of the NOC issued by Allahabad State University dt. 30/06/2017 that it is for B.A. and B.Sc. courses and not for B.Ed. course for which the appellant applied for grant of recognition by the NCTE.

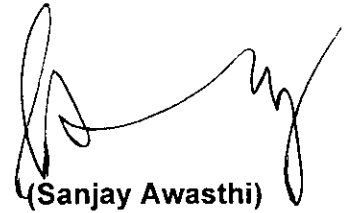
AND WHEREAS the Committee noted that the submission of appeal has been delayed by two years, eleven months and twelve days beyond the prescribed period of sixty days. The appellant, in their appeal, submitted that the appeal could not be submitted within time as the wife of the Secretary of the Society, who was suffering from cancer died during treatment. According to the copy of the death certificate enclosed, the death took place on 08/08/2015.

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 was issued on 28/06/2016 i.e. more than 10 months after the occurrence of death and the appellant delayed filing the appeal by two years, eleven months and twelve days. The Committee concluded that the reason adduced for delayed appeal is not a sufficient cause. Therefore, the delay is not condoned and hence the appeal is not admitted.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during

the hearing, the Committee concluded that the delay in appeal cannot be condoned and therefore, the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. **The Appellant, Virendra College of Education, Plot No. 1389 Majhilgaon, NH2 Bypass Pratapgarh – 230204, 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.89-314/E-129338/2019 Appeal/29th Mtg.-2019/11th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 25/10/2019

ORDER

WHEREAS the appeal of Sri Ramajayam College of Education, Pappambadi, Polur, Tiruvannamalai, Tamil Nadu dated 04/07/2019 is against the Order No. SRC/NCTE/APSO3830/104910 dated 06.06.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the institution has not submitted the affidavit regarding appointment of faculty. The institution submitted a copy of letter dt. 15.12.2017 issued by the Registrar, TNTEU regarding provisional approval of one Principal and Seven faculty members only against the requirement of 16 as required under NCTE Regulations, 2014. The institution has not submitted the original list of faculty, under prescribed format, duly approved by the affiliating body. The institution only submitted copies (instead of originals) of FDRs towards Endowment and Reserve Fund of Rs. 8 lakhs only against the requirement of 12 lakhs under NCTE Regulations, 2014. The institution has not submitted Building Plan duly approved by the competent authority. The Building Competition 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 Sh. E. Senthilkumar, Secretary and Sh. S. Annamalai, Representative, Sri Ramajayam College of Education, Pappambadi, Polur, Tiruvannamalai, Tamil Nadu presented the case of the appellant institution on 11/10/2019. In the appeal and during personal presentation it was submitted that we have supporting documents for all the queries and we are ready to submit to appeal committee, due to medical problem we could not able to submit proper reply. now we are ready to submit all the required documents. Kindly accept the same and restore the approval order for our college. The appellant with their letter dt. 05/08/2019

submitted (i) copies of affidavits in respect of eight faculty members, including Principal; (ii) copy of faculty list, signed by the Registrar, TNTEU on 15/12/2017; (iii) copies of three FDRs for Rs. 3 lakhs, Rs. 5 lakhs and Rs. 4 lakhs, taken jointly with the Regional Director, SRC; (iv) copy of a building plan, which does not indicate that it has been approved by the Competent Authority; (v) copy of a Building Completion Certificate issued by the Assistant Engineer (RD) Panchayat Union, Polur, T.V. Malai Distt. on 24/05/2019; (vi) copy of Encumbrance Certificate dt. 02/08/2019 issued by the Registration Department, Government of Tamilnadu, Polur; and (vii) a copy of land document (in Tamil version), which is not a certified one.


AND WHEREAS the Committee noted that the SRC after the NCTE Regulations, 2014 came into force, issued the revised recognition order on 31/03/2015 for conducting B.Ed. programme with an annual intake of 100 students (two units). According to the Norms and Standards for B.Ed. course as laid down in Appendix -4 to these Regulations 16 full time faculty members, including one Principal/HOD for a total strength of 200 (in the two years course) are required. The Committee noted that while the appellant submitted some documents in the appeal which were found wanting, they still do not have the required faculty as per the Norms and Standards, which is essential for running the course for which recognition was granted.

AND WHEREAS the appellant, in a letter dt. 11/10/2019 requested reduction of intake to 50 students (one unit). The Committee noted that before the SRC issued revised recognition order on 31/03/2015, the appellant, with their letter dt. 20/01/2015, submitted an affidavit for grant of recognition with an annual intake of 100 (i.e. two units). The appellant, at no time and even after getting university's approval for eight faculty members on 15/12/2017, made any request for reduction in intake to the SRC, the authority competent to grant recognition under the provisions of the NCTE ACT, 1993. The request made at this stage, which is without any justification, does not deserve consideration.

AND WHEREAS in these circumstances, the Committee concluded that the SRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the SRC 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 SRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the SRC is confirmed.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Chairman, Sri Ramajayam College of Education, No. 466, C.C. Road, Near Housing Board, Pappambadi, Polur, Tiruvannamalai – 606803, 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.89-315/E-129332/2019 Appeal/29th Mtg.-2019/11th October, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 25/10/2019

ORDER

WHEREAS the appeal of Jnanabharathi College of Education, Opp. Railway Station, K.M. Road, Kadur, Chickmagalur, Karnataka dated 04/08/2019 is against the Order No. SRO/NCTE/APSO2162/B.Ed/KA/2019/106326 dated 01.07.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "The institution in-spite of two SCNs is reluctant to furnish the required information for the continuation of recognition in view of non-availability of the documents, the Committee decided to withdraw the recognition."

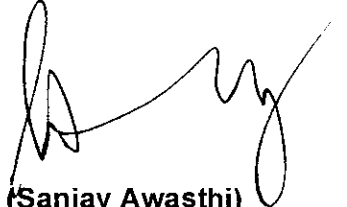
AND WHEREAS Sh. Sharath K.S., CEO, Jnanabharathi College of Education, Opp. Railway Station, K.M. Road, Kadur, Chickmagalur, Karnataka presented the case of the appellant institution on 11/10/2019. In the appeal and during personal presentation it was submitted that the institution is having qualified staff of 7 lecturers + 1 principal. The profiles of teachers as required by NCTE is enclosed. The institution has already got the building completion certificate approved by Government engineer. The copy of building completion certificate issued by municipality is enclosed. The management has already made deposit with the Corporation Bank, Kadur branch with respect to endowment fund and reserve fund per unit. Regarding joint operation, the management has already written letter seeking application for joint operation from Regional Director. But so far management has not received any communication from the NCTE. The copy of the FD receipts - one for endowment fund and another for reserve fund and the copy of letter dated 12/04/2019 seeking application for joint operation is enclosed. The institution has already got the land usage certificate, non-

encumbrance certificate, approved plan of building and building completion certificate issued by municipality is enclosed. The management has complied all the requirements. In view of the fact that the management has addressed a letter on 05/03/2019 and 12/04/2019 requesting to send specific application forms regarding joint operation of fixed deposit, awaiting such reply from NCTE, the management has delayed in giving explanation to the show cause notice dated 12/02/2019. The management has already complied all the norms required under the NCTE Rules. As per the order under the appeal new admission is withdrawn and in the view of the filing of this appeal the impugned order may kindly be stayed till the disposal of the appeal.

AND WHEREAS the Committee, noting that the appellant, with their appeal, enclosed copies of the documents found wanting, as per the Show Cause Notice dt. 12/02/2019, concluded that the matter deserved to be remanded to the SRC with a direction to consider these documents given in appeal, to be submitted by the appellant to them, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the documents, including copies of letters written to SRC about the FDRs, submitted in appeal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the case deserves to be remanded to the SRC with a direction to consider the documents given in appeal, to be submitted by the appellant to them, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the SRC all the documents, including copies of letters written to SRC about the FDRs, submitted in appeal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Jnanabharathi College of Education, Opp. Railway Station, K.M. Road, Kadur, Chickmagalur, Karnataka to the SRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The President, Jnanabharathi College of Education, 220/221, Opp. Railway Station, K.M. Road, Kadur, Chickmagalur – 577548, 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, Bengaluru.



F.No.89-316/E-129515/2019 Appeal/29th Mtg.-2019/11th October, 2019
NATIONAL COUNCIL FOR TEACHER EDUCATION
 Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 25/10/2019

ORDER

WHEREAS the appeal of Silchar College of Education, Uttar Krishnapur (Part-1), Nagatilla Rangirkhari, Sonai Road, Sonai, Cachar, Assam dated 29/07/2019 is against the Order No. ERC/273.2.2/APE00167/B.Ed./2019/60920 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 & 22.02.2019. The submitted faculty list is not as per NCTE Regulations, 2014. Photocopy of building plan is not readable for which the total land area, built-up area, khata number & khasra number and approving authority could not be ascertained. Despite repeated SCN and adequate opportunity 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. APE00167 is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2019-20. And Whereas, the order of withdrawal was not issued to the institution and the matter was re-considered by ERC in its 273rd (Emergent) meeting held on 14th 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 2019-20. In view of the above, the Committee

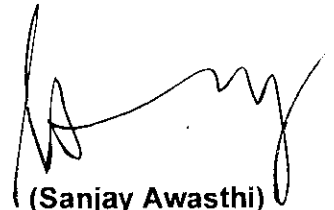
decided as under:- Recognition to B.Ed. course be withdrawn from the academic session 2020-21 instead of 2019-20 in all respect and orders be issued accordingly.”

AND WHEREAS Sh. Amit Kumar Chakraborty, Secretary and Sh. Gongesh Bhattacharjee, Representative, Silchar College of Education, Uttar Krishnapur (Part-1), Nagatilla Rangirkhari, Sonai Road, Sonai, Cachar, Assam presented the case of the appellant institution on 11/10/2019. The appellant with their appeal, enclosed (i) faculty list countersigned by the Registrar, Assam University, Silchar; (ii) building plan approved by the Government Engineers; (iii) a Building Completion Certificate, issued by the Executive Engineer, PWD, Silchar Rural Road Division, Silchar and (iv) copies of two FDRs, jointly held with the Regional Director, ERC with maturity date of 23/07/2024.

AND WHEREAS the Committee, noting that the appellant, with their appeal, enclosed copies of the documents found wanting in the withdrawal order, concluded that the matter deserved to be remanded to the ERC with a direction to consider these documents, given in appeal, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC, all the documents submitted in the appeal, with originals thereof, wherever necessary, within 15 days of receipt of order on the appeal.

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

NOW THEREFORE, the Council hereby remands back the case of Silchar College of Education, Uttar Krishnapur (Part-1), Nagatilla Rangirkhari, Sonai Road, Sonai, Cachar, Assam to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Silchar College of Education, Uttar Krishnapur (Part-1), Nagatilla (Near B.R.T.F.) Khasra No. 521, 524, Rangirkhari, Sonai Road, Sonai, Cachar – 788006, Assam.**
- 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 Assam, Dispur.**



F.No.89-318/E-130156/2019 Appeal/29th Mtg.-2019/11th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 25/10/2019

ORDER

WHEREAS the appeal of Shahid Captan Vijai Pratap Singh Mahavidyalaya, Awajapur, Dhanapur Road, Sakaldiha, Uttar Pradesh dated 11/06/2019 is against the Order No. NCTE/NRC/NRCAPP201716697/Master of Education[M.Ed.]/UP/2017-18/3; dated 11.09.2018 of the Northern Regional Committee, refusing recognition for conducting for M.Ed. Course on the grounds that "the institution has not submitted reply of Show Cause Notice dated 08.02.2018. 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. FDRs, if any be returned to the institution."

AND WHEREAS Sh. J.P. Singh, Manager, Shahid Captan Vijai Pratap Singh Mahavidyalaya, Awajapur, Dhanapur Road, Sakaldiha, Uttar Pradesh presented the case of the appellant institution on 11/10/2019. In the appeal and during personal presentation it was submitted that in reference to show cause notice dated 08.02.2018 they had sent NOC issued by affiliating University by speed post consignment no. EU090866224IN dated 07.05.2018 on Dwarka, New Delhi address. The appellant enclosed a copy of the NOC dt. 13/03/2018 issued by Mahatma Gandhi Kashi Vidyapeth, Varanasi.

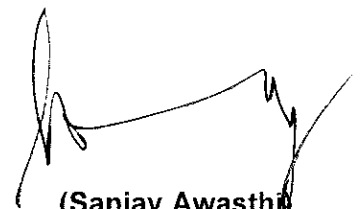
AND WHEREAS the Committee noted that the submission of the appeal has been delayed by seven months beyond the prescribed period of sixty days. The appellant, in their appeal, submitted that they have not received the decision of the NRC dt. 11/09/2018 even till now and they came to know the decision of refusal of permission through online few days back.

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 of recognition dt. 11/09/2018 as well as the Show Cause Notice dt. 08/02/2018 were sent by the NRC to the e-mail address of the appellant institution as given by the institution in their online application dt. 31/05/2016. The appellant admitted the receipt of the Show Cause Notice. In these circumstances, the Committee is not satisfied with the submission of the appellant that they have not received the refusal order dt. 11/09/2018 and hence the delay in appeal. The Committee therefore decided not to condone the delay and hence the appeal is not admitted.

AND WHEREAS after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the delay in appeal cannot be condoned and therefore, the appeal is not admitted.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Shahid Captan Vijai Pratap Singh Mahavidyalaya, Gata No. 333, 334, 335 (Part), Awajapur, Dhanapur Road, Sakaldiha – 232108, 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.89-319/E-130154/2019 Appeal/29th Mtg.-2019/11th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 25/10/2019

ORDER

WHEREAS the appeal of M.D. Teacher Training College, Ganpati Nagar, Khatwa Road, Distt. Dausa, Rajasthan dated 11/08/2019 is against the Letter No. New Appl./RF/Raj/NRCAPP-9531/2013-14/48882 dated 13.06.2013 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. course on the following grounds:- "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulation 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the

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

AND WHEREAS the appellant, aggrieved by the Letter of the NRC, filed a S.B. Civil Writ Petition No. 9774/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 01/08/2019, disposed of the petition by remitting the petitioner to the remedy of the statutory appeal provided under Section 18 of the Act of 1993. The Hon'ble High Court also observed that in the event of the appeal being filed subject to all just objections as to its maintainability, it is expected that it will be disposed of expeditiously in accordance with law by the Appellate Authority.

AND WHEREAS Sh. Vijay Prakash Pareek, Secretary, M.D. Teacher Training College, Ganpati Nagar, Khatwa Road, Distt. Dausa, Rajasthan presented the case of the appellant institution on 11/10/2019. In the appeal and during personal presentation it was submitted that NCTE, New Delhi had issued a public notice on 27.11.2012 through which applications for grant of recognition for various Teacher Education course had been invited from all stake holders in which no ban for D.El.Ed. course was imposed in the State of Rajasthan. This institution has applied online for grant of recognition of D.El.Ed. course (02 units) to NCTE from 2013-14 on 31.12.2012. The hard copy was submitted in the office of NRC, NCTE, Jaipur on 07.01.2013. Instead of processing the application of this institution for granting recognition for D.El.Ed. course (02 units), NRC, NCTE had returned the application of this institution on 13.06.2013 on arbitrary, unjustified, illegal and unconstitutional basis. This institution is running B.A. and B.Sc. courses recognised by affiliation with Rajasthan University, Jaipur. The Appellate Authority, NCTE had already decided by its order dated 27.11.2017 that "Once applications are invited, the Regional Committee had no right to reject it on the grounds of ban imposed subsequently by the State Govt." Copy of Appeal Order is annexed. NRC, NCTE had conducted inspection of Royal Shikshak

Prashikshan Center, Chomu, Jaipur (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 05.06.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 05.06.2018 is annexed. The NRC, NCTE had conducted inspection of Tak Shiksha Niketan Girls BSTC College, Lohagal, Ajmer (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 05.06.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 05.06.2018 is annexed. The NRC, NCTE had conducted inspection of SRN School of Education, Neem Ka Thana, Sikar (Raj) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. The NRC, NCTE had conducted inspection of Swami Vivekanand T. T. College, Gothara, Bassi (Raj.) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. The NRC, NCTE had conducted inspection of Annpurana BSTC School, Neem Ka Thana, Sikar (Raj) who had applied for D.El.Ed. course in 2012. After Inspection of the institution NRC, NCTE had rejected the application. Appellate Authority, NCTE had decided by its order dated 24.07.2018 that the rejection ground of non-submission of application online is not applicable to this institution because this institution has applied before the enactment of Regulations 2014. Copy of Appeal Order dated 24.07.2018 is annexed. In the Appeal matter of Sardar Bhagat

Singh Shikshan Sansthan, Khara Chak, Pilibangan, Goluwala, Rajasthan, Appellate Authority, NCTE had decided by its order dated 24.09.2018 that the matter deserved to be remanded to the N.R.C. with a direction to take further action as per the NCTE Regulations, 2014 and the Appellate orders were issued in similar cases. Copy of Appeal Order dated 24.09.2018 is annexed. It is pertinent to mention here that Deptt. of Elementary Education (Ayojana) Deptt., Govt. of Rajasthan had sent a letter to Member Secretary, NCTE, New Delhi on 01.01.2018 in which it is clearly mentioned that no ban has been imposed for D.El.Ed. course for session 2019-2020. Copy of letter is annexed. The Director, Elementary Education Rajasthan, Bikaner has issued N.O.C. for D.El.Ed. course to many institutions in compliance to Hon'ble Court orders and deficiency pointed out by NRC, NCTE. Copy of the N.O.C. issued by Director, Elementary Education Rajasthan, Bikaner are annexed. The NRC, NCTE had returned the application of this institution on totally arbitrary, unjustified, illegal and unconstitutional basis because this institution has submitted application for grant of recognition for D.El.Ed. course (02 units) through online electronically mode and required processing fees of Rs. 50100/- has been submitted to NRC, NCTE on 07.01.2013. So, it is prayed that the rejection order issued by NRC, NCTE be set aside and direction be issued to NRC, NCTE for further processing of the application of this institution for grant of recognition for D.El.Ed. course (02 units).

AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to

the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in their above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

AND WHEREAS the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. The Committee also noted that in view of the N.R.C. returning the application in original to the appellant, with a request to the NCTE to refund the processing fee also, virtually no application exists as of now. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. 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 and taking into account the positions stated in para 4 & 5 above concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, M.D. Teacher Training College, Ganpati Nagar, Khasra No. 484, 490, 492, 516, 518, 520, Lalsot, Khatwa Road, Distt. Dausa – 303503, 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.89-320/E-130176/2019 Appeal/29th Mtg.-2019/11th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 25/10/2019

ORDER

WHEREAS the appeal of Bihpuria P.G. Training College, I.B. Road, Bihpuria, Lakhimpur, Assam dated 14/08/2019 is against the Order No. ER-272.14.144/(AS-S/N-2/2000)/B.Ed./2019/60828 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) were issued on 14.02.2019 & 18.05.2019. The institution was unable to submit the requisite faculty as per NCTE Regulations, 2014. Faculty mentioned at sl. No. 6, 7, 8, 9 & 10 of the approved list appointed on contractual basis, which is not accepted. FDRs in joint mode not submitted. No evidence of updated website. 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. AS-S/N-2/2000 is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021.

AND WHEREAS Dr. Sumundra Singh Yadav, Principal and Dr. Rohitashav Yadav, Management, Bihpuria P.G. Training College, I.B. Road, Bihpuria, Lakhimpur, Assam presented the case of the appellant institution on 11/10/2019. In the appeal and during personal presentation it was submitted that this institution was granted recognition for conduct of B.Ed. course of one year duration with an annual intake of 60 student from the academic session 2001-02 vide ERC order No. ERC/7-18/2001/1503 dated 23.05.2001. Revised recognition order for one unit of 2 years B.Ed. course was issued by ERC vide its letter No. ERC/NCTE/AS-S/N-2/2000B.Ed. (Revised Order)/2015/32067 dated 25.05.2015. Copy of revised recognition order is annexed. This institution had published advertisement in various News Papers for selection of Teaching Staff regularly. Copies of advertisements are annexed. The ERC, NCTE had issued show cause notice dated 14.02.2019 to this institution. Copy

of the Show Cause Notice is annexed. This institution had submitted reply of the show cause notice on 04.05.2019 to ERC, NCTE. Copy of reply letter is annexed. The ERC, NCTE had again issued show cause notice dated 18.05.2019 to this institution. Copy of show cause notice is annexed. This institution had submitted reply of the show cause notice along with all required documents on 21.06.2019 to ERC, NCTE. Copy of reply letter is annexed. The ERC, NCTE has issued recognition withdrawal letter on 19.06.2019 u/s 17(1) of NCTE Act, 1993 from the academic session 2020-2021. Copy of withdrawal letter is annexed. This institution has made selection of Teaching Staff for one unit of 2 years B.Ed. course through duly constituted selection committee as per norms of NCTE Regulations, 2014 and applied to Affiliating Body for approval. Affiliating Body has approved the list of faculties appointed by this institution on 01.08.2019 for the session 2019-2020. Copy of approved list of teaching staff from affiliating body is annexed. The affidavit executed by the president regarding selection of qualified and experienced Teaching Staff as per norms of NCTE Regulations, 2014 is annexed. The affidavits executed by each Teaching Staff are annexed. Appointment letters issued to each Teaching Staff of B.Ed. course are annexed. Joining letters given by each Teaching Staff of B.Ed. course to this institution are annexed. This institution has created joint FDR of Rs. 5.00 Lakhs towards Endowment Fund and Rs. 7.00 Lakhs towards Reserve Fund in the name of Bihpuria PGT College and Regional Director, ERC, NCTE, Bhubaneswar. Copies of FDRs and "Form A" are annexed. This institution is maintaining and regularly updating the website of the institution. The name of website of this institution is <http://www.bpgtc.in>. The certificate of website developer and home page of website are annexed. Thus, the withdrawal letter for recognition of B.Ed. course was issued by ERC, NCTE is on illegal, unlawful, arbitrary, unjustified and unconstitutional basis. Therefore, it is prayed that the withdrawal order for B.Ed. course issued by ERC, NCTE be set aside and directions be issued to ERC, NCTE for restoration of recognition for B.Ed. course to this institution from the session 2020-21.

AND WHEREAS the Committee, noting that the appellant has submitted the required documents vis a vis the withdrawal order, concluded that the matter deserved

to be remanded to the ERC with a direction to consider the documents given in appeal, to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC, the documents submitted in appeal, with originals thereof, wherever necessary within 15 days of receipt of orders on the appeal.

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

NOW THEREFORE, the Council hereby remands back the case of Bihpuria P.G. Training College, I.B. Road, Bihpuria, Lakhimpur, Assam to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. **The President, Bihpuria P.G. Training College, Ward No. 1, Khasra No. 547, 1435, I.B. Road, Bihpuria, Lakhimpur – 784161, Assam.**
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 Assam, Dispur.



F.No.89-322/E-130181/2019 Appeal/29th Mtg.-2019/11th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 25/10/2019

ORDER

WHEREAS the appeal of Netaji Subhash Chandra Bose Teachers Training College, Ratanpur, Bindole, D.B. Road, Raiganj, North Dinajpur, West Bengal dated 03/08/2019 is against the Order No. ER-272.14.137/ERCAPP459/B.Ed./2019/60717 dated 14.06.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "show cause notices u/s 17(1) were issued on 21.02.2019 & 23.05.2019. Principal is not appointed. Authorization letter from the concerned bank with regard to conversion of FDRs into joint mode not submitted. 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. ERCAPP459 is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-2021."

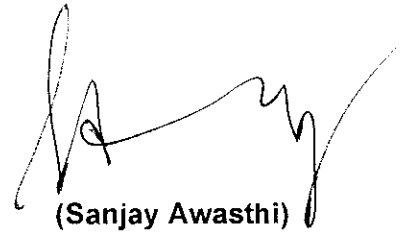
AND WHEREAS Sh. Susanta Basak, President and Sona Saha, Treasurer, Netaji Subhash Chandra Bose Teachers Training College, Ratanpur, Bindole, D.B. Road, Raiganj, North Dinajpur, West Bengal presented the case of the appellant institution on 11/10/2019. The appellant, with their appeal, forwarded, inter-alia, (i) a copy of the faculty list, countersigned by the Registrar, the West Bengal University of Teachers' Training, Education, Planning and Administration, on 24/06/2019, which includes a Principal, who was appointed on 22/06/2019; and (ii) a copy of authorisation letter dt. 21/06/2019 issued by the State Bank of India, College Para, Raiganj, District – Uttar Dinajpur regarding conversion of FDRs into joint mode.

AND WHEREAS the Committee, noting that the appellant has furnished information / documents found wanting in the withdrawal order, concluded that the matter deserved to be remanded to the ERC with a direction to consider the

documents submitted in appeal, to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the documents in reference to the grounds of withdrawal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the case deserves to be remanded back to the ERC with a direction to consider the documents submitted in appeal, to be sent to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the ERC the documents in reference to the grounds of withdrawal, with originals thereof, wherever necessary, within 15 days of receipt of orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Netaji Subhash Chandra Bose Teachers Training College, Ratanpur, Bindole, D.B. Road, Raiganj, North Dinajpur, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Netaji Subhash Chandra Bose Teachers Training College, Plot No. 88, 88/3028, Ratanpur, Bindole, D.B. Road, Raiganj, North Dinajpur – 733156, West Bengal.
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 West Bengal, Kolkata.



F.No.89-323/E-130443/2019 Appeal/29th Mtg.-2019/11th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 25/10/2019

ORDER

WHEREAS the appeal of Sanskar College, Piprau Road, Nadbai, Bharatpur, Rajasthan dated 07/08/2019 is against the Letter No. New Appl./RF/Raj./NRCAPP-8610/2013-14/48854-855 dated 13.06.2013 of the Northern Regional Committee, returning their application for grant of recognition for conducting D.El.Ed. course on the following grounds:- "the NRC considered the letter No. 49-7/2012/NCTE/N&S dated 20.03.2013 containing instructions in respect of consideration/processing of applications for recognition of Teacher Education programmes viz a viz recommendations of the State Govt. of Rajasthan as well as the Demand and Supply study of Teachers conducted by the NCTE and also the following judgements of the Hon'ble Supreme Court:- The Hon'ble Supreme Court vide its judgment dated 31.01.2011 I SLP No. 17165-168/2009, has held that the provisions contained in Section 14 of the NCTE Act 1993 and the Regulations framed for grant of recognition including the requirement of recommendation of the State Government/Union Territory Administration are mandatory and an institution is not entitled to recognition unless it fulfils the conditions specified in various clauses of the Regulations. Further, the Hon'ble Supreme Court in its judgment dated 06.01.2012 in SLP (C) No. 14020/2009, has held that the State Government/UT Administration, to whom a copy of the application made by an institution for grant of recognition is sent in terms of Regulation 7(2) of the Regulations of the NCTE, is under an obligation to make its recommendation within the time specified in the Regulation 7(3) of the Regulations. The NRC noted that the NCTE Committee vide letter dated 20.03.2013 made it clear that the general recommendations of the State Government were applicable in each individual case, since in view of the Hon'ble Supreme Court's orders, it is mandatory to obtain the recommendation of the State Government. In view of the above judgment of the Hon'ble Supreme Court and the decision taken by the NCTE Committee, the NRC

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

AND WHEREAS the appellant, aggrieved by the Letter of the NRC, filed a S.B. Civil Writ Petition No. 7646/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 30/04/2019, allowed the Writ Petition to be withdrawn with liberty to the petitioner to file an appeal before the NCTE with directions to the NCTE to decide the appeal on merits ignoring the limitation period.

AND WHEREAS Sh. Bhoopendra Singh, Secretary, Sanskar College, Pipra Road, Nadbai, Bharatpur, Rajasthan presented the case of the appellant institution on 11/10/2019. In the appeal and during personal presentation it was submitted that (i) they submitted an online application for grant of recognition of D.El.Ed. course on 31/12/2012 and the respondent returned their application in absence of recommendations of State Government of Rajasthan with their letter dt. 13/06/2013 on the grounds mentioned therein; (ii) the controversy settled by the Appellate Authority, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-488/E-9740/2017 Appeal/17th Meeting-2017 dt. 27.11.2017 titled “J.B.M. College of Education” directed the NRC to process further the application on the ground that “...Appeal Committee noted that the appellant applied in 2012, there was no ban by the State Government. Further the Appeal Committee is of the view that the blanket general ban imposed by the State Government can be taken into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular State for the prospective academic year(s). Once applications are invited, the Regional Committee has no right to reject it on grounds of ban imposed subsequently by the State Government.” A copy of Appeal order dated 27.11.2017 is annexed. (iii) in the similar matter while disposing of the appeals u/s 18 of NCTE Act, 1993, the appellate

authority in its 15th Meeting, the controversy was settled by the Appellate Authority vide orders dt. 24/09/2018 titled Sardar Bhagat Singh Shikshan Sansthan & order dt. 04/12/2018 titled Shree Balaji Teachers Training Institute are Annexed. (iv) the respondent had already granted recognition to several institutions ignoring the above said shortcomings vide orders dt. 26/08/2016 and 14/12/2018, copies enclosed; (v) the act of respondent giving recognition to various institutions and rejecting their application is faulty and discriminatory in nature; (vi) in similar matter while disposing of the appeals u/s 18 of NCTE Act, 1993, the appellate authority settled the controversy and issued various orders. As per direction given by the Appellate Authority the Respondent Committee (NRC) decided the process the same in 297th Meeting. A photocopy of extract part of the minutes are enclosed. (vii) the Director of Elementary Education, Rajasthan, Bikaner issued NOC in favour of the institutions who submitted applications and a copy of the NOC is enclosed; (viii) the respondent did not issue a show cause notice to the appellant institution before passing an adverse / rejection order providing a reasonable opportunity for making a written representation under Section 14 (3) (b) of the NCTE Act, 1993' and (ix) the appellant made necessary arrangements with regard to physical infrastructure and other facilities, but their application was rejected in a most arbitrary manner, thereby making the rejection order bad in the eye of law and thus liable to be quashed and set aside.

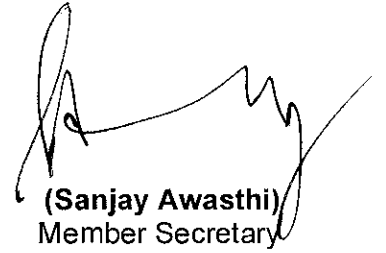
AND WHEREAS the relevant file of the N.R.C. is not available. It has been brought to the notice of the Committee in their meeting held on 18/12/2018 that the Hon'ble Division Bench of the Hon'ble High Court of Delhi at New Delhi in their order dated 31/10/2018 in LPA No. 619/2018 and C.M. No. 45733/2018, concurring with the judgement of the Hon'ble Single Judge of the Hon'ble High Court of Delhi dated 05/10/2018 in W.P. (C) 10551/2018, held that (i) there is no justification to allow mushrooming of Institutes conducting teacher education courses; (ii) the NCTE is within its competence to consider the decision of the State of Haryana not to allow setting up of new B.Ed. institutions in the State; (iii) the N.R.C. on the basis of the recommendations of the State Government of Haryana not to allow setting up of new B.Ed. institutions in the State returned the applications for setting up B.Ed. colleges to

the respective institutions along with the fee; and (iv) the decision of the State of Haryana is a necessary input for the NCTE to return the applications received from the institutes. It has also been brought to the notice of the Committee in their above said meeting that the Hon'ble Supreme Court of India, in their order dt. 18/07/2018 in M.A. No. 1175 of 2018 in W.P. (Civil) No. (S) 276 of 2012, taking note of the decisions of the NCTE not to invite applications for recognition of TTIs from certain States including Haryana from the academic year 2010-11 till the next academic year 2019-20, which itself was taken in order to regulate growth of teacher education at all levels on the basis of the recommendations received from the State Governments and UTS, declined to grant any relief to extend the last cut off date for grant of recognition as 15/05/2018 for the academic session 2018-19.

AND WHEREAS the Committee noted that the orders of the Hon'ble High Court of Delhi and the Hon'ble Supreme Court of India, in so far as consideration of the negative recommendations of the State Governments/UTs with regard to granting of recognition for new teacher training institutes, which took into account the mandate of the NCTE to achieve planned and coordinated development of teacher education system throughout the country, are applicable to all States/UTs. The Committee also noted that in view of the N.R.C. returning the application in original to the appellant, with a request to the NCTE to refund the processing fee also, virtually no application exists as of now. In view of this position, the Committee concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. 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 and taking into account the positions stated in para 5 above concluded that the N.R.C. was justified in returning the application and therefore, the appeal deserved to be rejected and the decision of the N.R.C. confirmed.

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



(Sanjay Awasthi)
Member Secretary

- 1. The Secretary, Sanskar College, Khasra No. 2140, 2140, Piprau Road, Nadbai, Bharatpur-321602, 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.89-324/E-130441/2019 Appeal/29th Mtg.-2019/11th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 25/10/2019

ORDER

WHEREAS the appeal of Sanskar Shikshan Prashikshan Sansthan, Piprau Road, Nadbai, Bharatpur, Rajasthan dated 07/08/2019 is against the Letter No. 7-15/NRC/NCTE/Returning of Application/S.No.-235/Raj./2009/70576 dated 07.03.2009 of the Northern Regional Committee, thereby returning the application for conducting B.Ed. course on the following grounds:- "the NCTE Hqrs. 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."

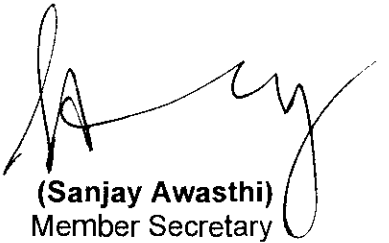
AND WHEREAS the appellant, aggrieved by the Letter of the NRC, filed a S.B. Civil Writ Petition No. 7704/2019 before the Hon'ble High Court of Judicature for Rajasthan, Bench at Jaipur. The Hon'ble High Court, in their order dt. 29/04/2019, allowed the Writ Petition to be withdrawn with liberty to the petitioner to file an appeal before the NCTE with directions to the NCTE to decide the appeal on merits ignoring the limitation period.

AND WHEREAS Sh. Bhoopendra Singh, Secretary, Sanskar Shikshan Prashikshan Sansthan, Piprau Road, Nadbai, Bharatpur, Rajasthan presented the case of the appellant institution on 11/10/2019. In the appeal and during personal presentation it was submitted that (i) they submitted an application for grant of recognition for B.Ed. course on 29/08/2008 and the respondent returned their application with their letter dt. 07/03/2009 for the reasons stated therein; (ii) the respondent has acted in a highly discriminatory manner and considered only those files having court order in their favour; (iii) the controversy settled by the Appellate

Authority, in the similar matter while disposing of the appeal u/s 18 of NCTE Act, 1993, the appellate authority of NCTE vide order No. 89-488/E-9740/2017 Appeal/17th Meeting-2017 dt. 27.11.2017 titled "J.B.M. College of Education" directed the NRC to process further the application on the ground that "...Appeal Committee noted that the appellant applied in 2012, there was no ban by the State Government. Further the Appeal Committee is of the view that the blanket general ban imposed by the State Government can be taken into account by NCTE only before issuing any notification inviting applications for teacher education course in a particular State for the prospective academic year(s). Once applications are invited, the Regional Committee has no right to reject it on grounds of ban imposed subsequently by the State Government." A copy of Appeal order dated 27.11.2017 is annexed; (iv) the respondent granted recognition to several institutions ignoring the above said shortcomings vide orders dt. 26/08/2016 and 14/12/2018, copies enclosed; (v) the act of respondent in giving recognition to various institutions and rejecting their application is faulty and discriminatory in nature; (vi) in the similar matter while disposing of the appeals u/s 18 of NCTE Act, 1993, the appellate authority settled the controversy and issued various orders. As per direction given by the Appellate Authority the Respondent Committee (NRC) decide to process the same in 297th Meeting. A photocopy of extract part of the minutes are enclosed. (vi) the Director of Elementary Education Rajasthan, Bikaner issued NOC in favour of institutions, who submitted applications and copy of NOC is enclosed; (viii) the respondent did not issue a Show Cause Notice to the appellant institution before passing an adverse / rejection order, providing a reasonable opportunity for making a written representation under Section 14 (3) (b) of the NCTE Act, 1993; and (ix) the appellant made necessary arrangements with regard to physical infrastructure and other facilities but their application was returned in a most arbitrary manner, thereby making the rejection order bad in the eye of law and thus liable to be quashed and set aside.

AND WHEREAS the relevant regulatory file of the NRC is not available. The Committee noted that the impugned letter of the NRC returning the application of the appellant was issued in the year 2009 and it is not an order issued under any one of

the Sections 14, 15 or 17 of the NCTE Act, 1993 against which only an appeal can be preferred under Section 18 of the said Act and that too within sixty days of issue of a statutory order. The appellant has preferred the appeal only after the Hon'ble High Court granted them liberty and that too after three months and seven days without adducing any reason. Further the committee noted that a plain reading of the appeal reveals that all the submissions made therein have no relevance to the contents of the Letter of the NRC dt. 07/03/2009. It is seen that the appellant, for reasons best known to him, has not contested the letter dt. 07/03/2009 before the NRC all these years. In these circumstances, the Committee decided to reject the appeal.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Sanskar Shikshan Prashikshan Sansthan, 2140, Piprau Road, Nadbai, Bharatpur – 321602, 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.89-325/E-130446/2019 Appeal/29th Mtg.-2019/11th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 25/10/2019

ORDER

WHEREAS the appeal of Banuali & Ajiran Teachers Training Institute, Radhakrishnapur, Lep Road, Sagar South 24-Pargana, West Bengal dated 12/08/2019 is against the Order No. ER-272.14.129/ERCAPP178/B.Ed./2019/60748 dated 14.06.2019 of the Eastern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "1st Show Cause Notice u/s 17(1) was issued on 18.01.2019. 2nd Show Cause Notice issued on 05.03.2019 allowing extension of 21 days time for compliance. Faculties mentioned at sl. No. 9 & 10 of the approved list have been appointed after 09.06.2017 who do not possess requisite NET/Ph.D. qualification as per Gazette Notification No. 237 of NCTE published on 09.06.2017. As per list, one more faculty falls short as per requirement (1+15) of NCTE Regulations, 2014. The institution has requested vide letter dated 26.03.2019 seeking further extension of time for compliance. 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. ERCAPP178 is withdrawn under section 17(1) of NCTE Act, 1993 from the academic session 2020-21."

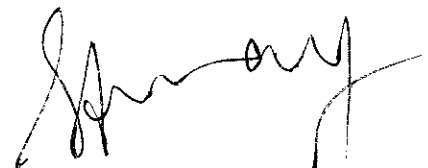
AND WHEREAS Sh. Prabhakar Padhiary, Principal and Sh. Badal Kumar Das, Secretary, Banuali & Ajiran Teachers Training Institute, Radhakrishnapur, Lep Road, Sagar South 24-Pargana, West Bengal presented the case of the appellant institution on 11/10/2019. The appellant, in the course of presentation, submitted a copy of the new faculty list, countersigned by the Registrar, the West Bengal University of Teachers' Training, Education, Planning and Administration on 02/09/2019.

AND WHEREAS the Committee, noting that the ground of withdrawal related only to faculty and the appellant has submitted the faculty list approved by the

affiliating university, concluded that the matter deserved to be remanded to the ERC with a direction to consider the new faculty list to be submitted to them by the appellant and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to the ERC the latest faculty list submitted in appeal, with original thereof, within 15 days of receipt orders on the appeal.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded that the case deserves to be remanded back to the ERC with a direction to consider the new faculty list to be submitted to them by the appellant and take further action as per NCTE Regulations, 2014. The appellant is directed to forward to the ERC the latest faculty list submitted in appeal, with original thereof, within 15 days of receipt orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Banuali & Ajiran Teachers Training Institute, Radhakrishnapur, Lep Road, Sagar South 24-Pargana, West Bengal to the ERC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Secretary, Banuali & Ajiran Teachers Training Institute, 2152-2153, Radhakrishnapur, Lep Road, Sagar South 24-Pargana – 743373, West Bengal.
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 West Bengal, Kolkata.