(2)

F.No.89-167/E-115750/2019 Appeal/32nd Mtg.-2019/17th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/11/2019

ORDER

WHEREAS the appeal of Seth Banarsi Dass College of Education, Mouja Ratgal, Pipli Road, Thanesar, Haryana dated 27/04/2019 is against the Order No. NRC/NCTE/NRCAPP-13048/295th Meeting/2019/200925 dated 28.02.2019 of the Northern Regional Committee, refusing recognition for conducting for B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that "in compliance of order dated 12.02.2018 of the Hon'ble High Court of Delhi in W.P. (C) No.1296/2018, the application of the institution was processed. NRC decided to issue SCN on the following grounds: The total members of faculty to run the integrated course is 1+15 against which the institution has submitted 1+8 members of faculty. Hence, the Committee decided that the application is rejected, and recognition/permission is refused 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Seth Banarsi Dass College of Education, Mouja Ratgal, Pipli Road, Thanesar, Haryana was asked to present the case of the appellant institution on 11/06/2019 and 02/08/2019 but nobody appeared on behalf of the appellant institution. In the appeal memoranda it was submitted that "Appellant was issued LOI only after deliberations by Delhi High Court in WP civil 1296 of 2018 in which the Honourable Court had quashed the orders dated 18.04.2017 and 27.09.2016 passed by respondent Nos.1 and 2 In view of the admitted position that 3rd March 2018 is the last date for grant of recognition for the Academic session 2018 19.Thus vide letter dated 16.2.2018, The Appellant College was issued Letter of Intent vide File Code No. NCTE/NRCAPP13048/ 285th Meeting/ 2018 / 195430 32 on 12.07.2018. All the compliances had been made in pursuance to such LOI. That the Appellant had duly filed a Compliance reply dated 10.9.2018, to the LOI. It was duly submitted that the college had made compliance to all the conditions as laid down in the Letter of Intent.

However, the list of duly approved staff to be submitted could not be submitted not due to any fault on the part of the Appellant. Since there was the strike of Kurukshetra University Non-Teaching Employees Association KUNTEA, due to which staff, so selected and appointed on the recommendations of the Interview Committee, the appellant college could not get formal approval from the Kurukshetra University. The Appellant was issued a Show cause notice regarding submission of the staff approval by the affiliating University stating. The appellant college replied to the said notice stating therein that the Appellant College had duly conducted the interviews by the duly approved Selection Committee as required for the approval of staff. The recommendations of the selection committee for the candidates was duly filed in the office of the Dean Colleges, Kurukshetra University Kurukshetra for the formal approval. However, the formal approval could not be issued by the Dean Colleges, Kurukshetra University due to strike of Non-Teaching staff of the Kurukshetra University. When the strike ended the Appellant approached the departmental authorities for issue of approval. The file of the appellant College was pursued sincerely. However, unfortunately, a Fire erupted in the building of the Dean Colleges, thereby destroying large number of records and burning computers, files and large section of the building. The fire broke on 31.I0.2018. The relevant newspaper news of such fire was duly published in many newspapers too. The impugned rejection order is liable to be set aside in as much as the Appellant Institution has complied with all the conditions as laid down for the recognition of the new 4 year integrated course. The Appellant Institutions should be allowed to come into existence as it has all the adequate material and manpower resources in terms, for instance, of qualified teachers and other staff, adequate buildings and other infrastructure laboratory, library, etc., a reserve fund and operating funds to meet the day to day requirements of the institutions, including payment of salaries, provision of equipment, etc. Laboratories, teaching science methodologies and practical's. The appellant is also having adequate fittings and regular supply of water, electricity, etc. The appellant submits to comply with all the norms so laid down by the NCTE and the affiliating University for the purpose of providing quality education to its pupil. After the inspection, the Appellant has replied to various queries, as raised from time to time and all were duly replied.

Now after the issue of LOI, all the conditions have been duly fulfilled. The requisite staff has already been appointed and the approval being submitted to the NCTE as and when received from the affiliating university."

AND WHEREAS appellant by its letter dated 07/06/2019 and 31/07/2019 informed that the Chairman of the college is not well, and another opportunity may be granted for appeal hearing. Appeal Committee, as per extant appeal rules, decided to grant another (Third) opportunity to the appellant to present its case before Appeal Committee.

AND WHEREAS Sh. Roshan Lal Gupta, Chairman and Sh. Varun Gupta, General Secretary, Seth Banarsi Dass College of Education, Mouja Ratgal, Pipli Road, Thanesar, Haryana presented the case of the appellant institution on 17/10/2019. Appeal Committee noted that a Letter of Intent (L.O.I.) dated 12/07/2018 was issued to appellant institution seeking compliance on certain points inter-alia appointment of faculty with the approval of affiliating university. Appeal Committee further noted that NRC in its 295th Meeting held from 6th to 11th February, 2019 decided to issue Show Cause Notice (SCN) on the ground that it had submitted list of 1 + 8 faculty against the requirement of 1 + 15 faculty for the applied for course.

AND WHEREAS appellant in its Appeal memoranda as well as oral arguments stated various reasons for the delay in getting required approval of affiliating university. These reasons included a strike of Kurukshetra Non Teacher Employee Association and subsequent eruption of fire in the building of Dean of the Colleges.

AND WHEREAS on being allowed some extra time, the appellant institution has now been able to submit a list containing the names of Principal and 15 faculty approved by Dean of Colleges, Kurukshetra University and a letter issued by Dy. Superintendent (College) for Dean of Colleges. Appellant is required to submit authenticated copy of these documents to NRC within 15 days of the issue of Appeal order. Appeal Committee decided to remand back the case to NRC for revisiting the

matter after the appellant submits to NRC copy of required documents within 15 days of the issue of Appeal order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to NRC for revisiting the matter after the appellant submits to NRC copy of required documents within 15 days of the issue of Appeal order.

NOW THEREFORE, the Council hereby remands back the case of Seth Banarsi Dass College of Education, Mouja Ratgal, Pipli Road, Thanesar, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Chairman, Seth Banarsi Dass College of Education, Mouja Ratgal, 10/24, Pipli Road, Thanesar – 136118, Haryana.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89-178/E-116295/2019 Appeal/32nd Mtg.-2019/17th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/11/2019

ORDER

WHEREAS the appeal of MNR B.A. B.Ed. College, BPL Road, Banaganapalli, Thimmapuram – 518176, Andhra Pradesh dated 29.04.2019 is against the Order No. SRO/NCTE/SRCAPP3031/ B.A.B.Ed./AP/2019-102981 dated 05.04.2019 of the Southern Regional Committee, withdrawing recognition for conducting B.A. B.Ed./B.Sc. B.Ed. Course on the grounds that (i) The plan submitted by the Management is not clearly indicating the exclusive space for B.A. B.Ed. programme; and (ii) the latest faculty list is also not submitted as per the NCTE Amendment Regulations, 2017. Hence, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act.

AND WHEREAS Sh. M.M. Nagamalleswareddy, Principal and Dr. K.K. Sharma, Director, MNR B.A. B.Ed. College, BPL Road, Banaganapalli, Thimmapuram – 518176, Andhra Pradesh presented the case of the appellant institution on 12/06/2019. In the appeal and during personal presentation the appellant submitted that they have taken approval from Panchayath Office before submitting online application to SRCNCTE and the same building plan was shown to inspection committee at the time of inspection and also submitted hard copy to SRCNCTE. Now they are submitting same building plan for reference. They are submitting latest staff approval and also their college completed State Govt. inspection and recommended for G.O.

AND WHEREAS the Committee noted that the building plan does not indicate the demarcated area for the B.A. B.Ed. programme and the approved staff list is not the original one. The appellant, in a letter dt. 12/06/2019, requested another opportunity to bring original approved building plan and staff list to present their case.

The Committee decided to give the appellant another opportunity i.e. the second opportunity to present their case.

AND WHEREAS a notice dated 16/07/2019 was issued to appellant institution intimating the next date of hearing i.e. 02/08/2019 before Appellate Authority. Nobody from the appellant institution was present on the scheduled day of hearing. Appeal Committee, as per extant appeal rules decided to grant another (Third) opportunity to the appellant institution to present its case with required documents.

AND WHEREAS in the appeal meeting held on 17.10.2019, Appellate Authority noted that the appellant had not appeared for personal presentation of its case and submission of originally approved building plan and the latest list of faculty approved by affiliating University. Committee also noted that appellant during personal presence before Appeal Committee on 12.06.2019 had assured the Committee to submit the required documents in original and has already been provided two opportunities thereafter to submit the required documents.

AND WHEREAS Appeal Committee noted that appellant institution in its online application dated 30.05.2015 had not furnished details of applications made for other Teacher Education Courses but on being asked by SRC by its letter dated 13.10.2015 informed but its letter dated 23.10.2015 that it had two other applications for B.Ed. and D.El.Ed. courses. The Visiting Team also reported that appellant institution had three applications for proposed courses i.e. D.El.Ed., B.Ed. and B.A.B.Ed. Appeal Committee further observed from the regulatory file that inspection report of the institution was received in the office of SRC on 30.01.2016 and Letter of Intent (LOI) was issued on 02.02.2016. Appeal Committee further noted that SRC on reconsideration of the matter sought clarifications from the appellant by its letter dated 12.02.2016 seeking option of any two programmes out of the three courses applied for as built up area was not found to be adequate for the three courses applied for. The appellant society/institution by its letter dated 15.02.2016 submitted a reply which was not clear and requested for return of the application fee.

AND WHEREAS Appeal Committee noted that SRC, without getting the matter fully clarified by the appellant institutions, issued recognition order dated 05.04.2016 for an intake of 50 seats of B.A.B.Ed. programme. Recognition granted by the above order has now been withdrawn by issued of impugned order dated 05.04.2019. Appeal Committee noted that before issuing impugned withdrawal order the appellant institution was granted opportunity by issued of Show Cause Notice (SCN) dated 06.11.2018. In the SCN appellant institution was asked to submit building plan clearly indicating the build up area for B.A.B.Ed. programme and the latest faculty list as per amended NCTE Regulations.

AND WHEREAS Appeal Committee observed that para 8(2)(ii) of NCTE Regulation, 2014 provides that the society sponsoring institutions shall have to ensure that proposed teacher education institution has well demarcated land area as specified in the norms. Further clause 8(12) of the NCTE Regulations 2014 prescribed that the institution shall make the information and documents available to the Council as and when required.

AND WHEREAS Appeal Committee noted that issued of SCN dated 06.11.2018 to appellant institution was based on a letter dated 02.05.2017 received from Secretary, APSCHE stating that majority of the colleges permitted to start 4-year Integrated Course of B.A.B.Ed. have not complied with the requirement of NCTE Regulation 2014. Appellant in its reply dated 31.12.2018 to the SCN had referred to inspection report and proceedings of administrative authorities conducted in April, May, 2016 whereas the observations of Secretary, APSCHE relate to the year 2017 which are subsequent to the earlier communications. Appellant further failed to submit before Appellate Authority the originals of latest list of faculty and building plan as per commitment made in the appeal hearing dated 12.06.2019. Appeal Committee, therefore, decided to confirm the impugned order of withdrawal dated 05.04.2017 issued by SRC.

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 Secretary/Correspondent, MNR B.Ed. College, BPL Road, Banaganapalli, Thimmapuram – 518176, Andhra Pradesh.
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 Andhra Pradesh, Hyderabad.

(4)

F.No.89-201/E-118243/2019 Appeal/32nd Mtg.-2019/17th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/11/2019

ORDER

WHEREAS the appeal of Dayawati Mahavidyalaya, Sohawal, Uttar Pradesh dated 14/05/2019 is against the Order No. NRC/NCTE/NRCAPP-11814/297th Meeting/2019/201337 dated 11.03.2019 of the Northern Regional Committee, refusing recognition for conducting for D.El.Ed. Course on the grounds that "in the light of the order dt. 31.10.2018 in LPA. No. 619/2018 of the Hon'ble Delhi High Court and Letter No. 67/19/2018-US(Legal) Hqr. Dated 18.12.2018 and the ban imposed by the State Govt. vide letter No. 1188/68-4-2018 dt. 24.08.2018 to start D.El.Ed. course in the State of Uttar Pradesh, NRC, NCTE cannot process your application further. Hence, the Committee decided that the application is rejected, and recognition is refused u/s 14(3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

AND WHEREAS Dayawati Mahavidyalaya, Sohawal, Uttar Pradesh was asked to present the case of the appellant institution on 13/06/2019 and 02/08/2019 and 17.10.2019, but nobody from the institution appeared. After giving three opportunities to the appellant to appear before the Appellate Authority to personally present its case, Appeal Committee decided to consider the matter export on the basis of relevant records and written submissions made by appellant in the appeal Memorandum.

AND WHEREAS appellant in its Appeal Memorandum letter dated 11.05.2019 stated that some additional time was sought from NRC for submitting compliance to the Letter of Intent. NRC without considering the request made by appellant institution had issued the refusal order.

AND WHEREAS Appeal Committee noted that impugned refusal order dated 11.03.2019 was issued by NRC in light of the order dated 31.10.2018 in LPA no.

619/2018 of Hon'ble Delhi High Court and Letter No. 67/19/2018-US (Legal) HQ dated 18.12.2018 and the ban imposed by State Govt. vide letter NO. 1188/68-4-2018 dated 24.08.2018 to start D.El.Ed. Course in the State of Uttar Pradesh.

AND WHEREAS Appeal Committee appreciates the decision taken by NCTE not to grant recognition to new teacher education institutions to check their mushrooming growth. But in the present case appellant institutions and submitted online application in the year 2015 in accordance with NCTE Regulations, 2014. The application was duly processed, inspection conducted and Letter of Intent (LOI) was issued on 02.06.2018. Appellant after seeking some extension of time to submit compliance to the LOI finally submitted final compliance on 12.12.2018. Appeal Committee noted that with its compliance report appellant ad enclosed list of faculty approved on 07.09.2018 by 'Pariksha Niyamak Adhikari, Uttar Pradesh'. Appeal Committee, in the absence of appellant not appearing on all three occasions, could not get it clarified as to why appellant took almost three months to submit final compliance after the faculty was approved by the affiliating body. Secondly the approval of affiliating body dated 07.09.2018 is after the date (24.08.2018) on which the State Govt. had imposed ban to start D.El.Ed. course.

AND WHEREAS in view of the facts narrated above, NRC is required to find from the affiliating body whether approval of faculty after a ban was imposed by the State Govt. would have over-riding effect to the policy of State Govt. By seeking this clarification genuineness of the approval letter dated 07.09.2018 will also be confirmed. Appeal Committee decided to remand back the case to NRC for revisiting the matter and then issuing a revised appropriate order.

AND WHEREAS after perusal of the Memorandum of Appeal, affidavit, documents on record Appeal Committee concluded to remand back the case to NRC for revisiting the matter and then issuing a revised appropriate order.

NOW THEREFORE, the Council hereby remands back the case of Dayawati Mahavidyalaya, Sohawal, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Dayawati Mahavidyalaya, Sohawal – 224201, 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.

(6)

F.No.89-291/E-126922/2019 Appeal/32nd Mtg.-2019/17th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/11/2019

ORDER

WHEREAS the appeal of Auxilium College of Education, Kidangoor, Aluva, Ernakulam, Kerala dated 28/07/2019 is against the Order No. SRC/NCTE/APSO7108/104879 dated 04.06.2019 of the Southern Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "A show Cause Notice dt. 12.07.2016 was issued to the institution. Affidavit as required under NCTE Regulations, 2014 regarding appointment of faculty has not been submitted. The institution submitted a copy of letter dt. 02.03.2016 issued by the Assistant Registrar II (ACAD), Mahatma Gandhi University, Kottayam regarding provisional approval of faculty members. The institution submitted a list of 9 faculty members against the requirement of 10 as stipulated under NCTE Regulations, 2014. The list is signed by the Joint Registrar of the University with the remarks "No University nominee attended the selection committee." Faculty appointed at S.No. 3 namely Mercy T.M.is not qualified as she does not possesses required 55% in M.A. (English). Lecturer for Visual Arts not appointed. Xerox copies of FDRs of Rs. 4+3=7 lakhs in joint account has been submitted against the requirement of 12 (5+7) lakhs and also the maturity date is over i.e. 01.07.2016. The institution has not submitted Land Use Certified issued by the competent authority. The institution submitted a copy of building plan but (i) the multipurpose hall is only 1100 sq.ft. which is less than the requirement stipulated in NCTE Regulations, 2014; (ii) Name of institution with khasra no. / survey no. etc. are not mentioned over the building plan; and (iii) most part of the building plan like total built up area etc. are not legible. The institution has not submitted BCC issued by the competent authority. The institution has not submitted EC issued by the competent authority. The institution has not submitted certified copies of land documents issued by the competent authority."

AND WHEREAS Mercy A.T., Principal, Auxilium College of Education, Kidangoor, Aluva, Ernakulam, Kerala presented the case of the appellant institution on 27/08/2019. In the appeal and during personal presentation it was submitted that "Appellant vide its application dated 20.04.2006 applied for grant of recognition for B.Ed. in the name of institution 'Auxilium College of Education' as per NCTE Norms. That it is submitted that as per Regulation SRC, NCTE vide its letter informed the Appellant that the NCTE inspection team will conduct a visit to the Appellant and will verify the land documents, building plan, building completion certified, encumbrance certificate, order of affiliation / approval of the affiliation body, etc. Further, the letter also directed that the inspection team will verify the infrastructural facilities of the Appellant as per regulation. SRC, NCTE on the basis of the scrutiny of the documents submitted by the institution, report and videography received from visiting team satisfied itself that the Appellant is having adequate financial resources, infrastructure and instructional facilities as prescribed in norms and standards and it fulfils all other conditions require for proper functioning of the institution for teacher education programme and decided to issue letter of intent to the Appellant to submit the FDRs and approved faculty list. Accordingly, Appellant submitted the compliance of the letter of intent and SRC, NCTE after processing of the application of the Appellant and conducting the expert inspection granted its recognition dated 25.08.2009 to the Appellant for conducting B.Ed. Course. NCTE notified NCTE (Recognition Norms and Standards) Regulation 2014. As per the New Regulation the running institution were required to submit the willingness either to continue the recognition for the One Unit i.e. 50 intake of two unit i.e. 100 intake of students. For running one Unit Course there was no change and institution was required 2500 Sq. mtr. of land with 1500 sq. mtr. built up area and 8 numbers of faculties. Appellant submitted the consent of running only one unit of the course. It is submitted that the SRC, NCTE issued a revised recognition order dated 15.05.2015 wherein it issued the recognition order for 100 intake i.e. two units. Appellant pointed out to the SRC, NCTE that they have only consented for one unit i.e. 15.05.2015. That it is submitted that the SRC, NCTE issued its Corrigendum dated 26.06.2015 thereby recalling its earlier letter dated 15.05.2015 in respect to the grant of two units and corrected the recognition of the Appellant for the one basic unit i.e. 50 intake. It is submitted that the Show Cause

Notice dated 13.03.2019 was issued to the Appellant. It is submitted that the Show Cause notice dated 13.03.2019 was issued wrongly to the Appellant as it noted that the SRC granted the recognition to the petitioner institution for Two Basic Units i.e. 100 intake. It is relevant to state that the Show Cause notice failed to appreciate that the SRC had issued a corrigendum dated 26.06.2015 and had corrected its order and hence no compliance except the FDRs was required. That it is submitted that the Appellant vide its reply dated 09.04.2019 submitted the response to the show cause and submitted the relevant documents. Petitioner institution also sought period of two more weeks for submitting the BCC in required format and staff profile, since the staffs of the Appellant institution were in election duty. It is submitted that the Appellant institution has also procured the BCC in the desired format now. It is submitted that the appellant institution challenged the SRC withdrawal order and the Show cause notice before Hon'ble High Court of Delhi and Hon'ble High Court of Delhi vide its 22.07.2019 passed in W.P. (C) No. 7847 of 2019 directed as under: "The petitioner vide the present petition seeks the quashing of the SRC withdrawal order dated 4.6.2019 pursuant to show cause notice dated 4.6.2019 whereby the recognition of the petitioner's institution running B.Ed. programme has been decided to be withdrawn under the provisions of Section 17(1) of the NCTE Act, 1993. It is submitted at the outset on behalf of the respondents No.1 & 2 that the petitioner has not chosen to file the appeal in accordance with law under Section 18 of the said enactment. Learned counsel for the petitioner now submits that he would file the appeal within a period of a week by the date 29.7.2019. In the event of the appeal being filed by the petitioner by the date 29.7.2019, till the date the appeal is taken up for consideration, the operation of the impugned order of withdrawal shall stand stayed. The petitioner may participate in the current counselling process subject to the outcome of the appeal." A True Copy of the Order dated 22.07.2019 passed in W.P. C No.7850 of 2019 is annexed herewith and marked as ANNEXURE P-6 That it is submitted that impugned withdrawal order dated 04.06.2019 and Show Cause Notice dated 13.03.2019 are completely arbitrary as the Show Cause Notice was issued on the wrong premise of two units which was not required for the Appellant. That it is submitted that Appellant Institution in response the Show Cause Notice submitted its reply dated 09.04.2019 wherein the relevant documents were

submitted by the Appellant Institution as also some time was requested from the SRC as the staff of the Appellant Institution were on election duty. That it is submitted that SRC passed the impugned order arbitrarily as the expert the team of the SRC conducted the visit of the Appellant Institution and verified the building plans approved by the competent authority including other documents and compared them with the infrastructural facilities. That it is submitted that SRC passed the impugned order arbitrarily as SRC verifying the documents of the Appellant Institution including the building plan approved by the competent authority issued its letter of intent. Appellant has been recognized for 50 intake after verifying each and every infrastructural and instructional facilities as per the NCTE Regulation, 2014. Most respectfully prayed that NCTE may graciously be pleased to:- Restore the Recognition of the Applicant Institution withdrawn by the SRC vide its order dated 04.06.2019."

AND WHEREAS Appeal Committee noted that appellant institution had filed a Writ Petition (C) No. 7847 and C.M. No. 32365 of 2019 in the High Court of Delhi. Hon'ble High Court by its order dated 22.07.2019 has directed the petitioner to file appeal and also stayed the operations the current counselling process.

AND WHEREAS Ms. Mercy A.T., Principal of the appellant institutions appeared before Appeal Committee on 17.10.2019 and submitted copies of:

i. Building Completion Certificate (BCC) for a built up area of 3007 sq.meters including a multipurpose hall measuring 204.88 sq.meters.
ii. Land Use certificate dated 20.06.2019 issued by Tehsildar (LR)
iii. Non-cumbrance certificate issued by Govt. of Kerala
iv. FDRs of Rs.5 Lakh, 3 Lakh and 4 Lakhs (Total 12 Lakh) in joint name
v. Land documents
vi. List of Faculty (1x7) countersigned by Joint Registrar in charge, Mahatama Gandhi University, Kottayam_
vii. Building Plan approved by Secretary, Gram Panchayat.

AND WHEREAS Appeal Committee noted that appellant institutions is recognized for conducting B.Ed. Course since the year 2009. The appellant pertaining to 2018-19 and 2019-20 contains remarks of affiliating University such as "Not Qualified as per

UGC and NCTE Norms" against the names of Principal and four of the faculty members. One of the faculty though qualified is shown as appointed on contract basis.

AND WHEREAS Appeal Committee noted that representatives of affiliating University have also not participated in the selection/interview process for selection of the faculty. Appeal Committee also considered that Hon'ble High Court had allowed the petitioner to participate in the counselling process and by now admissions for the academic session 2019-20 would have been settled. In these to remand back the case to SRC for revisiting the matter. Appellant institution is requested submit to SRC copy of all the documents listed in para-4 of the issued of order. SRC, thereafter, will be required to revisit the matter taking into account that appellant institution is recognized for an intake of 50 seats and issued revised appropriate order.

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 for revisiting the matter. Appellant institution is requested submit to SRC copy of all the documents listed in para-4 of the issued of order. SRC, thereafter, will be required to revisit the matter taking into account that appellant institution is recognized for an intake of 50 seats and issued revised appropriate order.

NOW THEREFORE, the Council hereby remands back the case of Auxilium College of Education, Kidangoor, Aluva, Ernakulam, Kerala to the SRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Auxilium College of Education, Angamaly, 191, 196, 197, Kidangoor, Aluva, Ernakulam – 683591, Kerala.
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 Kerala, Thiruvananthapuram.

(10)

F.No.89-309/E-127853/2019 Appeal/32nd Mtg.-2019/17th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/11/2019

ORDER

WHEREAS the appeal of Swami Sahajanand Saraswati B.Ed. College, Sector-9, Chas, Bokaro, Jharkhand dated 31/07/2019 is against the Order No. ER-274.14.36/(ERCAPP1185)/B.Ed./2019/61257 dated 13.08.2019 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) issued on 21.02.2019, followed by final show cause notice dated 19.06.2019 and the institution is still deficient on the following grounds:- Building plan is not approved by Govt. Engineer. Building Completion Certificate signed by Govt. Engineer. Website not maintained and updated."

AND WHEREAS Sh. P.N. Roy, President and Sh. Kamlesh Chaubey, Administrative Member, Swami Sahajanand Saraswati B.Ed. College, Sector-9, Chas, Bokaro, Jharkhand presented the case of the appellant institution on 17/10/2019 and submitted that "Land has been allotted by Steel Authority of India Limited. Competent Authority for the buildings situated in the area of Sail is BSL town administration. Also, in the previous Building Completion Certificate, the signature of the present engineer was approved. In this regard clarification was required from NCTE as to who is competent to sign the Building Completion Certificate. Website has been maintained."

AND WHEREAS Appeal Committee noted that appellant institution was granted recognition for conducting B.Ed. course in the year 2013 considering the Building Plan and B.C.C. which were not countersigned by Government Engineers. The then granted recognition had continued till it was withdrawn in July, 2019. Appellant had pleaded that land having been allotted by Steel Authority of India (SAIL), the Competent Authority to sanction building plan and issue B.C.C. is SAIL, BSL Town Administration. Appellant during the course of appeal hearing on 17/10/2019 submitted copies of

Building plan and Building Completion Certificate (B.C.C.) approved by SAIL Engineer. Appeal Committee noting that SAIL is a Government undertaking having jurisdiction over its localities to sanction Civic work, decided to remand back the case to ERC, for revisiting the matter after verifying that website of the appellant institution is functional. Appellant institution is required to submit to ERC copies of Building Plan, B.C.C. and printout of website within 15 days of the issue of appeal order.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to ERC, for revisiting the matter after verifying that website of the appellant institution is functional. Appellant institution is required to submit to ERC copies of Building Plan, B.C.C. and printout of website within 15 days of the issue of appeal order.

NOW THEREFORE, the Council hereby remands back the case of Swami Sahajanand Saraswati B.Ed. College, Sector-9, Chas, Bokaro, Jharkhand to the ERC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The President, Swami Sahajanand Saraswati B.Ed. College, Sector-9, Sector – 8 B, Chas, Bokaro – 827009, Jharkhand.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

(11)

NCTE

F.No.89-208/E-118902/2019 Appeal/32nd Mtg.-2019/17th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/11/2019

ORDER

WHEREAS the appeal of Adarsh B.Ed. College, Palari, Keolari, Madhya Pradesh dated 27/05/2019 is against the Order No. WRC/APW05538/B.Ed./306th/2019/203321 dated 09.05.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the revised recognition order was issued to the institution on 31.05.2015. The Show Cause Notice was issued to the institution 16.11.2016. The institution has submitted reply of Show Cause Notice vide letter dated 05.12.2016. On perusal of the reply of the institution, it is observed that the institution has not submitted the following documents: The institution has not submitted original staff profile along with a letter granting approval for the selection or appointment of faculty issued by the affiliating body as per NCTE Amendment Regulations 2017. The institution has not submitted NEC issued by the competent authority. The institution website is not found functional. The institution has not submitted additional FDR Rs. 4.00 lakh. 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. Sundram, Principal and Sh. R.K. Solanki, President, Adarsh B.Ed. College, Palari, Keolari, Madhya Pradesh appeared before the Committee. The appellant submitted a letter dt. 08/07/2019 in which he requested another opportunity as they are unable to present some documents in connection with the appeal.

AND WHEREAS 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 Sh. R.K. Solanki, President, Adarsh B.Ed. College, Palari, Keolari, Madhya Pradesh appeared before the Committee on 28/08/2019 i.e. the second opportunity granted to them. The appellant, in a letter dt. 28/08/2019, requested another opportunity. The Committee decided to give the appellant third and final opportunity to present their case.

AND WHEREAS Sh. R.K. Solanki, Chairperson and Dr. Sharad Sundaram, Principal, Adarsh B.Ed. College, Palari, Keolari, Madhya Pradesh appeared before Appeal Committee on 17/10/2019 and submitted copies of following documents:

(i) Letter dated 07/09/2019 of Vice Chancellor, Ram Durgawati University addressed to Principal, Adarsh B.Ed. College, Seoni conveying verification/certification of the list of faculty.

(ii) List of faculty (1+15) approved by Registrar, Rani Durgawati University on 07/09/2019.

(iii) Copies of FDRs of Rs. 7 lakh valid upto 23/05/2014 and Rs. 5 lakh valid upto 23/05/2024 in joint name.

(iv) N.E.C. dated 08/05/2019 issued by Tehsildar.

(v) Printout of website pages.

AND WHEREAS Appeal Committee considering that appellant has submitted compliance to all points leading to withdrawal of recognition, decided to remand back the case to WRC for revisiting the matter. Appellant is required to submit to WRC copies of documents mentioned in para 5 of the appeal order within 15 days of the issue of appeal order and WRC will revisit the case only thereafter.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to WRC for revisiting the matter. Appellant is required to submit to WRC copies of documents mentioned in para 5 of the appeal order within 15 days of the issue of appeal order and WRC will revisit the case only thereafter.

NOW THEREFORE, the Council hereby remands back the case of Adarsh B.Ed. College, Palari, Keolari, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Adarsh B.Ed. College, Palari, Khasra No. 333/3, Keolari – 480991, 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.

(12)

F.No.89-209/E-119208/2019 Appeal/32nd Mtg.-2019/17th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/11/2019

ORDER

WHEREAS the appeal of Kamla Nehru Mahila Mahavidyalaya, Prem Nagar, Madhya Pradesh dated 28/05/2019 is against the Order No. WRC/OAPW0976/213023/304th/2019/202580 dated 11.04.2019 of the Western Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "the revised recognition order was issued to the institution on 07.09.2015. The SCN was issued to the institution on 21.07.2016. The institution has submitted reply dated 19.08.2016 received in the office of WRC on 23.08.2016. On perusal of the reply of the institution it is observed that the institution has not submitted the following documents: (i) The institution has not submitted a letter granting approval for the selection or appointment of faculty, issued by the affiliating body as per NCTE Regulations, 2014. (ii) The institution has not submitted any proof of additional built-up area. (iii) The institution has not submitted any proof of additional infrastructure. (iv) The institution has not submitted NEC issued by the competent authority. (v) The institution has not submitted land use certificate issued by the Competent Authority. (vi) The institution has not submitted building plan approved by competent authority mentioning plot/khasra Number, total land area and earmarked area for each course being run in the same premises. (vii) The institution has not submitted BCC issued by the competent authority. (viii) The institution has not submitted certified registered land document. 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. Yogendra Dwivedi, Representative and Shravan Shukla, Member, Kamla Nehru Mahila Mahavidyalaya, Prem Nagar, Madhya Pradesh appeared before the Committee on 17/10/2019 and submitted following documents:-

(i) Letter dated 30/09/2019 issued by Vice Chancellor, Avdesh Partap Singh University, Rewa verifying the list of faculty.

(ii) List of faculty containing the names of Principal and 15 faculty signed by Vice Chancellor.

(iii) Non Encumbrance Certificate dated 12/01/2018.

(iv) Land Use Certificated dated 20/04/2002.

(v) B.C.C.

(vi) Lease deed registered in the year 1965 (certified copy of May, 2019).

(vii) Building Plan.

(viii) Building Completion Certificate.

AND WHEREAS Appeal Committee noted that appellant institution was recognised for conducting B.Ed. course in the year 1998 & 2001 and subsequently revised recognition order under NCTE Regulation, 2014 was issued in the year 2015. Appeal Committee noted that appellant institution prima-facie appears to be functioning from the some address and as such under the NCTE Regulation, 2014 is required to fulfil (i) revised built up area norms, (ii) Adequate faculty as per revised Norms and Standards, (iii) Increased infrastructure keeping in view that duration of the course is increased to 2 years, (iv) upto date N.E.C. Regional Committee while withdrawing recognition of existing institutions should be very specific as to details of which infrastructure area required to be submitted.

AND WHEREAS in the present case appellant institution is required to submit within 15 days of the issue of appeal authenticated copies of all the documents mentioned in para 3 of the appeal order and also any such other document relating to rectification of any deficiency pinpointed by WRC. Appeal Committee decided to remand back the case to WRC for revisiting the matter on receipt of required documents from the appellant.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee

concluded to remand back the case to WRC for revisiting the matter on receipt of required documents from the appellant.

NOW THEREFORE, the Council hereby remands back the case of Kamla Nehru Mahila Mahavidyalaya, Prem Nagar, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Manager, Kamla Nehru Mahila Mahavidyalaya, Prem Nagar – 485001, 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.

(13)

F.No.89-213/E-119867/2019 Appeal/32nd Mtg.-2019/17th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/11/2019

ORDER

WHEREAS the appeal of Govt. B.Ed. College, Uday Nagar, Kanker, Chhattisgarh dated 31/05/2019 is against the Order No. WRC/APP7768/B.Ed./304th/C.G./2019/202758 dated 12.04.2019 of the refusing Regional Committee, withdrawing recognition for conducting for B.Ed. Course on the grounds that "SCN was issued to the institution on 05.02.2018. The institution has submitted reply dated 15.02.2018 received in the office of WRC on 20.02.2018 and reply dated 18.03.2019 received in WRC office on 25.03.2019. On perusal of the reply of the institution it is observed that the institution has not submitted the following documents: The institution has submitted only staff list signed by Director, SCERT, Raipur, Chhattisgarh. The institution has not submitted a letter granting approval for the selection or appointment of faculty issued by the affiliating body as per NCTE Amendment Regulations, 2017. Hence, the Committee decided to refuse the recognition of B.Ed. programme under Section 15(3)(b) of the NCTE Act, 1993."

AND WHEREAS Sh. P. Kumar, Joint Director and C.R. Sonwani, Principal, Govt. B.Ed. College, Uday Nagar, Kanker, Chhattisgarh presented the case of the appellant institution on 08/07/2019 and 28/08/2019. The appellant, in a letter dt. 06/07/2019, submitted that according to the Notification of the Government of Chhattisgarh dt. 21/06/2013, appointment of staff in Government Education Colleges and DIET is under the jurisdiction of SCERT and due to this reason, they got their staff approved by SCERT. If the NCTE requires there is no problem in getting the profile of academic staff countersigned by the University. The appellant also submitted that they will submit the staff list as per NCTE Amendment Regulations, 2017, approved by the affiliating body. The appellant, in their letter dt. 08/07/2019 and 28/08/2019, requested another opportunity to submit staff profile approved by Bastar University.

Appeal Committee acceded to the request and decided to give the appellant time to submit staff profile approved by Bastar University.

AND WHEREAS Sh. P.Kumar, Joint Director and Sh. C.R. Sonwani, Principal, Govt. B.Ed. College, Uday Nagar, Kanker, Chhattisgarh presented the case of the appellant institution on 17/10/2019 and submitted list containing the names of Principal, H.O.D. and 9 other faculty members approved by Registrar Bastar University. Appellant is required to submit letter dated 30/08/2019 issued by Vice Chancellor, Bastar University conveying approval of faculty alongwith the list and particulars of faculty to ERC within 15 days of the issue of appeal orders. Appeal Committee concluded to remand back the case to ERC for revisiting the matter after the appellant institution submits the letter of V.C. dated 30/08/2019 and the list of faculty approved by Registrar of the affiliating university.

AND WHEREAS after perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Appeal Committee concluded to remand back the case to ERC for revisiting the matter after the appellant institution submits the letter of V.C. dated 30/08/2019 and the list of faculty approved by Registrar of the affiliating university.

NOW THEREFORE, the Council hereby remands back the case of Govt. B.Ed. College, Uday Nagar, Kanker, Chhattisgarh to the WRC, NCTE, for necessary action as indicated above.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Govt. B.Ed. College, Uday Nagar, Kanker – 494334, Chhattisgarh.
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 Chhattisgarh, Raipur.

(14)

F.No.89-205/E-118427/2019 Appeal/32nd Mtg.-2019/17th October, 2019

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 06/11/2019

ORDER

WHEREAS Appeal Committee noted that appeal dated 05/09/2019 has been preferred by Smt. S.B. Gardi B.Ed. College, Jamnagar, Gujarat against the Appeal order no. 89-205/E-118427/2019 Appeal/20th Mtg.-2019/8th July, 2019 dated 30/07/2019. The case was placed before Appeal Committee in its 32nd Meeting/2019 for review/reconsideration without a formal hearing. Appeal Committee is of the opinion that there is no provision in the NCTE Act which enables Appeal Committee to review its own decision. Appeal is not admitted accordingly.

(Sanjay Awasthi)
Member Secretary

1. The Principal, Smt. S.B. Gardi B.Ed. College, Jamnagar – 361210, Gujarat.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Plot No. G-7, Sector – 10, Dwarka, New Delhi -110075.
4. The Secretary, Education (looking after Teacher Education) Government of Gujarat, Gandhinagar.