

1

F.No. 89-50/2015 Appeal/9th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/10/2015

ORDER

WHEREAS the appeal of Satya Narain Uccha Shiksha Sansthan, Shravasti, Uttar Pradesh dated 08/05/2015 is against the Order No. NRC/NCTE/NRCAPP-8645/235th Meeting/2015/95720 dated 29/04/2015 of the Northern Regional Committee, stating therein that "with reference to their application no. NRCAPP-8645 submitted for seeking recognition for B.Ed. course, their subsequent request dated 09.09.2014 submitted by their managing society for withdrawal of the said application was considered by the NRC in its 235th meeting held from 15th to 18th April, 2015 and it was decided that the request dated 09.09.2014 of Satya Narain Ucch Shiksha Sansthan for withdrawal of their application No. NRCAPP-8645 for grant of recognition of B.Ed. course is accepted. Hence, application be treated as withdrawn by the institution and original documents if any and FDRs be returned to the institution."

AND WHEREAS Sh. Misri Lal Verma, Secretary, Satya Narain Uccha Shiksha Sansthan, Shravasti, Uttar Pradesh presented the case of appellant institution on 18/09/2015 and submitted before the Appeal Committee that "vide their letter dated 9.09.2014 they requested for withdrawal of their original application dated 31.12.2012. Subsequently, N.R.C. was requested vide letter dated 18.11.2014 to treat the letter dated 09.09.2014 as cancelled and grant recognition for B.Ed."

AND WHEREAS Appeal Committee noted that the letter dated 9/09/2014 of the appellant seeking withdrawal of application was kept pending by N.R.C. till April, 2015. The Regional Committee in its 235th Meeting held between 15th to 18th April, 2015 had therefore, both the requests for consideration made by the appellant institution (i) withdrawing application dated 09/09/2014 and (ii) letter dated 18/11/2014 seeking cancellation of its earlier request dated 09/09/2014 and requesting grant of recognition for B.Ed. Appeal Committee is of the opinion that having both the Letters for consideration, N.R.C. should have made a judicious choice by considering the latest and subsequent request and ignoring the previous request which was superseded. Committee decided to remand back the case to N.R.C. with a direction to consider the application as per NCTE Regulations, 2014.

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 appeal deserves to be remanded to NRC with a direction to consider the application as per NCTE Regulations, 2014.



NOW THEREFORE, the Council hereby remands back the case of Satya Narain Uccha Shiksha Sansthan, Shravasti, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

1. The Manager, Stya Narain Uccha Shiksha Sansthan Tulsipur Shravasti 197, Indra Puri Sharada Nagar Kanpur, Institution Village Tulsipur Plot No. 1472 Mallhipur Road, Shravasti, Uttar Pradesh – 271801.

2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.

3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.

4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

2

F.No. 89-51/2015 Appeal/9th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/10/2015

ORDER

WHEREAS the appeal of Hira Singh Yadav Mahavidhayalaya, Saidpur, Ghazipur, Uttar Pradesh dated 13/05/2015 is against the Order No. NRC/NCTE/NRCAPP-3651/233(P-1) Meeting/2015/91245 dated 17/03/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "CD submitted reveals that a flexi banner has been fixed temporarily on the building. As such, no evidence that building is constructed for the proposed course has been provided."

AND WHEREAS Sh. Hira Singh Yadav, Manager, Hira Singh Yadav Mahavidhayalaya, Saidpur, Ghazipur, Uttar Pradesh presented the case of the appellent institution on 18/09/2015 and stated that "the observations of N.R.C. are against facts. The institution has complete evidence of three storey pakka building. The name of institute has also been written in paint now."

AND WHEREAS Appeal Committee noted that the appellent institution was inspected on 20.11.2013 and the Visiting Team and the institution was not found to be sharing building for running other courses (para 14 (b) – page 3 of Inspection Report). Refusal of recognition on the ground that the institution had its name written on a flexi banner is not justified as it cannot be treated as ample proof that building is constructed for a purpose other than for conducting B.Ed. course. Appeal Committee, therefore, concluded to remand back the case to N.R.C. with a direction to process the case as per extant Regulations.

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 appeal deserves to be remanded to NRC with a direction to process the case as per extant Regulations.

NOW THEREFORE, the Council hereby remands back the case of Hira Singh Yadav Mahavidhayalaya, Saidpur, Ghazipur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Jugla Singh)
Member Secretary

1. The Manager, Hira Singh Yadav Mahavidhyalaya, Plot/Khasara No. 215 Plot No. 215, Street No. Gorari, Village – Gorari, PO-Vikrampur, The/Taluk-Saidpur, Ghazipur, Uttar Pradesh – 233304.

2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.

3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.

4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

3

F.No.89-56/2015 Appeal/9th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

13/10/2015

ORDER

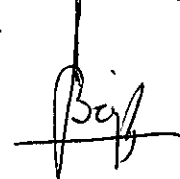
WHEREAS the appeal of Bhupendra Narayan Mandal University, Madhepura, Bihar-852113 dated 22/05/2015 is against the Order No. ERC/7-163.11.1/B.Ed./2013/22049 dated 28/11/2013 of the Eastern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "after considering the records available in the file, and relevant provisions of the NCTE Act 1993, Rules, Regulations and guidelines issued by NCTE Hqrs. and Show Cause Notice issued on 19.08.2013 in response to VT, the Committee discussed the matter in detail and decided as under: (i) 1st VT letter was issued to the University as well as VT experts on 11.12.2012. (ii) 2nd VT letter was issued to the University as well as VT experts on 05.04.2013. (iii) As per request of the University 30 days time was allowed to conduct the inspection subject to submission of building completion certificate vide letter dated 08.05.2013. (iv) Reply from the University is not received so far. In view of the above, the committee decided to refuse the application of the university for the applied course B.Ed. under section 14(3)(b) of NCTE Act, 1993".

AND WHEREAS Dr. Bal Govinda Singh, Head of Department of Education, Bhupendra Narayan Mandal University, Madhepura, Bihar presented the case of appellant university on 18.09.2015. The appellant submitted that "Due to Koshi River flood, the infrastructure was damaged and the University was unable to restore it due to financial constraints imposed by Patna High Court."

AND WHEREAS Appeal Committee noted that the appeal is delayed by more than one year and three months. Appellant stated that due to financial restriction imposed on it by the Patna High Court the appellant was unable to pay the appeal fee. Appeal Committee decided to condone the delay and consider the appeal on merits.

AND WHEREAS Appeal Committee noted that appellant institution had submitted application for grant of recognition for B.Ed. course on 28.09.2010. The Eastern Regional Committee (ERC) issued an inspection letter dated 11.12.2012. V.T. members nominated for the inspection informed E.R.C. on 26.01.2013 that due to non-response of the appellant institution, they could not undertake inspection. The appellant institution was given another opportunity for inspection vide E.R.C. letter dated 05.04.2013. The appellant institution without assigning any reason requested E.R.C. vide letter dated 17/04/2013 to extend the date of inspection by two months. Considering the above request of the appellant institution, E.R.C. asked the appellant vide letter dated 08.06.2013 to submit Building Completion Certificate. The appellant did not respond to the letter of E.R.C. dated 08.06.2013 which resulted in issue of Show Cause Notice (S.C.N) dated 19/08/2013. The appellant responded to the S.C.N. on 19/09/2013 but did not give any specific answer to any of the points raised in the S.C.N. and assured of a final reply at the earliest possible. Appeal Committee is of the view that the inspection of the institute is not subject to the consent of institution. Though three opportunities were provided to the appellant institution, it failed to furnish specific reply to the S.C.N. As such refusal order dated 28.11.2013 issued by ERC is justified and hence 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 ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC is confirmed.



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


(Juglal Singh)
Member Secretary

- 1. The Registrar, Bhupendra Narayan Mandal, University Madhepura, (Dr. Kumaresh PD Singh), 965, 954, 956, 963, Madhepura, Madhepuram, Adhepura, Madhepura, Bihar – 852113**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

5

F.No. 89-65/2015 Appeal/9th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

13/10/2015

ORDER

WHEREAS the appeal of DIET, Rudrapur, Udham Singh Nagar, Uttarakhand dated 22/05/2015 is against the Order No. NRC/NCTE/NRCAPP-9664/233rd (Part-I) Meeting/2014/91852 dated 26/03/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution was given DLI on 08.06.2013 and Show Cause notice dt. 03.03.2014. Reply of the institution dt. 23.04.2014 was considered in the meeting. As per reply of the institution, size of multipurpose hall is only 66 Sq. Mts. which is not as per NCTE Regulation."

AND WHEREAS Dr. Deepak Saxena, Lecturer, DIET, Rudrapur, Udham Singh Nagar, Uttarakhand presented the case of the appellant institution on 29/06/2015. In the appeal and during personal presentation it was submitted that "as per NCTE Regulation, size of Multipurpose Hall is to be 2000 Sq. Ft. In accordance with the regulation, the Principal DIET Udham Singh Nagar has ordered the executive engineer of Uttar Pradesh Nirman Nigam (Building construction Agency) to submit the building plan of multipurpose hall at the area of 2000 Sqr. Feet. This work will be completed within six months."

AND WHEREAS the appellant informed the Appeal Committee that DIET, Rudrapur is one of the four new DIETs sanctioned for the State of Uttarakhand. Inservice Training programme for teachers is already being conducted in the Centre which is located in the premises of an Intermediate College. The appellant also informed that DIET Rudrapur is a separate entity but is making use of the multipurpose hall of the government Intermediate College with the approval of competent authority. A separate Multipurpose Hall exclusively for DIET Rudrapur is also under construction.

AND WHEREAS the appellant sought another opportunity to show evidence to the effect that use of Multipurpose Hall of Intermediate College which is located in the same campus for use by the DIET is allowed. Appeal Committee decided to grant another opportunity (2nd) to the appellant to furnish supporting documents.

AND WHEREAS appellant appeared before the Committee on 18.09.2015 and submitted a certificate dated 09.09.2015 with seal and signatures of Principal, Gurunanak Balika Inter College, Rudrapur and countersigned by District Education Officer, Udham Singh Nagar. The Inter College has allowed the use of its multipurpose hall for DIET, Udham Singh Nagar. The committee, however, observed from the V.T. report that appellant institution is functioning from plot no. 43, 46, Street no. NH 87, Village Fazalpur Mohraula, Rudrapur which is stated to given by Aditiya Nath Jha, Government Inter College whereas the arrangement of multipurpose hall has been made in Guru Nanak Balika Inter College. The V.T. in its report had stated that the construction work of front boundary wall is not complete. There is no mention of the size of rooms and multipurpose hall in the V.T. report. The Building Completion Certificate (BCC) furnished by the appellant institution mentions the built up area of 401.39 sq. mtrs. only. Committee noted that all the deficiencies pointed out by V.T. and also from the B.C.C. should have been pointed out to the appellant institution. There is however, no doubt that the appellant institution does not have a multipurpose hall as per specification mentioned in the NCTE regulations and the proposed construction of multipurpose hall is likely to consume considerable time. Committee, therefore, concluded to confirm the refusal order dated 26.03.2015 issued by N.R.C.

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

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


(Juglal Singh)
Member Secretary

1. The Principal, D.I.E.T., 43 46, DIET Udham Singh Nagar, 43, 46, Fazalpur, Mahraula, Rudrapur, Udham Singh Nagar, Uttarakhand – 263153.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttarakhand, Dehradun.

6

F.No.89-32/2015 Appeal/9th Meeting-2015

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

13/10/2015

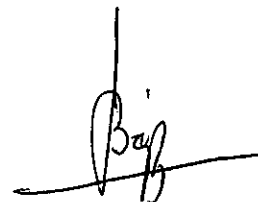
ORDER

WHEREAS the appeal of Govt. Teachers Training College, B. Deoghar Williams Town, Deoghar, Jharkhand dated 09/11/2014 is against the Order No. ERC/175.2(ii).2/NCTE/APE00099/B.Ed./2014/27313 dated 19.09.2014 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that (i) the college is short of teaching staff and supporting staff like librarian, art teacher and physical education teacher; and (ii) the college has failed to provide the required instructional facilities in respect of building and other related infrastructure resources."

AND WHEREAS Govt. Teachers Training College, B. Deoghar Williams Town, Deoghar, Jharkhand was asked to present the case of the appellant institution on 27/04/2015 and 29.6.2015 but nobody appeared on both the occasions. However, the appellant has requested that date of next hearing should be intimated to them at least 15 days in advance for facilitating reservation. The Committee decided to give another opportunity i.e. the third and final opportunity to the appellant to present their case before the Committee with sufficient advance notice. Sh. Kamla Singh, Lecturer appeared before the Committee on 18.09.2015 and submitted that all staff is deputed by the State Government and college has shifted to the new building having full infrastructure."

AND WHEREAS Appeal Committee noted the submissions made by appellant institution including the list of faculty provided by the appellant during the course of hearing on 18.09.2015. The faculty list is not approved by the affiliating University. The Building Completion Certificate (BCC) furnished by the appellant is dated 21.03.2015 and it is also not in prescribed format. The inspection of the appellant institution was conducted on 27.09.2013 under Section 13 of the NCTE Act and withdrawal order dated 19.9.2014 was issued by E.R.C. after giving the institution an opportunity to furnish explanation on the points of deficiencies indicated in the Inspection Report. Appeal Committee is of the view that appellant institution even as on the date of appeal hearing i.e. 18/09/2015 has failed to furnish evidence of having the required faculty approved by the affiliating University and B.C.C. in prescribed format. Committee, therefore, concluded to confirm the withdrawal order dated 19/09/2014 issued by E.R.C.

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 ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC is confirmed.



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


(Jugla Singh)
Member Secretary

- 1. The Principal/ Appellant, Govt. Teachers Training College B. Deoghar, Williams Town, Deoghar, Jharkhand - 814112**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar -751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

7

F.No.89-34/2015 Appeal/9th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION

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

13/10/2015

ORDER

WHEREAS the appeal of Jawahar Lal Nehru College of Chakradharpur, Pashchim Singhbhum, Jharkhand dated 30/03/2015 is against the Order No. ERC/176.2(ii).3/NCTE/APE00312/B.Ed./2014/27735 dated 11.11.2014 of the Eastern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that " (i) the institution is deficient in respect of both infrastructural and instructional facilities; (ii) the institution has violated the prescribed Norms relating to the appointment of teaching and non-teaching staff; (iii) All the staff members are appointed on a contractual basis for a limited period of less than one year; (iv) they are not entitled to the service benefits admissible to regular employee of the University; and (v) the HOD is also appointed on contract basis in the pay scale of a lecturer."

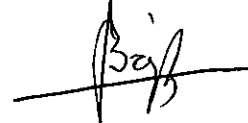
AND WHEREAS JawaharLal Nehru College of Chakradharpur, Pashchim Singhbhum, Jharkhand was asked to present the case of the appellant institution on 27/04/2015 but nobody appeared. The appellant in his letter dt. 27.04.2015 sent by Fax stated that they received the letter of the Council dt. 20.04.2015 late and therefore, they could not attend. Another date for explaining the facts was requested. The Committee agreed to the request and decided to give the appellant another opportunity i.e. the second opportunity to present their case before the Committee.

AND WHEREAS Sh. Parshuram Sial, Assistant Professor appeared before the Committee on 29.06.2015. It was noticed that appellant institution had paid only a fraction of the appeal fee. The appellant was asked to show evidence to the effect of having remitted the Appeal Fee of Rs. 25,000/-.

AND WHEREAS the appellant could not produce evidence and requested for another opportunity to furnish evidence of having paid Appeal Fee of Rs. 25,000/- and also bring documents related to land, built up area and appointment of faculty. Committee decided to give another opportunity (third & final) to the appellant institution to make a personal presentation.

AND WHEREAS Shri. Parshuram Sial, Asstt. Professor appeared before the Appeal Committee on 18.09.2015 and furnished copies of the Demand Draft of Rs. 15000/- & Rs. 10,000/- (Total Rs. 25,000/-) towards appeal fee. These drafts pertain to the month of March, 2015 and June, 2015. Committee decided to condone the delay of 2 months and 19 days in preferring appeal. The appeal is taken up on merits.

AND WHEREAS Committee noted that land and built up area utilised by the appellant institution is a part of the campus of Jawahar Lal Nehru College, Chakradharpur. Committee also noted that whereas under NCTE Regulations, 2009 the teacher education courses were required to be conducted in stand alone institutions, NCTE Regulations, 2014 allow teacher education courses in composite institutions. The Building Completion Certificate (BCC) dated 8/07/2015 submitted before the Committee, however, indicates that the built up area is 1595.5 sq. meters plus the proposed G+3 of new building area of 388.5 sq. meters. The proposed built up area cannot be treated as instructional area available to appellant institution. Appeal Committee agrees with the findings of the Visiting Team relating to inadequacy of facilities like labs, library. The Visiting Team has very categorically stated in its report that there is provision for classrooms on the first floor for which construction has not yet started. The B.C.C. dated 8/07/2015 includes an area of 388.5 sq. mtrs. (G+3) as proposed



AND WHEREAS Appeal Committee further noted that the service conditions of teaching and non-teaching staff are as per policy of the State Government/Affiliating Body. Kolhan University had issued a letter dated 21.05.2015 addressed to Chairperson, NCTE, in support of this. The list of contractual faculty is therefore, as per policy of the State Government of Jharkhand for self-financing colleges. Kolhan University has also stated that appointment of the staff & faculty of self-financing courses is termed as regular and full time basis.

AND WHEREAS Committee considered the grounds of withdrawal and decided to confirm the withdrawal order issued by ERC on the basis of inadequate built-up area as reported by the Visiting Team.

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 ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC is confirmed.

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


(Juglal Singh)
Member Secretary

1. The Principal/ Appellant, Jawahar Lal Nehru College of Chakradharpur, Raja Bari Road, Chakradharpur, Pashchim Singhbhum, Jharkhand - 833102
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

8

F.No. 89-68/2015 Appeal/9th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION

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

13/10/2015

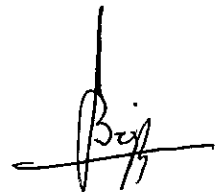
ORDER

WHEREAS the appeal of Abhinav College of Teaching and Training, Faizabad, Uttar Pradesh dated 11/06/2015 is against the Order No. NRC/NCTE/NRCAPP-4046/235th Meeting/2015/98758 dated 11/05/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "(i) the web page of the college did not open. (ii) There was no satisfactory evidence for appropriate arrangement of laboratory, Art and Craft Centre, Library, Study Room etc. (iii) There was authorization letter by the society in favour of Mr. S.P.Tiwari to represent the institution. (iv) No proof of internet is given and (v) The reply given regarding maintenance of records is not satisfactory."


AND WHEREAS Abhinav College of Teaching and Training, Faizabad, Uttar Pradesh was asked to present the case of the appellant institution on 17/07/2015 but nobody appeared. The Committee decided that the appellant may be given another opportunity i.e. the second opportunity to present their case before the Appeal Committee. Shri Rakesh Kumar Tiwari, representative of the appellant institute appeared before the Appeal Committee on 18.09.2015 and stated that infrastructure of college is complete and website ready. Copy of Electricity Bill connection is enclosed."

AND WHEREAS Appeal Committee on observing the Visiting Team report dated 04/03/2014 noticed that the institution at the time of inspection did not have (i) electricity connection, (ii) website of the college and (iii) proper arrangements for Arts & Crafts lab. The Institution was issued a Show Cause Notice (SCN) on 17/03/2015 indicating deficiencies noticed through Inspection Report. The appellant submitted reply to S.C.N. on 23.03.2015 enclosing therewith certain documentary evidence of having developed the Website, Stock registers, internet connection, Art & Craft lab and library etc. Committee noticed certain overwriting in the date of Electricity connection receipt and also observed that electricity connection for which fee was paid and receipt furnished pertains to a 2 K.V. connection which is inadequate for an institution. Proof of internet connection was also neither provided to the Visiting Team nor furnished to N.R.C. in reply to S.C.N. To sum up, Committee is convinced that the appellant institution lacked the required level of preparedness to conduct the course at the time of inspection and could not submit a satisfactory explanation to the Northern Regional Committee (NRC). Committee, therefore, decided to confirm the refusal order dated 11.05.2015 issued by N.R.C.

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



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


(Jugraj Singh)
Member Secretary

1. The Manager, Abhinav College of Teaching and Training, Kolhampur Imam Nawabganj Gonda 1224 Deokali Road, Faizabad, Uttar Pradesh – 224001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

10

F.No. 89-71/2015 Appeal/9th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/10/2015

ORDER

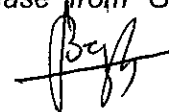
WHEREAS the appeal of Shimla College of Education, Sanjauli, Shimla, Himachal Pradesh dated 16/06/2015 is against the Order No. NRC/NCTE/NRCAPP-7052/233rd Meeting (Part-II of Minutes)/2013/91773 dated 26/03/2015 of the Northern Regional Committee, refusing recognition for conducting M.Ed. course on the grounds that "the institution was given deficiency letter dt. 06/04/2013 and show cause notice dt. 28/10/2013. This institution has not submitted satisfactory reply. As per land documents, the land is on lease basis, which is not acceptable as per NCTE, Regulations."

AND WHEREAS the submission of the appeal has been delayed by 21 days beyond the prescribed time limit of 60 days. The appellant in his letter dt. 17.06.2015 submitted that the delay in submission of online appeal took place due to technical problem. The Committee decided to condone the delay and considered the appeal.

AND WHEREAS Dr. R.K. Shandil, Chairman, Shimla College of Education, Sanjauli, Shimla, Himachal Pradesh presented the case of the appellant institution on 17/07/2015. In the appeal and during personal presentation it was submitted that "in their letter dated 18/11/2013 it was pointed out that the DLI dated 06/04/2013 referred to in SCN dated 28/10/2013 had never been received by the institution. The DLI dated 06/04/2013 was never supplied even after letter dated 18/11/2013. However, vide SCN dated 04/03/2014, the institute was called upon to submit written representation giving option regarding which of the applications with respect to M.Ed. course were to be processed by NRC. Consequently, the institute submitted the requisite option. Thereafter, vide letter dated 15/01/2015, the institute was called upon to submit the requisite documents detailed therein which were accordingly submitted by the institute as per letter dated 31/12/2014. Despite clearly pointing out that DL dated 06/04/2013 had not been received by the institute and no such letter having been supplied to the institute, the recognition has been denied to the institution by referring to DL dated 06/04/2013 and NRC erred in taking this decision which is in total ignorance of the earlier correspondence. With reference to land related objection, it is submitted that NRC erred in taking this decision in complete ignorance of the order dated 04/07/2014 of NCTE."

AND WHEREAS In the course of presentation, the appellant gave a letter dt. 17.07.2015 requesting for another opportunity to bring necessary documents relating to land etc and present their case. The Committee acceded to this request and decided to give the appellant another opportunity i.e. the second opportunity to present their case before the Appeal Committee.

AND WHEREAS Committee noted that application for M.Ed. course was made by Shimla Educational Society Trust on 30.12.2012 and the name of appellant college is 'Shimla College of Education.' The land documents enclosed with the application consist of a Lease Deed. The lease is granted by Shimla Education Society in favour of the Shimla College of Education. Committee further noted the relevant contents of clause 8(4)(i) & 8(4)(iii) of the NCTE Regulations, 2014 which lay down as under : (i) *No institution shall be granted recognition under these regulations unless the institution or society sponsoring the institution is in possession of required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease from Government or*



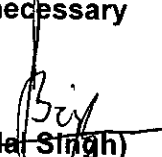
Government institutions for a period of not less than thirty years. In cases where under relevant State or Union territory laws the maximum permissible lease period is less than thirty years, the State Government or Union territory administration law shall prevail and in any case no building shall be taken on lease for running any teacher training programme. (ii) The society sponsoring the institution shall be required to transfer and vest the title of the land and building in the name of the institution within a period of six months from the date of issue of formal recognition order under sub-regulation (16) of regulation 7. However, in case, the society fails to do so due to local laws or rules or bye-laws, it shall intimate in writing with documentary evidence of its inability to do so. The Regional Office shall keep this information or record and place it before the Regional Committee for its approval.

AND WHEREAS keeping in view the above provisions of NCTE Regulations, 2014, Appeal Committee is of the opinion that so long as appellant society is able to establish its ownership rights over the property through legally permissible documents and also able to transfer the land and built up area thereupon in the name of the appellant institution within 6 months after the grant of recognition, there is no objection to the appellant society's leasing out the land to the applicant college.

AND WHEREAS Appeal Committee, having considered the submissions made by appellant and the relevant clauses of the NCTE Regulations, 2014 decided to remand back the case to N.R.C. with a direction to process the application as per Regulations, 2014.

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 appeal deserves to be remanded to NRC with a direction to process the application as per Regulations, 2014.

NOW THEREFORE, the Council hereby remands back the case of Shimla College of Education, Sanjauli, Shimla, Himachal Pradesh to the NRC, NCTE, for necessary action as indicated above.


(Jugla Singh)
Member Secretary

1. The Chairman, Shimla College of Education, Sheetal Kunj Estate BPO Kamlanagar, Sanjauli, Shimla, Himachal Pradesh – 171006.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Himachal Pradesh, Shimla.

13

F.No. 89-74/2015 Appeal/9th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/10/2015

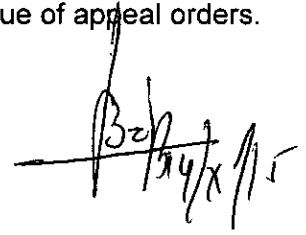
ORDER

WHEREAS the appeal of DIET Almora, Kapina Laxmeshwar, Almora, Uttarakhand dated 21/05/2015 is against the Order No. NRC/NCTE/NRCAPP-9675/233rd (Part-I) Meeting/2014/92234 dated 30/03/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "the institution did not submit reply to Show Cause Notice dated 04/07/2013."


AND WHEREAS Dr. Rajendra Singh, Principal and Shri Jugal Kishor Joshi, Lecturer, DIET Almora, Kapina Laxmeshwar, Almora, Uttarakhand presented the case of the appellat institution on 17/07/2015. In the appeal and during personal presentation it was submitted that "(1) DIET, Almora sought recognition for an intake of 50 seats per year for running the D.El.Ed. course, which means that "there are not more than 100 students at a time studying in the institute which is much less than the capacity of multipurpose Hall which can accommodate 150 person at a time. In the near future whenever we will seek additional intake of 50 or more seats, we definitely will have a Multipurpose Hall of required area. (2) Multipurpose Hall is 1500 sq.ft. and its adjoining room is 672 sq.ft."

AND WHEREAS Appeal Committee noted that recognition was refused to the appellat institution for the reason that reply to Show Cause Notice dated 04/07/2013 was not submitted. The appellat during the course of appeal presentation stated that no Show Cause Notice (SCN) dated 04.07.2013 was issued to the appellat institution. A Show Cause Notice dated 26.02.2014 was however, issued to the appellat institution on grounds of inadequate area of the multipurpose hall. Reply to S.C.N. dated 26.02.2014 was furnished on 26.03.2014. When asked to show evidence, the appellat requested in writing for another opportunity. Request being permissible, Committee decided to grant another opportunity to the appellat to show evidence of having furnished a reply to the S.C.N. dated 26.02.2014. The appellat furnished a copy of its reply dated 26.03.2014 addressed to N.R.C. The above reply is not found placed in the relevant file of N.R.C. Appeal Committee further noted that the rejection order dated 30.03.2015 (impunged order) suffers from certain clerical mistakes as well. The size of multipurpose hall is mentioned as 15 sq. feet. and the date of S.C.N. has been shown as 04.07.2013 erroneously. Committee therefore, decided to remand back the case to N.R.C. with a direction to consider the reply dated 26.3.2014 to the S.C.N. furnished by the appellat and also correct the typographical errors in the refusal order. The appellat institution is required to furnish copy of its reply dated 26.03.2014 to N.R.C. within 15 days of the issue of appeal orders.

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 appeal deserves to be remanded to NRC with a direction to consider the reply dated 26.3.2014 to the S.C.N. furnished by the appellat and also correct the typographical errors in the refusal order. The appellat institution is required to furnish copy of its reply dated 26.03.2014 to N.R.C. within 15 days of the issue of appeal orders.



NOW THEREFORE, the Council hereby remands back the case of DIET Almora, Kapina Laxmeshwar, Almora, Uttarakhand to the NRC, NCTE, for necessary action as indicated above.


(Juglal Singh)
Member Secretary

- 1. The Principal, DIET Almora, Kapina Laxmeshwar, Almora, Uttarakhand – 263601.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttarakhand, Dehradun.

F.No. 89-75/2015 Appeal/9th Meeting-2015
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/10/2015

ORDER

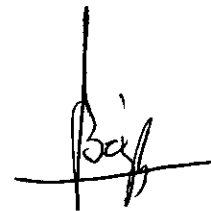
WHEREAS the appeal of Chandrakanta Mahavidyalaya Village & Post Sanauta, Dist. Bulandshahr, Uttar Pradesh dated 09/06/2015 is against the Order No. NRC/NCTE/NRCAPP-4074/235th Meeting/2015/98793-798 dated 11/05/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "the institution did not reply to the Show Cause Notice."

AND WHEREAS No one from, Chandrakanta Mahavidyalaya, Bulandshahr appeared before the Committee on 17/07/2015. Appeal Committee decided to grant another (second) opportunity to the appellant to appear before the Committee for making a personal presentation. Shri Rakesh Kumar, Vice Principal and Mohd. Harum Khan, Office Assistant, Chandrakanta Mahavidyalaya, Dist. Bulandshahr, Uttar Pradesh presented the case of appellant institution on 18.9.2015. In the appeal and during personal presentation it was stated that "we are conveying our willingness for processing our application for grant of recognition for B.Ed. All incomplete work are in process and will be completed before the University panel. Appeal fee of Rs. 25000/- is paid in full."

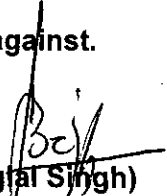
AND WHEREAS Appeal Committee noted that inspection of the appellant institution was conducted on 11.01.2014 and a Show Cause Notice (S.C.N.) dated 07.02.2015 was issued to the appellant institution on the following ground: "*Building work is incomplete. Flooring work has not been completed and finishing work is incomplete, painting work is to be done.*" The institution did not furnish any reply to N.R.C. referring to the Show Cause Notice. However, there was a letter dated 11.02.2015 addressed to N.R.C. conveying the willingness of the appellant institution for consideration of its application under NCTE Regulations, 2014 and it is not a reply to the SCN.

AND WHEREAS Appeal Committee further noted that Appellant Institution in its letter dated 2.06.2015 which was addressed to N.R.C. after the refusal date, had admitted that construction work is still incomplete and will be completed before admissions start. Appeal Committee thus came to a conclusion that grounds on which S.C.N. dated 07/02/2015 were issued are sustainable and the appellant institution has further defaulted by not giving a reply to the S.C.N. Committee decided to confirm the refusal order dated 11/05/2015 issued by N.R.C.

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



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


(Jugfal Singh)
Member Secretary

1. **The Secretary, Chandrakanta Mahavidyalaya, Village and Post Sanouta Distt. – Bulandshahr, Uttar Pradesh – 203205**
2. **The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
3. **Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
4. **The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**