

F.No.89-548/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

27/08/2010

ORDER

WHEREAS the appeal of L.G. Adhyapak Vidyalaya, Nagpur, Maharashtra dated 25/05/2010 is against the Order No. WRC/APW06149/1221786/132nd/2010/67148 dated 16/04/2010 of the Western Regional Committee, refusing recognition for conducting D.Ed course on the ground "Land not registered at the time of application. The institution does not fulfill the requirement of clause 8(7) of the NCTE Regulations, 2007."

AND WHEREAS the Correspondent, L.G. Adhyapak Vidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 26/05/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Smt. Latifa M. Qureshi, Secretary and Sh. Mr. Imran G. Sheikh, Cashier, L.G. Adhyapak Vidyalaya, Nagpur, Maharashtra presented the case of the appellant institution on 19.07.10. In the appeal and during personal presentation it was submitted that the case of the appellant was to be considered on merits as per the order of the Hon'ble High Court of Judicature at Bombay, Nagpur Bench Nagpur dt. 4.12.2009 in W.P.No. 5269 of 2009; the requirement mentioned in WRC's letters dt. 5.6.2007, 07.07.2007 and 24.09.2008 were complied by the institution in their letters dt. 7.08.2007 and 27.06.2008; an inspection of the institution was conducted on 14.10.2008; a show cause notice was issued by WRC on 1.02.2010 and the institution replied on 25.02.2010(which was received) in WRC on 10.03.2010). With reference to the specific ground on which recognition was refused, namely, 'land not registered at the time of submission of application and therefore the institution did not fulfil the requirement of clause 8(7) of the NCTE Regulation,2007, the appellant has stated that he has submitted a copy of the lease agreement registered on 23.02.2010 to the WRC with his letter dt.26.02.2010(the letter in the WRC's file bears the date of 24.02.2010)

AND WHEREAS the Council noted that the applicant enclosed only a lease agreement dt. 27.03.2007 to the application which was not registered and this document was not acceptable the lease document. Further the lease agreement got registered on 23.02.10 that too from a private party, was not acceptable after the notification of regulations 2007. Further from the registered lease agreement it is noticed that the building erected on the leased land will be available to the lessee for running the proposed institution only during 10.00AM to 5.30 P.M and the 'lease' shall be free to use the building during the rest of the time. The word in the unregistered lease deed in this context was 'leaser'. It is therefore clear that the building is not available on lease for the appellant institution even for the entire day and in such a situation effective functioning of the proposed institution in a building which is a available for a part of the day is unimaginable.

AND WHEREAS the Council considering all aspects of the matter has come to the conclusion that the WRC was justified in refusing recognition and therefore the appeal deserved to be rejected and the order of WRC confirmed.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 16-04-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, L.G. Adhyapak Vidyalaya, Plot No.761, Halka No.78, Plot No.6274, Bhivapur, Nagpur - -, Maharashtra**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

F.No.89-554/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

27/08/2010

ORDER

WHEREAS the appeal of Doon Ghati College of Professional Education, Dehradun, Uttaranchal dated 25/05/2010 is against the Order No. NRC/NCTE/F-3/UR-26/2010/19129 dated 27/03/2010 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed course on the grounds "1) The resolution of approval of building plan is not submitted. 2) The faculty is not appointed through duly constituted selection committee as per NCTE norms as minutes of selection committee are not submitted. 3) There is no faculty to teach methods of teaching English, Geography, History, etc. 4) Language learning facilities are not available. 5) The information as required as per NCTE Regulations, 2007 is not available on the college website. 6) The bills for purchasing computers have been submitted but the photocopy of the stock register where the purchased computers have been entered is not submitted. 7) Laboratories for B.Ed students do not exist still as the photographs submitted by the institution do not match with the CD. 8) Varandah covered with tin sheets is termed as Multipurpose Hall. 9) There is no play ground. 10) The bills for purchasing books have been submitted but the photocopy of the accession register where the purchased books have been entered is not submitted."

AND WHEREAS the Correspondent, Doon Ghati College of Professional Education (hereinafter referred to as the appellant), preferred an appeal dated 26/05/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Sh. Virendra Singh Chauhan, President, Doon Ghati College of Professional Education, Dehradun, Uttaranchal presented the case of the appellant institution on 19.07.10. In the appeal and during personal presentation it was submitted that the land is registered in the name of Doon Ghati Institute of Professional Education and the building constructed thereon was approved by Nagar Panchayat, Doiwala; in the last sessions the faculty had been approved by Registrar, HNB Garhwal University; the newly appointed faculty had been approved by the 4-member selection committee constituted by the Vice-Chancellor on 24.05.2010; after the inspection advertisements were issued for faculty to teach methods of English, Geography, History etc. and the selections made after interviews by the college board were approved by the 4-member selection committee constituted by the Vice-Chancellor; after an objection raised new language learning lab equipment was purchased; the college website had been updated after an objection had been raised; entries regarding purchase of computers had been made in the stock register; the institution revived its different laboratories after objection had been raised; the multi-purpose hall was shifted to a cemented hall of 27'x52' sq.ft.; the play ground available had now been covered with cemented walls on all sides; and a copy of accession register for books is now enclosed with the appeal.

AND WHEREAS the Council noted that the building plan did not indicate the name of the institution for which it was prepared; the faculty selected by the selection committee on

24.05.2010 have not yet been approved by the University; there was no record of staff working prior to 24.05.2010 excepting approval in the form of undated signatures of the Registrar, H.N.B Garhwal University for the staff for the session 2006-07; and improvements in respect of language lab and other labs, entries in the various stock registers, play ground and multipurpose hall were made only after the conduct of inspection and issue of show cause notice. In these circumstances the Council came to the conclusion that the NRC was justified in withdrawing recognition on the basis of the then existing shortcomings in the functioning of the appellant institution and therefore the appeal deserved to be rejected and the order of the NRC confirmed.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and NRC's order dated 27-03-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Chairman, Doon Ghati College of Professional Education, Prem Nagar Bazar, Doiwala, Dehradun - -, Uttaranchal**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Uttaranchal, Dehradun.

F.No.89-557/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

27/08/2010

ORDER

WHEREAS the appeal of Lala Pritam B.Ed College, Chatra, Jharkhand dated 25/05/2010 is against the Order No. ERC/7-107.8.14/2010/3931 dated 15/05/2010 of the Eastern Regional Committee, refusing / rejecting the application for grant of recognition for conducting B.Ed course on the grounds "1) In the application form, website address of the institution is not mentioned. 2) In support of change of Land Use Certificate, the institution had submitted a certificate from Aanchal Adhikari issued on 13/02/2010 stating that previously this land was agricultural but presently this land will be utilized for educational purposes i.e. after the last date of submission of application. 3) The non-encumbrance certificate has been issued on 09.02.2010 i.e. after the last date of submission of application. 4) The building plan of the institution has been approved by Nagar Parishad whereas the purported document to be change of land use has been issued by Aanchal Adhikari. 5) The institution has mentioned two different information in the affidavit dt. 29.10.2009 and the affidavit dt. 16.02.2010 with regard to Enclosure as per column 5 of the affidavit. The enclosure 5 of the affidavit dt. 29.10.2009 has not been submitted whereas in support of enclosure 5 of the affidavit dt. 16.02.2010, the institution had submitted a declaration for exclusive use of land by the society issued on 10.02.2010.. 6) The institution has proposed the college in four different plots i.e. 1292, 1298, 1301 & 1303. In support of all the plots being adjacent to each other, the institution had submitted site plan. On scrutiny of the site plan, it seems to be not clear (tampered). 7) Moreover, from the site plan, it is seen that the institution has proposed the land for B.Ed college in plot no. 1292 only whereas in the approved Building Plan, affidavit on Rs. 100 stamp paper, non-encumbrance certificate, Building Completion Certificate, purported change of land use, application all the four plots has been mentioned."

AND WHEREAS the Correspondent, Lala Pritam B.Ed College (hereinafter referred to as the appellant), preferred an appeal dated 28/05/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Sh. Pritem Sahu, Secretary, Lala Pritam B.Ed College, Chatra, Jharkhand presented the case of the appellant institution on 19.07.10. In the appeal and during personal presentation it was submitted that although website was created on 8.06.2009 due to non - availability of service provider it could not be mentioned in the application; land use certificate was submitted; non-encumbrance certificate issued on 16.06.2009 was submitted along with the application and another one obtained on 9.02.2010 from Distt. Registrar Chabra was submitted with compliance letter; the Circle Officer who has the land records issued the CLU and since the land is located in the purview of Nagar Parishad, they have approved the building plan ; enclosure 5 of the affidavit dt. 26.10.2009 was enclosed to the application and enclosure 5 of the affidavit dt. 16.02.2010 was enclosed to the compliance letter and in both the affidavits declaration for exclusive use of land by the trust

has been submitted ; the site plan has not been tampered; and the land comprising plots No. 1292,1968,1301 and 1302 is proposed for the B.Ed. college.

AND WHEREAS the Council noted that the land use certificate has been obtained on 13.02.2010 only, i.e. after the submission of the application; the non-encumbrance certificates dt. 16.06.2009 and 9.02.2010 were issued by the same Distt. Authorities and the khasra and Plot no. in both the documents are same; the appellants explanation regarding different authorities issuing CLU and approving the building plan is acceptable ; though the appellant enclosed Annexure 5 to both the affidavit and the land detail given therein are the same, the date of the Annexure 5 in the first affidavit is 29.10.2009 and not 5.04.2009 as mentioned in the affidavit, which was also sworn on 29.10.2009 and not on 26.10.2009 ; and no tampering in the building plan is visible excepting the area of one plot no. 1303 has been converted to read as 0.05 Dec and this correction tallies with the area of this plot in other documents like non-encumbrance certificate and Land possession certificate.

AND WHEREAS the Council taking note of the submissions made by the appellant. The appeal may be rejected on the ground that CLU has been obtained after submission of application.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and ERC's order dated 15-05-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Lala Pritam B.Ed College, Plot No.-1303/1301, Vill/Town/City-Kishunpur, Chatra - 825401, 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 - 751 012.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

F.No.89-572/2010-Appelqal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

27/08/2010

ORDER

WHEREAS the appeal of MSD Memorial Mahavidyalaya, Jalaun, Uttar Pradesh dated 27/05/2010 is against the Order No. NRC/NCTE/F-3/NRCAPP421/158 Meeting/2010/22176 dated 14/05/2010 of the Northern Regional Committee, rejecting its application for recognition for conducting D.El.Ed course on the grounds "Land documents have not been certified".

AND WHEREAS the Correspondent, MSD Memorial Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 28/05/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Hari Mohan, Cashier and Shri. Uttam Singh, Secretary, MSD Memorial Mahavidyalaya, Jalaun, Uttar Pradesh presented the case of the appellant institution on 20-07-2010. In the appeal and during personal presentation, it was submitted that the institution had furnished all the land documents certified by the competent authority.

AND WHEREAS the Council noted that the Regulation 7(1-A) of the NCTE Regulations, 2009, stipulated that application submitted online but not followed by dispatch, through registered post or by hand, with seven documents mentioned at (i) to (vii) of Regulation 7(1), including certified copy of registered land documents issued by the competent authority within 7 days, shall be considered as incomplete and shall be summarily rejected. The institution did not submit a copy of certified registered land document alongwith the application and it submitted copy of land document certified on 09-04-10, which was much after the date of submission of application. Thus, the institution did not fulfill the provision in Regulation 7 (1 A) of NCTE Regulations, 2009 to become eligible for consideration for recognition by NCTE. Therefore, the Council was of the view that the application of the institution was rejected by the NRC for valid reasons and, thus, there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence it should be rejected. Accordingly, the appeal was rejected and NRC's order dated 14-05-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. The Minister, MSD Memorial Mahavidyalaya, Plot No.212, VPO- Titra Khalilpur, Tehsil-Konch, Jalaun - 285205, 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, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

31/08/2010

ORDER

WHEREAS the appeal of Institute of Progressive Studies & Development, Roorkee, Uttaranchal dated 24/05/2010 is against the Order No. NRC/NCTE/F-7/UR-192/159 Meeting /2010/22036 dated 14/05/2010 of the Northern Regional Committee, closing the file of the institution for grant of recognition for conducting M.Ed course on the grounds "1) The deficiencies communicated to the Institution through letter number F.NRC/NCTE/F-7/UR-192/153 meeting/2009/13882 dated 18/12/2009 still exist. 2) The information provided on www.iieshimla.org in respect of course available is not correct."

AND WHEREAS the Correspondent, Institute of Progressive Studies & Development (hereinafter referred to as the appellant), preferred an appeal dated 26/05/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Sh. Kuldeep Kaushik, Chairperson and Smt. Dr. Kusum Lata Aggrawal, Principal, Institute of Progressive Studies & Development, Roorkee, Uttaranchal presented the case of the appellant institution on 19.07.10. In the appeal and during personal presentation it was submitted that they have not received NRC's letter dt. 23.02.2010 cited in the order dt. 14.05.2010 but they received a deficiency letter dt. 18.12.2009 which was replied to by them on 6.03.2010.

AND WHEREAS the Council noted that the institutions letter dt. 6.03.2010 explaining their position in regard to various deficiencies pointed out by the NRC has been received and it is on NRC's file. There is no indication that the point wise replies were considered before closing the file. In the circumstances the Council came to the conclusion that the appeal deserved to be accepted, the order of NRC set aside and the case remanded back to NRC to consider the replies of the institution to the deficiencies pointed out and pass appropriate orders thereafter. A copy of the appeal of the institution may also be forwarded to NRC.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT report and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was enough ground to accept the appeal and that it should be accepted, set aside the order of the NRC dt. 14-05-10 and remand the case to the NRC for consider the replies of the institution to the deficiencies pointed out and pass appropriate orders thereafter.

NOW THEREFORE, the Council hereby remands back the case of Institute of Progressive Studies & Development, Roorkee, Uttaranchal to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)

Member Secretary

1. The Chairperson, Institute of Progressive Studies & Development, Main National Highway.
double Phatak, Roorkee - -, Uttaranchal

2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Uttaranchal, Dehradun.

F.No.89-555/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

31/08/2010

ORDER

WHEREAS the appeal of Prabharani Institute of Education, Mushidabad, West Bengal dated 25/05/2010 is against the Order No. ERC/7-106.4.2/2010/3852 dated 02/05/2010 of the Eastern Regional Committee, refusing recognition for conducting B.Ed course on the ground "The experience certificate of the Principal is of a Secondary School which is not as per NCTE norms."

AND WHEREAS the Correspondent, Prabharani Institute of Education (hereinafter referred to as the appellant), preferred an appeal dated 28/05/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Sh. P.K. Sarkar, AO & Sh. S.K. Ray, Adviser, Prabharani Institute of Education, Mushidabad, West Bengal presented the case of the appellant institution on 19.07.10. In the appeal and during personal presentation it was submitted that the selection of the earlier principal was made by a committee comprising three experts of Kalyani University as he was having a Ph.D degree and ERC did not raise any objection regarding his experience at that time. He also submitted that the management has since selected a new principal as per the NCTE norms. The appellant submitted the proceedings of the selection committee, experience certificates of the newly selected principal, namely Dr. Ruma Deb and also stated that the new principal was offered the post on 30.06.2010 and she has accepted the offer.

AND WHEREAS the Council, taking into account the submissions made by the appellant and also noting that the newly appointed principal Dr. Ruma Deb has been possessing qualification & experience as per NCTE norms; came to the conclusion that the appeal deserved to be accepted and the order of ERC be reversed with the direction to ERC to grant formal recognition to the institution.

AND WHEREAS after perusal of documents, memorandum of appeal, VT Report, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was enough ground to accept the appeal and that it should be accepted. Accordingly, the appeal was accepted and ERC's order dated 02-05-10 was reversed with a direction to the ERC to grant formal recognition to the institution within 15 days of issue of this order.

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

(Hasib Ahmad)
Member Secretary

1. The Secretary, Prabharani Institute of Education, Vill- Chanak, po- Chanak, Plot No. 507,508,512, Mushidabad - -, West Bengal

2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.

31/08/2010

ORDER

WHEREAS the appeal of Bora Institute of Management & Sciences, Lucknow, Uttar Pradesh dated 05/05/2010 is against the Order No. F.NRC/NCTE/F-3/UP-3273/158th Meeting/2010/22084 dated 11/05/2010 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the ground "The Institution was issued 7(9) which has not been replied till date."

AND WHEREAS the Correspondent, Bora Institute of Management & Sciences (hereinafter referred to as the appellant), preferred an appeal dated 10/05/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS the appeal of the institution against the order of the NRC dt. 7.01.2010 refusing recognition was accepted by the Council in their order No. 09-13/1/2009 Appeal A.106411 dt 12.02.2010 and the case was remanded back to NRC for issue of letter of intent prior to recognition under clause 7(9) of NCTE Regulations. The NRC issued a letter of intent on 8.03.2010 to the institution and asked them to furnish information about selection / appointment of faculty and launching website within 21 days from the date of issue of the said letter of intent. The NRC has closed the file of the institution by their Order No.F. NRC/F-3/UP-3273/158 meeting/2010-22084 dt. 10.05.2010 on the ground that the institution has not replied to the letter of intent till date.

AND WHEREAS Sh. Aditya Vidyasagar and Sh. Chetan Prakash Mishra, Authorized representative, Bora Institute of Management & Sciences, Lucknow, Uttar Pradesh presented the case of the appellant institution on 19.07.10. In the appeal and during personal presentation it was submitted that the letter of intent dt. 8.03.2010 was not received by them ; they obtained a copy thereof from Lucknow University; they informed NRC on 25.03.2010 that they have advertised for the posts and requested Lucknow University to appoint Selection Committee for selection of Principal and faculty members ; the Selection Committee constituted by Lucknow University selected the faculty on 15.04.2010; Lucknow University approved the selected principal and lecturers on 20.04.2010 ; and informed NRC on 21.04.2010 that all formalities have been completed. The appellant enclosed copies of all the relevant communications in support of his claim.

AND WHEREAS the Council noted that the appellant has taken all the necessary action in pursuance of the letter of intent within a span of 45 days and also kept the NRC informed of the steps being taken. In the meantime NRC has received the institutions reply dated 21.04.2010. The Council examined the staff profile and noted that the appellant had appointed the requisite faculty, qualified as per NCTE norms and further the faculty had been selected following the laid down procedure and the faculty list was also approved by the university. In view of the above the Council came to the conclusion that there was

adequate justification in accepting the appeal with the direction to the NRC for issuance of formal recognition order.

AND WHEREAS after perusal of documents, memorandum of appeal, VT Report, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was enough ground to accept the appeal and that it should be accepted. Accordingly, the appeal was accepted and ERC's order dated 11-05-10 was reversed with a direction to the ERC to issue formal recognition order to the institution within 15 days of issue of this order.

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

(Hasib Ahmad)
Member Secretary

1. **The Manager, Bora Institute of Management & Sciences, Plot No. 182, NH-24, Vill-Mohluddinpur, Tehsil-Bakshi Ka Talab, Lucknow - -, 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, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

F.No.89-601/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

31/08/2010

ORDER

WHEREAS the appeal of Bhayandar College of Education, Thane, Maharashtra dated 26/05/2010 is against the Order No. WRC/APW077224/123917/133/2010/67419 dated 29/04/2010 of the Western Regional Committee, rejecting the application for grant of recognition for conducting B.Ed course on the ground "Certified copy of land documents as required in the NCTE Regulation 2009 not submitted."

AND WHEREAS the Correspondent, Bhayandar College of Education (hereinafter referred to as the appellant), preferred an appeal dated 04/06/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri Rajendra Pandit, Sr. Executive Officer and Shri C.P. Dave, Advisor, Bhayandar College of Education, Thane, Maharashtra presented the case of the appellant institution on 21.07.10. In the appeal and during personal presentation it was submitted that a plot of land measuring 2540 Sq.mt. at survey no. 6 in village Bhayandar, was gifted to the Bhayander Kelvani Mandal by the trustee Sh. Patel Purshottam Shankarlal for the purpose of constructing educational campus for college and school. The gift deed was made on Govt. stamp paper on 27.07.1983.

AND WHEREAS the Council noted from the translated English version of the gift deed dt. 27.07.1983 that the trustee Shri Patel Purshottam Shankarlal gifted 2548 sq. mts. of land to Shree Bhayandar Kelvani Mnadal for construction of a new building for accommodating ever increasing number of school students; this gifted land of 2548 sq. mts. is not adequate for conducting school as well as the proposed B.Ed course because as per norms for B.Ed. course alone 2500 Sq.mts. of exclusive land is required. It also noted that WRC had rejected the case on a wrong ground, as the certified copy of the land document submission was not mandatory as per regulations 2007, as regulations 2007 are applicable to the appellant institution. In view of the above the Council came to the conclusion that the case may be remanded to WRC for issuing a revised speaking order, in the light of the above observation of the Council.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during the hearing, the Council reached the conclusion that case may be remanded to WRC for issuing a revised speaking order, in the light of the observation of the Council.

NOW THEREFORE, the Council hereby remands back the case of Bhayandar College of Education, Thane, Maharashtra to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

- 1. The Secretary, Bhayandar College of Education, J.H. Poddar High School X Road, Thane - 401101, Maharashtra**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

F.No.89-556/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

31/08/2010

ORDER

WHEREAS the appeal of Uday Memorial B.Ed College, Ranchi, Jharkhand dated 25/05/2010 is against the Order No. ERC/7-107.8.12/2010 dated 15/05/2010 of the Eastern Regional Committee, refusing / rejecting the application of the institution for grant of recognition for conducting B.Ed course on the grounds "1) Notarized copy of Change of land use Certificate issued by the competent authority not submitted. 2) The institution has mentioned two different information in the affidavit dated 26.10.2009 and the affidavit dt. 16.02.2010 with regard to enclosure as per column 5 of the affidavit. The enclosure 5 of affidavit dt. 26.10.2009 has not been submitted whereas in support of enclosure 5 of the affidavit dt. 16.02.2010, the institution had submitted a declaration of the society for exclusive use of land by the society issued on 11.11.2008. 3) The land documents are in the name of the individual. The land documents are in the name of Uday Memorial B.Ed College, Kedal, Thana Sadar, Distt. Ranchi Director Sh. Santhosh Mahto whereas it should be Uday Memorial B.Ed College, Kedal, Thana Sadar, Distt. Ranchi through Director, Sh. Santhosh Mahto. As per the sale deed dated 20/10/2008, the land is agricultural. The institution has not submitted any document to show that it has got the land converted from agricultural to educational/institutional. 4) The plinth area in the building is 800 sq.mt. whereas as per Regulations 1500 sq.mt. is required on the ground floor only. The NCTE Hqrs. vide letter no. F.No. 48-34/2010/NCTE/N&S/A 13303 dt. 09/04/2010 had clarified that required built up area available in a single storey or multi-storey building constructed upon the prescribed land area."

AND WHEREAS the Correspondent, Uday Memorial B.Ed College (hereinafter referred to as the appellant), preferred an appeal dated 28/05/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Sh. Naresh Kumar Mishra, Member and Sh. Mukesh Kumar Kandarwar, Member, Uday Memorial B.Ed College, Ranchi, Jharkhand presented the case of the appellant institution on 19.07.10. In the appeal and during personal presentation it was submitted that land use certificate has not been asked in the deficiency letter but the same has been obtained on 11.09.2009 from Anchal Adhikari, Khanke, Ranchi; enclosure-5 of affidavit dt. 26.10.2009 was enclosed to the application and enclosure-5 of affidavit dt. 16.02.2010 was enclosed to the compliance letter and in both the affidavits declaration for exclusive use of land by the trust has been submitted but one is prior to purchase of land and the other after purchase of land; due to mistake of deed writer the word 'through' has not been mentioned but all other relevant documents reflect the title in the name of Uday Memorial B.Ed College; and there is no provision in the norms that 1500 sq. mts of built up area is required in ground floor.

AND WHEREAS the Council noted that the 'CLU' was issued on 11.09.09 by the competent civic authority; 0.83 Hect of land at plot No. 136 was in the name of the

institution and further mutation had been executed for the said land in the name of the institution; the appellant was having 1600 sq. mts. of built up area on two floors as per the building plan.

AND WHEREAS the Council taking into account the submissions made by the appellant has come to the conclusion that the appeal deserved to be accepted, the order of ERC set aside and the case remanded back to ERC for further processing on merit.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was enough ground to accept the appeal and set aside the order of the ERC dt. 15-05-10 and remand the case to the ERC for further processing on merit.

NOW THEREFORE, the Council hereby remands back the case of Uday Memorial B.Ed College, Ranchi, Jharkhand to the ERC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Chairman, Uday Memorial B.Ed College, Vill./Town/City- Hombai, P.O. Neori Vikas, Ranchi - -, 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 - 751 012.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Jharkhand, Ranchi.

31/08/2010

ORDER

WHEREAS the appeal of Katihar Teachers Training College, Katihar, Bihar dated 28/05/2010 is against the Order No. ERC/7-107.8.34/2010/4065 dated 17/05/2010 of the Eastern Regional Committee, rejecting its application for recognition for conducting B.Ed course on the grounds "1) FDR not in the name of the institution. 2) In the application form, the website address and PAN No. of the Society is not mentioned. 3) As per the Gift Deed registered on 26th October 2009, the gifted land is a residential vacant land. 4) Notarized copy of Conversion / Change of Land Use Certificate from the competent authority not submitted. In support of Change of Land Use & Enclosure 5 of the Affidavit, the institution had submitted a Memo dated 29th October 2009 issued by the Circle officer stating that the land can be used for educational purposes and notarized on 19th Jan 2010 which is after the date of application. 5) The building plan has been approved by the Sarpanch of the village on 20th Jan 2010 i.e. after the last date of submission of application. 6) Non encumbrance Certificate issued on 14.01.2010 after the date of submission of application. 7) The duly filled in Affidavit complete in all respects has been sworn on 4th Feb 2010 i.e. after the last date of submission of application".

AND WHEREAS the Correspondent, Katihar Teachers Training College (hereinafter referred to as the appellant), preferred an appeal dated 28/05/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Shahnawaj Zafar, Secretary and Shri. Asim Zafar, President, Katihar Teachers Training College, Katihar, Bihar presented the case of the appellant institution on 20-07-2010. In the appeal and during personal presentation, it was submitted that FDRs were prepared in the name of the society; NCTE Regulations provided that all the applicant institutions shall launch their website with hyperlink to National Council for Teacher Education and corresponding Regional Office website soon after the receipt of the letter of intent from the regional Committee as provided under sub-regulation (9) and, therefore, the institution was not in a position to launch a website as stated, before receipt of letter of intent., the institution had applied for the same and mean while the institution had received the PAN card bearing Pan No. AACTA6989L; the area which was gifted for the college was a residential vacant land area and the land being vacant, construction of the building for the purpose of the said institution was being undertaken and it was clearly mentioned in the Gift Deed in column 6, para 3 that the Gifted land was to be used solely and exclusively for the purpose of a site for construction and accommodation of the proposed Katihar Teachers' Training college under Alim Educational Society, Katihar; the requirement stated in the Instructions for filling the online application form in para 2 column 1 and proforma for affidavit, that permission of the competent authority to use the land for educational purpose should be obtained, which the institution obtained before application on 29.10.2009 and submitted the same with the application, when the point was mentioned by ERC vide letter No. F.ERC/NCTE/2009/B.Ed./DL-2573 dated 22.12.2009 that the Notarized

copy of change of land use certificate issued by the competent authority was required, a notarised copy of the same certificate was submitted; one copy of building plan submitted was approved on 27.10.2009 by the Architect and one copy of drawing was approved by Mukhia on 26.10.2009 before the date of application and when a letter was sent by ERC vide letter No. F.ERC/NCTE/2009/B.Ed/DL-2573 dated 22.12.2009 it was being approved by the Mukhia who was an approved approver and was resent; as it was not mentioned anywhere earlier to submit the non encumbrance certificate, when the same was mentioned in ERC's letter No. F.ERC/NCTE/2009/B.Ed/DL-2573 dated 22.12.2009 then only it was obtained and submitted and the institution submitted an Affidavit dated 29.10.2009 in the prescribed format at the time of submission of application and when the institution received a letter F.ERC/NCTE/2009/B.Ed/DL-2573 dated 22.12.2009 it submitted another affidavit in the same prescribed format.

AND WHEREAS the Council noted that the deficiencies pointed out has been complied with, within the prescribed period of 60 days. The CLU submitted after issue of deficiency letter was obtained prior to the last date of submission of applications. The building plan was approved by Architect and Mukhia in the year 2009, another approval was obtained after the issue of deficiency letter. The discrepancy pointed out in built up area in original plan and that in the completion certificate is understandable, as this can be increased at the stage of actual construction. The Council therefore came to the conclusion that there was adequate justification in accepting the appeal and remanding the case to the ERC for further processing on merit.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was enough ground to accept the appeal and that it should be accepted, set aside the order of the ERC dt. 17-05-10 and remand the case to the ERC for further processing on merit.

NOW THEREFORE, the Council hereby remands back the case of Katihar Teachers Training College, Katihar, Bihar to the ERC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Katihar Teachers Training College, 3660, Dalan, Sirsa,, Katihar - 854105, Bihar**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneshwar - 751 012.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Bihar, Patna.

F.No.89 - 278/2010 - Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

31/08/2010

ORDER

WHEREAS the appeal of Mohammadi Institute of Diploma in Education (Islamia Education Trust), Gulbarga, Karnataka dated 10/04/2010 is against the Order No. F.SRO/NCTE/2009-2010/17940 dated 04/03/2010 of the Southern Regional Committee, withdrawing recognition for conducting D.Ed. course on the grounds "1) Building Completion Certificate issued from the Govt. Authority on the prescribed format is not submitted. 2) The institution has not submitted original FDR for Rs. 3 Lakh towards Reserve Fund kept in the Joint Account. 3) The management has not made arrangement to run the D.Ed course for the sessions 2007-08, 2008-09 and 2009-10."

AND WHEREAS the Correspondent, Mohammadi Institute of Diploma in Education (Islamia Education Trust) (hereinafter referred to as the appellant), preferred an appeal dated 19/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri Patliker M.H., Principal, Mohammadi Institute of Diploma in Education (Islamia Education Trust), Gulbarga, Karnataka presented the case of the appellant institution on 25.06.10. In the appeal and during personal presentation it was submitted that (i) the building completion certificate issued by the competent authority has been submitted to SRC; (ii) earlier they submitted the FDR in the name of Trust and later FDR for Rs.3 lakhs in joint account format was submitted to Southern Regional Committee on 9.2.2010; and (iii) the institution was permitted to run D.Ed. with Marathi medium; Govt. of Maharashtra decided not to recognize D.Ed. certificates obtained from Karnataka institutions for employment and consequently there was drop in the number of students and it became uneconomical to run the college. He also submitted that they have requested the Govt. of Karnataka to permit them to change the medium of instruction (to English) and their decision has not yet been communicated. The appellant admitted that the approved course is not being conducted since the last 3-4 years.

AND WHEREAS the Council noted that the institution is a recognized institution since February, 2006 and was admitting students since 2007-08 onwards, for a 2 years D.Ed. course; the recognition has been withdrawn on three grounds and the institution has established that the first two grounds are not sustainable as the institution has valid building completion certificate and FDR's; the only ground on which the recognition can be withdrawn is that management has not made arrangement to run the D.Ed. course for the last two years and for this ground the institution has explained its inability in conducting the program for the last two to three years due to constraints posed by the State Government/affiliating body. The Council therefore came to the conclusion that there was adequate justification to accept the appeal and reverse the order of SRC.

AND WHEREAS after perusal of documents, memorandum of appeal, VT Report, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was enough ground to accept the appeal and that it should be accepted. Accordingly, the appeal was accepted and SRC's order dated 02-03-10 was reversed.

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

(Hasib Ahmad)
Member Secretary

1. **The Founder Trustee, Mohammadi Institute of Diploma in Education (Islamia Education Trust), Payan Darga Road, Roza (B), District, Gulbarga - 585104, Karnataka**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, 1st Floor, CSD Building, HMT Post, Jalahali, Bangalore - 560 031.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bangalore.

F.No.89-361/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

31/08/2010

ORDER

WHEREAS the appeal of Royal College of Education & Research, Thane, Maharashtra dated 04/05/2010 is against the Order No. WRC/APW06959/123871/133/2010/67306 dated 24/04/2010 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "The institution does not have valid land document on the date of making application".

AND WHEREAS the Correspondent, Royal College of Education & Research (hereinafter referred to as the appellant), preferred an appeal dated 04/05/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Prof. A.E. Lakdawala, Chairman, Royal College of Education & Research, Thane, Maharashtra presented the case of the appellant institution on 19-06-2010. In the appeal and during personal presentation, it was submitted that the land matter of the institution was considered and accepted by the appeal committee during the hearing of the earlier appeal on 13.10.2009 and accordingly, the appeal committee had passed an order dated 06.11.2009 and remanded the case to the WRC; that they possessed registered document of their premises, which were submitted to WRC, Bhopal.

AND WHEREAS the Council noted that the Royal Higher Education Society had submitted an application to WRC on 27-12-07 for recognition of Royal College of Education and Research (B.Ed. College). The WRC rejected the application vide its order dated 06-06-09 on the ground that the institution did not remove the deficiencies within the stipulated period of 90 days. The institution filed an appeal dated 05-08-09 which was considered and the Council, vide order dated 06-11-09 accepted the appeal and remanded the case to WRC for further examination on merit. The WRC sought certain clarification from the institution in its letter dated 01-01-10. After considering the reply of the institution and other documents in the 133rd meeting of the WRC held on 20-21 April, 2010, the application was rejected by the WRC, vide its order dated 24.04.2010 on the ground that the institution did not have valid land documents on the date of making application. The present appeal dated 04-05-10 under consideration was filed by the institution against the said order dated 24-04-10 of the WRC.

AND WHEREAS the Council also noted that application of this college has been under consideration of WRC since December, 2007. The ownership of the land/building on which college is being established in Mumbai is undisputed and is in the name of parent society namely Royal Society of Bombay and has been in their possession since 1915. This Society is running various educational institutions, and has exclusively earmarked fourth floor of an educational complex having adequate built up area as per NCTE norms. Again with a view to ensure that this built up area is not used for any purposes other than teacher education,

the Society as the parent Society, created another entity in the name of Royal Higher Education Society, which is essentially for giving exclusiveness to the teacher training institution. Both the Parent Society i.e. The Royal Society of Bombay and another Society formed by it i.e. Royal Higher Education Society were not only have many common members, but both are registered at the same postal address and have same aims and objectives. In view of this, the Council came to the conclusion that there was adequate justification to accept the appeal and remand the case to the WRC for further processing on merit.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was enough ground to accept the appeal and set aside the order of the WRC dt. 24-04-10 and remand the case to the WRC for further processing on merit.

NOW THEREFORE, the Council hereby remands back the case of Royal College of Education & Research, Thane, Maharashtra to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Chairman, Royal College of Education & Research , 236, Sector-1, Mira Road, , Thane - 401104, Maharashtra**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

F.No.89-1351/2009-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

31/08/2010

ORDER

WHEREAS the appeal of D.A.V College, Chandigarh, Chandigarh dated 19/11/2009 is against the Order No. F.NRC/NCTE/F7/CH-28/2009/11659 dated 28/10/2009 of the Northern Regional Committee, refusing recognition for conducting B.P.Ed course on the grounds "1) The faculty has not been selected through duly constituted selection committee as per NCTE norms as the University letter regarding nomination of Expert on the selection committee is not submitted. 2) The affidavit on stamp paper of Rs. 100 regarding appointment of faculty by management is not as per prescribed format."

AND WHEREAS the Correspondent, D.A.V College (hereinafter referred to as the appellant), preferred an appeal dated 24/11/2009 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri Ravinder Chaudhary, Sr. Lecturer, D.A.V College, Chandigarh, Chandigarh presented the case of the appellant institution on 13.01.2010. In the appeal and during personal presentation it was submitted that the NCTE Hqrs approved the curriculum of the 4 year integrated B.P.Ed. course vide its letter dated 18-06-08 and send the file to the NRC for further processing as per norms. After processing the file, NRC issued letter of intent prior to grant of recognition on 31-07-09 and in compliance to this letter, the institution selected the faculty members through the duly constituted selection committee as per the norms of the NCTE; As it is a self financing institution, the nominee from the DPI and expert from Panjab University are not required; The affidavit submitted by the college for appointment of faculty by the management is in the prescribed format and the objection in this regard had not been specified in detail.

AND WHEREAS the Council noted that the 4 year B.P.Ed course is an innovative programme and there are no set norms and standards prescribed by the NCTE for this course. A Standing Committee constituted at the Hqrs. level examined the course curriculum from the stand point of its innovativeness and accepted it. Accordingly, the case was forwarded to NRC for further processing and NRC subsequently issued conditional recognition vide its order dated 31-07-09. The Council further examined the curriculum and noted that as per the curriculum framework in the first year, there are five papers i.e English and Communication skills, Punjabi/History and culture of Punjabi, History of Physical Education, Educational Psychology, Guidance & Counseling and Applied Anatomy & Physiology. Looking into the syllabus of the first year course curriculum, the Council felt that the institution may be asked to submit the faculty details for teaching of the subjects spelt in the first year, before taking a final decision. Accordingly a letter was issued to the institution for appearing before the Council on 25.06.10 alongwith the faculty details appointed for teaching the curriculum of the first year B.P.Ed. course. Shri Shri Ravinder Chaudhary and Shri Satish Gandhi, Sr. Lecturer appeared before the Council on 25.06.10 and submitted that

selection committee was held on 09.08.05 and selected 06 lecturers for teaching the curriculum specified in the first year. It was further submitted that it had admitted students during the academic session 2005-06 with the NOC issued by Chandigarh Administrator and a letter of intent to start B.P.Ed. 4 years course issued by the Punjab University. The first batch of the students that were admitted in 2005-06 academic session completed their course and degrees have been awarded by the university. The college had admitted only one batch of 23 students in B.P.Ed. 4 year course during the academic session 2005-06 and thereafter no students were admitted during the subsequent sessions. Keeping in view of the fact that a letter of intent under clause 7(9) of NCTE Regulations had already issued by NRC, a letter of intent by the Punjab University and NOC by the Chandigarh administration, the recognition may be granted retrospectively to the institution to safe guard the already passed out students that were admitted in 2005-06 session.

AND WHEREAS the Council noted that (a) the appellant submitted an application for 4 year B.P.Ed integrated course to the NRC on 10.04.06. As the NCTE did not formulate specific norms & standards for the 4 year B.P.Ed. course, the NRC on 24.07.08 referred the matter to the NCTE Hqrs for approval of curriculum and other modalities; NCTE Hqrs vide its letter dt. 18.06.08 approved the curriculum; Thereafter the NRC after conducting an inspection issued letter of intent on 31.07.09 and subsequently refused recognition on 28.10.09.(b) After promulgation of the NCTE Act in 1995, no institution can run teacher training programme without the recognition of the NCTE. And in contravention to the provisions of the Act, it enrolled students and conducted the course for a batch of 23 students and further university also ingross violation of the Act and illegally awarded degrees.

AND WHEREAS the Council further noted that in the faculty selection there was no university nominee and that too selection was done in 2006 itself that was much before the issue of 7 (9) letter by NRC. It however felt that since it is an innovative programme and the curriculum of the course has already been approved by the standing Committee of the NCTE Hqrs. and therefore it came to the conclusion that the appeal deserved to be accepted and the case remanded to the NRC for giving 03 months more time for complying with the condition laid in the conditional letter.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was enough ground to accept the appeal and set aside the order of the NRC dt. 28-10-2009 and remand the case to the NRC for giving 03 months more time for complying with the condition laid in the conditional letter.

NOW THEREFORE, the Council hereby remands back the case of D.A.V College, Chandigarh to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Principal, D.A.V College, Sector - 10, Chandigarh - , Chandigarh**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Chandigarh, Chandigarh.

F.No.89-76/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

31/08/2010

ORDER

WHEREAS the appeal of Poojya Nagbhusanappa D.Ed College(G.E. Society), Bidar, Karnataka dated 01/02/2010 is against the Order No. F.SRO/NCTE/D.Ed/2006-2007/12144 dated 26/09/2007 of the Southern Regional Committee, refusing recognition for conducting D.Ed course on the ground "The exclusive space and instructional and infrastructural facilities provided are not adequate for the proposed D.Ed course."

AND WHEREAS the Correspondent, Poojya Nagbhusanappa D.Ed College(G.E. Society) (hereinafter referred to as the appellant), preferred an appeal dated 03/02/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri Basappa, Secretary, Poojya Nagbhusanappa D.Ed College(G.E. Society), Bidar, Karnataka presented the case of the appellant institution on 19.05.10. In the appeal and during personal presentation, it was submitted that the society was having a three storey building with ten rooms each on ground and first floor and seven rooms on second floor; the society was having one acre of open land exclusively for playground and the management made all efforts in equipping the institution with instructional staff and other requisite facilities. The appellant stated that they were not running any other course and no admissions had been made in D.Ed. course.

AND WHEREAS the Council noted that the institution was inspected on 23/01/07 and the team in its report mentioned that all the rooms for starting D.Ed. college had been provided in a newly constructed building and also that all infrastructural facilities were adequate. From the building completion certificate dated 03/07/09, it was seen that ground, first and second floors were having 8687 sq.ft. RCC built-up area on each floor. The SRC however, issued a Show Cause Notice on 28/03/07 on the ground that separate facilities were not provided for the proposed D.Ed. college. The institution, in its reply dated 17-08-07, inter-alia stated that the management was having their own two floor building with built-up area of 19500 Sq.ft. and that apart from that the society was having 5 acres and 11 guntas land. After considering the reply of the institution alongwith other relevant documents, the SRC refused recognition to the institution on 26-09-07. Since the VT report dated 23-01-07 nor the building plan submitted did not indicate the available built-up area, the Council decided to get another inspection of the institution by a special team to verify the infrastructural and instructional facilities provided by the institution to facilitate a final decision on the appeal. Accordingly, a special team was deputed and the team conducted an inspection of the institution on 08-07-10 and submitted its report. The Council considered the case again in its meeting held on 20-07-10. The Council noted that as per the documents furnished by the institution to the special team on 08-07-10, the institution was having a 3 storey building with a total built-up area of 26061 Sq.ft. or 2421 Sq.mts. exclusively available to the institution for the proposed D.Ed. course on a one acre plot, as against an available built-up area of 9000 Sq.ft. as claimed in the application and 7168 Sq.ft. in first and second floor as claimed in the building plan submitted by the institution

alongwith the application. The Council also noted that another building plan forwarded by the institution vide its letter dated 14-06-06, which was purported to have been approved by Town Municipal Council, Bhalki on file NO.MUNB/Const/17/97-98 dated 16-07-98, showed a built-up area of "12010 Sq.ft minus 3200 Sq.ft or 8810 Sq.ft". Thus, the Council observed that the institution submitted different building plans and different building completion certificates showing different built-up areas at different point of time raising doubt about the genuineness of the documents. While the institution submitted a building plan showing a built-up area of 7168 Sq.ft. alongwith its application dated 02-01-06, it submitted another building plan approved by the same Town Municipal Council, Bhalki on 16-7-1998, showing a built-up area of 8810 Sq.ft. alongwith its letter dated 14-06-06. In its reply dated 17-08-07 to SRC's show cause notice dated 28-03-07, the institution claimed that it was having a 2 storey building with a built-up area of 19,500 Sq.ft. and apart from this, the society was having 5 acres and 11 guntas of land implying that the building and the plot of land were at different places. Alongwith the appeal dated 01-02-2010 filed by the institution, it submitted another building plan approved by the same Town Municipal Council, Bhalki showing a built-up area of 24, 488 sq.ft. in 3 floors. But, the building plan handed over to the inspection team on 08-07-10, which was also approved by the Town Municipal Council, Bhalki showed a built-up area of 26,061 Sq.ft. in 3 floors. The Council further noted that the report of the Special Team indicated that a few rooms in each floor were kept locked. Although the Secretary of the Society insisted that the building was used only as the office of the Society, yet the condition of the building revealed that it was being used for a long time for some purpose and it is still being used for some other purposes. Adjacent to the 3 storey building, on the back side, there was another partially completed building. Secretary of the Society informed that the second building was for some other purpose and not connected with the proposed D.Ed. course. Thus, the land and building, prima-facie, was not available exclusively for the proposed D.Ed. course. There was also no boundary wall. The institution also submitted two building completion certificates dated 07-11-06 and 10-01-07 issued by the Town Municipal Council, Bhalki in which the dates of inspection have been shown as 03-07-09 and 02-01-07 respectively. The land document submitted also showed that the institution was having only one acre of land and not 5 acre and 11 guntas as claimed by the institution earlier. Obviously, the documents produced by the institution were not genuine. In the circumstances, the Council was of the view that recognition to the institution was refused by the SRC for valid reasons and thus, there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence it should be rejected. Accordingly, the appeal was rejected and SRC's order dated 26-09-07 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. The Secretary, Poojya Nagbhushanappa D.Ed College(G.E. Society), Near REC,
Humnabad Road, Bhalki, Bidar - 585328, Karnataka

2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, 1st Floor, CSD Building, HMT Post, Jalahali, Bangalore - 560 031.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bangalore.