

F.No.89-32/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

23/08/2010

ORDER

WHEREAS the appeal of Brahaspati Mahila Degree College, Kanpur, Uttar Pradesh dated 13/01/2010 is against the Order No. F.NRC/NCTE/F-3/UP-1673/2009/14599-14605 dated 06/01/2010 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed course on the ground "1) The faculty still has not been appointed as per NCTE norms for B.Ed. 2) Approved earmarked building map still has not been submitted. 3) Still the computers are not sufficient for 100 students. 4) The language learning lab still ill equipped. 5) EPF still has not been maintained. 6) The library does not have number of titles as per NCTE norms for B.Ed."

AND WHEREAS the Correspondent, Brahaspati Mahila Degree College (hereinafter referred to as the appellant), preferred an appeal dated 14/01/2010 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. 06.01.10 withdrawing recognition for conduct of B.Ed. course was rejected by the Council in their order dt. 05.03.10 for the reasons stated therein. The appellant aggrieved by the order of the Council filed a writ petition No. 18232/2010 before the Hon'ble High Court of Judicature at Allahabad. The Hon'ble High Court in their order dt. 06.04.10, holding that the show cause notice does indicate that the ground which has been mentioned by the Appellate Authority in the impugned order was not even a charge to which the petitioner institution was to reply; the Regional Committee has also not withdrawn the recognition on this ground; and the petitioner- institution was required to be given an opportunity to show cause before recognition was withdrawn on the grounds mentioned in the appellate order, set aside the appellate order with further direction to the appellate authority after giving an opportunity to the petitioner institution, pass a fresh order. This has to be done preferably within a period of six weeks form the date a certified copy is field by the petitioner before the Vice-Chairman of the NCTE. The petitioner filed a certified copy of the Hon'ble Court Order on 26.04.2010 which was received in the Council on 30.04.2010.

AND WHEREAS the appellant filed an application dated 02.06.2010 in pursuance of the Hon'ble High Court order containing pleadings against the deficiencies mentioned in the appellate order dated 05.03.2010. Shri Ratnaker Shukla, Manager and Ms. Usha Ratnakar, Treasurer was present for hearing before the Council on 18-6-2010. In the appeal and during personal presentation it was submitted that 2,500 sq. mts. of land has been earmarked for B.Ed. as per the resolutions of the Board of Management of the college, out of 3,925.70 sq.mtr. of built up area, 1,581.19 sq. mts. has been exclusively earmarked for B.Ed; the multi-

purpose hall has an area of 1260 sq.ft. which is as per norms of 2007, the college runs a Central Library which is common facility for all the faculties and specific sections are dedicated to different faculties; B.Ed. labs are designed according to the norms of NCTE for use of B.Ed. students only and the college has faculty members who are serving since the beginning of B.Ed. course and when teachers prefer to leave, pending appointment of teachers according to the procedures laid down by the University, unapproved qualified teachers are provided in the larger interests of the students.

AND WHEREAS the Council noted that the Inspection Team that conducted inspection of the college under Section 17 of the NCTE Act on 31.03.2009 has made specific observations on the availability of teachers from time to time after perusing the attendance registers. The Visiting Team's report does indicate that changes in the staff from time to time were made and the adhoc appointees were subsequently approved by the University. The appellant during personal presentation was asked to bring the attendance registers and documents in support of payment of salaries to the staff. He appeared before the Council again on 24.06.2010 and produced documents in support of the existence of staff all through the sessions. The Council perused the documents and noted that the appellant appointed the staff in 2006 and the University approved this staff list in the 2006 vide their letters dated 31-08-06, 19-10-06 and 18-11-06. Five of the lecturers appointed in 2006, resigned the job and vacancy was filled up by the appointing 05 lecturers in July 2007. The appellant again appointed another set of faculty in the year 2009, and for this faculty there is university's approval. Further the staff has been paid salary through bank. The council, therefore, came to the conclusion that there was adequate ground in accepting the appeal for restoration of the recognition granted to it by the NRC

AND WHEREAS after perusal of documents, memorandum of appeal, VT Report, affidavit and after considering oral arguments advanced during hearing, the Committee reached the conclusion that there was enough ground to accept the appeal and that it should be accepted. Accordingly, the appeal was accepted and NRC's order dated 06-01-10 was reversed with a direction to the NRC to restore 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 Manager, Brahaspati Mahila Degree College, Block-K, Kidwai Nagar,, Kanpur - , 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 - 1366/2009 - Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

23/08/2010

ORDER

WHEREAS the appeal of Shree Om Namah Pratishthan, Raigad, Maharashtra dated 01/12/2009 is against the Order No.WRC/APW06489/122647 (Addl.)/110th/CLA/2008/52524 dated 14/03/2009 of the Western Regional Committee, closing the application of the institution for grant of recognition for conducting D.Ed. (M)(Co. Ed.) course on the ground "WRC considered the case of the institution in light of letters F.No. 46-3/2008/NCTE(N&S)/84003 dt. 17/09/2008, F.No.49-27/2007/NCTE (N&S) dt. 01/10/2008 and F.No. 49-27/2007/NCTE(N&S) dt. 31/10/2008 received from MS, NCTE, New Delhi and negative recommendation received from Maharashtra State Govt. in respect of D.Ed course. Keeping in view of the negative recommendation and directions from NCTE Hqrs. the WRC decided that no further processing will be done in this case and communication to this effect to be made to this institution."

AND WHEREAS the Correspondent, Shree Om Namah Pratishthan (hereinafter referred to as the appellant), preferred an appeal dated 01/12/2009 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 Rajendra V. Pawar, President, Shree Om Namah Pratishthan, Raigad, Maharashtra presented the case of the appellant institution on 18.06.2010. In the appeal and during personal presentation it was submitted that the institution has fulfilled all the requirement as per the norms of NCTE, made a huge investment for the premises, infrastructure and equipment requires for setting up D.Ed course and an inspection of the institution was also conducted on 19.04.2008

AND WHEREAS the appellant preferred an appeal, against the WRC's refusal order, with delay of 6 months, 19 days. The Council, after considering the reasons submitted by the appellant decided not to condone the delay and admit the appeal. Accordingly, a letter dated 07-01-10 was issued to the institution, communicating the decision of the Council. Aggrieved by the decision of the Council, the appellant filed a writ petition before the Hon'ble High Court of Bombay and the Court vide their judgement dated 07-04-10 quashed the NCTE Hqrs letter dated 07-01-10 and directed the NCTE to decide the application for condonation of delay on its own merits and record reasons in support of its final decision which if adverse to the petitioner, it will be open to the petitioner to assail the same before the proper forum. The appeal as well as application for condonation of delay filed by the petitioner in terms of this order stands restored to the file of the NCTE, to be proceeded in accordance with law.

AND WHEREAS the Council after condoning the delay decided to hear the case on 18-06-10 on merit. It however noted that the file of the appellant institution was closed on policy matters by the WRC and the appeal can be considered only against the decision of the WRC and the Appellate Authority cannot scrutinize the file on other grounds, other than refusal ground. Hence it decided to remand the case to the WRC for further processing of the case on merit as per regulations.

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 there was adequate ground to accept the appeal and set-aside WRC's order dated 14-03-09. Accordingly, the order dated 14-03-09 was set-aside and the case was remanded to WRC for further processing of the case on merit as per regulations.

NOW THEREFORE, the Council hereby remands back the case of Shree Om Namah Pratishthan, Raigad, Maharashtra to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The President, Shree Om Namah Pratishthan, At Post. Kharghar, Tal. Panvel, District, Raigad - , 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.89-434/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

23/08/2010

ORDER

WHEREAS the appeal of Institute of Allied Sciences and Computer Applications, Gwalior, Madhya Pradesh dated 10/05/2010 is against the Order No. WRC/APW00595/222032/130tH/2010/65969 dated 18/03/2010 of the Western Regional Committee, withdrawing recognition for conducting D.Ed. course on the ground "The institution neither submitted the documents mentioned in the show cause notice nor given plausible explanation in respect of grounds (i) & (iv) of the show cause notice."

AND WHEREAS the Correspondent, Institute of Allied Sciences And Computer Application (hereinafter referred to as the appellant), preferred an appeal dated 12/05/2010 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 Ms. Sunita Bhadoria, Principal and Dr. Omveer Singh, Dean, Institute of Allied Sciences and Computer Applications, Gwalior, Madhya Pradesh presented the case of the appellant institution on 24.06.2010. In the appeal and during personal presentation, it was submitted that the institution had submitted all the required documents to WRC. It was having 2390 of built-up area; the faculty members were qualified as per norms; and library was having 2364 books.

AND WHEREAS the Council noted that the institution was granted recognition for D.Ed. course with an intake of 50 students for the session 2004-05 vide WRC's order dated 08-07-04 and subsequently vide order dated 26-09-05 granted recognition for additional intake of 50 students from the session 2005-06. Thus, the institution was granted recognition for D.Ed. course for two units i.e with a total intake of 100 students. The WRC issued a show cause notice to the institution on 28-12-09 asking it to show cause within 14 days why the recognition of the institution for D.Ed. course with an intake of 50 students should not be withdrawn as it contravened Clause 8(13) of the NCTE Regulations, 2007 (pertaining to upgradation of infrastructure as per revised norms and standards) as also provision in Para 5.1.1 of Appendix 2 (pertaining to land and building) 4.1(b) of Appendix 2 (pertaining to qualification) and 5.2(h) of Appendix 2 (pertaining to library books). The institution was also asked to furnish registered land document, permission of Govt. of MP to use the land for education purpose, building permission of the local authority alongwith the approved building plan, permission of local authorities to occupy the building and University/SCERT approval for teaching staff for D.Ed. (2 units) and B.Ed. courses. The WRC, thereafter, withdrew recognition of D.Ed course of the institution (one unit of 50 students) vide its order dated 18-03-10 for the basic unit that was sanctioned on 08-07-04 on the ground that the institution neither submitted the documents mentioned in the show cause notice nor given plausible explanation in respect of grounds (i) and (iv) of the

show cause notice. It further noted that the WRC withdrew recognition of D.Ed. course for only one unit that too basic unit as against recognition granted to the institution for two units of D.Ed course. it further noted that the institution vide its letter dated 04-01-10 merely stated that the inspection team was satisfied with the infrastructure and instructional facilities available with the institution and it did not submit any explanation for the show cause grounds, rather requested WRC to withdraw the show cause notice. So, WRC was justified in withdrawing the recognition. The Council was, however, of the view that the case should be remanded back to the WRC for reconsideration and issue of appropriate revised speaking order, taking into account the recognition granted by WRC for 2 units of D.Ed. course.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after considering oral arguments advanced during the hearing, the Council reached the conclusion that WRC's order dated 18-03-10 should be set-aside and the case remanded back to the WRC for reconsideration and issue of appropriate revised speaking order. Accordingly, the order of WRC dated 18-03-10 was set-aside and the case was remanded back to WRC for reconsideration and issue of revised speaking order, taking into account the recognition granted by WRC for 2 units of D.Ed. course.

NOW THEREFORE, the Council hereby remands back the case of Institute of Allied Sciences And Computer Application, Gwalior, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

- 1. The Principal, Institute of Allied Sciences And Computer Application, Girukripa, ITM Campus, opp. Sithouli Railway Station , NG-75, Ssithouli, Jhansi Road, Gwalior - 475001, Madhya Pradesh**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

F.No.89 - 810/2009 - Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

23/08/2010

ORDER

WHEREAS the appeal of Adarsh Samata Shikshan Prasarak Mandal, Adhyapak Vidyalaya (Marathi) {Surgana (Umberpada) D.Ed College}, Nashik, Maharashtra dated 30/07/2009 is against the Order No. WRC/APW06256/1221835/112th/VTR/2008/56188 dated 05/06/2009 of the Western Regional Committee, refusing recognition for conducting D.Ed (M) (Co. Ed) course on the grounds "The inspection was conducted on 05.11.2008 and WRC considered the case of the institution in light of letters F.No.46-3/2008/NCTE(N&S)/84003 dt.17/09/2008, F.No.49-27/2008/NCTE(N&S) dt.01/10/2008 and F.No.49-27/2008/NCTE(N&S) dt.31/10/2008 received from Member Secretary, NCTE, New Delhi and negative recommendation received from Maharashtra State Govt. in respect of D.Ed Course. Keeping in view the negative recommendation received from Maharashtra State Govt. in respect of D.Ed Course and directions received from NCTE Hqs, the WRC decided that no further processing will be done in this case and communication to this effect to be made to this institution."

AND WHEREAS the Correspondent, Adarsh Samata Shikshan Prasarak Mandal, Adhyapak Vidyalaya (Marathi) {Surgana (Umberpada) D.Ed College} (hereinafter referred to as the appellant), preferred an appeal dated 05/08/2009 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 Adarsh Samata Shikshan Prasarak Mandal, Adhyapak Vidyalaya (Marathi) {Surgana (Umberpada) D.Ed College}, Nashik, Maharashtra was asked to present the case of the appellant institution on 16-09-09, 12-10-09, 28-10-09 and also on 14.01.2010 by giving a special opportunity, but nobody appeared before the Council on all the occasions.

AND WHEREAS as per the appeal rules, three opportunities have to be provided to the appellant, for presenting its case before the Appeal Committee. **The appellant was given enough number of opportunities for presenting the case, when the institution did not appear before the Council, it decided to close the file of the institution treating that the institution was not interested in pursuing the appeal matter and accordingly the appeal is disposed.**

(Hasib Ahmad)
Member Secretary

1. The Secretary, Adarsh Samata Shikshan Prasarak Mandal, Adhyapak Vidyalaya (Marathi) {Surgana (Umberpada) D.Ed College}, Surgana (Umberpada), Tal. - Surgana, District, Nashik - 422211, 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.89-396/2009-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

23/08/2010

ORDER

WHEREAS the appeal of Institute of Professional Studies, Gwalior, Madhya Pradesh dated 07/06/2009 is against the Order No. WRC/APW08222/225168/2009/56151 dated 05.06.2009 of the Western Regional Committee, against refusal of recognition for conducting M.Ed course on the grounds "1) Undertaking not submitted. 2) Built up area not mentioned in affidavit."

AND WHEREAS the Correspondent, Institute of Professional Studies (hereinafter referred to as the appellant), preferred an appeal dated 15/06/2009 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 Institute of Professional Studies, Gwalior, Madhya Pradesh presented the case of the appellant institution on 25-07-09, 19-08-09, 14-09-09 and also on 14-01-2010 by giving a special opportunity, but nobody appeared before the Council on all the occasions.

AND WHEREAS as per the appeal rules, three opportunities have to be provided to the appellant, for presenting its case before the Appeal Committee. **The appellant was given enough number of opportunities for presenting the case, when the institution did not appear before the Council, it decided to close the file of the institution treating that the institution was not interested in pursuing the appeal matter and accordingly the appeal is disposed.**

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Institute of Professional Studies, Shivpuri Link Road, Near Belaki Bawdi Tiraha, Gwalior - -, Madhya Pradesh**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

23/08/2010

ORDER

WHEREAS the appeal of National P.G. College, Bhopal, Madhya Pradesh dated 14/01/2010 is against the Order No. WRC/APW03745/222196&222150/127th/2009/61654 dated 14/11/2009 of the Western Regional Committee, withdrawing recognition for conducting D.Ed course on the ground "The institution has not shifted to its own premises within the stipulated period."

AND WHEREAS the Correspondent, National P.G. College (hereinafter referred to as the appellant), preferred an appeal dated 18/01/2010 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 Sujit Sharma, Secretary and Shri Dendut Pachouli, Director, National P.G. College, Bhopal, Madhya Pradesh presented the case of the appellant institution on 20.04.10. In the appeal and during personal presentation it was submitted that the college applied for shifting to permanent premises in their letter dated 18.7.2007 and also submitted fee of Rs. 40,000/- along with the documents; the WRC constituted an inspection team vide their letter dated 14.8.2007 and the team visited the new premises in the month of August, 2007 and submitted a report to the WRC. He has also submitted copies of these two letters and also a copy of the order dated 25/26.3.2008 of WRC conveying their decision to grant permission to shift the institution to its new premises. The file of the WRC did not contain either of these two letters or their order referred to above.

AND WHEREAS the Council decided that the NCTE should write to RD, WRC to find out whether an inspection of the institution for shifting to new building was caused in August 2007 and if so he should send the VTR and the decision taken there on. The matter was immediately brought to the notice of RD, WRC on the same day and a letter dt. 23.06.10 was also sent to RD, WRC in this regard. Now WRC has sent inspection reports dt. 26.08.07 for M.Ed. course and 17.08.07 for M.P.Ed. course. It did not forward any inspection report conducted for shifting of premises of the D.Ed. course.

AND WHEREAS the Council noted that (1) the WRC issued a show cause notice informing the institution that (a) admission to the students has not been given as per Stat Govt. rules. The students are admitted from out of the state. (b) Land documents do not indicate the ownership of the land by the institution. (c) Building plan is not in the name of the College/ Society. (2) In reply to this notice the appellant stated that for D.Ed. programme recognition was granted in rented premises in 2006 and it shifted the course from the temporary premises at Bharat Scout & Guide Campus to the permanent premises at Neel badh, Bhopal; submitted a building plan titled for

NPG College, at Neelbadh Kh. No. 502, Bhopal; mentioning 3166 sq. mt. of built-up area and 5590.70 sq. mt. of land; Lease deed dt. 13.08.07 for 30 years was infavour of the society, at Kh. No. 502; as per admission rules 2007, students from outside the M.P. State can be admitted in case no student for D.Ed. course was available from the State of M.P. (3) the Council after noting that there was no link between show cause notice and withdrawal grounds and further considering the submission made by the appellatant, came to the conclusion that the case may be remanded to WRC for causing an inspection of the new premises of the institution within a month of issue of this order and further action thereafter.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside WRC's order dated 14-11-09 and remand the case to WRC for causing an inspection of the new premises of the institution within a month of issue of this order and further action thereafter.

NOW THEREFORE, the Council hereby remands back the case of National P.G. College, Bhopal, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Secretary, National P.G. College, Bharat Scouts & Guides Campus, Shyamla Hills,, Bhopal - 462013, Madhya Pradesh**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

F.No.89-208/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

23/08/2010

ORDER

WHEREAS the appeal of Veerangana Awanti Bai Mahila Mahavidyalaya, Eta, Uttar Pradesh dated 25/03/2010 is against the Order No. F.NRC/NCTE/F-3/UP-567/153 Meeting/2009/14586 dated 06/01/2010 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed course on the ground "The appellent institution has not submitted representation to the NRC."

AND WHEREAS the Correspondent, Veerangana Awanti Bai Mahila Mahavidyalaya (hereinafter referred to as the appellent), preferred an appeal dated 25/03/2010 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 A. Pratap, O.S. and Shri Mahender Singh, Asstt., Veerangana Awanti Bai Mahila Mahavidyalaya, Eta, Uttar Pradesh presented the case of the appellent institution on 22.06.2010. In the appeal and during personal presentation it was submitted that the appellent's institution was granted recognition vide NRC's order dt. 08.09.03; NCTE Hqrs after conducting an inspection under section 13 of the NCTE Act issued a notice on 14.05.07 and the institution submitted its reply on 07.09.07 and thereafter it did not receive any communication from NCTE. On 17.03.10, it came to know from the neighbouring institute that on the website of NCTE, it was displayed that the recognition of the appellent's institution had withdrawn. After knowing this, it immediately on 18.03.10 wrote a letter to the RD, NRC that the appellent did not receive any show cause notice dt. 30.03.09 for submitting a written representation and also the withdrawal order dt. 06.01.10. The appellent in proof of its non receiving of withdrawal order submitted a document issued by postal department on 12.01.10 certifying that from 01.01.08 to till date no letter of NRC was delivered to the institution.

AND WHEREAS the Council noted that the NCTE Hqrs vide letter dt. 14.05.07 directed NRC to initiate appropriate action under section 17 of the NCTE Act, as the deficiencies pointed out by the inspection team were significant in nature. And in compliance with this direction, NRC issued a show cause notice on 30.03.09 by speed post for making a representation within 30 days by the institution. When the institution did not respond to this notice, the NRC withdrew the recognition. The Council however taking into consideration submission of the appellent that it had not received the show cause notice, came to the conclusion that there was enough justification in accepting the appeal and remanding the case to the NRC for re-issuance of show cause notice to the institution and for further action thereafter.

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 there was adequate ground to accept the appeal, set aside NRC's order dated 06-01-10 and remand the case to NRC for re-issuance of show cause notice to the institution and for further action thereafter.

NOW THEREFORE, the Council hereby remands back the case of Veerangana Awanti Bai Mahila Mahavidyalaya, Eta, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Principal , Veerangana Awanti Bai Mahila Mahavidyalaya, Uddaitatur, Shikohabad Road, , Etha - , 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.89-447/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

23/08/2010

ORDER

WHEREAS the appeal of K.S. Education College, Gwalior, Madhya Pradesh dated 12/05/2010 is against the Order No. WRC/APW07223/223746/130th/2010/67009 dated 13/04/2010 of the Western Regional Committee, withdrawing recognition for conducting B.Ed course on the ground "The institution has not submitted the document mentioned in the show cause notice nor given plausible explanation in respect of grounds (i) to (iv) of the show cause notice."

AND WHEREAS the Correspondent, K.S. Education College (hereinafter referred to as the appellant), preferred an appeal dated 13/05/2010 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. Ashok Singh Tomar, Vice-President, K.S. Education College, Gwalior, Madhya Pradesh presented the case of the appellant institution on 24.06.2010. In the appeal and during personal presentation, it was submitted that the appellant gave the answer of said show cause notice no. 62642 dated 09-28/12-09 on 08.01.2010 by their letter no. Q/27/2010/B in which the appellant submitted the following documents: (i) CLU, (ii) permission of the State Govt. of MP to use the institution land for educational purpose, (iii) the building permission issued by competent local authority, (iv) the university approved teaching staff and (v) the library requirements.

AND WHEREAS The Council noted that the appellants institution was granted conditional recognition vide WRC's order dated 18.04.09 on WRC thereafter WRC on 11.11.09 conducted an inspection u/S 17 of the NCTE Act and on the basis of their report issued show case notice on 28.12.09. Asking the institution to show cause why the recognition of the institution should not be withdrawn on the grounds that it contravened Clause 8(13) of the NCTE Regulations, 2007 as also provision in Para 5.1.1 of Appendix 1 (pertaining to land and building), 4.1(b) of Appendix 1 (pertaining to qualification) and 5.2(b) of Appendix 1 (pertaining to library books). The institution was also asked to furnish registered land document, permission of Govt. of MP to use the land for education purpose, building permission of the local authority alongwith the approved building plan, permission of local authorities to occupy the building and University approval for teaching staff for B.Ed. course. The institute submitted point wise reply to the show case notice on 08.01.2010, alongwith the sought documents. WRC without examining the detailed reply submitted by the institution, merely withdraw the recognition on the above stated grounds. The Committee further noted that clause 8 (13) of the regulation 2007, pertains to the upgradation of the infrastructure and their class wanted applicable to the appellant

as it was granted recognition the April 2009 only has not yet started conducting the academic session review of the above the Committee came to the conclusion that there was adequate ground to accept the appeal and remand the case to the WRC for re-examination of the reply submitted by the institution and also in the right of the recognition granted by WRC, at the basis of the documents available in file. The WRC, after considering the reply dated 08.01.2010, withdrew recognition of the institution vide their order dated 13-04-10 on the ground that the institution had not submitted the documents mentioned in the show cause notice nor given plausible explanation in respect of grounds (i) to (iv) of the show cause notice. The Council was of the view the recognition of the institution was withdrawn by the WRC 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 WRC's order dated 13-04-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, K.S. Education College, Guda Gudi Ka Naka, Lashkar, Gwalior - 474001, Madhya Pradesh**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

F.No.89-576/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

23/08/2010

ORDER

WHEREAS the appeal of M.B.M. Girls Institute of Education, Kanpur, Uttar Pradesh dated 10/05/2010 is against the Order No. NRC/NCTE/F-7/UP-3183/139th Meeting/2009/3943 dated 05/06/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "1) The land is in the name of the Society but not in the name of the institution. 2) The building plan submitted is approved by Kanpur Development Authority with out the approval letter. It is not readable. Further, course wise demarcated area is not given in the building plan. 3) There is discrepancy in the land documents and the affidavit submitted by the society."

AND WHEREAS the Correspondent, Seth Gagan Das Smriti Samiti Girls College (hereinafter referred to as the appellant), preferred an appeal dated 31/05/2010 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 M.L. Manwan, Secretary and Shri O.M. Prakash, Co. Member, M.B.M. Girls Institute of Education, Kanpur, Uttar Pradesh presented the case of the appellant institution on 25.06.2010. In the appeal and during personal presentation it was submitted that the land was procured on 99 years lease from Kanpur Development Authority in the name of the Society "Seth Gagan Das Smriti Samiti". Later, the M.B.M. Girls institute of Education is changed to Seth Gagan Das Smriti Samiti Girls College. The building plan had been approved by the KDA as per the approval letter dt. 30.08.08. There was no discrepancy in the land document i.e. lease deed and the affidavits submitted by the appellant at the time of submission of application and also alongwith the reply of the deficiency letter.

AND WHEREAS the Council noted that the appellant submitted an appeal under section 18 of the NCTE Act to the NCTE Hqrs on 05.11.09 against the NRC's refusal order dt. 05.06.09. The appeal was late by 3 months and the council after considering the reason submitted for condonation of the delay decided not to condone the delay. Accordingly a letter dt. 04.05.10 was issued to the institution for not admitting the appeal. Aggrieved by the decision of the Council, the appellant filed a writ petition No. 30496/10 before the Hon'ble High Court of Judicature at Allahabad and the Court vide its order dt. 25.05.10 condoned the delay in filing of the appeal and directed Appellate Authority to decide the case on merit within a period of six weeks. Accordingly the case was listed for hearing on 25.06.10. The Council noted with regard to the refusal grounds that as per the lease deed executed on 22.08.08, 2856 sq. mt. of land at plot No. S.4 was in the name of an

individual 'Seth Brijlal Manwani S/o Lat Seth Gagan Das Manwani', and hence, the land was not in the name of the institution/ Society; but this was not noticed by the NRC. The NRC also did not mention the nature of discrepancy found in the land document and affidavit. And also the society has changed the name of the institution from M.B.M. Girls institute of Education to Seth Gagan Das Smriti Samiti Girls College. In view of the above the Council came to the conclusion that the case may be remanded to the NRC for issuing a deficiency letter/ notice with regard to the title of the land and specifying the nature of discrepancy in the land documents and the affidavit submitted by the society and for taking further action thereafter.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside NRC's order dated 05-06-09 and remand the case to NRC for issuing a deficiency letter/ notice with regard to the title of the land and specifying the nature of discrepancy in the land documents and the affidavit submitted by the society and for taking further action thereafter.

NOW THEREFORE, the Council hereby remands back the case of Seth Gagan Das Smriti Samiti Girls College, Kanpur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Minister, Seth Gagan Das Smriti Samiti Girls College, 117/N/5,M.B.M Hourse, Rani Ganj , Kanpur - 208025, 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.