

ORDER

WHEREAS the appeal of Assembly of God Mission College of Education, Jabalpur Dist., Madhya Pradesh dated 06/05/2009 is against the Order No. NCTE/WRC/MP/APWO4588/223525/2009/53699 dated 11/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. (1) No approved building plan for institution".

AND WHEREAS the Correspondent, Assembly of God Mission College of Education (hereinafter referred to as the appellant), preferred an appeal dated 11/05/2009 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 G.K. Judah, Director, Assembly of God Mission College of Education, Jabalpur Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the approved building plan was meant for school and the trust by resolution number 2009-93 and affidavit number 938103 dated 04.03.2009, shifted the school to another building within the same campus and now the school building was exclusively used for B.Ed. College and hence an approved building plan pertains to College of Education. As per the Resolution No. 2009-117 the Trust has 46387 sq. feet of land and 4 constructed buildings on this land. B.Ed. College was being run in block D where the school existed earlier and the school had been shifted in buildings located at Block A, B & C.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the VTR dated 14.11.2008 that "There is no separate building for B.Ed. programme. They have planned to run the above course in school building which is actually meant for school run by the society". It was also noted from the affidavit dated 4th March, 2009 that the Managing Committee took a Resolution to shift the school to another building at Block A, B&C from 1st March, 2009 and the B.Ed. College which was not yet started would remain in the previously shown building where the school was being run i.e. in Block D. From this affidavit it was apparent that the school was still being run in Block D and the school would be shifted from 1st March to another Block which was also not true as the affidavit was dated 4th March, 2009 and this Resolution was passed much after the date of inspection. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected as school was being run in the building proposed for conductance of B.Ed. programme.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others

the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 11-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal recognition order on 26-07-08 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Though it was duly recognised by the NCTE, but it did not admit the students, as it was not yet affiliated to the university and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

- (a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.
- (b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Secretary, Assembly of God Mission College of Education, 850, Napier Town, Russel Chowk, Jabalpur Dist. - 482001, 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.

ORDER

WHEREAS The appeal of Guru Vashishta Shiksha Avam Sanskratik Vikas Samiti's Guru Vashishta Shiksha Mahavidyalaya, Dewas, Madhya Pradesh dated 21/05/2009 is against the Order No. No.NCTE/WRC/MP/APWO1398/223237/53216 dated 02/04/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed course on the grounds that WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11260 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. (1) Land and built up area is inadequate.

AND WHEREAS the Correspondent, Guru Vashishta Shiksha Avam Sanskratik Vikas Samiti's Guru Vashishta Shiksha Mahavidyalaya (hereinafter referred to as the appellants), preferred an appeal dated 21/05/2009 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 Rajesh Khatri, Secretary, Guru Vashishta Shiksha Avam Sanskratik Vikas Samiti's Guru Vashishta Shiksha Mahavidyalaya, Dewas, Madhya Pradesh presented the case of the appellants institution on 16/06/2009. In the appeal and during personal presentation it was submitted that WRC failed to appreciate the Norms and Standards for secondary teacher education programmes applicable prior to 20.07.2006 which do not stipulates measurement of land and built up area and it only requires that there should be provision for adequate number of schools, hall, laboratory, space for conducting instructional activities. It was also stated that as per the approved building plan and building completion certificate it was in possession of 1439 sq. meters of built up area and 1800 sq. meters of land was in the name of the Society on ownership basis and this land and building was adequate as per the norms.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the VTR dated 10.02.2009 that "1800 sq. mt of land and 1439.68 sq. mt of built up area as well as Science labs and library facilities were shared with the school. It was further noted that It was having 1800 sq. meter of land on ownership basis in the name of the Society as per the "patta Vikray deed" dated 9.5.2006 and the approved building plan was for school with a built up area of 1439 sq. mt in a two storey building. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected as there was no exclusive land and building for conductance of B.Ed. programme.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others

the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions " Recognised upto 2007-08" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 01-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued conditional recognition on 09-08-05 followed by a formal Recognition order on 26-10-06 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. the Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Secretary, Guru Vashishta Shikshs Avam Sanskratik Vikas Samiti's Guru Vashishta Shikshs Mahavidyalaya, Rajabhau Mahakal Nagar, Awas Nagar, A.B. Road, Dewas - 455001, 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.89-254/2009-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

30/07/2009

ORDER

WHEREAS The appeal of Gurukul College of Education, Bhopal, Madhya Pradesh dated 28/05/2009 is against the Order No. NCTE/WRC/MP/APWO1661/223287/2009/R4003 dated 31/03/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds that WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- Land and built up area is inadequate and are not as per NCTE regulations 2007. (b) Size of the multipurpose hall is not as per NCTE norms. (c) College is running in rented premises.

AND WHEREAS the Correspondent, Gurukul College of Education (hereinafter referred to as the appellant), preferred an appeal dated 28/05/2009 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 Kanhama Lal Amarnami, Director, Gurukul College of Education, Bhopal, Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the recognition was granted in a rented building and the land and built up area was adequate as per existing norms. It was in possession of 1.90 acre of land and on this land it started constructing a new building and the building construction was in progress on the date of inspection i.e. 14.01.2009 and about 1500 sq.ft. was already constructed and the multipurpose hall 1800 sq.ft.

AND WHEREAS the Council made the following observations:

(a) The Council noted from the VTR dated 14.11.2008 that the college had been functioning from a rented premises having 4200 sq.ft. of land and 10,200 sq.ft. of built up area. It further noted that the appellant had been conducted B.Ed programme since 2005-06. It started constructing new building at Khesara No. 256/2 with a built up area of 3004.02 sq.mt. on a piece of land measuring 7691.82 as per the approved building plan and the compliance certificate issued by Gram Panchayat on 12.01.2009 stating that 1500 sq.mt. construction was completed and the remaining portion was under construction. It also observed that it had been conducting B.Ed. programme in the rented premises having inadequate area and had not yet shifted to own premises, though it had completed almost three years from the date of initial recognition i.e. 27.06.2005. the Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected as it had not shifted to own premises within 3 years.

(b) The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c) The Council noted that the institutions was issued conditional recognition on 27.06.2005, followed by a formal Recognition order on 10-04-07 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act. The withdrawal shall be with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Secretary, Gurukul College of Education, Plot No. 11 & 12, Mandakini Society, Sarwadharm Kolar Road, Bhopal - , 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.

ORDER

WHEREAS the appeal of Indrapuri Asha Shiksha Samiti's Johri Professional College, Bhopal, Madhya Pradesh dated 22/05/2009 is against the Order No. NCTE/WRC/MP/APWO0642/223184/2009/R-4033 dated 31/03/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed course on the grounds that WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008, 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution be refused under section 14(3) (b) of NCTE Act. Deficiency:- Insufficient built up area.

AND WHEREAS the Correspondent, Indrapuri Asha Shiksha Samiti's Johri Professional College (hereinafter referred to as the appellant), preferred an appeal dated 25/05/2009 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 Vijay Johri, Chairman, Indrapuri Asha Shiksha Samiti's Johri Professional College, Bhopal, Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that society constructed a new block of 745.57 sq.mt. as per the approved building plan in addition to the existing building and now that total built up area was more than 1500 sq.mt.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the VTR dated 16.01.2009 that the college was housed in its own building and it was having 1421.93 sq.mt. land and 9378.73 sq.ft. building. It further noted that the society was having 1.41 acre of land on ownership basis. The building plan dated 03.02.09, at Kh No. 342/257, 257, 257/1, 258/2, 259, 260/1, 260/2 indicated 669.01 sq.mt. of land and 745.57 sq.mt. of three storyed building and this plan was issued by Assistant Engineer of Municipal Corporation. Even the building completion certificate dated 22.05.2009 indicated availability of 745.57 sq.mt. of built up area. It was evident from the presentation that the college was being conducted in old block and later the appellant planned for new building construction and completed it in May 2009. The Council, therefore, came to the conclusion that there was no justification in accepting the appeal and that it should be rejected as the appellant was not having sufficient built up area, at the time when the inspection of the institution was conducted.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was

placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 27-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional recognition on 03.08.2004 followed by a formal Recognition order on 14-07-05 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. the Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS After perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Indrapuri Asha Shiksha Samiti's Johri Professional College, C-61, Indrapuri, B.H.E.L. , Bhopal - , 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.

ORDER

WHEREAS the appeal of Jatashankar College of Education, Tikamgarh Dist., Madhya Pradesh dated 21/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO1816/223341/2009/R-4015 dated 31/03/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed course on the grounds that WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- (a) The institution is housed in a residential place. (b) No evidence for staff appointed during the session 2007-08.

AND WHEREAS the Correspondent, Jatashankar College of Education (hereinafter referred to as the appellant), preferred an appeal dated 21/05/2009 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 A.P. Dwivedi, Director and Shri Anurag Goswami, office Supp., Jatashankar College of Education, Tikamgarh Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the appellant had been conducting the B.Ed. course in the same building where recognition was granted. Tikamgarh municipal council vide it's certificate No. 253 dt.02.03.09 stated that the said building was meant for educational activities: The staff profile for the session 2007-08 was approved by the Registrar of the university.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the inspection report dated 09-01-09 "The college building gives a feeling of the residential building in which they have tried to somehow create space for as many as rooms as possible; Due to this the rooms lack proper ventilation" It further noted that the college had been running in a leased premises, taken for 30 years; The society also purchased 1.5 acre of land and started constructing the new building, the construction was delayed due to restriction imposed by the collector. The council however noted from the building plan that the building had been surrounded by the residential plots. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected as school was being run in the building proposed for conducting of B.Ed. programme.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act

to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional recognition order on 21-07-05, followed by the university affiliation and unconditional recognition order on 27-04-06 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman/Secretary, Jatashankar College of Education, Nutan Vihar Colony, Dhonga, Tikamgarh Dist. - , 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.

ORDER

WHEREAS the appeal of Jwala Shiksha Samiti's Green valley College, Bhopal , Madhya Pradesh dated 05/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO1399/223236/115th/2009/R-4128-4133 dated 31/03/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed. course on the grounds " WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- (a) The multipurpose hall size and class room size is not as per NCTE norms. (b) The institution did not have sufficient staff during 2007-08 (appointed teaching staff only in December 2008)".

AND WHEREAS the Correspondent, Jwala Shiksha Samiti's Green valley College (hereinafter referred to as the appellant), preferred an appeal dated 05/05/2009 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 Ajay Singh Yadav, Chairman, Jwala Shiksha Samiti's Green valley College, Bhopal, Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the inspection committee has merely seized upon rooms on the ground floor which were not used by the college at all and were being used by the school which is attached to the college. The college was having two large rooms in the northern wing of the building which are each of 500 sq.ft. in size. It has two other rooms which are of 450 and 600 sq.ft. respectively. Thus the total class room surface are available is 2000 sq.ft. which for a college of 100 students comes to more than 20 sq.ft. per student more than adequate for all lecturers and tutorials. However in deference to the observations of the inspection committee another proposal to construct a new block of 15 class rooms has been approved by the municipal committee and construction is about to begin. Moreover the building was having 1350 sq.ft. of hall and it had been decided to extend the size of hall by 150 sq.ft. The college had Principal + Seven Teachers right since the commencement of the teaching session and at no time was there any shortfall in teaching staff. The so called delay in appointment of teaching staff for the session 2007-08 was more apparent than real because though the formalities took their own time to complete teaching staff was put in place in anticipation of formal approval. Although the final list of selected candidates was only approved on 29.11.2007 and formal appointment orders were issued subsequently on 02.12.2007, this was due to procedural delays beyond their control. It should be borne in mind that the selected candidates had been working in the college from October 07 and there was never any shortage of teaching staff at any time during the teaching session.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the VTR dated 15.01.2009 that the size of the multipurpose hall and class rooms was not as per NCTE norms. It also noted that 4 staff members were as per code 28 and the rest of the staff (3+1) were appointed on 02.12.07 following the due procedure laid down in the norms. It was having a composite building wherein it had been conducting school on ground floor and B.Ed. college on second and third floors and it is only now proposed for construction of 9 additional class rooms each with 500 sq.ft. as per the building plan dated.25.03.09. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional recognition on 27-06-05 followed by a formal Recognition order on 27-11-06 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act , with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Jwala Shiksha Samiti's Green valley College, 300/1, Vill Banjari, Sarvadharm C Sector, Kolar Road, Bhopal - 462043, 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.

ORDER

WHEREAS the appeal of Navambey Shiksha Samiti, Jabalpur Dist., Madhya Pradesh dated 20/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO0682/223213/115th/2009/53277 dated 06/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds " WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. Reply not received within stipulated time. Deficiencies (a) The land area is 5000 sq.ft. and built up area is 6400 sq.ft. as against the requirement of 2500 sq.mt. and 1500 sq.mt. as per Regulations 2007. (b) The size of its classrooms (338 sq.ft.) and multipurpose hall (565 sq.ft.) which is not of adequate size. (c) The books in the library are only 2284 as against the requirement of 3000 as per Regulations 2007. (d) Fixed salary is being paid to teachers. Salary is not being paid through Bank".

AND WHEREAS the Correspondent, Navambey Shiksha Samiti (hereinafter referred to as the appellant), preferred an appeal dated 20/05/2009 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 Dr. R.K. Pandey, Chairman and Shri Sandeep H. Shukla, Secretary, Navambey Shiksha Samiti, Jabalpur Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the appellant had been conducting B.Ed. course in a rented premises since 2005-06; The trust was in possession of 20,000 sq.mt. of land at Budhra village and on this land it started constructing 39,467 sq.ft. of building for B.Ed. college and as soon as the building work is completed the appellant would shift into the new premises after obtaining due permission of WRC.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the VTR dated 15-11-2008 "5000 sq. ft. of land and 6400 sq. ft. of building is on 30 years lease; Approval of Staff under code 28 was in process".It also noted that the present premises was having 6000 sq.ft of land and this was not adequate as per norms and further it had not yet completed construction of the new building on own land. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the

inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 06-04-09 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 27-06-05 under Section 14 of NCTE Act. followed by affiliation of the university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. the Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS After perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Navambey Shiksha Samiti, 52, Ram Nagar, Adhartal, Jabalpur Dist. - 482004, 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.89-255/2009-Appeal](#)
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/08/2009

ORDER

WHEREAS the appeal of Rashtra Bharti Shiksha Mahavidyalaya, Ujjain Dist., Madhya Pradesh dated 20/05/2009 is against the Order No. NCTE/WRC/MP/APWO3735/223485/2009/53455 dated 08/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds "1) WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. (1) No valid land documents available. 2) Infrastructural and instructional facilities highly inadequate".

AND WHEREAS the Correspondent, Rashtra Bharti Shiksha Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 21/05/2009 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 Ku. Anguri Sahu, Principal and Shri Y. Kulshreshtha, Secretary, Rashtra Bharti Shiksha Mahavidyalaya, Ujjain Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that WRC had granted recognition under Section 14(3)(a) on 23.04.08, after being satisfied about the availability of infrastructure facilities; It was having 5000 sq. ft. of land on ownership basis in the name of the society and further an additional land of 2566 sq. mt, was taken on 30 years lease in the name of the institution on 05.02.09 ; It started constructing new building as per the approved building plan. It was also submitted that the institution was having the instructional and infrastructural facilities as per norms.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the VTR dated 14.11.2008 "The premises has land area of around 3000 sq. mt. in three pieces one in the name of the society and the other two in the name of the President and his wife; The premises house a number of institutions and around 15-20 courses are conducted within the premises. No area has been earmarked for B.Ed course". It also noted that the appellant had taken a piece of land measuring 1338.52 sq.mt. in the name of the society from a private party on 19.02.09 i.e after the date of inspection and prior to the inspection it was having only 5000 sq.ft of land , which was inadequate as per norms. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected as school was being run in the building proposed for conductance of B.Ed. programme.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 08-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 08-06-07 followed by affiliation of the university and an unconditional Recognition order on 23-04-08 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution; rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, Rashtra Bharti Shiksha Mahavidyalaya, Opposite Madhav Nagar Railway Station, Free Gunj, Ujjain Dist. - 456010, 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.89-256/2009-Appeal](#)
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/08/2009

ORDER

WHEREAS The appeal of Sharda College of Education, Bhind Dist., Madhya Pradesh dated 29/05/2009 is against the Order No. NCTE/WRC/MP/APWO1678/223292/2009/R-4087 dated 31/03/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds " WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. (a) The institution is running 2 B.Ed. college (code No. 223232 and 223114) from the said premises which is not permissible as per NCTE norms. (b) The college does not have infrastructure as per NCTE norms".

AND WHEREAS the Correspondent, Sharda College of Education (hereinafter referred to as the appellant), preferred an appeal dated 29/05/2009 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 Amit Dubey, President, Sharda College of Education, Bhind Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the appellant did not come under the Principal of Jan Seva Samiti case as it was having unconditional recognition of NCTE and affiliation of the university; The trust was in possession of 1.260 Hec. (126000 Sq.mt.) of land, out of this it allocated 0.955 Hec. of land for Sharda College of Education and 0.305 Hec. of land for another B.Ed. college i.e. Vidyavati College of Education. Both the colleges had separate infrastructure and were separated by wire fencing. Infact Sharda College of Education was granted recognition in a rented building, so it constructed own building with a built up area of 18000 Sq.ft.in the campus where another B.Ed. college was already being run by the trust. and applied to WRC in January 2009 alongwith a DD of Rs.40,000/- for causing inspection of the new building. When there was no response from WRC, the appellant's college was shifted to own premises.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the VTR dated 11-02-09 that " Two Institutions are being conducting B.Ed course under the same management at the same premises. And the college does not have proper infrastructure for the B.Ed course. It further noted that the appellant's college shifted from rented premises to another building where a B.Ed college had already existed in that premises, that implied that two B.Ed were conducted by the same management at the same premises and college did not have proper infrastructure for the B.Ed. course. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). the Council noted that the institutions was issued a conditional Recognition order on 27-06-05 and unconditional Recognition order on 24-07-07 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. the Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act. Two B.Ed. institutions were being run by the same management in the same premises and the appellant's college does not have proper infrastructure for conducting the B.Ed. course.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Sharda College of Education, B.T.I. Road, Vikrampura, Bhind Dist. - 477001, 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.

ORDER

WHEREAS the appeal of Shri Krishna College of Education, Neemuch Dist., Madhya Pradesh dated 21/05/2009 is against the Order No. NCTE/WRC/MP/APWO5527/223598/2009/53650-53655 dated 11/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds " WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- (a) The building basically a residential units, three class room have asbestos roof. (b) Library books are not according to the subject of B.Ed. Course. (c) Science laboratory is not organized. (d) Salary is not paid by cheque".

AND WHEREAS the Correspondent, Shri Krishna College of Education (hereinafter referred to as the appellant), preferred an appeal dated 21/05/2009 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 Pushpendra Singh Gautam, Secretary, Shri Krishna College of Education, Neemuch Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the appellant constructed 17220 Sq.ft. of building as per approved map on its own land at village Javi. At the time of inspection 3 rooms had asbestos roof and the total area of these rooms was 960 Sq.ft; Excluding these rooms it was having 16148 Sq.ft. of built-up area which was sufficient as per norms. Later asbestos roof was replaced by RCC roof. It was having 5112 books and to this effect purchase bills and accession register were shown to the Council. Science lab was more than 600 Sq.ft. and had adequate apparatus. Salary was being paid through cheque on the advice of inspection team.

AND WHEREAS the Council made the following observations:

(a) The Council noted from the VTR dated 14.11.2008 that "The building is basically a residential unit. It has been altered and modified to give look of a college, three classrooms have asbestos roof, furniture is inadequate, science lab is not organised; Et lab is inadequately spaced" It further noted that the institution removed asbestos sheet roof, only after the date of inspection. Also the accession register did not indicate the date of purchase of the library books. It was also noted that the faculty salary was disbursed as per norms, only after the date of inspection. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others

the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 11-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 05-01-08 unconditional Recognition order on 13-03-08 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. the Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Secretary, Shri Krishna College of Education, C/o Radheshyan Tiwari Vill & Post Javi, Neemuch Dist. - 458441, 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

ORDER

WHEREAS the appeal of Sunder Lal Shrivastava Memorail B.Ed College, Sagar, Madhya Pradesh dated 15/05/2009 is against the Order No. No.NCTE/WRC/MP/APWO1731/223307/53289 dated 06/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds " WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. (1) Reply not received within stipulated time. Deficiencies:- There is no evidence that the faculty was in position during the academic session 2007-08. (b) No. Approval of any kind by the university for appointment of staff and procedure followed to appoint the staff has been obtained".

AND WHEREAS the Correspondent, Sunder Lal Shrivastava Memorail B.Ed College (hereinafter referred to as the appellant), preferred an appeal dated 15/05/2009 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 Rameshwar Prasad Pandey, Ex. Director and Shri A.K. Shrivastava, Secretary, Sunder Lal Shrivastava Memorail B.Ed College, Sagar, Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that WRC caused inspection of the institution U/s 17 and on the basis of the report WRC decided to continue its recognition in 108th meeting; It was having staff (principal+7lecturers) as per norms; The staff shown in VTR, under Section 17 is continuing since 2007-08 and the staff was approved by the university.

AND WHEREAS the Council made the following observations:

(a) The Council noted from the inspection report dt. 10.01.09 "The management has given an undertaking in regard to built up area and construction work. An Opportunity of few months may be provided to the college" It further noted that the appellant did not provide any proof (i.e. salary register) etc to substantiate the claim of having staff during the session 2007-08. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was

placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 06-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 09-08-05 unconditional Recognition order on 07-02-07 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution; rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act. d) The appellant failed to submit the proof of staff availability during 2007-08 i.e. salary reg. etc.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Secretary, Sunder Lal Shrivastava Memorail B.Ed College, Near Gram Panchyat Bawan, Raja Kahri, Sagar - , 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.

ORDER

WHEREAS the appeal of Vidyawati College of Education, Bhind Dist., Madhya Pradesh dated 29/05/2009 is against the Order No. NCTE/WRC/MP/223114/2009/53566 dated 10/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds " WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. (a) The institution is running 2 B.Ed. college (code No. 223232 and 223114) from the same premises which is not permissible as per NCTE norms. (b) The college does not have infrastructure as per NCTE norms".

AND WHEREAS the Correspondent, Vidyawati College of Education (hereinafter referred to as the appellant), preferred an appeal dated 29/05/2009 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 Amit Dubey, President, Vidyawati College of Education, Bhind Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that it had been conducting B.Ed. course since 2003-04, in its own premises having a built up area of 45000 Sq.ft. The trust was in possession of 1.26 Hec.of land; out of which 0.955 Hec.of land was allocated for the appellant college and 0.305 Hec. of land for another B.Ed. college i.e. Sharda College of Education. Vidyawati College of Education had been conducting D.Ed. course with 2 units of intake, B.Ed. with a basic unit and also got sanctioned B.Ed. additional intake of 100 and now proposed for M.Ed. course; It was having staff as per norms. Sharda College of Education was granted recognition in rented premises and it later constructed own building in the premises of Vidyawati College of Education and shifted to own premises.

AND WHEREAS the Council made the following observations:

(a) The Council noted that the trust had been conducting two B.Ed. colleges i.e. Vidyawati College of Education and Sharda College of Education The former college was in possession of own land and a building with an area of 40,000 Sq.ft. and the later college shifted to the premises of Vidyawati College of Education on its own, without prior approval of WRC, from rented building. It also noted from the VTR dated 11-02-09 that infrastructure and infrastructural facilities were satisfactory and the staff had been appointed university code 28. The Council, therefore, came to a conclusion that there was enough justification to accept the appeal of the Vidyawati College of Education as it was having adequate land and building and to reject the appeal of the Sharda College of Education as it shifted from rented premises to another building where a B.Ed. college was already being run.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 10-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 05-06-03 and unconditional Recognition order on 11-02-04 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council, therefore, came to a conclusion that there was enough justification to accept the appeal of the Vidyawati College of Education.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after hearing oral arguments advanced during the 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 WRC's order dated 10-4-2009 was set aside with direction to the WRC to restore the recognition of the institution immediately.

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

(Hasib Ahmad)
Member Secretary

1. The President, Vidyawati College of Education, B.T.I. Road, Vikrampura, Bhind Dist. - 477001, 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.

ORDER

WHEREAS the appeal of Yuva Vyavsaik Shikshan Mahavidyalaya, Guna Dist., Madhya Pradesh dated 26/05/2009 is against the Order No. NCTE/WRC/MP/223015/2009/53590 dated 10/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds "WRC considered the reply alongwith original file and all relevant document considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- (a) Only two number staff shown in salary statement matches with the staff profile submitted by the institution. (b) Five faculty members were appointed on 01.07.2008".

AND WHEREAS the Correspondent, Yuva Vyavsaik Shikshan Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 26/05/2009 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 Rajesh Parasla, Chairman, Yuva Vyavsaik Shikshan Mahavidyalaya, Guna Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the institution published advertisement in news paper in 2006, for appointment of the staff and also informed the affiliating university to conduct the interview and appoint faculty members under college code - 28; Institution sent reminders for the same but the university did not appoint any interview committee until 20-02-09. So, as per NCTE regulations, institute appointed seven faculty members and submitted their affidavits in prescribed format to WRC regarding staff profile; Principal was previously appointed under college code 28.; So, the Institution fulfilled all the conditions for conducting B.Ed. course as per norms.

AND WHEREAS the Council made the following observations:

(a) The Council noted that a Principal and seven Lecturers were in position even during the session 2007-08. It appointed Principal and 05 lecturers under code 28 in July 2008 and one lecturer in October 2008. It further noted from the inspection report dt. 10-02-09 conducted by NCTE Hqrs that the appellant was having 5576 Sq.mt. of land and 21000 Sq.ft. of built up area. The claimant of availability of staff during the session 2007-08, was verified from the salary register and acquaintance register. The Council, therefore, came to a conclusion that there was enough justification in accepting the appeal.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others

the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 10-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional recognition order on 24-02-05 followed by affiliation of the university and unconditional Recognition order on 28-11-06 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution. As the institution was duly recognised and affiliated by the university during the academic session 2007-08, it was, not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council, therefore, came to the conclusion that there was enough ground to accept the appeal and thus the appeal was accepted.

AND WHEREAS After perusal of documents, memorandum of appeal, affidavit, VT Report, Written submission and after hearing oral arguments advanced during the hearing, the Council felt while there was enough ground to accept the appeal and that it be accepted. Accordingly, the appeal was accepted and WRC's order dated 10.04.09 was set aside with the direction to the WRC to restore the recognition of the institution immediately.

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

(Hasib Ahmad)
Member Secretary

1. The Principal, Yuva Vyavsaik Shikshan Mahavidyalaya, A.B. Road, Guna Dist. - 473001, 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.89-279/2009-Appeal](#)
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/08/2009

ORDER

WHEREAS The appeal of Yuva Vyavsaik Shikshan Mahavidyalaya, Ashoknagar Dist., Madhya Pradesh dated 26/05/2009 is against the Order No. NCTE/WRC/MP/Legal dated 31/03/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds " WRC considered the reply alongwith original file and all relevant document considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- (a) The institution has not given any document to substantiate any claim about availability of staff during 2007-08. (b) No staff was available during the academic session 2007-08 as the payment was made from July 2008 to December 2008 only".

AND WHEREAS the Correspondent, Yuva Vyavsaik Shikshan Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 26/05/2009 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 Jay Prakash Sharma, Asst. Director, Yuva Vyavsaik Shikshan Mahavidyalaya, Ashoknagar Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the teaching faculty (principal+7lecturers) was in position and the staff had been paid as per the NCTE norms; The members of the visiting team did not ask for any document regarding the availability of staff during the session 2007-08.; the availability of the staff may be verified from the Affidavits of staff for actual appointment and annual self appraisal report that was submitted to WRC.

AND WHEREAS the Council made the following observations:

(a) The Council noted that a Principal and seven Lecturers were available with institution as per norms. The position of the staff during 2007-08 was verified from the salary register and acquaintance register. It also noted from the inspection report dt. 10-02-09 that it was having 1,32,000 Sq.ft. of land and 1672 Sq.mt. of built up area; Principal and seven Lecturers were available. The Council, therefore, came to a conclusion that there was enough justification in accepting the appeal.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was

placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-09 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal recognition order on 26-12-06 and unconditional Recognition order on under Section 14 of NCTE Act followed by affiliation of the university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution. As the institution was duly recognised and affiliated by the university during the academic session 2007-08, it was, not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council, therefore, came to the conclusion that there was enough ground to accept the appeal and thus the appeal was accepted.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report, Written submission and after hearing oral arguments advanced during the hearing, the Council felt while there was enough ground to accept the appeal and that it be accepted. Accordingly, the appeal was accepted and WRC's order dated 31.03.09 was set aside with the direction to the WRC to restore the recognition of the institution immediately.

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

(Hasib Ahmad)
Member Secretary

1. The Principal, Yuva Vyavsaik Shikshan Mahavidyalaya, Guna Road Barkhedhi , Ashoknagar Dist. - 473331, 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

ORDER

WHEREAS the appeal of Basantilal Jaiswal Charitable Trust's Raj Rajeshwar Mahavidyalaya, Ujjain Dist., Madhya Pradesh dated 21/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO1582/223259/115th/2009/2009/R-4063 dated 31/03/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds " WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- The infrastructure and built up area is not as per norms at the institution is running in the abandoned cinema hall. (b) No journals and encyclopedia, reference books are provided in the library. (c) The size of class rooms are quite small i.e. 200 sq.ft. which is not as per NCTE norms. The provision of multipurpose hall is not made. (d) Salary is not paid through the bank. (e) The Principal did not have the necessary teaching experience".

AND WHEREAS the Correspondent, Basantilal Jaiswal Charitable Trust's Raj Rajeshwar Mahavidyalaya (hereinafter referred to as the appellent), preferred an appeal dated 24/05/2009 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 Dharmendra Gupta, Director and Shri Rajesh Sharma, Admn. Officer, Basantilal Jaiswal Charitable Trust's Raj Rajeshwar Mahavidyalaya, Ujjain Dist., Madhya Pradesh presented the case of the appellent institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the building of Cinema Hall was modified for conducting B.Ed. college in the year 2003 and it was having built up area of more than 18000 sq.ft. at ground floor and 12000 sq.ft. on the first floor. With regard to the second deficiency relating to the Library, the appellent had submitted the list of Journals, Encyclopedia and Reference Books alongwith their bills. With regard to the third deficiency the appellent had submitted the approved map of existing infrastructure and details of class room and their sizes. With regard to payment of salary, the appellent has submitted that they were regularizing the payment procedure and staff members had opened their account. With regard to the qualification of Principal, it was specifically mentioned that the Principal was selected after due procedure by the Vikram University.

AND WHEREAS the Council made the following observations:

(a) The Council noted that the trust modified the cinema hall into college building in 2003. It further noted from the inspection report dt. 14-11-08 "The college is running in an abandoned talkies. The lobby area and corridor have been converted into rooms and classrooms. It lacks human resources (teaching) and other staff, earlier it was functioning elsewhere but even now building plan is not approved. Make shift arrangements have

been made” It also noted that salary was paid through bank only after the date of inspection. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon’ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions “Not Recognised” and this status was submitted to the Hon’ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon’ble High Court at Jabalpur in its judgement in the “Jan Sewa Shiksha Samiti” case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 09-08-05 under Section 14 of NCTE Act followed by the affiliation of the university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the “Jan Sewa Shiksha Samiti” case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Managing Trustee, Basantilal Jaiswal Charitable Trust's Raj Rajeshwar Mahavidyalaya,
31, M.G. Road, Nagda, Ujjain Dist. - 456335, 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.

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

Dated: 13.08.09

ORDER

WHEREAS The appeal of Gurukul College of Education, Rewa, Madhya Pradesh dated 29/05/2009 is against the Order No. No.NCTE/WRC/MP/APWO/5450/223575(CO-ED)/2009/53401 dated 08/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds " WRC considered the reply alongwith original file and all relevant document considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. (1) Reply not received within stipulated time. Deficiencies:- (a) The institution is running in a residential building. The team visited but the entrance of the institution was locked. (b) The management was not willing for inspection of the institution as the main entrance of the institution found locked".

AND WHEREAS the Correspondent, Gurukul College of Education (hereinafter referred to as the appellant), preferred an appeal dated 29/05/2009 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 Ajit Dwivedi, Chairman and Shri Anurag Dwivedi, Member, Gurukul College of Education, Rewa, Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the appellant's college was detailed for inspection on 08.01.09 to 10.01.09 and also on 09.02.09 to 11.02.09 but it was not inspected. However, later on, it had been learnt that the Inspection Team visited the appellant institute during 15.01.2009 to 17.01.2009; The institute had the proper permission from the Municipal Corporatin, Rewa to use the building/premises for educational purpose.

AND WHEREAS the Council made the following observations:
(a). The Council noted from the inspection report dt.17-01-09 "The team members visited the spot of the institution, which appears to be located on a residential building. The management was informed about the team's visit on 17-01-09. However, when the team members went to the spot the entrance was found locked" it further noted from the VTR dated 30-08-07 "The Institution is proposed in a residential leased rented building. The room size is small but they made provision for two rooms; multipurpose hall is 950 sq. ft. and classroom size is 370 sq. ft." It also

noted that recognition was granted in January, 2008 followed by this university gave affiliation for the session 2008-09, In view of this the institution was not entitled to admit student for the session 2007-08 and hence attracted the Principle of Jan Sewa Samiti Case. The Council therefore came to a conclusion that there was no justification in accepting the appeal and that the order of WRC need to be up held.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 08-04-09 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued an unconditional Recognition order on 08-01-08 under Section 14 of NCTE Act. followed by affiliation of the university from the session 2008-09. In view of this the institution was entitled to admit the students for the session 2008-08-9, but it admitted the students for the session 2007-08, with out having proper recognition and affiliation and hence attracted the principle of Jana sewa Samiti case. The Council therefore came to a conclusion that the refusal order issued by the WRC under section 14(3)(b) is in order and needed to be upheld.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) was justified and therefore the Council confirmed the order of WRC.

NOW THEREFORE the Council hereby confirms the order appealed against.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Gurukul College of Education, Paras Nagar, Anantpur, University Road,, Rewa - 486001, 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.

ORDER

WHEREAS the appeal of Kunwar Arjun Singh Mahavidyalaya, Rewa Dist., Madhya Pradesh dated 18/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO3654/223483/115th/2009/53608 dated 10/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds " WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008, 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. Reply not received within stipulated time. Deficiencies:- (a) Built up area is 4480 sq.ft. as against the requirement of 1500 sq.mt. as per NCTE Regulation 2007. (b) Affiliation from the university is from 2008-09, but the student were admitted for 2007-08 which is gross violation of the NCTE Act and Regulation".

AND WHEREAS the Correspondent, Kunwar Arjun Singh Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 14/05/2009 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 Dr. Nagendra Singh, Principal, Kunwar Arjun Singh Mahavidyalaya, Rewa Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the total built-up area of the building was 16189 Sq.ft. as per the certificate by the Sarpanch of the village; The students were admitted vide interim order of Hon'ble High Court of Jabalpur to take part in counseling of Barkatullah University; The admission of 19 students was totally provisional without charging any fee from them; They had applied for recognition of 2007-08, but this was delayed by WRC, Bhopal and the same fault was repeated by affiliating university in giving affiliation.

AND WHEREAS the Council made the following observations:

(a) The Council noted from the Inspection Report dt. 10-02-09 "The college is having 4480 sq.ft. of built up area ,which is not adequate as per norms; it has identified qualified staff for the session 2008-09; University gave affiliation for the session 2008-09" It was further observed that the appellant was granted recognition on 01-01-08 and subsequent to this University granted affiliation for the session 2008-09 and where as the institution admitted students without affiliation and hence the institution falls under the principle of "Jana sew shiksha samiti case". The Council, therefore, came to a conclusion that WRC right to refuse the recognition for conducting the B.Ed. Course

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 01-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal Recognition order on 26-07-08 under Section 14 of NCTE Act. followed by the affiliation of the university for session 2008-09. In view of this the institution was entitled to admit the students for the session 2008-09, but it admitted the students for the session 2007-08, with out having proper recognition and affiliation and hence attracted the principle of "Jana Sewa Shiksha Samiti case". The Council therefore came to a conclusion that the refusal order issued by the WRC under section 14(3)(b) is in order and needed to be upheld.

AND WHEREAS After perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) was justified and therefore the Council confirmed the order of WRC.

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

(Hasib Ahmad)
Member Secretary

1. The Principal, Kunwar Arjun Singh Mahavidyalaya, Farenda, Post Office Manikwar, Rewa Dist. - 486001, 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.

13/08/2009

ORDER

WHEREAS the appeal of L.K. Mehta Education Society's Sanskar Mahavidyalaya, Dhar Dist., Madhya Pradesh dated 29/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO1847/223359/115th/2009/53488 dated 08/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds " WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. (1) Reply not received within stipulated time. Deficiencies:- (a) No inspection could be conducted as the institution was found locked. (b) As per records available in the file. The institution even otherwise does not have the adequate infrastructure as per NCTE norms. (c) As per records available in the institution file, it has only 4200 sq.ft. built up area which is less than the prescribed norms".

AND WHEREAS the Correspondent, L.K. Mehta Education Society's Sanskar Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 29/05/2009 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 Ajit Mehta, Director and Shri Nitin Jain, Administrator, L.K. Mehta Education Society's Sanskar Mahavidyalaya, Dhar Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the appellant's college was having adequate infrastructure and instructional facilities as per norms. At the time of grant of recognition they were having 5000 Sq.ft. of built-up area and later increased the area of the building according to the new norms. It was further stated that they did not receive any information regarding the visit of the inspection team of NCTE till 14-11-08 as the letter sent by NCTE was received by them after the scheduled date of inspection. Further more that the college gates and shutters remain closed and properly locked for security purpose, fifteen minutes before the commencement of the college i.e. 11.30 am and therefore when the team visited the college without prior notice, they found the gates locked and could not get in.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the inspection report dt. 14-11-08 "The team found the premises of the said college locked with shutters down; However from outside the college gave the look of a Dharmshala. It further noted from the application dated 30-12-04 that 4000 sq. ft. built up area was available; building plan was undated and did not indicate the area details as well as Kh. No and Sy. No. etc. The Council therefore came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 08-04-09 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 09-08-05 followed by the affiliating of the university an unconditional Recognition order on 12-06-07 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Director, L.K. Mehta Education Society's Sanskar Mahavidyalaya, 8, Shivaji Marg, Dhanmandi, Dhar Dist. - , 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.

ORDER

WHEREAS the appeal of Om Shiksha Evam Samaj Kalyan Samiti's Ghandhi Vocational College, Guna Dist., Madhya Pradesh dated 28/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO223070/115th/2009/53154-53159 dated 01/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds " WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- (a) Only 4 faculty are appointed during 2007-08. (b) WRC Bhopal report says the college is located to an industrial area".

AND WHEREAS the Correspondent, Om Shiksha Evam Samaj Kalyan Samiti's Ghandhi Vocational College (hereinafter referred to as the appellant), preferred an appeal dated 29/05/2009 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 Avdhish Shrivastava, Director and Shri Hari Shanker Vijayvergiya, Director, Om Shiksha Evam Samaj Kalyan Samiti's Ghandhi Vocational College, Guna Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the appellant had sent convincing proof to WRC that it had appointed Principal and seven Lecturers during the academic session 2007-08. The appointment of Principal was approved by the University in February 2008. Actually 6 faculty members were approved by the University in March 2005, later two of them left and college management filled up this vacancy and hence they were not under code 28. The location of the college in the industrial area was duly permitted by the collector, Guna. It also applied to WRC on 10-02-09 for shifting the college to own premises where it had built a new building with an area of 2962 Sq.mt. on a land of 15830 Sq.mt.

AND WHEREAS the Council made the following observations:

(a).The Council noted from the inspection report dated 10-02-09 that the institution was conducting B.Ed course in a leased premises since 2004-05; It further noted from the completion certificate dated 25-05-09 that the society completed construction of the building as per the approval granted by the Nagar Palika office Guna dated 03-12-07; It applied for shifting to new building alongwith a DD of Rs.40,000/- on 10-02-09 much before the completion of the building . It further noted that three of the staff members were appointed by the college, only on 11-12-08. The Council therefore came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Recognised upto 2007-08" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 01-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal recognition order on 19-04-06 under Section 14 of NCTE Act, followed by affiliation of the university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Om Shiksha Evam Samaj Kalyan Samiti's Gandhi Vocational College, A.R. Road, Kushmoda, Guna Dist. - 473001, 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.

ORDER

WHEREAS the appeal of Ramakrishna Memorial B.Ed Training College, Chhattarpur Dist., Madhya Pradesh dated 20/05/2009 is against the Order No. No.NCTE/WRC/MP/APWO1832/223349/53482 dated 08/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiency:- (1) Land registered on lease in 2008, which is not in accordance with the NCTE regulations".

AND WHEREAS the Correspondent, Ramakrishna Memorial B.Ed Training College (hereinafter referred to as the appellant), preferred an appeal dated 21/05/2009 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 Dr. S.K. Bhatnagar, Principal and Shri Ankit Bhatnagar, Secretary, Ramakrishna Memorail B.Ed Training College, Chhattarpur Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the appellant was granted recognition in a rented building; It purchased land in 2006 and on this land construction of the college building had been started rapidly. Since Chhatarpur district Collector passed and order not to use underground water for the purposes other than drinking, the construction was halted. So the appellant requested WRC to extend one year more to construct the building and WRC in its meeting held on 19-20 October 2008, permitted the institution to shift to own building by 09-08-09; The institution after obtaining completion certificate, along with a DD of Rs.40,000/- requested the Regional Committee on 12-03-09, to grant permission to shift to new building.

AND WHEREAS the Council made the following observations:

(a). The Council noted that the appellant's institution had been conducting B.Ed. course since 2005-06 in a rented building; It noted from the building completion certificate issued on 11-02-09 by village Panchayat office that the institution constructed a new building with a built up area of 22,600 sq. ft. at Kh no.537/1/1 Moja Jasguwan Bijawar as per the building plan; it was also noted from the proceedings of the 109th meeting of WRC, NCTE held on 19-20 October, 2009 "building must be completed after getting permission from the D.M. of Tikamgarh within one year; allowed to continue as per December 2007 Norms". It further noted from the inspection report dated 14-11-08 new building had been already constructed, conditions of the institution may improved after shifting into new building. The Council, therefore, came to a conclusion that there was enough ground to accept the

appeal and the case may be remanded back to WRC for causing inspection of the new building.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 08-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 09-08-05 and unconditional recognition order on 22-04-06 under Section 14 of NCTE Act followed by the affiliation of the university. As such, WRC should not have issued an Order for Refusal of recognition to an already existing recognised institution. As the institution was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council therefore came to conclusion that there was enough justification to accept the appeal and the case may be remanded back for inspection of new building and thereafter pass appropriate orders.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report, Written submission and after hearing arguments advanced during the hearing, the Council felt while there was enough ground to accept the appeal and that it be accepted. Accordingly, the appeal was accepted and WRC's order dated 27.03.09 was set aside with the direction to the WRC to cause inspection of the new building to ascertain the availability of infrastructure and instructional facilities as per norms and thereafter pass appropriate orders.

NOW THEREFORE, the Council hereby remands back the case of Ramakrishna Memorail B.Ed Training College, Chhattarpur Dist., Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. The Secretary, Ramakrishna Memorail B.Ed Training College, Near Raja Talab, Post Vijavar, Block Vijavar, TA. Vijavar, Chhattarpur Dist. - 471405, 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.

ORDER

WHEREAS the appeal of Sevasadan Shiksha Mahavidyalaya, Burhanpur Dist., Madhya Pradesh dated 15/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO0662/223193/115th/2009/54407 dated 21/04/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. Deficiencies:- The infrastructure is shared by college and school".

AND WHEREAS the Correspondent, Sevasadan Shiksha Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 14/05/2009 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 Thakur Virender Singh, Chairman and Shri Vinod Singh Bhadoriya, Principal, Sevasadan Shiksha Mahavidyalaya, Burhanpur Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the infrastructure was not being shared by the college and the school. It earmarked for the B.Ed. college 5395 Sq.mt. of land and 1757.61 Sq.mt. of built-up area. The trust had been conducting School, Arts, Commerce college and a B.Ed. college also. Arts and Commerce college was being run in an old building earlier and this building was vacated and shifted to another building for the purpose of conducting B.Ed. college.

AND WHEREAS the Council made the following observations:

(a).The Council noted that completion certificate was not issued by a competent civic authority and further building plan did not indicate Kh.No.etc. and it was a composite plan for school, B.Ed College and other general degree courses; As per the plan 5395 sq. mts of total area was available with the society which was not adequate for conducting multiple courses. It further noted from the inspection report dt. 11-02-09 that only six teachers were appointed under code 28. The Council therefore came to the conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Recognised upto 2007-08" and this status was submitted

to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 21-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 26-06-06 followed by affiliation of the university and unconditional order on 25-06-07 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, Sevasadan Shiksha Mahavidyalaya, Shanvara, Station Road, Burhanpur Dist. - 450331, 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.

ORDER

WHEREAS The appeal of Late Shri Jamuna Prasad Nayak Shiksha Prasar Samiti's Shri Krishna College of Education, Chhatarpur Dist., Madhya Pradesh dated 21/05/2009 is against the Order No. NCTE/WRC/MP/APWO1840/223365/2009/53645 dated 11/04/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008, 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. Deficiency:- (a) The institution is in a residential building. (b) Instructional facilities are not as per NCTE norms. (c) The class rooms have asbestos sheet".

AND WHEREAS the Correspondent, Late Shri Jamuna Prasad Nayak Shiksha Prasar Samiti's Shri Krishna College of Education (hereinafter referred to as the appelland), preferred an appeal dated 21/05/2009 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 S.K. Mishra, Secretary, Late Shri Jamuna Prasad Nayak Shiksha Prasar Samiti's Shri Krishna College of Education, Chhatarpur Dist., Madhya Pradesh presented the case of the appelland institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the institution had been conducting B.Ed. course in a rented building since 2005-06 and it was supposed to shift to own premises by June 2008. The institution had started construction of own building as per the approved plan and due to severe drought collector of Chhatarpur district passed an order not to use underground water for the purposes other than drinking. As a result of which construction was delayed and was completed in October 2008 instead of June 2008. The institution applied for permission to shift to own building to WRC on 10th October, 2008, accompying a DD of Rs. 40,000/-; Further WRC allowed the appelland's institution to continue in rented building till the completion of 3 years and visiting team to be constituted on 20-10-08.

AND WHEREAS the Council made the following observations:

a) The Council noted that old rented building was having 552 Sq.mt. of land 16,200 Sq.ft. of built up area; The society purchased 2 acre of land on 22-05-03 and got the building plan approved in 2006. As per the plan it constructed 17200 Sq.ft. of building on this land. Thereafter it applied to WRC for shifting to own premises. The Council further noted from the proceedings of 109th Meeting of WRC, NCTE held on 19-20 October, 2008 "Three years has not completed yet. Visiting team to be constituted. Allowed to continue till completion of 3 years". The Council, therefore, came to a conclusion that there was enough justification in accepting the appeal and the case may be remanded back to WRC for causing

inspection thereafter issue appropriate orders. Until then the institution is to be treated as recognized one.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 11-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 27-06-05 followed by the affiliation of the university and unconditional recognition on 22-04-06 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with a prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as the institution was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council therefore came to the conclusion that the case may be remanded back to WRC, for the causing re- inspection of the institution to ascertain the availability of adequate infrastructural & other instructional facilities and thereafter issue appropriate orders as deemed fit for an already existing recognized institution, as the present was incomplete.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report, and after hearing oral arguments advanced during the hearing, the Council felt that the institution should be re-inspected to ascertain availability of necessary infrastructure, instructional and other facilities in the new building constructed by the institution, in accordance with the norms prescribed by the NCTE to become eligible for recognition by NCTE. Accordingly, the Council remanded back the case to the WRC for re-inspection of the new building of the Institution immediately and thereafter, issuance of the appropriate order. The institution shall remain as a recognised institution till that time.

NOW THEREFORE, the Council hereby remands back the case of Late Shri Jamuna Prasad Nayak Shiksha Prasar Samiti's Shri Krishna College of Education, Chhatarpur Dist., Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. The Secretary, Late Shri Jamuna Prasad Nayak Shiksha Prasar Samiti's Shri Krishna College of Education, Danodan Building, Old T.D.M. Office Chaubey Colony, Chhatarpur Dist. - 471001, 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.

ORDER

WHEREAS the appeal of Veena Vadini Educational And Prashikshan Sansthan, Bhopal , Madhya Pradesh dated 19/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO1773/223323/115th/2009/53421 dated 08/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. (1) Reply not received within stipulated time. Deficiencies:- (a) Faculty list submitted is incomplete (Details of faculty members, date of appointment, Regular or part-time is not mentioned). (b) The institution did not have any staff during 2007-08. (c) The mode of salary is also not mentioned".

AND WHEREAS the Correspondent, Veena Vadini Educational And Prashikshan Sansthan (hereinafter referred to as the appellant), preferred an appeal dated 26/05/2009 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 Dr. Anurag Shrivastava, Chairman, Veena Vadini Educational And Prashikshan Sansthan, Bhopal , Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the appellant had been conducting B.Ed. since 2006-07. It appointed seven Lecturers and a Principal following the due procedure laid down in the norms and staff was in position during 2007-08; Selection Committee interviewed the candidates on 11-10-07 and the staff list was approved by the University on 22-11-07 and so appointment of the staff for the session 2007-08 was made in 2007.

AND WHEREAS the Council made the following observations:

(a).The Council noted from the inspection report dated 17-01-09 that the institution was in possession of five acre of land and 2125 Sq.mt. of built up area and other instructional facilities were as per norms. It also noted that the appellant appointed a Principal and seven Lecturers under code 28 and the staff was in position during the session 2007-08, as per norms. The Council, therefore, came to a conclusion that there was enough justification in accepting the appeal and that it should be accepted.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was

placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 08-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional order on 27-06-05 under Section 14 of NCTE Act, followed by the affiliating university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution; rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after hearing oral arguments advanced during the 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 WRC's order dated 08-04-09 was set aside with direction to the WRC to restore the recognition of the institution immediately.

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

(Hasib Ahmad)
Member Secretary

1. The Principal, Veena Vadini Educational And Prashikshan Sansthan, E-4/84, Arera Colony, Bhopal - , 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.

ORDER

WHEREAS the appeal of Shiksha Mahavidyalaya , Sidhi Dist., Madhya Pradesh dated 22/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO3289/223449/115th/2009/53542 dated 10/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. (i) Reply not received within stipulated time. Deficiencies: (a) Staff appointed in 2006 are not continuing in 2008-09. (b) The recognition was granted in the rented building which is inadequate as per NCTE Regulation 2007. WRC in its 109th meeting directed the institution to complete the building by March 2007 and apply for the shifting procedure to carry out by WRC Bhopal".

AND WHEREAS the Correspondent, Shiksha Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 22/05/2009 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 Sandeep Tiwari, Member and Shri Narendra Singh, Member, Shiksha Mahavidyalaya, Sidhi Dist., Madhya Pradesh presented the case of the appellant institution on 16/06/2009. In the appeal and during personal presentation it was submitted that the appellant's institution had been conducting B.Ed. course since 2006-07 in a leased premises taken for 3 years; It was in possession of one acre of land in the name of the society on 10-11-08 and constructed a building with a built-up area of 18,000 Sq.ft. and applied to WRC for shifting to new building, along with a DD of Rs.40,000/- on 26th March 2009; WRC had already directed the institution in its meeting held on 19-20th October, 2008, to complete the construction of the building by March 2009 and apply for VT in prescribed form with a DD of Rs.40,000/-. It was also submitted that staff appointed in 2006 was continuing with few replacements; Current staff was selected by the management committee, but the staff is qualified as per norms; It, however, requested university to appoint selection committee for appointing the staff under code 28.

AND WHEREAS the Council made the following observations:

(a) The Council noted that the appellant had complied with the directions of the WRC and completed the construction of the new building by March 2009 and also requested WRC to cause inspection of the new building. It also noted that staff was in position as per norms and this was confirmed from the salary statement of audit report. It further noted from the VTR dt. 12.01.09 that the new building construction was in progress and likely to be completed by March'09. The Council, therefore, came to a conclusion that there was

enough justification in accepting the appeal and the case may be remanded back to cause inspection of the new building at an early date and pass appropriate orders thereafter until then the institution is to be treated as recognized one.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 10-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal Recognition order on 28-08-06 under Section 14 of NCTE Act followed by affiliation of the university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council, therefore, came to a conclusion that there was enough justification in accepting the appeal and the case may be remanded back to WRC.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report, and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that the new building of the institution should be re-inspected to ascertain availability of necessary infrastructure, instructional and other facilities in accordance with the norms prescribed by the NCTE to become eligible for recognition by NCTE. Accordingly, the Council remanded back the case to the WRC for re-inspection of new building of the Institution immediately and thereafter, to issue orders. Till then the institution to be treated as a recognised institution.

NOW THEREFORE, the Council hereby remands back the case of Shiksha Mahavidyalaya , Sidhi Dist., Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Shiksha Mahavidyalaya , Gram Kereodeya, North Tola, Ward No. 10,
Swami Vivekanand, Sidhi Dist. - 486661, 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.89-274/2009-Appeal](#)
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/08/2009

ORDER

WHEREAS the appeal of Abhilashi Sanskratik Avm Shaikshnik Samiti, Bhopal , Madhya Pradesh dated 18/05/2009 is against the Order No. NCTE/WRC/MP/APWO1812/223339/2009/R-4009 dated 31/03/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed. course on the grounds "WRC considered the reply alongwith original file and all relevant document,11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. (a) The land area is inadequate".

AND WHEREAS the Correspondent, Abhilashi Sanskratik Avm Shaikshnik Samiti (hereinafter referred to as the appellant), preferred an appeal dated 19/05/2009 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 Tanveer Alam Khan, Secretary, Abhilashi Sanskratik Avm Shaikshnik Samiti, Bhopal, Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant had been conducting B.Ed. since 2005-06, in a leased premises: The institution was earlier having 2000 sq.mt.of land, on 30 years lease. It further purchased 1 acre of land in 2007, adjacent to the existing piece of land. Thus the institution was having 1.49 acre of land since the year 2007.

AND WHEREAS the Council made the following observations:

(a).The Council noted from the inspection report dated.17.01.09 that the institution was conducting B.Ed program in a lease-rent premises having a land area of 2000 sq. mt. It further noted that the society executed rent agreement for 30 years on 10.08.07 for a piece of land of 2000 sq. mt at Kh. No. 103/3, Barhanpur and this agreement was not acceptable as per norms. The Council therefore came to a conclusion that there was no justification to accept the appeal, that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Recognised upto 2007-08" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued

an Order dated 31-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 27-06-05 followed by the affiliating university and formal Recognition order on 28-10-06 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution; rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Secretary, Abhilashi Sanskratik Avm Shaikshnik Samiti, B-19, Machna Colony, Shivaji Nagar, Bhopal - , 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.

ORDER

WHEREAS the appeal of Ayodhya Prasad Narmada Uchchar Mahavidyalaya, Jabalpur Dist., Madhya Pradesh dated 04/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO0363/223142/115th/2009/53970 dated 14/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. (a) The institution has 8400 sq.mt. Land for B.Ed., B.A., B.Sc., B.Com and School. (b) Labs and library are shared with other courses. (c) List of Staff are not approved by the university. (d) Principal was not in position during the 2007-08 sessions".

AND WHEREAS the Correspondent, Ayodhya Prasad Narmada Uchchar Mahavidyalaya (hereinafter referred to as the appellent), preferred an appeal dated 04/05/2009 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 Manvendar Singh, Registrar, Ayodhya Prasad Narmada Uchchar Mahavidyalaya, Jabalpur Dist., Madhya Pradesh presented the case of the appellent institution on 17/06/2009. In the appeal and during personal presentation it was submitted that separate area had been earmarked for B.Ed. course and exclusive laboratory facilities were created for the course; Only library was being shared with other courses; Dr. Rita Srivastava, Principal was in position during the session 2007-08 and an affidavit of the Principal was filed before WRC along with her qualification; College has now made appointments of staff under code 28".

AND WHEREAS the Council made the following observations:

(a).The Council noted that occupancy rights of the land had been given by the Govt. for running Narmada Middle School in the year 1871; Cantonment Executive Officer, Jabalpur on 16-3-04 certified that "This office has no objection if B.Ed. course is started in your school provided all requisite formalities to start any faculty are completed and adequate space for the students is available presently in your school"; It had earmarked 16462 sq. ft. of builtup area for B.Ed. course. It applied for B.Ed. college recognition in the name of " Ayodhya Prasad Narmada High school". and in the application it showed 1.90 acre of land and 29581 sq.ft of built up area. The committee therefore came to a conclusion that there was enough justification in accepting the appeal and the case may be remanded back to WRC for causing the re-inspection of the institution, on payment of a fee of Rs.40,000/- by the institution.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 14-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 21-06-04 followed by the affiliating university and formal Recognition order on 26-08-08 under Section 14 of NCTE Act. As such, WRC should not have issued an Order for Refusal of recognition to an already existing recognised institution. As the institution was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. the Council therefore came to conclusion that there was enough justification to accept the appeal and the case may be remanded back for inspection of new building and thereafter pass appropriate orders.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report, Written submission and after hearing arguments advanced during the hearing, the Council felt while there was enough ground to accept the appeal and that it be accepted. Accordingly, the appeal was accepted and WRC's order dated 14.04.09 was set aside with the direction to the WRC to cause re- inspection of the new building to ascertain the availability of infrastructure and instructional facilities as per norms and thereafter pass appropriate orders.

NOW THEREFORE, the Council hereby remands back the case of Ayodhya Prasad Narmada Uchchar Mahavidyalaya, Jabalpur Dist. , Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Ayodhya Prasad Narmada Uchchar Mahavidyalaya, Sadar, Ayodhya Prasad Narmada Higher Secondary Vidyalaya N. Cantt, Jabalpur Dist. - 482001, 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.

ORDER

WHEREAS the appeal of Balaji Institute of Education, Jabalpur Dist., Madhya Pradesh dated 04/05/2009 is against the Order No. NCTE/WRC/MP/APWO1967/223401/2009/53750 dated 12/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008, 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. Deficiencies :- (a) The institution is sharing the building among B.Ed. course and Nursing College. (b) Instructional and library facilities are shared among B.Ed. College and Nursing College".

AND WHEREAS the Correspondent, Balaji Institute of Education (hereinafter referred to as the appellant), preferred an appeal dated 04/05/2009 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 Sourabh Baderia, Secretary and Shri Sarad Shrivastava, Principal, Balaji Institute of Education, Jabalpur Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the building had not been shared with B.Ed. course and nursing courses. The appellant was granted recognition as far back in August 2005 and since then it had been conducting the B.Ed. course from the present premises, without conducting any nursing course as alleged in the show cause notice. In support of its rebuttal it was submitted that the appellant has only been granted recognition for nursing course in December 2008 for academic session 2009-10. Therefore the question of sharing the building and faculty of nursing course did not arise. The appellant also brought it to the notice of the WRC that a new building had been constructed exclusively for B.Ed. course and the appellant had deposited a sum of Rs. 40,000/- in accordance with regulations and rules for inspection of institute so that the next academic session can be conducted from a new building. Till date the inspection has not been carried out.

AND WHEREAS the Council made the following observations:

(a). The Council noted that the appellant had been conducting B.Ed. course since 2005-06 session and also running Metro Hospital since 2008; Bank Manager certified that the land had been mortgaged with bank to draw loan for nursing home and Metro hospital; It applied to WRC on 17-07-08, informing that the college would be shifting to new building and future correspondence would be made on the new address , but the D.D. of Rs.40,000/- was made only on 19-02-09; Further, completion certificate was not signed by the Competent Authority; It failed to shift to own building within 3 years from the date of

recognition i.e. 09-08-05. In view of the above, the Council, came to the conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 12-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a Conditional Recognition order on 09.08.05 under Section 14 of NCTE Act followed by the affiliating university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, Balaji Institute of Education, Kuchaini Parisar, Behind Kshetriya Bus Stand, Damohnaka, Jabalpur Dist. - 482002, 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.

13/08/2009

ORDER

WHEREAS the appeal of J.C. Mill Girls College, Gwalior Dist., Madhya Pradesh dated 12/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO0620/223162/115th/2009/53615 dated 10/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. (1) Reply not received within stipulated time. Deficiency:- Only five teachers including principle were in position in 2007-08. (b) Salary is not paid through Bank".

AND WHEREAS the Correspondent, J.C. Mill Girls College (hereinafter referred to as the appellant), preferred an appeal dated 18/05/2009 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 Dr. V.K. Gambhir, Asst. Proffessor and Shri B.K. Chaturvedi, Asst. Professor, J.C. Mill Girls College, Gwalior Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that since there were no students for the academic session 2008-2009 as no admissions were given by the State Government on account of stay order on the counseling by the Hon'ble High Court. Thus the teachers on the roll of institution were given salary without being any educational work taken by them, for want of students. Thus in this back drop of the matter to fill up the remaining vacancies of the teachers from the ensuing session the advertisement in the leading daily news paper were published in M.P. and U.P. on 30.12.2008. As per statutory requirement Selection Committee has been requested from the Jiwaji University. The Jiwaji University has constituted the Selection Committee but Selection Committee could not convene its meeting on 24.01.2009, therefore the institution submitted a representation dated 17.02.2009 for organizing of the interviews to the university by giving new date. It was further submitted that the institution had started paying salary to the teachers through A/C payee cheques after the inspection.

AND WHEREAS the Council made the following observations:

(a). The Council noted that from the inspection report dated 15-11-08 that the teaching faculty was not approved by the university and salary was paid in cash. The committee further noted that the appellant had started disbursing the salary through cheque recently; It had not yet appointed the requisite number of staff and the appointment of the staff under code 28, was under process. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Recognised upto 2007-08" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 10-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal Recognition order on 18-08-05 under Section 14 of NCTE Act, followed by the affiliating university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution; rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act. The withdrawal shall be with prospective effect i.e. with effect from the date of the issue of this order, with the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Secretary, J.C. Mill Girls College, Biral Nagar , Gwalior Dist. - 474004, 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.

ORDER

WHEREAS the appeal of Late Rekhandas Jain Memorial Education Society, Vidisha Dist., Madhya Pradesh dated 14/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO1441/223239/116th/2009/53596 dated 10/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 116th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. Deficiency:- (a) The College was running in rented premises. (b) Only 3 faculty member are appointed by the University".

AND WHEREAS the Correspondent, Late Rekhandas Jain Memorial Education Society (hereinafter referred to as the appellant), preferred an appeal dated 14/05/2009 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 Hirdaya Mohan Jain, President and Shri S.K. Jain, Ex. Officer , Late Rekhandas Jain Memorial Education Society, Vidisha Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant was issued conditional recognition order on 20.07.05 and it had been conducting the B.Ed. course from the academic session 2005-06. On 18.04.2007, the Regional Director, WRC, Bhopal, issued the regular Order of recognition subject to the further condition that the appellant must shift the institution from the rented premises to its own premises within 3 years. This period of 3 years has not expired, it would expire on 17.04.2010. In compliance to the condition laid down in the regular order of recognition, the appellant constructed the college building on its own land; The appellant obtained building completion certificate from Municipal Council Vidisha. The college building on its own premises is ready for shifting; The application for grant of permission to shift to its own college building was pending with the WRC; The college had appointed the faculty of Principal and 7 Lecturers; The appointment of faculty was duly approved by Barkatullah University, Bhopal. The university had granted the approval under college code 28, vide letter dated 25.02.2009.

AND WHEREAS the Council made the following observations:

(a). The Council noted that the institution was having a Principal and four Lecturers (1+4) during the session 2007-08, as against the norms of (1+7) requirement and process of filling up of vacant posts was still going on. It further noted that the institution was required to shift to own premises within a period of three years from the date of recognition i.e. 20.07.05, but the institution was still continuing in the rented premises, though the period of 3 years had

already been lapsed. The Council, therefore, came to the conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 10-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional recognition on 20-07-05 followed by the affiliating university and formal recognition order on 18.04.07 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Secretary , Late Rekhandas Jain Memorial Education Society, 10, Maitri, Bada Bazar, Vidisha Dist. - 464001, 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.

ORDER

WHEREAS the appeal of Maharishi Shiksha Sansthan's Maharishi Mahavidyalaya, Mandla, Madhya Pradesh dated 11/05/2009 is against the Order No. No.NCTe/WRC/MP/APWO3285/223447/2009/53627 dated 11/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14 (3) (b) of NCTE Act. (1) Reply not received within stipulated time. Deficiencies:- (a) The building is shared between B.Ed. course and School. (b) Built up area is inadequate as per NCTE norms 2007. (c) Only one lecturer selected by the selection committee of the university was the appointed and the rest were not appointed. (d) The teachers are hired from the School to teach B.Ed. classes".

AND WHEREAS the Correspondent, Maharshi Shiksha Sansthan's Maharishi Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 11/05/2009 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 Dr. Upendra Shukla, Principal, Maharshi Shiksha Sansthan's Maharishi Mahavidyalaya, Mandla, Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant was having 22000 Sq.mt. of land and 2626.24 Sq.mt. of built-up area. In these premises Maharishi Vidya Mandir(school) was being run from 7.00 am to 12.00 noon, while Maharish Mahavidyalaya(B.Ed.college) was being conducted from 12.30 pm to 6.00 pm. Thus, the whole premises were therefore, available for running B.Ed. college. The institution advertised for recruitment of teachers in four daily newspapers and requested the affiliating university to appoint Selection Committee vide its letter dated 01-03-08 and 26-06-08. As the university did not send any reply, the management with the help of two outside experts selected the staff. It appointed qualified Principal on 15-09-07 and rest of the faculty on 01-09-08. It was also submitted that some qualified and experienced school teachers were engaged to teach B.Ed. classes and it also started constructing new building on its 4.5 acres of land.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the inspection report dated 09-02-09 that 14,588 Sq.ft.of built-up area had been shared with school and the staff working with school was presenting themselves as the staff of B.Ed. college. It further noted that the appellant had been running school and B.Ed. college in shift wise manner i.e. school in the morning shift and the B.Ed. college in the noon shift, which is not permissible as per norms. Further school teachers

were being engaged for teaching B.Ed. classes which is also not as per norms. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act, to initiate the process of withdrawal of recognition of the institution, as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 02-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal Recognition order on 30.10.06 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Assistant Director, Maharshi Shiksha Sansthan's Maharishi Mahavidyalaya, Mridu Kishore Colony, Binjhiya Labalpur Road, Mandla - , 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.

ORDER

WHEREAS the appeal of Maharshi Shikshs Sansthan's Maharshi Mhavidyalaya, Chhindwara Dist., Madhya Pradesh dated 11/04/2009 is against the Order No. No.NCTE/WRC/MP/Legal/APWO1686/115th/2009/53071 dated 01/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. (1) Reply not received within stipulated time. Deficiencies:- Only two appointments in September 2005 and September 2007 where one staff has been appointed on 01.01.2009".

AND WHEREAS the Correspondent, Maharshi Shikshs Sansthan's Maharshi Mhavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 11/05/2009 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 Mangala Chouhan, Principal and Shri Ajay Lokhande, Officer Supretendent, Maharshi Shikshs Sansthan's Maharshi Mhavidyalaya, Chhindwara Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant college appointed the faculty on 15.09.2005. The list of faculty for the academic session 2005-06 was duly approved by the Registrar, Dr. Hari Singh Gaur University, Sagar, and was submitted before the WRC for issue of formal Order; The WRC considered the approved list of faculty for the academic session 2005-06 and granted unconditional recognition; vide its Order dated 28.02.2007. Mr. Siddharth Somkuwar, Mr. Rahul Tiwari and Miss Ayesha Qureshi resigned after the academic session 2005-06; They were replaced by Mr. Basant Rawat, Mr. Anees Trivedi and Mr Virendra Gupta; The revised list of approved faculty members for the academic session 2006-07 was also sent to WRC; Mr. Anees Trivedi and Mr. Basanti Rawat resigned during the academic session 2006-07 and they were replaced by Mrs. Monika Verma and Mrs. Nidhi Thavre. The revised list of faculty members for the academic session 2007-08 was also sent to WRC. Mrs. Anjna Upadhyay, Miss. Rashmi Bhati, Miss Seema Bharadwaj, Mr. Sunil Gavande and Mr Virendra Gupta resigned during the academic session 2007-08. and they were replaced by Mrs Nilima Chaudhary, Mrs Preeti Kapoor, Mr Shriram Thakur, Miss Sonali Sahu and Mr Jitendra Soni; This revised list of faculty members of 2008-09 was also sent to the WRC; The appellant College had duly submitted to the WRC four lists of faculty which were for the academic sessions 2005-06, 2006-07, 2007-08 and 2008-09 in response to the show cause notice issued on 28.02.2009 by the WRC .

AND WHEREAS the Council made the following observations:

(a). The Council noted that the staff had been replaced every year from the session 2005-06 to 2008-09 and the representative failed to produce any original document to substantiate the claim of availability of staff (1+7) in each session and also proof of the replacements. It

also noted from the inspection report dated 09-07-09 that science laboratory facilities were being shared with school and only 12775 Sq.ft. of built-up area was available with the institution. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 01-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional recognition order on 27-06-05, followed by the affiliation of the university and formal Recognition order on 28-02-07 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Assistant Director, Maharshi Shikshs Sansthan's Maharshi Mhavidyalaya, Maharshi Ashram, Village-Sarra, Post-Imlikheda, nagpur Road,, Chhindwara Dist. - , 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.

ORDER

WHEREAS the appeal of National Public College of Education, Gadawara, Madhya Pradesh dated 30/04/2009 is against the Order No. No.NCTE/WRC/MP/Legal/APWO0677/223208/115th/2009/53125 dated 01/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. (i) land and built up area is inadequate".

AND WHEREAS the Correspondent, National Public College of Education (hereinafter referred to as the appellant), preferred an appeal dated 11/05/2009 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 Chuni Lal Shah, Chairman and Shri V.D. Dubey, Director, National Public College of Education, Gadawara, Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant had the independent buildings for school and B.Ed. college which may be evidenced from building plans and completion certificates; The appellant's institution was in possession of 88,830 sq.ft.of land and 16,740 Sq.ft. of built-up area and this was more than adequate as per norms.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the inspection report dated 29-12-08 that 4861.12 Sq.ft. of built-up area was available with the institution and this was being shared with the school i.e. National Public School and land area details were not furnished for the B.Ed. course, science lab and library were shared with school and there were only 1500 books in the library, Principal was not having requisite qualification. It also noted from the affidavit dated 13-12-07 that the society was in possession of 88,830 Sq.ft. of land and 4862.12 Sq.ft. of building at Gurudwara, Narsingpur; further completion certificate dated 26-4-09 was issued by a Civil Engineer, but not from a Competent Authority and building plan was meant for NPC and it did not indicate Kh.No., land and built-up area details and it was also undated. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act

to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 01-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 14-06-05 under Section 14 of NCTE Act, followed by the affiliating university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, National Public College of Education, K.B. Nagar, By Pass Road, Gadarwara - 487551, 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.

ORDER

WHEREAS the appeal of Navambey College of Education, Panna Dist., Madhya Pradesh dated 20/05/2009 is against the Order No. NCTE/WRC/MP/APWO3006/223456/2009/53264 dated 06/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "1) WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Ground Reply not received within stipulated time. Deficiencies:- The land and built up area is inadequate as per NCTE Regulation 2007. 2) Reply not received within stipulated time".

AND WHEREAS the Correspondent, Navambey College of Education (hereinafter referred to as the appellant), preferred an appeal dated 20/05/2009 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 Dr. R.K. Pandey, Chairman and Shri Sandeep Shukla, Secretary, Navambey College of Education, Panna Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that WRC did not consider the representation of the appellant dated 13.03.2009 which was sent by the appellant through registered A/D in reply to the show cause notice dated 28.02.2009, which was received by the appellant on 08.03.2009. The WRC was not correct when it held in the impugned Order that the reply was not received within stipulated time. The stipulated time of one week was to be reckoned from the date of receipt of the show cause notice. The WRC did not consider that, vide registered sale deed number A1/2098/181 dated 13.05.2008, the appellant had already acquired 10,000 Sq.mt. of land at Village-Janakpur, Tehsil and Dist. Panna, for establishment of educational complex. The present B.Ed. college would also be shifted in the said educational campus. The WRC did not consider the approved building plan of the proposed education campus at Janakpur wherein 39,467 sq.ft. constructed area was earmarked for the present B.Ed. college. The college building was nearing completion and as soon as the building work was completed the appellant would shift into the new premises, after obtaining due permission of the WRC; WRC ought to have appreciated that a reasonable time was required to comply with the revised norms and standards revised by NCTE vide notification dated 25.11.2007.

AND WHEREAS the Council made the following observations:

(a).The Council noted from the inspection report dated 09-01-09 that the institution was having 12,000 Sq.ft. of land and 8,000 Sq.ft. of built up area, which was not adequate as per norms. It also noted from the lease deed dated 27-12-05 that the trust had taken 12,000 Sq.ft. of land and 12000 Sq.ft. of 3 storey building, on 30 years lease from a private party; Further the trust purchased 1.00 Hec of land, on 13-05-08, at Janakpur Village, Panna and

on this land it started constructing new building as per the approved plan and construction was yet to be completed. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected, as the area of the leased premises was inadequate and the new premises was yet to come up.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 01-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional recognition order on 30-10-06, followed by the affiliation of the university and formal Recognition order on 15-02-07 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. the Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Navambey College of Education , Gurukul, Benisagar, Panna Dist. -
488051, 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.

ORDER

WHEREAS the appeal of Rewanchal Education College, Rewa Dist., Madhya Pradesh dated 12/05/2009 is against the Order No. NCTE/WRC/MP/APWO4128/223506/2009/53633 dated 11/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds "1) WRC considered the reply alongwith original file and all relevant document, considered writ petition number 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3)(b) of NCTE Act. 2) Land document does not match with approved building plan. 3) Land and built up area is insufficient".

AND WHEREAS the Correspondent, Rewanchal Education College (hereinafter referred to as the appellant), preferred an appeal dated 13/05/2009 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 Amrit Lal Patel, Chairman, Rewanchal Education College, Rewa Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant had submitted complete building plan and map to WRC for land area of 4880.849 sq.mt. along with the area details: at (a) Khasra No. 50/16 - Land area - 212.732 sq.mt., built up area 713.752 sq.mt. at (b) Khasra No. 53/19 etc. - land Area 3685.498 sq.mt., Built up area - 2037.369 sq.mt. and at (c) Khasra No. 11/2 - Land Area 982.619 sq.mt. Total built up area - 2751.121 sq.mt. It was also submitted that the trust had been running a school in a separate building that was situated opposite to the college.

AND WHEREAS the Council made the following observations:

(a).The Council noted from the inspection report dated 16-01-09 "The proposed B.Ed. programme will be run in a building which is already being used for a secondary school run by the society. The name plate of the college has been pointed over the school name. The classrooms were shown to us during visit with name plates such as Hall, Classroom, Library, Laboratory etc. for B.Ed.' Laboratory & Library facilities are nil. No admissions have been done so far and it is a new institution". It also noted that the trust purchased 212.332 Sq.mt. of land at Kh.No.50/16, Indira Nagar, Rewa on 20-10-04 and 2 acre of land on 19-5-97 at Kh. No. 52/7. It also executed two lease deeds i.e. lease deed on 13-11-06 for a piece of land of 17876 Sq.ft. alongwith a building of 10,000 Sqft. at ward No.11 of Rewa and another lease deed on 11-05-07 for 0.3 Hec. of land at ward No.11 of Rewa. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 11-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal Recognition order on 22-05-08 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act , with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Rewanchal Education College, Tilak Nagar, Indra Nagar Rewa, Near Rewanchal Public School, Tilak Nagar, Rewa Dist. - 486001, 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.

ORDER

WHEREAS the appeal of RKDF College of Education, Bhopal, Madhya Pradesh dated 01/05/2009 is against the Order No. No.NCTE/WRC/MP/Legal/APWO1588/223262/115th/2009/53082-53087 dated 01/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14 (3)(b) of NCTE Act. Deficiencies:- Land and built up area is not as per NCTE norms. (b) Principal is not qualified as per NCTE norms".

AND WHEREAS the Correspondent, RKDF College of Education (hereinafter referred to as the appellant), preferred an appeal dated 01/05/2009 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 Dr. Alok Sharma, Principal and Shri O.P. Kaviraj, Director, RKDF College of Education, Bhopal, Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that all the staff members of the college had been selected under code 28 and the list was approved by the Registrar, Baraktullah University, Bhopal; Dr. Alok sharma is the Principal and he is qualified as per NCTE norms; It was having 4.64 acres of land and 2688 Sq.mt. of built-up area, which was more than adequate as per norms.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the building plan dt. 17-09-02 that there were 2 blocks i.e. college block and hostel block. College block had three buildings. Building I, indicated 896 Sq.mt. of total area and 2688.6 Sq.mt. of 3 storey building raised on this area; As per the presentation this building was meant for conducting B.Ed. course. So, the institution was having only 896 sq.mt. of land which was not sufficient as per norms and no separate land piece other than this building was earmarked for the B.Ed. college. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the

Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 01-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a Conditional Recognition order on 26-09-05 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, RKDF College of Education, NH-12, Hoshangabad Road, Behind Hotel Mark, Bhopal - , 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.

ORDER

WHEREAS the appeal of Sadhu Vaswani College, Bhopal, Madhya Pradesh dated 29/05/2009 is against the Order No. No.NCTE/WRC/MP/APWO0102/223136/2009/R-4051 dated 31/03/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- (a) Built up area is less than 1500 sq.mt. which is inadequate as per NCTE regulation 2007. (b) Four faculty members are appointed in December 2008 on adhoc basis and they are not qualified as per NCTE norms. (c) No sufficient staff as per the NCTE norms appointed. (d) More over unqualified staff appointed on part time basis".

AND WHEREAS the Correspondent, Sadu Vaswani College (hereinafter referred to as the appellant), preferred an appeal dated 29/05/2009 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 Prof. Aditya Chaturvedi, professor and Dr. D.K. Dubey, Professor, Sadhu Vaswani College, Bhopal, Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that it was having 1661 sq.mt. of built-up area and it appointed 4 adhoc faculties, having qualification as per NCTE norms, as final selection under code 28 was pending with the affiliating university.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the inspection report dated 14-01-09 that the institution had 11,388 sq.ft. of built up area which was not adequate as per NCTE Norms; It also noted that the building plan at Bairagarh, Bhopal was undated, not approved by the competent authority and does not indicate the total buildup area; Even the building completion certificate dated 19-03-09 was not issued by competent civic authority. It further noted from the presentation of the appellant that faculty was not appointed on regular basis. The Council therefore came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the

Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-09 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional order on 07-07-03, followed by the affiliation of the university and formal Recognition order on 05-04-04 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, Sadu Vaswani College, Benta Gaon Sant Haridaram Nagar, Bairagarh,, Bhopal - 462030, 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.

ORDER

WHEREAS the appeal of Scholars Academy's Scholars Den School, Khandwa Dist., Madhya Pradesh dated 18/05/2009 is against the Order No. No.NCTE/WRC/MP/Legal/APWO3681/223484/115th/200953/53535-53540 dated 10/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "(a) Land and built up area inadequate. (b) Infrastructural and instructional facilities not as per NCTE norms. (c) Staff inadequate".

AND WHEREAS the Correspondent, Scholars Academy's Scholars Den School (hereinafter referred to as the appellant), preferred an appeal dated 19/05/2009 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 Jai Nagda, Secretary and Shri Ashok Agrawal, President, Scholars Academy's Scholars Den School, Khandwa Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the institution was having 2,722.11 Sq.mt. of land and it constructed building on 1091 sq. mt. of land and the rest 1631 sq. mt. was open land for playground and other activities; The institution possessed all the infrastructural and instructional facilities as per NCTE norms. it was also submitted that the institution was having adequate number of teaching faculty and other staff as per norms

AND WHEREAS the Council made the following observations:

(a).The Council noted from the inspection report dt. 15-01-09 that the institution did not have adequate land, library had insufficient number of books , two of the faculty members were on contract basis and there was no separate built up area for B.Ed. course. It also noted from the land sale deed dated 17-10-06 that 1.04 acre of land was purchased by the Khandwa Sanskar shikhsa Samiti for scholar den school. It further noted from the building plan that the plan was for Scholar's Den School and it was not for the college of education. The committee therefore came to the conclusion that there was no justification in accepting the appeal therefore it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued

an Order dated 10-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal Recognition order on 08-01-08, under Section 14 of NCTE Act, followed by the affiliation of the university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, Scholars Academy's Scholars Den School, Deendayal Puram,, Khandwa Dist. - , 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.

ORDER

WHEREAS the appeal of Central India College of Education, Indore , Madhya Pradesh dated 21/04/2009 is against the Order No. NCTE/WRC/MP/APWO1844/223357/2009/53202 dated 02/04/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Infrastructural and institutional facilities not as per NCTE norms".

AND WHEREAS the Correspondent, Central India College of Education (hereinafter referred to as the appellant), preferred an appeal dated 01/05/2009 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 O.P. Kaviraj, Director and Shri M.S. Pawar, Lecturer, Central India College of Education, Indore, Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant purchased 3 acre of land at Kh.No.27/2 in the name of the society, on 10-10-03 and it had constructed 3041.20 Sq.mt. of building on this land and further the college had sound, satisfactory and necessary infrastructural facilities as per norms; It was also conducting pharmacy, MBA, Engineering.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the building plan dated 03-04-03 that the plan was meant for Educational Institute campus and there was overwriting in Kh.No. in the plan. It also noted that building Completion Certificate was undated and not issued by Competent Civic Authority and it indicated 3041 Sq.mt. of total built up area and 942.50 Sq.mt. of total ground area. It further noted that building plan was made on 03-04-03, much before the purchase of land of 3 acre i.e. on 10-10-03. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the

recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 02-04-09 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a Conditional Recognition order on 26-09-05 under Section 14 of NCTE Act followed by the affiliating university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, Central India College of Education, Indore-Dewas Bypass Road, Gram Arandia, Indore - , 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.

ORDER

WHEREAS the appeal of Chhatisgarh Yuva Vikas Sangathan's Vipra Art Commerce & Physical Education Mahavidyalaya, Raipur, Chhatisgarh dated 16/04/2009 is against the Order No. No.WRC/APWO3340/723100/224010/116th/2009/54982 dated 02/05/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "On scrutiny of original file alongwith the reply received from institution by WRC in its 116th WRC meeting held on April 03-05, 2009, came to the conclusion that Professor and Reader are not having adequate teaching experience as per NCTE norms. Therefore, the case rejected & file closed".

AND WHEREAS the Correspondent, Chhatisgarh Yuva Vikas Sangathan's Vipra Art Commerce & Physical Education Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 16/04/2009 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 Gyanesh Sharma, President and Dr. Meghesh Tiwari, Principal, Chhatisgarh Yuva Vikas Sangathan's Vipra Art Commerce & Physical Education Mahavidyalaya, Raipur, Chhatisgarh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the teaching faculty had been appointed as per norms following the due procedure. It advertised for the staff on 28-04-08; Selection Committee was formed on 28-04-08; Interview was conducted on 06-05-08 and selection list was approved by the University on 11-06-08. It was also submitted it was having infrastructure and instructional facilities as per norms.

AND WHEREAS the Council noted that Reader and Professor are not required for conducting B.Ed. course, only Principal/HOD and seven Lecturers are required, as per norms. It also noted that the appellant institution was issued letter of intent prior to grant of recognition, under regulations 7(9), on 12-06-07 informing the institution to comply with the condition laid in that letter, within 30 days from the date of receipt of the letter. In compliance to this the institution submitted its faculty details to the WRC vide its letter dt. 06.02.09. WRC in its meeting held on 3-5th April 2009 considered the case and decided to refuse grant of recognition to the institution on the ground that the reply was not submitted by the institution within the stipulated time. However, inadvertently the Regional Director WRC, vide letter dt 18.05.09 communicated the institution that WRC closed the file of the institution by rejecting the case, on the ground that Professor and Reader did not have adequate teaching experience as per NCTE norms. Later WRC on 10.06.09 issued a modified order stating that WRC refused grant of recognition to the institution as the institution did not submit reply within the stipulated time. Aggrieved by the decision of the WRC, the appellant filed W.P. (C) 2550/2009 in the High Court of Chhatisgarh and the court on 15.05.09 disposed of the case, directing the NCTE to dispose the appeal. The Council examined the staff profile along with the relevant affidavits submitted by the institution and found that it had a Principal and six Lecturers (1+6) only, as against (1+7) requirement as per

norms and out of these 6 lecturers, one was not qualified as per norms. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected, as the institution was not having requisite number of teaching faculty.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after hearing 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 02-04-09 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. The Principal, Chhatisgarh Yuva Vikas Sangathan's Vipra Art Commerce & Physical Education Mahavidyalaya, Near R.D. Tiwari School, G.E. Road Amapara, , Raipur - 492001, Chhatisgarh
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 Chhatisgarh, Raipur.

ORDER

WHEREAS the appeal of D.P.S. College of Education, Sagar Dist., Madhya Pradesh dated 27/05/2009 is against the Order No. NCTE/WRC/MP/APWO1854/223368/2009/53240 dated 06/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds "1) WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. 2) The institution failed to shift to its own building within the stipulated time".

AND WHEREAS the Correspondent, D.P.S. College of Education (hereinafter referred to as the appellant), preferred an appeal dated 28/05/2009 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 Bhagwat Prasad Sahu, Authorised, D.P.S. College of Education, Sagar Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant had been conducting B.Ed. course since 2005-06 in rented premises. At the time of granting recognition it was having 3800 Sq.ft. of built up area. The same building with additional constructed area, measuring in total 10,000 sq.ft.of built-up area and rest of the land was taken for 30 years lease, on 25-06-07. Therefore there was no basis for change of premises, in view of this lease.

AND WHEREAS the Council made the following observations:

(a).The Council noted that the appellant had been conducting B.Ed. course vide NCTE's order dated 09-08-05, in rented premises and it had to shift to own premises within 3 years from the date of recognition, as per the norms. Instead of shifting to own building, the appellant modified rent agreement into lease deed for 30 years on 22-01-07, for a piece of land of 0.36 Hec. and a built-up area of 10,000 Sq.ft. only and this built-up area was not adequate as per norms. It further noted from the inspection report dated 14-11-08 that it was having highly inadequate land (3195 Sq.ft.) and built up area (9800 sq.ft.). The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was

placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 06-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 26-06-06 followed by the affiliation of the university and formal recognition order on 04.01.07 under Section 14 of NCTE Act . As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The principal, D.P.S. College of Education, 906, Near Bank of Baroda, Rajakhedi, Sagar Dist. - 470004, 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.89-270/2009-Appeal](#)
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/08/2009

ORDER

WHEREAS the appeal of Gurukul College of Education, Datia Dist., Madhya Pradesh dated 21/05/2009 is against the Order No. NCTEWRC/MP/APWO0619/223161/2009/53319 dated 06/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. (1) Institute failed to submit reply within stipulated period. Deficiencies:- (a) The institute is running in a residential complex. (b) Land documents provided by the college are in the name of individual".

AND WHEREAS the Correspondent, Gurukul College of Education (hereinafter referred to as the appellant), preferred an appeal dated 25/05/2009 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 Shashank Dhengula, Secretary, Gurukul College of Education, Datia Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the institution was running in a building which was specially constructed for educational purpose and Nagar Palika Parishad vide its letter dated 13-3-09 stated that the 17469 Sq.ft. of building was meant for educational purposes, like B.Ed. College etc; Further it was submitted that all the land documents of the college were in the name of the society and not in the name of the individual.

AND WHEREAS the Council made the following observations:

(a). The Council noted that the trustee had purchased 0.79 Hec. of land at Hamirpur, village on 19.07.02 and 54 sq. mts of land along with a two story building measuring 66.44 sq.mt. at ward no. 11, Datia, on 21.03.03. Further the trust possessed 0.464 acre of land in the form of gift and this piece of land was adjacent to Datia. It was apparent that these three pieces of land were not contiguous. It also noted that Office of the Nagar Palika Parishad on 13.03.09 stated that 17469 sq.ft. building was meant for running B.Ed college. But this certificate was without any official seal. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the

inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 06-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a Conditional Recognition order on 13-05-05 followed by the affiliation of the university and formal recognition order on 13-08-07 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Director, Gurukul College of Education, Rajghat Teraha Nr. Collectorate, Datia Dist. - , 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.89-246/2009-Appeal](#)
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/08/2009

ORDER

WHEREAS the appeal of Gyan Ganga College of Education, Jabalpur Dist., Madhya Pradesh dated 22/04/2009 is against the Order No. NCTE/WRC/MP/APWO1631/223279/2009/R-4069 dated 31/03/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed. course on the grounds "WRC considered the reply alongwith original file and all relevant document considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. (1) Staff not appointed".

AND WHEREAS the Correspondent, Gyan Ganga College of Education (hereinafter referred to as the appellant), preferred an appeal dated 01/05/2009 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 Dr. Sarvadanad Dubey, Principal and Shri Sudeepo Mukherjee, Registrar , Gyan Ganga College of Education, Jabalpur Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant had sent staff list duly approved by the Univeristy, on non-judicial stamp paper to NCTE. It was also submitted that the trust had also been conducting Engineering, MBA, MCA courses, along with the B.Ed. programme, in two separate buildings of the same campus, separated by fencing.

AND WHEREAS the Council made the following observations:

(a).The Council noted that the appellant appointed (1+6) staff i.e. a Principal and six Lecturers only as against the required (1+7) staff as per norms and this had been verified from the salary statement of bank advice. It also noted that the land area had not been earmarked for B.Ed. programme and building plan and completion certificate were not made/ issued in favour of B.Ed. college. It further noted from inspection report dated 10-02-09 that the building was shared with other programmes like B.E.(five branches), M.C.A. & M.B.A. programmes. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Recognised upto 2007-08" and this status was submitted

to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal Recognition order on 28-10-06 under Section 14 of NCTE Act, followed by the affiliation of the university.. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. the Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, Gyan Ganga College of Education, P.O. Tilwaraghat, Garha, Near Shahnala, Tripuri Ward, Jabalpur Dist. - , 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.

ORDER

WHEREAS the appeal of H.B. Mahavidyalaya, Jabalpur Dist., Madhya Pradesh dated 19/02/2009 is against the Order No. No.NCTE/WRC/MP/APWO1889/223382/53189 dated 02/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "Reply not received within stipulated time. Deficiency: (a) Land and built up area is not as per norms. (b) Four member of staff are continuing since July 2007 other four members have been replaced in July 2008. (c) Salary is not being paid as per norms of NCTE".

AND WHEREAS the Correspondent, H.B. Mahavidyalaya (hereinafter referred to as the appellatant), preferred an appeal dated 20/02/2009 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. Joydeep Dasgupta, Vice-Principal, H.B. Mahavidyalaya, Jabalpur Dist., Madhya Pradesh presented the case of the appellatant institution on 17.06.09 . In the appeal and during personal presentation it was submitted that the college was having less built-up area and it would increase the built up area as per norms within six months. The society had required land and building in the name of the trust members which may be transferred to the institution, if NCTE allows to continue its recognition; The salary register was lost alongwith other belongings, on their journey to Delhi and hence failed to produce any evidence with regard to payment but the salary was being paid as per norms.

AND WHEREAS the Council made the following observations:

(a) The Council noted from the Inspection Report dt 15.11.08 that the institution was having 2400 sq. ft. of land on 19 years lease basis and 2400 sq. ft of land on ownership basis; it was having 9374 sq.ft. of built up area for conducting B.Ed programme. It further noted from the presentation of the institution that college did not have adequate land and built up area as per norms and it did not disburse salary as per norms. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 02-04-2009 refusing the recognition of the institution under Section 14(3)(b)

of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a Conditional Recognition order on 09-08-05 under Section 14 of NCTE Act followed by the affiliating of the university . As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, H.B. Mahavidyalaya, 1181, J.D.A., Scheme No. 5, Vijay Nagar, , Jabalpur Dist. - , 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.89-271/2009-Appeal](#)
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/08/2009

ORDER

WHEREAS the appeal of H.L Agarwal College of Education, Itarsi Dist., Madhya Pradesh dated 22/05/2009 is against the Order No. NCTE/WRC/MP/APWO1973/223398/2009/53777 dated 13/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- (a) The institution did not have requisite staff during 2007-08. (b) Number of books are insufficient in the library".

AND WHEREAS the Correspondent, H.L Agarwal College of Education (hereinafter referred to as the appellant), preferred an appeal dated 22/05/2009 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 Sanjay Agrawal, Secretary, H.L Agarwal College of Education, Itarsi Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that institute had submitted staff profile duly approved by the Barakatullah University; one Principal and Seven Lecturers were in position during 2007-08 as per norms. It was further submitted that it was having 6122 books in the library, even inspection team had signed in the accession register

AND WHEREAS the Council made the following observations:

(a).The Council noted that a Principal and Seven Lecturers (1+7) had been in-service for the session 2007-08; Staff was selected by Selection Committee and the list was approved by the University; The staff was paid salary through cheques; Library was strengthened with adequate number of books and to this effect the appellant showed accession register and purchase bills. The Council therefore came to the conclusion that there was enough justification in accepting the appeal and WRC may issue a recognition order in continuation to the conditional recognition order that was issued earlier.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under

Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 13-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 26.09.05 under Section 14 of NCTE Act, followed by the affiliating university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council therefore came to the conclusion that there was enough justification in accepting the appeal and WRC may issue a recognition order in continuation to the conditional recognition order that was issued earlier.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after hearing oral arguments advanced during the 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 WRC's order dated 10-4-2009 was set aside with direction to the WRC to restore the recognition of the institution immediately.

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

(Hasib Ahmad)
Member Secretary

1. The Director, H.L Agarwal College of Education, Ward No. 27, Shivaji Nagar , Itarsi Dist. – 461111, 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.

ORDER

WHEREAS the appeal of Maa Vidya Devi Jan Jagrati Sewa Samiti's Maa Vidya Devi Shiksha Mahavidyalaya, Morena Dist., Madhya Pradesh dated 23/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO1605/223269/2009/R-4117 dated 31/03/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- (a) Building plan is in the individual name. (b) The land is also in the individual name. (c) There is contradiction in the certificate issued by the O/o Chief Nagar Palika Officer, Morena and information given by the institution about the built up area i.e. 9720.76 sq.ft. & 1160889 ft. respectively. (d) Building is under construction. (e) Only two faculty was approved by the university for 2007-08".

AND WHEREAS the Correspondent, Maa Vidya Devi Jan Jagrati Sewa Samiti's Maa Vidya Devi Shiksha Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 29/05/2009 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 Brijesh Kumar Sharma, Vice-President, Maa Vidya Devi Jan Jagrati Sewa Samiti's Maa Vidya Devi Shiksha Mahavidyalaya, Morena Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that it had completed construction of new building with a built-up area of 31210 Sq.ft, permission of WRC for shifting to own premises was awaited. With regard to staff it was submitted that 04 of the staff members were under code 28 and rest of the staff's approval was under process, however the staff was qualified as per norms.

AND WHEREAS the Council made the following observations:

(a).The Council noted that it had been conducting B.Ed. programme since 2005-06 session in a rented building; Office of Gram Panchayat issued a completion certificate on 09-03-09 stating that the appellant constructed two story building with a builtup area of 31,210 Sq.ft. It also noted from the land documents that the society was in possession of 0.21 Hec. of land. It further noted that WRC in its meeting held on 27- 28th September 2008, allowed the institution to continuing the rented premises till April 2009. The Council, therefore came to the conclusion that there was enough justification in accepting the appeal, to be remanded back the case to WRC for causing inspection of the new premises and thereafter issue appropriate orders, till then the institution to be treated as a recognised institutions.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Recognised up to 2007-08" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 26-09-05 followed by the affiliating university and unconditional Recognition order on 22-04-06 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council therefore came to the conclusion that there was enough justification in accepting the appeal to be remanded back the case to WRC for causing inspection of the new premises and thereafter issue appropriate orders, till then the institution to be treated as a recognised institutions.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report, and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that the new building of the institution should be inspected to ascertain availability of necessary infrastructure, instructional and other facilities in accordance with the norms prescribed by the NCTE to become eligible for recognition by NCTE. Accordingly, the Council remanded back the case to the WRC for inspection of the new building of the Institution immediately and thereafter, to issue orders. The institution shall remain as a recognised institution till that time.

NOW THEREFORE, the Council hereby remands back the case of Maa Vidya Devi Jan Jagrati Sewa Samiti's Maa Vidya Devi Shiksha Mahavidyalaya, Morena Dist., Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. The Secretary, Maa Vidya Devi Jan Jagrati Sewa Samiti's Maa Vidya Devi Shiksha Mahavidyalaya, Vidya Vihar, Main Road, Mahaveerpura , Morena Dist. - 476001, 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.

ORDER

WHEREAS the appeal of Pankaj Sogani Smriti Mahavidyalaya, Guna Dist., Madhya Pradesh dated 23/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO1837/223272/115th/2009/R-4135 dated 31/03/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14 (3) (b) of NCTE Act. (1) Staff list not approved by competent authority".

AND WHEREAS the Correspondent, Pankaj Sogani Smriti Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 25/05/2009 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 Hemant Sirsat, Director and Shri Shahzaad Khan, Off. Assistant , Pankaj Sogani Smriti Mahavidyalaya, Guna Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant submitted the reply to the WRC's show cause notice dated 28-2-09 and on consideration of this reply WRC dropped two alleged deficiencies, but suo-moto considered a ground for refusal of recognition which was never show caused to the appellant; WRC-Bhopal created a new ground with respect to requirement of approval of staff list by Competent Authority which was nowhere statutorily required; The teachers were appointed as per norms and salary was also being disbursed during the session 2007-08.

AND WHEREAS the Council made the following observations:

(a)The Council noted that there had been two staff lists for the session 2007-08 and 2008-09 and salary register did not tally with the names of the staff indicated in the lists; The appellant also failed to produce staff list document signed by the registrar in original; Further there was no consistency with regard to the staff, as the staff lists provided at different points of time were different. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was

placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a Conditional Recognition order on 27-06-05 under Section 14 of NCTE Act, followed by the affiliating of the university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act. , with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Principal, Pankaj Sogani Smriti Mahavidyalaya, Varun Vithi, Guna (Kant), Guna Dist. - 473001, 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.89-241/2009-Appeal](#)
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/08/2009

ORDER

WHEREAS the appeal of Patel Mahavidyalaya, Neemuch Dist., Madhya Pradesh dated 28/05/2009 is against the Order No. NCTE/WRC/MP/APWO1545/223243/2009/53325 dated 06/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008, 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under section 14(3) (b) of NCTE Act. (1) Building area and instructional facilities not adequate as per NCTE norms".

AND WHEREAS the Correspondent, Patel Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 28/05/2009 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 Nand Kishor Patel, Chairman, Patel Mahavidyalaya, Neemuch Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant had been running B.Ed. since 2005-06 in a rented premises with a built-up area of 10207 Sq.mts. on a piece of land of 14220 Sq.mt. The laboratories & library was adequately equipped as per norms and even staff was in position as per norms; The Regulation 2007 have come into force w.e.f. 10-12-07 which are applicable from the session 208-09. It had already started constructing own building as per new norms and the said construction would be completed before the commencement of the next academic session.

AND WHEREAS the Council made the following observations:

(a). The Council noted that the present rented building area was inadequate as per norms. It was in possession of 1.42 acre of land on ownership basis and on this land it started constructing new building and that would be completed by next academic session as per the submission made by the institution. The Council came to a conclusion that there was no justification in accepting the appeal and that it should be rejected as the present building was having inadequate built up area and the new building construction is yet to be completed.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the

Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 06-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a conditional Recognition order on 27-06-05 followed by the affiliation of the university and formal recognition order on 15.05.06 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act. , with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Patel Mahavidyalaya, Neemuch Dhaneriya Kalan Road, (Near Baghana), Vill - Dhaneriya Kalan, Neemuch Dist. - , 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.

ORDER

WHEREAS the appeal of Shramdham Arts & Commerce College, Katni Dist. , Madhya Pradesh dated is against the Order No. No.NCTE/WRC/MP/APWO624/223166/2009/53782-53787 dated 13/04/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed course on the grounds "Reply not received within stipulated time. Deficiency: - (a) The institution has inadequate land (1169.56 sq.mt.) as against 2500 sq.mt. as per NCTE Regulation 2007. (b) Science lab, library and sports facilities area shared with other degree courses".

AND WHEREAS the Correspondent, Shramdham Arts & Commerce College (hereinafter referred to as the appellant), preferred an appeal dated 19/02/2009 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. S.K. Roy Chaudary, President, Dr. A.N. Shukla, Representative, Shramdham Arts & Commerce College, Katni Dist. , Madhya Pradesh presented the case of the appellant institution on 17.06.09 . In the appeal and during personal presentation it was submitted that it had been conducting B.Ed. course alongwith other general degree courses like Arts, Commerce & Science. The appellant was in possession of 8042.52 Sq.mts. of land and 1671 Sq.mt. of built up area had been earmarked for B.Ed. course and this area was more than adequate as per new regulations and this could be verified from land documents and building completion certificate.

AND WHEREAS the Council made the following observations:

(a). The Council noted from the inspection report dt 30.12.08 that the institution was having 1169.56 sq. mts of land and 3638.32 sq. ft. of builtup area and this was not adequate as per norms; Further Science lab and library facilities were shared with other General degree courses. It also noted from the written submission made by the appellant that infrastructural facilities are scattered on different buildings i.e. from building No. 3 to 6; The appellant had 2502.67 sq.mt of total built-up area in the college campus and this was not adequate for conducting multiple courses. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected as the appellant did not possess adequate infrastructure, as per norms.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under

Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 13-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a Conditional Recognition order on 26-09-05 under Section 14 of NCTE Act, followed by the affiliation of the University. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Shramdham Arts & Commerce College, Kymore, Katni Dist. - 483880, 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.

ORDER

WHEREAS the appeal of Singh Education Society's College of Professional Studies, Hoshangabad Dist., Madhya Pradesh dated 26/05/2009 is against the Order No. NCTE/WRC/MP/Legal/APWO3342/223437/115th/2009/2009/53089 dated 01/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Reply not received within stipulated time. Deficiencies:- (a) The institution is running B.Ed. course in the leased building but lease is registered in the name of individual. (b) The institution building is constructed on 6000 sq.ft. size of the class room is 120 sq.ft. and multipurpose hall is 1020 sq.ft. which is not as per NCTE norms. (c) College is housed in residential 3 storied flat".

AND WHEREAS the Correspondent, Singh Education Society's College of Professional Studies (hereinafter referred to as the appellant), preferred an appeal dated 26/05/2009 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 Sunil Lokhande, Secretary, Singh Education Society's College of Professional Studies, Hoshangabad Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the rent deed was in the name of the society and was for 30 years; Although plot size of the building was 6000 Sq.ft. but since it was a 3 storey building, the total built up area was 16000 Sq.ft. The size of the classroom was 540 Sq.ft. and multipurpose hall was 1500 Sq.ft. and Municipal Corporation had issued a certificate to this effect. It was also submitted that the college was being operated through a commercial building and this could be verified from electricity bill and letter of S.D.M, Hoshangabad.

AND WHEREAS the Council made the following observations:

(a) The Council noted from the inspection report dt 16.01.09 that the institution did not fulfil NCTE norms, in terms of human resources as well as infrastructure facilities. It also noted from the rent agreement executed on 14.07.05 that the appellant had taken on 30 years rent, a building constructed on 2500 sq.ft. of land. It also executed on 23.03.09, another rent agreement for 30 years, for a land piece of 6000 sq.ft. and built up area of 1600 sq.ft. and this 6000 sq.ft. of land was highly inadequate as per norms. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected as the appellant did not possess adequate land, as per norms.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 01-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a formal Recognition order on 30.10.06 followed by the affiliating of the university under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act. , with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Secretary, Singh Education Society's College of Professional Studies, Circuit House Road, Sadar Bazar, Hoshangabad Dist. - , 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.89-247/2009-Appeal](#)
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

13/08/2009

ORDER

WHEREAS the appeal of Social, Welfare and Education Society's Dr. Hari Ram Mishra B.Ed. College, Jabalpur Dist., Madhya Pradesh dated 23/05/2009 is against the Order No. NCTE/WRC/MP/APWO1974/223399/2009/R-4141 dated 27/03/2009 of the Western Regional Committee, Refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Reply not received within stipulated time Deficiencies:- (a) The institution is not having adequate land and built up area as per NCTE norms 2007. (b) The institution building is being shared with the school. (c) The lease deed is not registered and it is in the name of an individual. (e) Permission was granted in the rented building, the institution did not shift to its own building".

AND WHEREAS the Correspondent, Social, Welfare and Education Society's Dr. Hari Ram Mishra B.Ed. College (hereinafter referred to as the appellant), preferred an appeal dated 26/05/2009 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 Balram Awasthy, Director and Shri Santosh Singh, Director, Social, Welfare and Education Society's Dr. Hari Ram Mishra B.Ed. College, Jabalpur Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that the appellant had been conducting B.Ed. course since 2005-06 in a rented building. The society was in possession of 2400 Sqft. of land on ownership basis. Since that there were no specifications in NCTE at the time of granting recognition regarding minimum area of land. The institution would complete construction of new building within 6 months, as per norms, if the recognition as given to it be allowed to continue. It was also submitted that it had been running school in the morning shift and B.Ed. college in the noon shift in the same building.

AND WHEREAS the Council made the following observations:

(a) The Council noted that the appellant had been conducting both school and B.Ed. college in the same premises, in a rented building having 1100 Sq.ft.of built-up area, in shift-wise manner, and this was not permissible as per norms. It was further noted that it had not yet started constructing the own building and it was submitted by the institution that it would construct the new building, provided NCTE extends the recognition given to it. The Council, therefore, came to a conclusion that there was no justification in accepting the appeal and that it should be rejected.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Not Recognised" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 31-03-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

©. The Council noted that the institutions was issued a Conditional Recognition order on 20-07-05 under Section 14 of NCTE Act, followed by the affiliation of the university. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council reasoned out that the order of the refusal of recognition under Section 14(3)(b) be modified to that of withdrawal of recognition under Section 17 of the NCTE Act as per the provisions of the Act.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report Written submission and after hearing oral arguments advanced during the hearing, the Council felt the orders issued by WRC for refusal of recognition under Section 14(3)(b) needed modification to the extent that recognition of the institution be withdrawn under Section 17 of the NCTE Act, with prospective effect subject to the following conditions:

(a). The student already admitted, with due observance of affiliation norms/conditions, be allowed to complete the programme.

(b). No fresh admission, either backdated or post dated (with reference to any backlog whatsoever), shall be made in the institution subsequent to the date of the withdrawal of NCTE recognition.

(Hasib Ahmad)
Member Secretary

1. The Chairman, Social, Welfare and Education Society's Dr. Hari Ram Mishra B.Ed. College, 1159, Jayprakash Nagar, Adhartal, Jabalpur Dist. – 482004, 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.89-249/2009-Appeal](#)
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi – 110 002

13/08/2009

ORDER

WHEREAS the appeal of Vikash Shiksha Prasar Samiti's Adarah Shiksha Mahavidyalaya , Chhattarpur Dist., Madhya Pradesh dated 25/05/2009 is against the Order No. No.NCTE/WRC/MP/APWO1857/223372/2009/53367 dated 06/04/2009 of the Western Regional Committee, refusing recognition for conducting B.Ed course on the grounds "WRC considered the reply alongwith original file and all relevant document, considered writ petition numbers 12133 of 2007, 6146 of 2008, 11095 of 2008, 11725 of 2008 and 11360 of 2008 with the legal opinion in its 115th meeting held on 21-23 March 2009 and found that the said institution falls under the principle of Jan Seva Shiksha Samiti and decided that the recognition of the said institution to be refused under Section 14(3) (b) of NCTE Act. Deficiencies:- Institution is functioning in a rented building even after the expiry of stipulated period of 3 years i.e. 27th June 2005".

AND WHEREAS the Correspondent, Vikash Shiksha Prasar Samiti's Adarah Shiksha Mahavidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 27/05/2009 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 Ram Kripal Tiwari, President, Vikash Shiksha Prasar Samiti's Adarah Shiksha Mahavidyalaya , Chhattarpur Dist., Madhya Pradesh presented the case of the appellant institution on 17/06/2009. In the appeal and during personal presentation it was submitted that it had been conducting B.Ed. course since 2005-06, in a rented building; It further constructed a new building with a built-up area of 22600 Sq.ft. and a completion certificate was also obtained on 24-8-08 and thereafter it applied to WRC on 12-03-09 for shifting to new building alongwith a DD of Rs.40,000/-. The construction work was delayed due to severe drought and S.D.M. issued order not to use underground water for the purposes other than drinking; The inspection team on 14-11-08, inspected the old premises (rented premises) and also mentioned in the report that construction of the building was completed.

AND WHEREAS the Council made the following observations:

(a). The Council noted that the institution was running in a rented premises having a built-up area of 17600 Sq.ft. and it further constructed the new building with an area of 22600 Sq.ft. by August, 2008; Even the inspection team in its report dated 15-11-08 indicated that construction of the new building was completed; The institution also applied to WRC on 12-3-09, for it's permission to shift to own premises, alongwith a DD of 40,000/-. The Council, therefore, came to a conclusion that there was enough justification in accepting the appeal, and the case may be remanded back to WRC for causing inspection of new building and thereafter issue appropriate orders.

(b). The Council observed that as per the direction of the Hon'ble High Court of Madhya Pradesh at Jabalpur in W.P. No. 6146/2008 filed by Subhash Rahangdale Vs. NCTE & Others

the institution was got inspected by the NCTE Hqrs and as a sequel to the report of the inspection, WRC was directed to issue a Show Cause Notice under Section 17 of NCTE Act to initiate the process of withdrawal of recognition of the institution as the institution was placed under the list of institutions "Recognised upto 2007-08" and this status was submitted to the Hon'ble Court with the stipulation that the formal action would be taken to withdraw the recognition. As a follow up to the NCTE direction WRC issued Show Cause Notice under Section 17 and after considering the institution reply to the show cause notice, WRC issued an Order dated 06-04-2009 refusing the recognition of the institution under Section 14(3)(b) of the NCTE Act, on the grounds that the said institution was covered under the principle formulated by the Hon'ble High Court at Jabalpur in its judgement in the "Jan Sewa Shiksha Samiti" case.

(c). The Council noted that the institutions was issued a Conditional Recognition order on 27-06-05 followed by the affiliation of the university and formal Recognition order on 26-04-06 under Section 14 of NCTE Act. As such, WRC would not have issued an Order for Refusal of recognition to an already existing recognised institution, rather WRC should have withdrawn the recognition under Section 17 of NCTE Act 1993, with prospective effect. Also the institution needed to be permitted to continue its recognition during the academic session 2007-2008, as it was duly recognised and affiliated by the university during the academic session 2007-08 and was therefore not covered by the directions issued under the "Jan Sewa Shiksha Samiti" case. The Council, therefore, came to a conclusion that there was enough justification in accepting the appeal, and the case may be remanded back to WRC for causing inspection of new building and thereafter issue appropriate orders.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report, and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that the new building of the institution should be inspected to ascertain availability of necessary infrastructure, instructional and other facilities in accordance with the norms prescribed by the NCTE to become eligible for recognition by NCTE. Accordingly, the Council remanded back the case to the WRC for inspection of the new building of the Institution immediately and thereafter, to issue order. The institution shall continue as recognised institution till then.

NOW THEREFORE, the Council hereby remands back the case of Vikash Shiksha Prasar Samiti's Adarah Shiksha Mahavidyalaya , Chhattarpur Dist., Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above

(Hasib Ahmad)
Member Secretary

1. The President, Vikash Shiksha Prasar Samiti's Adarah Shiksha Mahavidyalaya , Chhattarpur Dist, Chhattarpur Dist. - 471001, 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.