

F.No.89-489/2009/ Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

29/07/2010

ORDER

WHEREAS the appeal of Aggarwal Vidya Pracharni Sabha's Aggarwal College of Education, Milk Plant Road, Ballabgarh, Faridabad, Haryana dated 17/06/2009 is against the Order No. F.NRC/NCTE/F-7-3/HR-1402/2009 dated 29/05/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds " 1) The Government recommendation is negative. 2) The Land is not in the name of the institution. 3) The Building plan is approved of agarwal college but not for Agarwal College of Education. 4) No supporting documents is respect of hardware and software for language lab".

AND WHEREAS the Correspondent, Aggarwal Vidya Pracharni Sabha (hereinafter referred to as the appellant), preferred an appeal dated 18/06/2009 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS the appeal was heard on 26-07-08 when Dr. S.K. Garg & Shri. Vijay Singhal, Member, Aggarwal Vidya Pracharni Sabha, Faridabad, Haryana presented the case of the appellant institution. In the appeal and during personal presentation it was submitted that at the time of issue of letter of intent for inspection for the institution, there was no negative recommendation from the State Govt. of Haryana, the land was owned by the Aggarwal Vidya Pracharni Sabha's Aggarwal College of Education, Milk Plant Road, Ballabgarh, and a piece of land measuring 5 acres was earmarked for the proposed education college, the map was in the name of the Aggarwal College as it was initially started and that the organization had purchased charts for language lab, overhead projector, language lab & kit, linguaphone language chart, Hindi etc. As the State Government of Haryana had informed that the State Government took a policy decision not to recommend any more B.Ed. college in the State as there were already more than 400 colleges of education in the State and the total number of seats in B.Ed. course was about 51000 whereas the number of students who pass graduation every year was 42000 as a result of which thousands of seats remained unfilled, the Council rejected the appeal and confirmed the order of NRC dated 29-05-09, vide order No.89-489/2009-Appeal dated 07-08-09. The institution filed a writ petition No.13020 of 2010 in the High Court of Punjab and Haryana, Chandigarh against the said order of the Council dated 07-08-09. The Hon'ble High Court, vide its order dated 29-06-09, inter-alia, directed that the petition be allowed. The impugned orders were set aside and matter be remitted back to the Appellate Authority-NCTE for re-determination on the merits on the basis of reply to the show cause notice notwithstanding the negative recommendations of the State. The Court also directed that a fresh inspection may also be carried out, if necessary. The entire exercise of re-consideration be completed within a period of one month". Accordingly, in

compliance with the order of the Hon'ble High Court, the Council reconsidered the case on merit.

AND WHEREAS the Council noted that the land was in the name of the Aggarwal Vidya Pracharini Sabha, Ballabgarh, which will be managing the proposed college and therefore the objection that the land was not in the name of the institution was not valid. The explanation given by the appellant that the map of the building was bearing the name of the Aggarwal College which is in the name of the institution and the name Aggarwal College of Education has been given to its proposed course. Considering the VT report dated 08-10-08, which inter-alia indicated that the college was having well equipped and spacious laboratories, as required by the NCTE and they were having all required equipments, instruments and furniture. Moreover the institution subsequently purchased the language Lab equipment as well. The Council therefore was of the view that the appeal should be accepted.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after considering oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside NRC's order dated 29-05-09 and remanded back the case to NRC for issuance of Letter of Intent prior to grant of recognition to the institution. Accordingly, the appeal was accepted, the order of NRC dated 29.05.09 set-aside with direction to the NRC to issue Letter of Intent prior to recognition under Clause 7(9) of NCTE Regulations, within 15 days of issue of this order.

NOW THEREFORE, the Council hereby remands back the case of Aggarwal Vidya Pracharni Sabha, Faridabad, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Chairman, Aggarwal Vidya Pracharni Sabha, Main Bazar, Ballabgarh, Faridabad - , Haryana**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.