

F.No.89-582/2009 Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

10/03/2010

ORDER

WHEREAS the appeal of Rudra Institute of Technology, Mawana Khurd, Meerut, Uttar Pradesh dated 16/06/2009 is against the Order No. F.NRC/NCTE/F-3/UP-3424/155th meeting/2010/15682-15688 dated 29/01/2010 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the ground "the deficiencies communicated to the Institute through letter No. F.NRC/NCTE/F-7/UP-3424/2009/70031 dated 25th Feb 2009 still exist."

AND WHEREAS the Correspondent, Rudra Institute of Technology (hereinafter referred to as the appellant), preferred an appeal dated 22/06/2009 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 Dr. Somendra Tomar, Director, Rudra Institute of Technology, Mawana Khurd, Meerut, Uttar Pradesh vide his letter dt. 09.02.10 submitted that the appellant submitted the application of Rudra Institute of Technology, Mawana Khurd, Meerut (File No. -UP/3424) for seeking grant of Recognition for B. Ed. programme on 31st Oct'08 in NRC, NCTE, Jaipur. NRC issued deficiency letter on 25th Feb'09. The institution submitted its reply on 5th June'09 alongwith requisite supporting documents on 16.04.09. NRC, despite the submission of all the documents, closed the file of the institution vide its letter dt. 05.06.09 on the ground that CLU from the competent authority was not submitted. The appellant preferred an appeal against this order and the appellate authority vide its order dt. 29.09.09 remanded the case for causing inspection. Thereafter NRC caused inspection of the institution on 12.01.10. The visiting team very satisfactorily verified the infrastructure and other facilities of the institution as per NCTE Rules and Regulations, but NRC without considering this report, refused the recognition on the ground that deficiencies communication to the institution vide NRC's letter dt. 25.02.09 still exist.

AND WHEREAS the Council noted that the NRC in compliance to the Appellate order dt. 29.09.09 caused inspection of the institution. The visiting team in its report dt. 12.01.10 clearly mentioned that "**the building is coming up in two floors, the ground floor is near completion (some floors, toilet fitting, electrical fitting is yet to be finished). It has (GF) ----- sq. mts.**" It did not mention as to how much built-up area was available with the institution. It just left a blank before the sq. mts. In column (5) of the report also, it did not mention the available built area available with the institution for the proposed course. It was obvious from the report that the building was not ready in all respects on the day of inspection. Despite this glaring lacuna, it refused recognition on the ground that deficiencies communicated to the institution still existed. The NRC initially refused the recognition on 05.06.09 and the refusal grounds pertaining to the deficiency letter dt. 25.02.09 were already quashed by the Appellate Authority vide its order dt. 29.09.09. Hence NRC was not right to reiterate

the grounds that had already been set aside by the Appellate Authority. It would have rather examined the VTR meticulously and taken an appropriate decision. The Council, therefore, came to the conclusion that there was adequate justification to remand the case to NRC for re-examination of the VTR and other related documents and for taking further decision thereafter on merit.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, V.T. 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 29-01-10 and remand the case to NRC for re-examination of the VTR and other related documents and take further decision on merit.

NOW THEREFORE, the Council hereby remands back the case of Rudra Institute of Technology, Meerut, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Rudra Institute of Technology, Post Awana Village- Mawana Khurd, Meerut - , Uttar Pradesh**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

F.No.89 - 90/2010 - Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

10/03/2010

ORDER

WHEREAS the appeal of S.D. College of Education, Gurgaon, Haryana dated 08/02/2010 is against the Order No. F.NRC/NCTe/F-7-3/HR-1318/2009/17663-17669 dated 24/02/2010 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the ground "The deficiencies communicated to the Institution through letter F.No.NRC/NCTE/F-7/HR-1318/154th Meeting/2010/15411 dated 21/01/2010 still exist. The deficiencies are (i) In case of Ms. Sapna the Father's name as given in affidavit is Shri Ram Munjal whereas in the Certificates the name of the Candidate is mentioned as Ms. Sapna Sehgal and father's name as Shri L.D. Sehgal. (ii) Dr. Manish Sexena is not qualified as per NCTE norms. (iii) There is not faculty to teach methods of Physical Sciences."

AND WHEREAS the Correspondent, S.D. College of Education (hereinafter referred to as the appellant), preferred an appeal dated 08/02/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Narender Singh, President, S.D. College of Education, Gurgaon, Haryana presented the case of the appellant institution on 09-03-10. In the appeal and during personal presentation it was submitted that the appellant's institution was issued letter of intent prior to grant of recognition on 04-12-09, in compliance to the Appellate Authority's order dated 18-11-09. The institution submitted the faculty profile to the NRC on 24-12-09. NRC after examining the faculty related documents, in its meeting held on 9-11th January, 2010 noted certain deficiencies and accordingly directed the institution to remove the deficiencies within 90 days. The appellant removed the deficiencies and submitted its reply on 18-01-10. The NRC without examining the documents submitted by the institution, refused recognition on the ground stating that the deficiencies still existed. With regard to the deficiencies it was submitted that in the affidavit of Ms. Sapna, her husband's name Shri. Ram Munjal was inadvertently entered against the column of Fathers' name and this was a typographical error and a fresh affidavit to this effect was filed before NRC. The institution selected a new lecturer Dr. Neeraj Kumar in lieu of Dr. Manish Sexena, who is qualified as per norms and had been selected by adopting the laid down procedure like advertising in newspapers, selecting candidates by duly constituted selection committee etc. Aggrieved by the decision of the NRC refusing recognition to the institution, the appellant filed a writ before the Hon'ble High Court of Delhi and the court vide its Order dated 05-02-10 disposed the petition with a direction to NCTE Hqs. to grant hearing to the petitioner and dispose the appeal.

AND WHEREAS the Council noted that NRC vide its letter dated 21-01-10 asked the institution to remove the deficiencies related to teaching faculty within 90 days.

The appellant presented adequate evidence in proof of Ms. Sapna's father's name being Shri. L.D. Sehgal. It also substituted Dr. Manish Saxena with Dr. Neeraj Kumar who is qualified as per norms and also eligible to teach methods of physical sciences. In view of the above the Council came to the conclusion that there was adequate justification in accepting the appeal with a direction to NRC to issue formal recognition order within 15 days of issue of this order. Further the institution is directed to appoint the faculty immediately and produce a copy of the appointment orders for one Principal and seven Lecturers to the NRC.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT report and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was enough ground to accept the appeal and that it should be accepted. Accordingly, the appeal was accepted and NRC's order dated 24-02-10 was reversed with a direction to the NRC to issue formal recognition order under clause 7(11) of NCTE Regulations, within 15 days of issue of this order.

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

(Hasib Ahmad)

Member Secretary

1. **The President, S.D. College of Education, Janaula, Pataudi, Tehsil - Farukh Nagar, District, Gurgaon - , 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.

F.No.89 - 89/2010 - Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

10/03/2010

ORDER

WHEREAS the appeal of M.V.N. College of Education, Faridabad, Haryana dated 08/02/2010 is against the Order No. F.NRC/ NCTE/F-7-3/HR-1428/2010 dated 24/02/2010 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the ground "The deficiencies communicated to the Institution through letter F.No.NRC/NCTE/F-7/HR-1428/154th Meeting/2010/15406 dated 21/01/2010 still exist. The deficiencies are (i) The appointed Principal does not have experience as per NCTE norms for B.Ed. (ii) Website of the College has not been developed as per NCTE norms for B.Ed."

AND WHEREAS the Correspondent, M.V.N. College of Education (hereinafter referred to as the appellant), preferred an appeal dated 08/02/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Anirudh Vyas, Chairman, M.V.N. College of Education, Faridabad, Haryana presented the case of the appellant institution on 09.03.10. In the appeal and during personal presentation it was submitted that the appellant institution was issued letter of intent prior to grant of recognition under clause 7(9) of the Regulations 2007 vide NRC's Order dated 4-12-09 and in compliance to this letter, the institution submitted staff profile details to the NRC vide its letter 24-12-09. NRC after examining the teaching faculty profile, issued a deficiency letter and the institution in response to this letter, submitted its reply on 19-01-10, after complying with the deficiencies i.e. appointing a new Principal selected by duly constituted Selection Committee and also developed website as per NCTE norms. Despite this information available with NRC it refused recognition on the very ground that deficiencies communicated to the institution vide NRC's letter dated 21-01-10 still existed. Aggrieved by this Order the appellant filed a writ before the Hon'ble High Court of Delhi and the court vide its Order dated 05-02-10 disposed the petition with a direction to NCTE Hqrs. to grant hearing to the petitioner and dispose the appeal.

AND WHEREAS the Council noted that NRC after perusing the staff profile related documents issued a letter on 21-01-10 to the institution directing it to submit the documents related to the experience of the appointed Principal and website of the college, within 30 days. The appellant instead of submitting experience certificate of the appointed Principal Dr. Reena Srivastava showing that the Principal possessed requisite experience as per norms, appointed a new Principal Dr. Rekha Nayal and submitted the documents related to selection and appointment of Dr. Rekha Nayal. The Council observed that NRC was right in refusing the recognition as the institution did not submit experience certificate of the appointed Principal i.e. Dr. Reena Srivastava contesting that the Principal possessed that the requisite experience. The Council also examined the experience certificates of Dr. Reena

Srivastava available in the file and noted that she was having about four year experience in a secondary level teacher education institution and rest of the experience certificates were of teaching in High School. So, she did not possess requisite experience of minimum 5 years of teaching in a teacher education institution. Further the freshly appointed Principal Dr. Rekha Nayal was not selected by a properly constituted selection committee as one of the experts i.e. university nominee is a Reader in the selection committee of the Principal. Also it was noted from the university's letter dated 15-12-09 that the faculty selection shall be made by the selection committee comprising 3 experts at the level of Professors. In exceptional cases where the Professor in the concerned course of study was not available, then senior Associate Professors with more than 5 years experience may be taken as experts. From the submission made by the appellant, it was evident that in haste the institution invited a reader as university nominee in the selection committee for principal, without even exploring the possibility of availability of the professor in the concerned course. The institution should have taken a Professor for the selection committee of Principal instead of Reader, as the Principal's post is higher. The appointment of new Principal was therefore not done in an appropriate manner and therefore the Council came to the conclusion that there was no justification in accepting the appeal and it should be rejected.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT report and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and NRC's order dated 24-02-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Chairman, M.V.N. College of Education, At. Village & Post Office - Hodal, District, 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.