

F.No.89 - 255/2010 - Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Galav Rishi Institute of Education (Maa Manorath Poorni Shiksha Avam Samaj Kalyan Samiti), Bhind, Madhya Pradesh dated 07/04/2010 is against the Order No. F.WRC/NCTE/2010/RL-66053 dated 18/03/2010 of the Western Regional Committee, rejecting the application for grant of recognition for conducting D.El.Ed course on the ground "As per CLU only 1600 sqm. area is converted which is not as per NCTE norms. The institution did not fulfill the condition as required in clause 8(7)(i) of NCTE Regulations, 2009."

AND WHEREAS the Correspondent, Galav Rishi Institute of Education (Maa Manorath Poorni Shiksha Avam Samaj Kalyan Samiti) (hereinafter referred to as the appellant), preferred an appeal dated 08/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. M.S. Bhadauria, President, Galav Rishi Institute of Education (Maa Manorath Poorni Shiksha Avam Samaj Kalyan Samiti), Bhind, Madhya Pradesh presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that there are two sale deeds dated 30/09/2009 for 0.16 hect. and another dated 06/10/2009 for 0.10 hect. both with khasra no.21. He has also submitted 2 CLUs both dated 21/10/2009 by the competent authority in respect of both the pieces of land, to the WRC.

AND WHEREAS the Council being satisfied that the applicant had diverted requisite land for the purpose of education on the date of application, has come to the conclusion that the appeal deserved to be accepted and the matter be remanded to WRC for further processing on merit.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside WRC's order dated 18-03-10 and remand back the case to WRC for further processing on merit.

NOW THEREFORE, the Council hereby remands back the case of Galav Rishi Institute of Education (Maa Manorath Poorni Shiksha Avam Samaj Kalyan Samiti), Bhind, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)

Member Secretary

1. The President, Galav Rishi Institute of Education (Maa Manorath Poorni Shiksha Avam Samaj Kalyan Samiti), Plot no. 21, NH - 92, Ikahara, Malanpur,, Bhind - , 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.89-263/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

14/05/2010

ORDER

WHEREAS the appeal of Ganashree D.Ed College, Bangalore Rural Dist, Karnataka dated 31/03/2010 is against the Order No. F.SRO/NCTE/2009-2010/17890 dated 03/03/2010 of the Southern Regional Committee, withdrawing recognition for conducting D.Ed course on the grounds "1) The building plan does not show the total land area and built up space. 2) The building certificate issued from the Govt. authority has not been submitted. 3) As per Building Completion Certificate, issued from a Private Engineer, the built up space is 10,500 sq.ft. which is inadequate as per NCTE norms. 4) Fixed Deposit Receipt of Rs. 5 lakhs and Rs. 3 lakhs kept in Joint Account with SRC in Nationalized Bank for a period of 5 years towards Endowment Fund and Reserve Fund in original is not submitted."

AND WHEREAS the Correspondent, Ganashree D.Ed College (hereinafter referred to as the appellant), preferred an appeal dated 13/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Mallaiiah, Secretary, Ganashree D.Ed College, Bangalore Rural Dist, Karnataka presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that the building plan indicated the measured area of the land and built up area of the building; a building completion certificate was issued by the concerned Govt. Officer and original FD certificates for Rs. 5 lacs. and Rs. 3 lacs. were submitted.

AND WHEREAS the Council noted that on the recommendation of the Govt. of Karnataka contained in their letter dated 18/06/2009 for withdrawal of recognition to the appellant institution, the Southern Regional Committee issued a Show Cause Notice on 31/10/2009 to which the institution's reply was received on 29/12/2009 and thereafter the impugned order had been issued. The Council observed that the building plan submitted by the appellant indicated that the building is for a variety of institutions such as schools, colleges, TTIs etc. and it is merely mentioned therein that the D.Ed. building area is 3630 sqm. in RCC and 2500 sqm. in AC sheds. There was no clear demarcation discernable in the plan. There were two building completion certificates dated 10/02/2010 & 15/02/2010. While the certificate dated 10/02/2010 mentioned the survey no. 681/1A and the year of construction as 1993, the certificate dt.15/02/2010 indicated the survey no. 26/1A and that the building was constructed a few years back and in use since 2004-2005. The FDRs dated 22/12/2009 issued by Andhra Bank for Rs. 5 lacs. & Rs. 3 lacs. were received in the SRC on 18/03/2010 i.e. after the issue of the orders of withdrawal. The Council taking all aspects of the matter into consideration has come to the conclusion that the SRC was justified in withdrawing recognition and therefore the appeal deserved to be rejected and the order of SRC's dated 03.03.2010 confirmed.

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

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

(Hasib Ahmad)
Member Secretary

1. **The Principal, Ganashree D.Ed College, Harohalli, Kanakapura Taluk, , Bangalore Rural Dist - 562112, Karnataka**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, 1st Floor, CSD Building, HMT Post, Jalahali, Bangalore - 560 031.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Karnataka, Bangalore.

F.No.89-248/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

14/05/2010

ORDER

WHEREAS the appeal of Ghalib Memorial Educational Society, Distt.Durg, Chhatisgarh dated 05/04/2010 is against the Order No. F.WRC/NCTE/2010/RL-66321 dated 25/03/2010 of the Western Regional Committee, rejecting the application for grant of recognition for conducting D.Ed course on the ground "The institution did not fulfill the condition as required in clause 8 (7) (i) of NCTE Regulations 2009."

AND WHEREAS the Correspondent, Ghalib Memorial Educational Society (hereinafter referred to as the appellant), preferred an appeal dated 07/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Tahir Khan, President, Ghalib Memorial Educational Society, Distt.Durg, Chhatisgarh presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that they had 40,000/- sq. ft. of land for building purpose, 53710 sq. ft. for play ground and a total land area of 93710 sq. ft. (8705.659 sqm.) on 30 years lease from SAIL, Bhilai Steel Plant, Bhilai; competent authority had certified that the land is free from all encumbrances and there was a no objection certificate from the Collector, Durg, Chhatisgarh. The appellant also claimed that their society is a Muslim Minority Society. In the course of presentation the appellant mentioned that the 30 year lease will expire in 2012 and they have applied for extension.

AND WHEREAS the Council observed from a copy of the lease deed dated 23/12/1982 that the land had been leased for the purpose of a school and playground. The appellant could not show the original lease document saying that it had been submitted to the SAIL for the purpose of renewal. In this connection, he showed a letter dated 30/03/2010 addressed to SAIL which incidentally did not indicate that the existing lease deed had been enclosed to that letter. The appellant informed that the total land of 40000 sq. ft. is also meant for the school and other courses like B.Sc., B.Com, B.Ed. He also mentioned that different courses are being run on shift basis. The Council taking all aspects of the matter into consideration has come to the conclusion that at the time of application the appellant did not possess the land on ownership basis or on lease from Govt. or Govt. Institution for a period of not less than 30 years as the lease given in the year 1982 was going to expire on 2012 and in circumstances the appeal deserves to be rejected and the order of the WRC dated 25.03.10 is confirmed.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it

should be rejected. Accordingly, the appeal was rejected and WRC's order dated 25-03-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Chairman, Ghalib Memorial Educational Society, Street-10, Near C Market, Sector-6, Bhilai Nagar,, Distt.Durg - 490006, 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.

F.No.89 - 250/2010 - Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Jai Bharti College of Education (Jai Bharti Education Trust), Hamirpur, Himachal Pradesh dated 03/04/2010 is against the Order No. F.NRC/NCTE/F-7/NRCAPP240/156th Meeting/2010/18686 dated 18/03/2010 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the ground "The Building Plan is not approved by Competent authority."

AND WHEREAS the Correspondent, Jai Bharti College of Education (Jai Bharti Education Trust) (hereinafter referred to as the appellant), preferred an appeal dated 07/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. J. K. Chauhan, Chairman, Jai Bharti College of Education (Jai Bharti Education Trust), Hamirpur, Himachal Pradesh presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that they had already submitted the building plan designed by the licensee architecture engineer and signed by the H.P. PWD (B&R), Hamirpur and approval of the concerned Panchayat Samiti's certificate was attached since the institutional land and building falls in the jurisdiction of Panchayat area.

AND WHEREAS the Council noted that the building plan submitted at the time of application was signed by the Addl. Assistant Engineer, Hamirpur Sub-division, H.P. PWD (B&R). The appellant, who has received a deficiency letter from the NRC, has since got the building plan signed by the Junior Engineer, Development Block, Hamirpur which has also been countersigned by the Gram Panchayat Samiti. As appellant had removed the deficiency relating to the building plan, the Council came to the conclusion that the appeal deserved to be accepted and the case be remanded to NRC for further processing on merit.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside NRC's order dated 18-03-10 and remand back the case to NRC for further processing on merit.

NOW THEREFORE, the Council hereby remands back the case of Jai Bharti College of Education (Jai Bharti Education Trust), Hamirpur, Himachal Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)

Member Secretary

1. The Chairman, Jai Bharti College of Education (Jai Bharti Education Trust), Jai Bharti Complex, Loharin, PO - Khiah, Tehsil & District - Hamirpur,, Hamirpur - 177020, Himachal 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 Himachal Pradesh, Shimla.

F.No.89-260/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Jayantrao Jadhao Adhyapak Vidyalaya, Dist. Buldhana, Maharashtra dated 05/04/2010 is against the Order No. F.WRC/NCTE/2010/RL-131/66235 dated 23/03/2010 of the Western Regional Committee, rejecting the application for grant of recognition for conducting D.El.Ed course on the ground "The built up area given in approved building plan and affidavit is only 1237.16 sq. mts. The institution did not fulfill the condition as required in clause 8(7)(i) of NCTE Regulations, 2009."

AND WHEREAS the Correspondent, Jayantrao Jadhao Adhyapak Vidyalaya (hereinafter referred to as the appellant), preferred an appeal dated 13/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Janantrao Jadhao, Secretary, Jayantrao Jadhao Adhyapak Vidyalaya, Dist. Buldhana, Maharashtra presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that land title certificate had already been submitted with the application; the institution was owning 2.43 Hect. of land.; remaining built up area of 265 sq. mtrs. was under construction and would be completed within a month and built up area of 1500 sq. mtrs. would be ready before inspection.

AND WHEREAS the Council noted that the built up area as of now is only 1237.16 sq. mtrs. as against the requirement of 1500 sq. mtrs. and hence the WRC was justified in rejecting the application for grant of recognition for the D.Ed course. The Council therefore came to the conclusion that there was no ground to accept the appeal and that it should be rejected.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 23-03-2010 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. The President, Jayantrao Jadhao Adhyapak Vidyalaya, Plot/Khasra 50/1A, Land TI Street/Road - State Highway 176, Vill & Post - Borakhedi, Tal- Motala, , Dist. Buldhana - 443001, Maharashtra

2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

F.No.89-276/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Gyanodaya Institute of Education, Neemach, Madhya Pradesh dated 19/04/2010 is against the Order No. F.WRC/NCTE/2010/RI-66076 dated 18/03/2010 of the Western Regional Committee, rejecting the application for grant of recognition for conducting D.El.Ed course on the grounds "1) The institution has submitted land documents patta khasra no. 23/1 & 23/2 area 2.254 Hect. Period 7/3/2000 to 2029-30 in favour of society patta issued by nagar palika. 2) The society on the same land already running D.Ed. for 50+50=100 students namely Gyanodaya D.Ed. Sanstha vide WRC Order no. WRC/5-6/107th/2008/45709-45714 dated 04/11/2008 and B.Ed. 100 students namely Balkavi Bairagi Teacher Education Research Centre vide order no. WRC/56/47/2003/4602-608 dated 03/11/2003. On the same land the society applied for D.El.Ed. New programme, namely, Gyanodaya Institute of Education which is not as per regulations. The institution did not fulfill the condition as required in clause 8(7)(i) of NCTE Regulations, 2009."

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

AND WHEREAS Shri. Anil Choursia, Secretary and Ms. Madhuri Chourasia, Manager, Gyanodaya Institute of Education, Neemach, Madhya Pradesh presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that the petitioner institution has got sufficient land area and building required and clause 8(7)(i) of NCTE Regulations, 2009 is not applicable to them as the society vide its resolution dt. 28.10.09 earmarked 2.5 acre of land at Kh No. 23/2 exclusively for the new institution. In a subsequent letter dated 28/4/2010 the Gyanodaya Shikshan Samiti had given details of the land available with them.

AND WHEREAS the Council noted that the Gyanodaya Shiksha Samiti is already conducting a B.Ed programme in their Balkavi Bairagi Teacher Education Research Centre for which recognition was granted in March 2003 and D.Ed Course in their Gyanodaya D.Ed Sansthan for which recognition was granted in October, 2008. The Samiti has now proposed for conducting of D.Ed course in a new institution, namely Gyanodaya Institute of Education. It was also noted that the existing two institutions and the proposed institution would be run on the same land and in the same campus. The proposal of the Samiti to establish more than one institution in the same campus and for the same course and without having a separate land for the new institution as required under the Regulations amounts to commercialization of teacher education, which according to the provisions of NCTE Act, needs to be prevented. The Council taking all aspects of the matter into consideration come to

the conclusion that the appeal deserved to be rejected and the order of the WRC confirmed.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit 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 18.03.10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Gyanodaya Institute of Education, 23/1, 23/2, NH-79, Kanawati, , Neemach - 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
5. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

F.No.89-281/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of H.L. Agarwal College of Education, Itarsi, Madhya Pradesh dated 19/04/2010 is against the Order No. WRC/APW01973/223398/132th/2010/66204 dated 24/03/2010 of the Western Regional Committee, refusing recognition for conducting B.Ed(Addl) course on the ground "The institution applied for new programme on Sheet No.9, Plot No. 1/6, Shivaji Nagar, Itarsi, where it admittedly has 11220 sq.ft. land on 30 year registered lease, whereupon total built up area is 1500 sq.ft. as per the certificate of Municipal Council. The institution has not submitted copy of the approved building plan. So the application is rejected as it has less than 2500 sq.m. land whereupon, the total built up area is less than 1500 sq.m. Hence, the application is rejected on the ground that the institution does not have adequate accommodation."

AND WHEREAS the Correspondent, H.L. Agarwal College of Education (hereinafter referred to as the appellant), preferred an appeal dated 19/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Sanjay Agrawal, Secretary and Shri. Sandeep Agrawal, Member, H.L. Agarwal College of Education, Itarsi, Madhya Pradesh presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that the built up area was wrongly mentioned as 1500 sq. ft. whereas the actual built up area for additional unit is more than 15000 sq. ft. as mentioned in the certificate of Municipal Corporation; construction work of the building was duly completed and certificate had been issued by the Municipal Corporation on 29.07.2007. It was also submitted that the institution had 16500 sq. ft. of land for the basic unit and 16219 sq. ft. of land for the additional unit, totaling 32,700 sq. ft. whereas according to the norms the requirement for two courses was only 26,800 sq. ft. (2,500 sq.m.).It was further submitted that both the buildings of the institution for the existing and additional courses are adjacent to each other situated in the same campus. According to the appellant the present B.Ed. course was being conducted on sheet number 08, plot 5/4 with a built up area of 16,500 sq. ft. and land area of 19,195 sq. ft. and the additional B.Ed. course would be conducted on a sheet No. 09, Plot 1/6 with a built area of 16,200 sq. ft. and land of 11,220 sq.ft. and both the plots and building are on 30 years registered lease.

AND WHEREAS the Council noted that after the appeal of the institution against the orders of the WRC dated 05.02.2009 refusing recognition order was rejected by the council in their order dated 11.06.2009, the institution filed their writ petition in the Hon'ble High Court of Madhya Pradesh, Jabalpur and the Hon'ble High Court in their order dated 29.01.2010 quashed the orders of WRC and NCTE and directed the respondents to reconsider the entire material and pass a speaking order. The WRC

thereafter issued an order dated 24.3.2010 again refusing grant of recognition against which the institution preferred the present appeal. The Council noted that the institution had initially filed an application for increase in intake in B.Ed. course on 25.04.2007 wherein they mentioned that the total plinth area was 10,000 sq. ft. The applicant then enclosed a building plan for sheet no. 8 plot no. 5/4, ward no. 27 in which the total area was shown as 19,195 sq. ft. and built up area (existing and proposed) was shown as 11,811 sq. ft. The appellant submitted a revised application on 31.07.2007 in which he had indicated the total usable area as 18,000 sq. ft. He also enclosed a building plan for sheet no. 9, plot 1/6, ward no. 27, Shivaji Nagar, in which the total plot area was shown as 11,220 sq. ft. and the construction area on ground floor, first floor and second floor as 15,018 sq. ft. (proposed and existing). The Council perused the land documents submitted by the appellant and noted that Smt. Savitri Devi was having on perpetual lease from Govt. of Madhya Pradesh, 11220 sq. ft. of building at Sheet No. 9, Tachab Mohalla, Itarsi, and 19195 sq. ft. of building with open space at Sheet No. 8, of the same locality. Smt. Savitri Devi in turn gave this property on lease to the appellant's society; The lessee (Smt. Savitri Devi) can not further lease this property to a third party. It also noted the appellant submitted 4 building completion certificates issued by Nagar Palika Office; the first two building completion certificates mentioning 15000 sq. ft. built-up area on 29.07.07 and 1513 sq. mt. on 05.03.08 were in favour of the building at Sheet No. 09; Two more building completion certificates issued for the building at Sheet No. 08 on 24.04.04 & 11.01.06 mentioned the availability of 8000 sq. ft. and 8500 sq. ft. respectively. These building completion certificate do not endorse the submission made by the appellant with regard to the built-up area. Further, the appellant submitted different building plans at different times. In the view of the above, the Council came to the conclusion that there is no ground to accept the appeal and that it should be rejected.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit 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 24.03.10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Director, H.L. Agarwal College of Education, Ward No. 27, Shivaji Nagar, , Itarsi - 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.

F.No.89-277/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Indore Glorious Education of College, Distt. Indore, Madhya Pradesh dated 19/04/2010 is against the Order No. F.WRC/NCTE/2010/RI-66063 dated 22/03/2010 of the Western Regional Committee, rejecting the application for grant of recognition for conducting D.El.Ed course on the ground "The first intake of D.Ed Course is recognized vide WRC order no. WRC/5-6/92/ext./2006 dt. 24.12.2006 which has not completed three academic sessions. The institution did not fulfill the condition as required in clause 8(3) of NCTE Regulations, 2009."

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

AND WHEREAS Shri. B.K. Sharma and Pt. Ram Babu Sharma, Director, Indore Glorious Education of College, Distt. Indore, Madhya Pradesh presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that they have completed four years of conducting D.Ed. course i.e. 2006-07, 2007-08, 2008-09 and admitted students for the academic year 2009-10 and therefore they fulfill the requirements of clause 8(3) of the NCTE Regulations, 2009 for grant of additional intake.

AND WHEREAS the Council noted that the appellant had already been conducting D. Ed since 2006-2007, and the D. Ed programme being 2 year course, the first batch of D. Ed course passed out in the year 2008, the second batch in 2009 and the third batch is yet to appear for the exams. Hence, the institution did not complete three academic sessions by sending three successive batches out of the institution, to become eligible for applying for additional course as per regulations. The institution applied for additional intake on 30.10. 09 when it had not completed three academic sessions, hence it was not eligible for applying for additional intake in the existing recognized course. In these circumstances, the WRC was justified in rejecting the application on the ground that the institution did not fulfill the requirements of the clause 8(3) Regulations, 2009 of NCTE and therefore the appeal deserved to be rejected.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit 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 22.03.10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

- 1. The Secretary, Indore Glorious Education of College, Khasra No. 11, Village - Duhiya, , Distt. 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.

F.No.89-273/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of S.S. Educational Institute, Agra, Uttar Pradesh dated 19/04/2010 is against the Order No. F-NRC/NCTE/F-3/NRCAPP-127/157th meeting/2010/20295-96 dated 15/04/2010 of the Northern Regional Committee, closing the file for grant of recognition for conducting D.El.Ed course on the grounds "1) Submitted land document is not certified. 2) Three academic sessions of running B.Ed Course have not been completed."

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

AND WHEREAS Shri. Nivas, President, S.S. Educational Institute, Agra, Uttar Pradesh presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that he had furnished attested land documents alongwith the application; the appellant got recognition for running B.Ed. course on 17.12.2009 in response to his application dated 4.8.2008 and since the date of application for B.Ed. he has started raising the building and completed the same as per norms in order to run B.Ed. and B.T.C./D.Ed. courses and according to earlier norms there was no restriction of three academic sessions. He also submitted that in U.P. the session 2009-10 had been declared as zero session by the State Govt. and therefore the institution is not running any teacher course till now.

AND WHEREAS the Council noted that the appellant applied for grant of recognition for conducting D.El.Ed. course on 24.10.2009 by which time the NCTE Regulations, 2009 came into force and therefore the applications can be considered only in accordance with these Regulations. Since the applicant has not completed three academic sessions of the B.Ed. course sanctioned in 2009, the NRC was justified in closing the application for grant of recognition for D.El.Ed. course and therefore the appeal should be rejected.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and NRC's order dated 15.04.10 was confirmed.

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

(Hasib Ahmad)

Member Secretary

1. The Manager, S.S. Educational Institute, Gamari, Malpura, , Agra - 282001, 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 - 272/2010 - Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Shyama Prasad Mukherjee College for Women, Punjabi Bagh (West), Delhi dated 15/04/2010 is against the Order No. F.NRC/NCTE/F-7/DH-377/156th Meeting/2010/18633 dated 16/03/2010 of the Northern Regional Committee, withdrawing recognition for conducting the B.Ed course on the grounds "1) Associate Professors, viz, Dr. Suman Kalia, Dr. Sudipta Ghose and Dr. Veena Kapoor have not been selected through duly constituted selection committee as per NCTE norms for B.Ed. 2) HOD has not been appointed till date. 3) One lecturer has been appointed on adhoc basis which is not as per NCTE norms for B.Ed. 4) Different physical facilities are still being shared with students of other courses being run by the college. 5) The deficiencies related to physical infrastructure required for B.Ed course still exist."

AND WHEREAS the Correspondent, Shyama Prasad Mukherjee College for Women (hereinafter referred to as the appellant), preferred an appeal dated 16/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Dr. Jolly, Principal and Dr. Suman Kalia, Associate Professor, Shyama Prasad Mukherjee College for Women, Punjabi Bagh (West), Delhi presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that (i) three senior faculty members from the Department of Education of the College namely Dr. Suman Kalia, HOD (B.Ed. co-ordinator), Dr. Sudipta Ghose and Dr. Veena Kapoor have been shifted to B.Ed. faculty; (ii) they were all selected earlier by following the same procedure for appointment as laid down by the UGC; (iii) Dr. Suman Kalia who is the HOD has four years experience in the Department of Education, Delhi University and as **adhoc guest lecturer for one year** in S.P.M. College besides twelve years in B.El.Ed.; (iv) in lieu of one lecturer who has resigned adhoc appointment has been made till a permanent teacher was appointed and this post alongwith three others in the Department of Education have been advertised in Hindustan Times on 09.03.2010 and the applications received are being further processed; (v) The appellant college is multi-disciplinary college having B.Ed. and other courses at undergraduate level and a number of facilities are shared by all the students in the college including those studying in the B.Ed. course and even NCTE permits sharing of various facilities and; (vii) the total area of the college is 39,530 sq. mtrs. and enough rooms and laboratory facilities are provided for B.Ed. students and the Vice-Chancellor, University of Delhi has already provided Rs. 30 lacs in 2009-10 to the college for improvement of infrastructure facilities for B.Ed. course. During the presentation, the representative also informed that the college was running 13 courses apart from B.Ed.

AND WHEREAS the Council noted that Dr. Suman Kalia, Dr. Sudipta Ghose and Dr. Veena Kapoor were selected and appointed for teaching the B.El.Ed. course. This itself shows that these three faculty members have not been selected specifically for the B.Ed. course through a duly constituted selection committee and all that the college has done was only internal arrangement. From the submissions made in the appeal Dr. Suman Kalia did not have five years of teaching experience in a secondary teacher training institution to qualify for appointment as HOD for the B.Ed. course. The norms of the NCTE quoted by the appellant in para (l) of the appeal relate to sharing of games facilities with a playground only and not all other physical facilities. The Council also noted that NRC on the basis of the complaint sent a two member fact finding committee on 20.07.09 and the Council inter-alia reported that **“class rooms, halls, labs and other infrastructural facilities earmarked for B.Ed course are situated on different floors as well as in different location; tutorial rooms assigned for the B. Ed course were smaller in size; space earmarked for 4 year B.El.Ed course was also 3582.54 sq. ft. only and for B. Ed was 2082.54 sq. ft. only”**. NRC further caused an inspection of the institution on 22.09.09 **under section 17 of the NCTE Act and the VT report, inter-alia, pointed out that the teacher training programme (B.Ed and B.El.Ed) was being run with 11 other courses and the building earmarked fell short of the NCTE norms; the infrastructural facilities such as library and labs are being shared by other courses**. Thus, the college was running a number of courses alongwith teacher education programmes, which indicates that infrastructure facilities were being shared with other courses. Thus, obviously, the college was not having built-up area of 1500 sq. mts. for the B. Ed. Course as per NCTE norms. The appellant has not clearly demarcated built-up area for B.Ed. course but merely submitted that there are certain rooms and laboratories provided for B.Ed. students. The letter of the Registrar, Delhi University dated 16 March, 2010 to which reference had been made in the appeal, stated that the university would support the college in meeting the requirement of infrastructure necessary for running the B.Ed, course at the college, which is only a futuristic promise. The requirements of infrastructure in terms of land and built-up area has to be essentially fulfilled by the time of inspection for grant of recognition itself. Taking all aspects of the matter into consideration the Council came to the conclusion that the NRC was justified in withdrawing recognition for conducting B.Ed. course and therefore the appeal should be rejected.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit 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 NRC's order dated 16.03.10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Chairman, Shyama Prasad Mukherjee College for Women, Road No. 57, , Punjabi Bagh (West) - 110026, Delhi**
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 Delhi, New Delhi.

F.No.89 - 279/2010 - Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Shri Siddhivinayak Degree College (Shri Siddhivinayak Education Trust), Agra, Uttar Pradesh dated 19/04/2010 is against the Order No.f-NRC/NCTE/F-3?NRCAPP-134/157th meeting/2010/20175-76 dated 15/04/2010 of the Northern Regional Committee, closing the file for grant of recognition for conducting D.El.Ed course on the grounds "1) Three academic sessions have not been completed from the date of recognition of B.Ed. course. 2) Land document is not certified. 3) FDRs of Rs. 3 lakh and Rs. 5 lakh are not submitted."

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

AND WHEREAS Dr. M.L. Chhonker, Secretary, Shri Siddhivinayak Degree College (Shri Siddhivinayak Education Trust), Agra, Uttar Pradesh presented the case of the appellant institution on 30.04.10. In the appeal and during personal presentation it was submitted that on the basis of application dated 4.8.2008 recognition was granted for B.Ed. course on 20.02.2010 and since the date of application for B.Ed. the appellant started raising the building and the same was completed as per norms in order to run B.Ed., BTC/D.El.Ed. and as per the previous Regulation there was no restriction of three academic sessions from the date of recognition. He also submitted that he furnished attested land documents alongwith the application and also submitted FDRs for Rs. 5 lac and Rs. 3 lacs which are available with the NRC.

AND WHEREAS the Council noted that the appellant applied for grant of recognition for conducting D.El.Ed. course on 24.10.2009 by which time the NCTE Regulations, 2009 had come into force and therefore the application can be considered only in accordance with these Regulations. Since the applicant had not completed three academic sessions of B.Ed. course sanctioned only on 20.02.10, the NRC is justified in rejecting the application for grant of recognition for D.El.Ed. course and therefore the appeal deserves to be rejected.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and NRC's order dated 15.04.10 was confirmed.

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

(Hasib Ahmad)

Member Secretary

1. **The Secretary, Shri Siddhivinayak Degree College (Shri Siddhivinayak Education Trust), Village - Raibha, Tehsil - Kirawali, Achnera - Bharatpur Road, District, Agra - , 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.89-1396/2009-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Dr. D.Y. Patil College of Education, Pune, Maharashtra dated 18/12/2009 is against the Order No. WRC/APW01820/123266/127th/2009/61383 dated 05/11/2009 of the Western Regional Committee, withdrawing recognition for conducting the B.Ed course on the grounds "1) As per observations of the VT members in VT report, total built up area is only 440 sq.mtr for both, existing B.Ed course & proposed M.Ed course. 2) Total built-up area of 440 sq.mtr is grossly inadequate even to run the existing B.Ed programme".

AND WHEREAS the Correspondent, Dr. D.Y. Patil College of Education (hereinafter referred to as the appellant), preferred an appeal dated 23/12/2009 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Abhay Bandopant Kotkar, Secretary and Shri. Sushant Patil, Liason Officer, Dr. D.Y. Patil College of Education, Pune, Maharashtra presented the case of the appellant institution on 15.01.2010. In the appeal and during personal presentation it was submitted that the trust was in possession of 1523.22 Sq.mts. of built-up area for B.Ed. course on a plot area of 3790 Sq.mts. which was adequate as per the NCTE norms.

AND WHEREAS the Council deferred the decision of the B.Ed. course on that day, till NCTE takes a decision on the appeal of its M.Ed course. As the Council vide its order dt. 05.03.10 has since rejected the appeal of Dr. D.Y. Patil Center of Education and Research and confirmed the order WRC withdrawing recognition for M.Ed. course, the Council considered the case again on 30.04.10. The Council noted that the Visiting Team that conducted inspection of the Institution under section 17 of the NCTE Act on 26.06.2009 reported that the B. Ed programme and M. Ed were being conducted in the same building and the total built-up area was only 440 sq. mts. whereas for running B. Ed alone 1500 sq. mts. of built-up area was required as per the norms. The Council therefore came to the conclusion that the WRC was justified in withdrawing recognition for B.Ed course and therefore the appeal deserved to 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 hence it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 05-11-09 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Dr. D.Y. Patil College of Education, GP - 107, Shahunagar, MIDC, Chinchwad,, Pune - 411019, Maharashtra**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

F.No.89-1097/2009-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Janardhan Reddy College of Education, Karimnagar, Andhra Pradesh dated 17/09/2009 is against the Order No. F.SRO/NCTE/Ref/2008-09/5865 dated 06/10/2008 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed course on the grounds that 1) As per the inspection team report of the Kakatiya University, Warangal the land of the institution is situated at the place other than the location of the building. 2) The institution in its communication to deficiency letter dt.09.10.2006 submitted the land document in the form of sale deed pertaining to Sy.No.242/B admeasuring 1089 sq.yds situated at Borenapally Gram Panchayat, Huzurabad, Karimnagar Dist and whereas along with letter dt. 14.06.2008 it has furnished a land document in the form of sale deed having the land at Sy.Nos.243. Plot (A) extent 1023.00 sq.yds, equivalent to this 859.32 sq.mts, (B) extent 224.77 sq.yds, equivalent to this 84.00 sq.mts, total plot extent (1347.77) sq.yds, equivalent to this (1132.12) sq.mts bounded by 18.0 feet's width road situated at Bornapelly Village in favor of Padmashali Seva Samithi, Karimnagar Dist which is neither the institution nor the applicant society. 3) The society changed its initial site of the land whose documents submitted by it to NCTE with the undertaking that it will construct its building on the same land. 4) The institution at present constructing the building on the land is not in the name of society nor in the name of institution and it is also not clear as to whether the land purchased by it for running B.Ed course is still in possession of it or it is sold. 5) The institution at present running its B.Ed course on the site seen by the team of the Kakatiya university is having shabby accommodation and insufficient to run the B.Ed course. 6) The institution did not cooperate to the visiting team in carrying out inspection under section 17 on 17.09.2008. 7) The institution violated the provisions contained under various sections of NCTE Act and Regulations there under.

AND WHEREAS the Correspondent, Janardhan Reddy College of Education (hereinafter referred to as the appellant), preferred an appeal dated 23/09/2009 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. Srinivas, Principal, Janardhan Reddy College of Education, Karimnagar, Andhra Pradesh presented the case of the appellant institution on 14.01.2010. In the appeal and during personal presentation it was submitted that the SRC without giving any opportunity to the institution, on 29/09/2008 decided to withdraw the recognition of the appellant college and that

the withdrawal of recognition was made due to shabby accommodation and building and land at different places; the petitioner renovated the building and the required open land was taken on lease from private party for a period of 35 years and that the appellant had never violated any provisions of the NCTE Acts and regulations. It was further submitted that the appellant had complied with all the provisions of the NCTE Act and Regulations and that the impugned order did not specify which rule/regulation was violated by the appellant.

AND WHEREAS the Council deferred the decision on that day and again it considered on 30.04.10. The Council noted that the affiliating university namely the Kakatiya University, Warangal after conducting an inspection of the institution, informed the SRC that the institution has shabby accommodation and insufficient to run B. Ed programme; land and building of the institution was situated at different places. On the basis this report the SRC issued a show cause notice on 28.05.08. The institution vide its reply dt. 14th June'08 admitted that at the time of inspection by the university team, the accommodation was shabby, as it was not in use and further they constructed two more big size lecture halls and a seminar hall to make the total built-up area to 1503 sq. mts; they had 4 acre of land at Sy. No. 389/B-4, in Elkothurthy Village and now provided 1328 sq. mts. of land at Sy. No. 242, adjacent to the College building at Sy. No. 243. To verify the infrastructure availability SRC detailed a two member inspection team for causing inspection of the institution under section 17 of the NCTE Act. When the team visited the institution on 17.09.08; it requested for the postponement of inspection on the pretext of heavy rains and floods. Subsequent to this SRC, withdrew the recognition of the institution on 06.10.08. The appellant filed a writ petition No. 18093/2009. Hon'ble High Court of Andhra Pradesh at Hyderabad and the Court vide its order dt. 25.08.09 directed the appellant to prefer an appeal and on the direction of the Court he preferred an appeal on 23.09.09. In the mean time, NCTE caused an inspection of the institution on 28.04.09, under section 13 of the NCTE Act. The inspection team reported that (i) only 1367.28 sq. mts. of land was on ownership basis and 1867 sq. mts. of land was taken on lease from private party on 04.03.09 for 33 years. The land on ownership basis was inadequate and acquiring land on lease basis from private party after 2007 regulations is not permissible. (ii) Institution was having nearly 1500 sq. mts. of built-up area, but a part of it is covered with asbestos sheets and this was not acceptable as per norms. The inspection report under section 13, confirmed that the institution was having inadequate land and built-up area. The Council also noted from the court order that the institution was permitted to impart study in B. Ed course for the session 2009-10. The Council after taking all these facts into consideration, came to the conclusion that there was no justification in accepting the appeal and that it should be rejected. However the withdrawal order of SRC shall be effective from academic session 2010-11.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and SRC's order dated 06.10.08 was confirmed. However the withdrawal order of SRC shall be effective from academic session 2010-11.

NOW THEREFORE, the Council hereby confirms the Order appealed against, with the modification that the said withdrawal of recognition order would be effective from the academic session 2010-11.

(Hasib Ahmad)
Member Secretary

- 1. The Correspondent / Principal, Janardhan Reddy College of Education, Indiranagar, Saidapur Road, Huzurabad,, Karimnagar - , Andhra Pradesh**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, 1st Floor, CSD Building, HMT Post, Jalahali, Bangalore - 560 031.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Andhra Pradesh, Hyderabad.

F.No.89-286/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Ambition College of Education, Sehore, Madhya Pradesh dated 19/04/2010 is against the Order No. F.WRC/NCTE/2010/RL-66027 dated 22/03/2010 of the Western Regional Committee rejecting its application for recognition for conducting the D.El.Ed course on the grounds "The Khasra no., mentioned in the application form and land documents do not match. The institution did not fulfill the condition as required in clause 8(7)(i) of NCTE regulations, 2009".

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

AND WHEREAS Shri. A.K. Upadhyay, Secretary and Shri. Vikas Kharb, President, Ambition College of Education, Sehore, Madhya Pradesh presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that in the land documents, affidavit, approved building plan, copy of revenue record and also in the hard copy of application submitted, the khasra No. was correctly mentioned as 195/9 and it was due to clearly a clerical mistake that in the online application the Khasra No. was indicated as 195/5.

AND WHEREAS the Council noted that though the institution indicated the Khasra No. as 195/5 in the online application yet in the other documents (sale deed, CLU, building plan etc) submitted alongwith the hard copy of the application mentioned the correct Khasra NO.195/9. The original documents were also verified by the Council. Thus, obviously it was a clerical error. Therefore, The Council was of the view that the explanation given by the institution should be accepted and the case be remanded to the WRC for processing the application further on merit.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside WRC's order dated 22-03-10 and remand back the case to WRC for further processing the application of the institution on merit.

NOW THEREFORE, the Council hereby remands back the case of Ambition College of Education , Sehore, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

- 1. The President, Ambition College of Education , Plot No.195/5, NH-12, Sonkachchha Shyampur, , Sehore - , 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.89-307/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

14/05/2010

ORDER

WHEREAS the appeal of Aryan Institute of Management & Computer Science, Agra, Uttar Pradesh dated 22/04/2010 is against the Order No. F.NRC/NCTE/F-3/UP-1520/157 Meeting/2010/20019 dated 13/04/2010 of the Northern Regional Committee, withdrawing recognition of the institution for conducting BTC course on the ground "The institution did not reply to the letter F.No./NRC/NCTE/F-3/UP-1520/2008/54671 dated 15/07/2008".

AND WHEREAS the Correspondent, Aryan Institute of Management & Computer Science (hereinafter referred to as the appellant), preferred an appeal dated 23/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Surya Prakash, Secretary, Aryan Institute of Management & Computer Science, Agra, Uttar Pradesh presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that NCTE letter dated 15-7-08 was replied to by the institution by speed post within the time granted vide letter No.Aryan/13/756 dated 27-9-08. The postal receipt in original was also shown to the Council. During the presentation, the representative also informed that the State Government and the SCERT were not cooperating and they did not nominate any expert in the Selection Committee for selection of qualified faculty and thus the delay in making appointment of qualified staff through duly constituted Selection Committee was beyond the control of the institution. It was also submitted that affiliation was granted by the State Government of UP.

AND WHEREAS the Council noted that the institution was granted recognition to the institution for conducting the BTC course vide NRC's order dated 20-08-04 subject to appointment of qualified staff. Thereafter, the NCTE got an inspection of the institution done under section 13 of the NCTE Act, on 12-07-06. The VT report dated 12-07-06, inter-alia, indicated that the institution was not functioning. The position was informed to the NRC by the NCTE Hqrs. and the NRC vide its letter dated 15-07-08 asked the institution to clarify whether BTC course was being conducted by them and, if so, from which date. The institution was also asked to furnish the details of the list of faculty members alongwith the qualifications and procedure for paying the salary, in the form of Performance Appraisal Report. As no reply was received by the NRC to the said letter dated 15-07-08, the NRC withdrew recognition of the institution vide its order dated 13-04-10, against which the appeal under consideration was filed by the institution. Since the institution produced a copy of its reply dated 27-09-08 sent to NRC in response to NRC's letter dated 15-07-08 through

speed post alongwith the postal receipt, the Council was of the view that the appeal should be accepted and the case be remanded to NRC with direction to NRC to grant extension of time by three months to the institution for fulfilling the requirement of appointment of qualified staff through duly constituted Selection Committee, and to restore recognition to the institution if it complies with the requirement within that time limit.

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 13-4-10 and remand back the case to NRC with direction to the NRC to grant the institution 3 months time for appointment of qualified staff through duly constituted Selection Committee and to restore recognition to the institution if it comply with the requirement within that time. Accordingly the case was remanded to NRC.

NOW THEREFORE, the Council hereby remands back the case of Aryan Institute of Management & Computer Science, Agra, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Aryan Institute of Management & Computer Science, Sector-13, Avas Viskas Colony, Sikandra Bodla Road,, Agra - , 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.89-293/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

14/05/2010

ORDER

WHEREAS the appeal of Bijou College of Education (Farida Education Society), Gwalior, Madhya Pradesh dated 17/04/2010 is against the Order No. WRC/APW01559/223250/131th/2010/66293 dated 25/03/2010 of the Western Regional Committee, withdrawing recognition of the institution for conducting B.Ed course on the ground "The institution has not submitted the document/reply of Show Cause Notice issued to the institution under section 17(1) of NCTE Act, 1993".

AND WHEREAS the Correspondent, Bijou College of Education (Farida Education Society) (hereinafter referred to as the appellant), preferred an appeal dated 21/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Vijay Beri, Chairman and Shri. Vipin Bhargav, Office Incharge, Bijou College of Education (Farida Education Society), Gwalior, Madhya Pradesh presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that from the record it was evident that the reply dated 23-01-10 submitted by the institution through registered post with acknowledgement, was received in the office of the WRC on 27-01-10, that is, much prior to the date of holding meeting of the Regional Committee on February 24-25, 2010.

AND WHEREAS the Council noted that the institution had sent its reply to the WRC's letter dated 07-01-2010 vide its letter dated 23-01-10 alongwith the requisite documents through registered post with acknowledgement due and the same was received on 27-01-10 in WRC's office. The copy of original postal receipt and the acknowledgement of the WRC's office dated 27-01-10 were also shown to the Council. The Council was, therefore, of the view that a copy of the reply dated 23-01-10 alongwith the enclosures might be forwarded to WRC and the case be remanded to WRC for examination of the reply and, thereafter, taking appropriate decision. The Council, however, also noted that the original land document was mortgaged by the institution with the Bank in connection with a loan taken by the institution. This needs to be taken into account while taking decision by the WRC.

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 WRC's order dated 25-03-10 and remand back the case to WRC for examining the reply dated 23-01-10 of the institution to the show cause notice

and, thereafter, taking appropriate decision. Accordingly, the case was remanded to WRC.

NOW THEREFORE, the Council hereby remands back the case of Bijou College of Education (Farida Education Society), Gwalior, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

- 1. The Secretary, Bijou College of Education (Farida Education Society), Satyadev Nagar, Gabdhi Road, , Gwalior - , Madhya Pradesh**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

F.No.89 - 290/2010 - Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

14/05/2010

ORDER

WHEREAS the appeal of Hari Shankar College of Education (Hari Shankar Shiksha Vikas Samiti), Janjgir - Champa, Chhatisgarh dated 08/04/2010 is against the Order No. F.WRC/NCTE/2010/RL-66308 dated 25/03/2010 of the Western Regional Committee, rejecting its application for recognition for conducting D.E.C.Ed course on the grounds that "Khasra no. given in the application form and given in the land documents does not match. The institution did not fulfill the condition as required in clause 8(7)(i) of NCTE Regulations, 2009".

AND WHEREAS the Correspondent, Hari Shankar College of Education (Hari Shankar Shiksha Vikas Samiti) (hereinafter referred to as the appellant), preferred an appeal dated 21/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. R.C. Pandey, Secretary, Hari Shankar College of Education (Hari Shankar Shiksha Vikas Samiti), Janjgir - Champa, Chhatisgarh presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that Khasra no. given in the application form were No. 1324/5 and 1328/1 and khasra no. given in sale deed (01) was 1328/1 and in sale deed (02) 1324/4 was given and that the khasra no. was always changed after transfer of the name on land record into next number. So, after registry of the land now it became 1324/5 because some area of the same no. was left with the seller. There were two different khasra nos. of the land but total area of the land was joined together. Secondly, the institution had submitted Notarized copy of oath on Rs.100/- stamp paper with all and every information given in clause 8(7)(i). It was also submitted that the date of the sale deed was 13.04.2009 and 17.06.2009 while the date of application was 31.10.2009.

AND WHEREAS the Council noted that normally in the land document, the old Khasra no. and the new Khasra no. would be indicated wherever change in the Khasra no. was involved. Therefore, the explanation of the institution for discrepancies in the Khasra no. in the application and the documents was not satisfactory. The Council was of the view that the application of the institution was rejected by the WRC for valid reasons and, therefore, there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence

it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 25-03-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Hari Shankar College of Education (Hari Shankar Shiksha Vikas Samiti), Sarkhon Janjgir, District, Janjgir - Champa - 495668, 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.

F.No.89 - 283/2010 - Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Mangalam Education Society, Raipur, Chhatisgarh dated 20/04/2010 is against the Order No. F.WRC/NCTE/2010/RL-66316 dated 25/03/2010 of the Western Regional Committee, rejecting its application for recognition for conducting B.Ed course on the grounds "The CLU is only for 18000 sq.ft. The institution did not fulfill the condition as required in clause 8(7) (i) of NCTE Regulations 2009".

AND WHEREAS the Correspondent, Mangalam Education Society (hereinafter referred to as the appellant), preferred an appeal dated 20/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri Kamal Singh Yadav, Member, Mangalam Education Society, Raipur, Chhatisgarh presented the case of the appellant institution on 01.05.2010. In the appeal and during personal presentation, it was submitted that the institution was in possession of 3485.27 sq.mts. of land and built-up area earmarked was 1569.51 Sq.mts. It was also submitted that the entire land measuring 3485.27 sq.mts. was diverted for educational purposes and document (affidavit) to that effect was furnished alongwith appeal.

AND WHEREAS the Council noted that clause 8(7) (i) of the NCTE Regulations, 2009 stipulated that no institution shall be granted recognition under the regulations, unless the institution or society sponsoring the institution was in possession of required land on the date of application. The application of the institution was dated 31.10.2009. The Council also noted that, alongwith the application, the institution had submitted CLU for 18000 Sq.ft. of land as against the requirement of 26910 sq. ft or 2500 sq.mts. of land as per the NCTE norms. Thus, the institution did not fulfill the condition in Clause 8(7) (i) of NCTE Regulations, 2009. The Council was, therefore, of the view that the application was rejected by the WRC for valid reasons and thus there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 25-03-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Mangalam Education Society, Jain Lace House, Mishra Complex, Malviya Road, District, 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.

F.No.89 - 288/2010 - Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Raja Bhoj Education College, Betul, Madhya Pradesh dated 15/04/2010 is against the Order No. F.WRC/NCTE/2010/RL-66064 dated 22/03/2010 of the Western Regional Committee, rejecting its application for recognition for conducting D.El.Ed course on the grounds 'The CLU is only for 0.085 Hect which is not as per NCTE norms. The institution did not fulfill the condition as required in clause 8(7) (i) of NCTE Regulations 2009'.

AND WHEREAS the Correspondent, Raja Bhoj Education College (hereinafter referred to as the appellant), preferred an appeal dated 20/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Dr. R.S. Pawar, Treasure and Shri. N.K. Galphat, Vice-President, Raja Bhoj Education College, Betul, Madhya Pradesh presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that due to only less diversion of land (CLU), the application had been rejected without issuing deficiency letter and allowing the institution to remove the deficiency. It was also submitted that the institution was having 43560 Sq.ft. of land which was registered in favour of the institution out of which 10000 Sq.ft. area was diverted and if ample time was given to the institution, it would get CLU in respect of the whole land and submit the same to the WRC.

AND WHEREAS the Council noted that as per the provision in Clause 8(7)(i) of the NCTE Regulations 2009, no institution shall be granted recognition under the Regulations unless the institution or the society sponsoring the institution was in possession of required land on the date of application either on ownership basis or on lease from Govt. for a period not less than 30 years. The NCTE norms also stipulated that an applicant institution for D.El.Ed course should have land measuring 2500 Sq.mts or 26910 Sq.ft. The institution admitted that it produced CLU for 10,000 Sq.ft. only alongwith the application. Therefore, the Council was of the view that the application of the institution was rejected by the WRC for valid reasons and, thus, there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence

it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 22-03-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

- 1. The President, Raja Bhoj Education College, Plot no. 181/08, Bharat Bharti Jamthi, District, Betul - 460001, 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.89-287/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

14/05/2010

ORDER

WHEREAS the appeal of The SCHRAM Education Research Technology Foundation, Chennai, Tamilnadu dated 16/04/2010 is against the Order No. F.SRO/NCTE/2009-10/18062 dated 17/03/2010 of the Southern Regional Committee, rejecting its application for recognition for conducting B.Ed course on the grounds "The land document is on private lease basis for 29 years and application is closed for session 2010-11".

AND WHEREAS the Correspondent, The SCHRAM Education Research Technology Foundation (hereinafter referred to as the appellant), preferred an appeal dated 20/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. J. Jaibala, Correspondent and Shri. M. Ranganathan, Officer, The SCHRAM Education Research Technology Foundation, Chennai, Tamilnadu presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that the land was in the name of other trust known as the SCHRAM Foundation which was also founded by Dr. Elizabeth Schram Mulley, who was also the founder of the appellant trust and, thus, both the trusts were managed by the same managing committee and, therefore, continued usage by lease would be ensured.

AND WHEREAS the Council noted that the land and building was leased by one trust to the applicant trust for a period of 29 years as against the requirement of lease for a period not less than 30 years as per the NCTE norms. The Council also noted that the lease was between two private parties and, therefore, it was not admissible as per the NCTE norms. It was further noted that the built-up area leased was for 11444 Sq.ft. only as against 16164 Sq.ft. or 1500 Sq.mts. required as per the NCTE norms. Thus, the applicant institution did not fulfill the norms to become eligible for consideration for recognition by NCTE. The Council was, therefore, of the view that the recognition was refused to the institution for valid reason and, thus, there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence it should be rejected. Accordingly, the appeal was rejected and SRC's order dated 17-03-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Correspondent, The SCHRAM Education Research Technology Foundation, No. 3362P AE Block, 8th Street, Anna Nagar, Chennai - 600040, Tamilnadu**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, 1st Floor, CSD Building, HMT Post, Jalahali, Bangalore - 560 031.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Tamilnadu, Chennai.

F.No.89-296/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

14/05/2010

ORDER

WHEREAS the appeal of VIP College of Education, Bhopal, Madhya Pradesh dated 21/04/2010 is against the Order No. F.WRC/NCTE/2010/RL-66067 dated 18/03/2010 of the Western Regional Committee, rejecting its application for recognition for conducting D.El.Ed course on the grounds "The institution has been already running same land documents i.e. Khasra No. 646 & 647 B.Ed 100 intakes on 27.05.2005 and D.Ed course intake 50 on 06.03.2008 namely "Swami Vivekanand Shikshan Sansthan". At a time of recognition of above course land Khasra no. 646&647 Area 1.04 Hect. is for 30 years lease in favor of Society. The same land Khasra No. 646&647 was submitted by the institution for other proposed D.El.Ed course namely VIP College of Education code no. WRCAPP393. The institution did not fulfill the condition as required in clause 8(7)(i) of NCTE Regulations, 2009".

AND WHEREAS the Correspondent, VIP College of Education (hereinafter referred to as the appellant), preferred an appeal dated 22/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Jitendra Joshi, Director, VIP College of Education, Bhopal, Madhya Pradesh presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that the Society was running the B.Ed & D.Ed institute in the name of "Swami Vivekanand Shikshan Sansthan, Bhopal" on a plot having a total of 3.82 acres of land vide Khasra no. 646 & 647, which was registered in the name of Society and this land was more than sufficient as per NCTE norms. On 25.01.2009, Society passed a resolution saying that one acre land from above 3.82 acres be used for the VIP College of Education, Bhopal in which the new D.El.Ed course was proposed to be started and building was made according to NCTE norms. This 1 acre land was not used for any other course than D.El.Ed.

AND WHEREAS the Council noted that the institution was already running B.Ed. and D.Ed. courses in its Swami Vivekanand Shikshan Sansthan on a plot of land measuring 3.82 acres at Kh. No. 646 & 647 and the proposal of the society now was to run D.El.Ed. course in its proposed VIP College of Education after earmarking 1.00 acre of land out of the 3.82 acre through a resolution passed by the Society. It was further noted that the society was proposing to run D.El.Ed. course in the name of a new college to be set up in the same campus where it was already running B.Ed. and D.El.Ed. course, and for D.Ed. course recognition was granted only on 06.03.08. The appellant's society instead of applying for additional intake in the existing D.Ed. programme after completion of 3 academic sessions, it rather bypassed the stipulation of NCTE regulations and proposed for a new institution in the same

campus and this is in contravention to the Regulations. The Council was, therefore, of the view that the application of the institution was rejected by the WRC for valid reasons and, thus, there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 18-03-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, VIP College of Education, Khasra No. 646 & 647, VIP Campus, Ratibad, , 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.

F.No.89-300/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

14/05/2010

ORDER

WHEREAS the appeal of Geetaraj Shikshan Sanstha, Indore, Madhya Pradesh dated 22/04/2010 is against the Order No. F.WRC/NCTE/2010/RL-66073 dated 22/03/2010 of the Western Regional Committee, rejecting its application for recognition for conducting D.El.Ed course on the grounds "FDRs submitted are after the cut off date i.e. 31.10.2009".

AND WHEREAS the Correspondent, Geetaraj Shikshan Sanstha (hereinafter referred to as the appellant), preferred an appeal dated 22/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Nitin Maheshwari, Secretary, Geetaraj Shikshan Sanstha, Indore, Madhya Pradesh presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that the appellant institution had submitted the FDRs of Rs.5 lakh and Rs.3 lakh within 10 days from the issue of deficiency letter.

AND WHEREAS the Council noted that the application of the institution was submitted on 29-10-09 and thus, the NCTE Regulations, 2009, was applicable in its case. Clause 7(i) of the NCTE Regulation, 2009 stipulated that the on-line application with separate submission of seven specified documents, including FDRs for Rs 5 lacs and Rs 3 lacs, only shall be considered as complete application, which implied that on the date of submission of application, FDRs should be available. As per clause 7(1-A), the institution was required to submit hard copy of the application alongwith the requisite documents within 7 days to the WRC. The Council also noted that the FDRs were submitted by the institution on 07-11-10 but the same were purchased on 04-11-09 and 05-11-09 and, thus, they were purchased by the institution not only after the date of submission of the application on-line i.e. 29-10-09 but also after the cut off date for submission of the application i.e. 31-10-09. Therefore, the Council was of the view that the application was rejected by the WRC for valid reason and there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 22-03-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Correspondent, Geeataraj Shikshan Sanstha, 5/47, Mahesh nagar, Panchkuiya Road, , Indore - 422002, 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.89-149/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Mittal College of Education (K.N. Bajpai Mahila & Bal Vikash Education Society), Chhatarpur, Madhya Pradesh dated 28/02/2010 is against the Order No F.WRC/NCTE/2010/RL-63908 dated 02/02/2010 of the Western Regional Committee, rejecting its application for recognition for conducting D.El.Ed course on the grounds "The land is in favor of individual. The institute did not fulfill the condition as required in clause 8(7)(i) of NCTE, Regulations 2009".

AND WHEREAS the Correspondent, Mittal College of Education (K.N. Bajpai Mahila & Bal Vikash Education Society) (hereinafter referred to as the appellant), preferred an appeal dated 03/03/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Anand Ku. Bajpai, Secretary and S. Kumar, Assistant, Mittal College of Education (K.N. Bajpai Mahila & Bal Vikash Education Society), Chhatarpur, Madhya Pradesh presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that institution had land on ownership basis on the date of application as per clause 8(7)(i) of the NCTE Regulations.

AND WHEREAS the Council noted that clause 8(7)(i) of the NCTE Regulation, 2009, stipulated that no institutions shall be granted recognition under the regulation unless the institution or the Society sponsoring the institution is in possession of required land on the date of application. The land free from all encumbrances could be either on ownership basis or on lease form Government institutions for a period not less than 30 years, Thus, lease from individual was not permissible under the NCTE Regulations, 2009. The Council noted that as per the land documents submitted by the institution, the land was on lease from an individual and hence the institution did not fulfill clause 8(7)(i) of the NCTE Regulations, 2009. Therefore, the Council was of the view that the application was rejected by the WRC for valid reasons and, thus, there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 02.02.2010 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Mittal College of Education (K.N. Bajpai Mahila & Bal Vikash Education Society), Mahoba Naka, Saunra Road,, Chhatarpur - 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.

F.No.89-130/2010-Appeal
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

14/05/2010

ORDER

WHEREAS the appeal of Mother India B.Ed College, Solapur, Maharashtra dated 11/02/2010 is against the Order No.F.WRC/NCTE/2010/RL-5585 dated 21/01/2010 of the Western Regional Committee, rejecting its application for recognition for conducting B.Ed course on the ground "The institution did not fulfill the provision of clause 8(3) of NCTE Regulations 2009".

AND WHEREAS the Correspondent, Mother India B.Ed College (hereinafter referred to as the appellant), preferred an appeal dated 22/02/2010 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. Faiz Inamdar, Secretary, Mother India B.Ed College, Solapur, Maharashtra presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that the applicant institution was a minority institution.

AND WHEREAS the Council noted that as per clause 8(3) of NCTE Regulations, 2009, an institution can apply for one basic unit only of an additional course or for an additional unit of the existing recognized course after completion of three academic sessions of the respective course, for which the institution shall submit application before the cut off date prescribed for submission of applications in the year succeeding the completion of three academic sessions. Recognition for D.Ed. course, which is of two year duration, was granted by the WRC to the institution from the academic session 2009-10. Therefore, the first academic session will be completed in 2010-11, second academic session in 2011-12 and the third academic session in 2012-13. Thus, the stipulated three session period for submission of fresh application in this case would be completed only in 2013. Since, as per clause 8(3) of the NCTE Regulations, 2009, subsequent application can be submitted by an institution in the year succeeding the completion of three academic sessions, the institution would become eligible for submission of application for recognition of a new course or for additional intake in an existing course only in the year 2014. The council was, therefore, of the view that the application of the institution for B.Ed. course was rejected by the WRC for valid reason and, thus, there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence

it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 21-01-2010 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Mother India B.Ed College, Deen Daya Education Complex, S.No. 363, New S.No. 30/A-5, Aditya Nagar Road, Bhairu Nagar,, Solapur - 413004, Maharashtra**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

F.No.89-298/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Sant Kabir D.Ed College of Education (Minority), Aurangabad, Maharashtra dated 22/04/2010 is against the Order No. WRC / APW05969 / 1221690(Minority)(Appeal)/132nd/2010/66446 dated 30/03/2010 of the Western Regional Committee, refusing recognition for conducting D.Ed(M)(Co.Ed) course on the grounds "The institution had submitted its application to the WRC on 02.01.2007 when, as per the NCTE Regulations 2005, which were in force, an appellant institution should have requisite land/building area either on ownership basis or on registered lease for a period of not less than 30 years. The institute does not have requisite land either on ownership basis or on registered lease for a period of 30 years at the time of making application hence, it was not permissible to allow running of teacher education courses in rented premises up to a period of 3 years as stated by the institution".

AND WHEREAS the Correspondent, Sant Kabir D.Ed College of Education (Minority) (hereinafter referred to as the appellant), preferred an appeal dated 22/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Ashwini R. Dahiya, Lecturer and Shri. Dhananjay Borde, Member, Sant Kabir D.Ed College of Education (Minority), Aurangabad, Maharashtra presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that the appellant institution had applied to WRC on 02-01-07 and the Regulations 2006 were prevailing at that point of time and that the Regulations, 2006, inter-alia, provided that the ownership of the land was not mandatory. An institution could run its course in a rented premise up to the period of 3 years, if otherwise eligible. It ought to have been seen that the relevant sale deed confirming ownership on the appellant (the title of the appellant as owner) was submitted before the WRC on 24/08/2009. Since the D.Ed course was never conducted till date and it was a matter of fact that as of today, the appellant institution was having valid title over the land in which the institution was proposed to be run, it was necessary that, applying whatever the regulations of year 2005, 2006 or 2009, the recognition should have been granted to the institution.

AND WHEREAS the Council noted that recognition to the institution for D. Ed course was initially refused vide WRC's order dated 24.03.2009, on the ground that land was neither on ownership basis nor on lease as per the NCTE Regulations. An appeal of the institution against the said order of WRC was considered and the

Council, vide its Order No.89-1385/2009/Appeal dated 12.02.2010, remanded the case to the WRC for issue of a revised speaking order. Accordingly, the WRC issued a revised speaking order dated 30.03.2010 and the present appeal of the institution under consideration is against the said revised order issued by the WRC. The Council also noted that the institution had submitted its application for recognition of D.Ed. course to the WRC on 02-01-07 when the NCTE Regulations 2006, which were notified in the Gazette on 13-01-06, were in vogue. As per the said Regulations, 2006 applicable in the case of the institution, in order to be eligible for recognition, an applicant institution should have requisite land/building either on ownership basis or on registered lease for a period of not less than 30 years. The institution did not fulfill this requirement and therefore the Council was of the view that recognition to the institution was refused by the WRC for valid reasons and, thus there was no ground to accept the appeal. There was no provision in the said regulations to permit an institution to run a teacher education course in a rented premises for 3 years.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 30-03-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Chairman, Sant Kabir D.Ed College of Education (Minority), Railgaon, Taluka - Sillod, , Aurangabad - , Maharashtra**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

F.No.89-299/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Sant Kabir D.Ed College of Education (Minority), Aurangabad, Maharashtra dated 22/04/2010 is against the Order No. WRC/APW05183/1221368(Minority)(Appeal)/132nd/2010/66407 dated 29/03/2010 of the Western Regional Committee, refusing recognition for conducting D.Ed(M)(Co.Ed) course on the grounds "The institution had submitted its application to the WRC on 02.01.2007 when, as per the NCTE Regulations 2005 which were in force an appelland institution have requisite land/building area either on ownership basis or on registered lease for a period of not less than 30 years. The institute does not have requisite land either on ownership basis or on registered lease for a period of 30 years at the time of making application hence, it was not permissible to allow running of teacher education courses in rented premises up to a period of 3 years as stated by the institution".

AND WHEREAS the Correspondent, Sant Kabir D.Ed College of Education (Minority) (hereinafter referred to as the appelland), preferred an appeal dated 22/04/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Ashwini R. Dahiya, Lecturer and Shri. Dhananjay Borde, Member, Sant Kabir D.Ed College of Education (Minority), Aurangabad, Maharashtra presented the case of the appelland institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that the appelland institution had applied to WRC on 02-01-07, the Regulations 2006 were prevailing at that point of time and that the Regulations, 2006, inter-alia, provided that the ownership of the land was not mandatory. An institution could run its course in a rented premise up to the period of 3 years, if otherwise eligible. It ought to have been seen that the relevant sale deed confirming ownership on the appelland (the title of the appelland as owner) was submitted before the WRC on 24/08/2009. Since the D.Ed course was never conducted till date and it was a matter of fact that as of today, the appelland institution was having valid title over the land in which the institution was proposed to be run, it was necessary that, applying whatever the regulations of year 2005, 2006 or 2009, the recognition should have been granted to the institution.

AND WHEREAS the Council noted that recognition to the institution for D. Ed course was initially refused vide WRC's order dated 23.03.2009, on the ground that land was neither on ownership basis nor on lease as per the NCTE Regulations. An appeal of the institution against the said order of WRC was considered and the

Council, vide its Order No.89-1384/2009/Appeal dated 12.02.2010, remanded the case back to the WRC for issue of a revised speaking order. Accordingly, the WRC issued a revised speaking order dated 29.03.2010 and the present appeal of the institution under consideration is against the said revised order issued by the WRC. the Council also noted that the institution had submitted its application for recognition of D.Ed. course to the WRC on 02-01-07, when the NCTE Regulations, 2006, which were notified on 13-01-06, were in vogue. As per the said Regulations, 2006 applicable in the case of the institution, in order to be eligible for recognition, an applicant institution should have requisite land/building either on ownership basis or on registered lease for a period of not less than 30 years. The institution did not fulfill this requirement and, therefore, the Council was of the view that recognition to the institution was refused by the WRC for valid reasons and thus there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit, VT Report and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 29-03-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Chairman, Sant Kabir D.Ed College of Education (Minority), Bhim Nagar, Bhausinghpura,, Aurangabad - , Maharashtra**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Western Regional Committee, Manas Bhawan, Shayamala Hills, Bhopal - 462002.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.

F.No.89-101/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Shree Balaji Degree College, Meerut, Uttar Pradesh dated 11/02/2010 is against the Order No.F.NRC/NCTE/F-3/UP-2945/2009 dated 17-12-09 of the Northern Regional Committee, withdrawing recognition for conducting B.Ed (Addl.) course on the grounds that "(i) Reply is not satisfactory; (ii) Deficiencies still exist".

AND WHEREAS the Correspondent, Shree Balaji Degree College, Meerut, Uttar Pradesh (hereinafter referred to as the appellant), preferred an appeal dated 10/03/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Shri. Sudesh Kumar, Admin Officer and Shri. Anil Mittal, Treasurer, Shree Balaji Degree College, Meerut, Uttar Pradesh presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation it was submitted that bank statements regarding salary paid to staff from the beginning were submitted in original in the case of existing basic unit of B.Ed course; List of faculty appointed had been furnished alongwith the appeal; out of seven teachers appointed five teachers had left and in their place five others were selected through Selection Committee and at present all the seven teachers were in position; their affidavit in original and minutes of Selection Committee were forwarded alongwith the appeal; EPF registration, Challan and statement of teaching and non teaching staff were forwarded alongwith the appeal; now number of titles of books in the library was as per NCTE norms; Dr. Surender Singh was the Principal of the institution and the Principal of B.Ed. college would work only as Principal of B.Ed. and not as Professor in M.Ed. course; Faculty to teach methods of teaching Mathematics, English, Hindi, Biology, Geography, Physics etc. have been appointed.

AND WHEREAS the Council noted that from the reply furnished by the institution it was evident that the deficiencies pointed out in the show cause notice existed at the time of inspection and therefore the recognition was withdrawn by the NRC for valid reasons and thus there was no ground to accept the appeal. The Council also noted that an appeal of the institution against withdrawal of basic unit of B.Ed. course was considered and the Council vide its order dated 5-01-10 remanded the case back to the NRC with direction to consider the case in a composite manner on the basis of the VT report, reply furnished by the institution to the show cause notice

and for issue of a consolidated order in respect of basic unit of B.Ed. and additional intake in B.Ed. Therefore, the Council was of the view that this case should also be remanded back to NRC for reconsideration and issue of a consolidated order in respect of B.Ed. course as a whole.

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 17-12-09 and remand back the case to NRC with direction to consider the case in a composite manner on the basis of the VT report, reply furnished by the institution to the show cause notice and for issue of a consolidated order in respect of basic unit of B.Ed and additional intake in B.Ed.

NOW THEREFORE, the Council hereby remands back the case of Shree Balaji Degree College, Meerut, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Director**, Shree Balaji Degree College, 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.89-162/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

14/05/2010

ORDER

WHEREAS the appeal of Shri Sai Baba Aadarsh Mahavidyaya, Ambikapur, Chhatisgarh dated 05/03/2010 is against the Order No. F.WRC/NCTE/2010/RL-5646 dated 22/01/2010 of the Western Regional Committee, rejecting its application for recognition for conducting B.Ed course on the ground "The institution did not fulfill the provision of clause 8(7)(i) of NCTE Regulations, 2009".

AND WHEREAS the Correspondent, Shri Sai Baba Aadarsh Mahavidyaya (hereinafter referred to as the appellant), preferred an appeal dated 10/03/2010 to the National Council for Teacher Education, New Delhi (hereinafter referred to as the Council) under Section 18 of the NCTE Act, 1993 against the said Order.

AND WHEREAS Dr. Rajesh Srivastava, Principal, Shri Sai Baba Aadarsh Mahavidyaya, Ambikapur, Chhatisgarh presented the case of the appellant institution on 01-05-2010. In the appeal and during personal presentation, it was submitted that the institute/college at present was located in a plot having 3.5 acre out of which 2500 Sq. mts. of land with 1500 Sq. mts. of built-up area was earmarked to conduct the B.Ed. course on lease for 30 years.

AND WHEREAS the Council noted that the land and building of the institution was on private lease for 29 years which was not permissible under NCTE Regulations, 2009 applicable in this case. The institution, therefore, did not fulfill the provision in clause 8 (7)(i) of NCTE Regulations, 2009. The Council also noted that in the application, the available built up area indicated was 919.74 sq. mts, as against the requirement of 1500 sq. mts. as per the NCTE norms. The Council was, therefore, of the view that the application was rejected by the WRC for valid reasons and therefore there was no ground to accept the appeal.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was no ground to accept the appeal and hence it should be rejected. Accordingly, the appeal was rejected and WRC's order dated 22-01-10 was confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The Principal , Shri Sai Baba Aadarsh Mahavidyaya, Banaras Road, Digma,, Ambikapur - , 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.

13/05/2010

ORDER

WHEREAS the appeal of Dr. Rajendra Prasad College of Education (R.P. Swarnkar Shikshan Samiti), Durg, Chhatisgarh dated 18/02/2010 is against the Order No. F.WRC/NCTE/2010/RL-63874 dated 02/02/2010 of the Western Regional Committee, rejecting the application for grant of recognition for conducting D.Ed course on the ground "The land area is only 0.21 Hect which is less than 2500 sqm as required in the NCTE Norms, 2009. The institute did not fulfill the condition as required in clause 8(7)(i) of NCTE Regulations, 2009."

AND WHEREAS the Correspondent, Dr. Rajendra Prasad College of Education (R.P. Swarnkar Shikshan Samiti) (hereinafter referred to as the appellant), preferred an appeal dated 23/02/2010 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 Swarnka, President from Dr. Rajendra Prasad College of Education (R.P. Swarnkar Shikshan Samiti), Durg, Chhatisgarh presented the case of the appellant institution on 20.04.2010. The appellant who appeared before the Council on 17.3.2010 and claimed that he had two pieces of land measuring 0.21 Hects. in khasra no. 910 and 0.15 Hects in khasra no. 911/1 registered on different dates. He could not produce the original documents relating to the registration of a piece of land measuring 0.15 Hects. In the course of presentation on 20/4/2010 he produced the originals of land documents of both the pieces of land.

AND WHEREAS the Council on perusal of the relevant records found that alongwith the application, the institution submitted land document in respect 0.21 Hect. land which was less then 2500 sq. mts. required as per NCTE norms. The Council also noted that the built up area of 2542.74 sq. mts. shown in the application as well as building plan is not adequate for D.Ed and B.Ed courses, as per NCTE norms (which should be 3000 sq. mtrs.) as the applicant is already running B.Ed programme. In the circumstances, the appeal deserves to be rejected and the WRC's order confirmed.

AND WHEREAS after perusal of documents, memorandum of appeal, affidavit 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 deserved to be rejected and the order of the WRC dated 2.2.2010 confirmed.

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

(Hasib Ahmad)
Member Secretary

1. **The President, Dr. Rajendra Prasad College of Education (R.P. Swarnkar Shikshan Samiti), Near Railway Crossing, Dhanora Road, Risali - Bhilai, District, Durg - , 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.

F.No.89 - 89/2010- Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

13/05/2010

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 (Modern Shiksha Samiti) (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 the appellant's case was considered on 09.03.10 by the Council and the Council vide its order dated 10-03-10 rejected the appeal on the grounds "*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 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 the appellant, aggrieved by the decision of the Council, filed a writ petition before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court in their order dated 26-3-10 disposed of the petition with the following directions namely, (i) the petitioner will file with the NCTE affidavits of Members of the Selection Committee containing the qualifications as well as a clear statement that they have participated in the Selection of a Principal for the petitioner institution; (ii) the college will also give an affidavit that the Selection Committee has been formed as per the norms and; (iii) the NCTE will consider the application of the petitioner afresh and thereafter pass an order in accordance with law within three weeks from the date of filing of affidavits.

AND WHEREAS the appellant has submitted the affidavits of the Selection Committee Members namely Prof. (Dr.) R.C. Hooda, Retd. H.O.D. Deptt. of Education, MD University, Rohtak, Dr.(Mrs.) Sushila Hooda, Principal, M.L.R.S. College of Education, C.H. Dadri and Shri. Karan Singh, former Principal, C.R. College of Education, Hissar who were the experts/university nominee on the Selection Committee for the post of Principal. The appellant also submitted an affidavit to the effect that the Selection Committee for the post of Principal was formed as per University/norms.

AND WHEREAS the Council again considered the case and heard the appellant on 01.05.10, in compliance with the directions of the court. It noted that the appellant has complied with the directions of Hon'ble High Court by filing the necessary affidavits which indicate the experts on the Selection Committee for the post of Principal were at the level of Professor/HOD/Principal only, has come to the conclusion that in super session of the Council's Order No. 89-89/2010-Appeal dated 10-3-10, the appeal now deserves to be accepted and the order of the NRC dated 24-2-10 reversed with the direction to the NRC to issue formal orders of recognition to the institution under clause 7(11) of the NCTE Regulations, 2009 immediately.

AND WHEREAS after perusal of documents, memorandum of appeal, VT report, affidavit and after considering oral arguments advanced during hearing, the Council reached the conclusion that there was enough ground to accept the appeal. 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, 2009 immediately.

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

(Hasib Ahmad)
Member Secretary

1. **The Chairman, M.V.N. College of Education (Modern Shiksha Samiti), VPO - 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.