

F.No.89 - 1158/2009 - Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of B.R. College of Education, Kurukshetra, Haryana dated 29/09/2009 is against the Order No. F.NRC/NCTE/F73/HR - 821/2009/1036 dated 23/04/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "1) Reply in respect of communicated deficiencies has not been received within stipulated period. 2) The State Government and with necessary statistics is negative".

**AND WHEREAS** the Correspondent, B.R. College of Education (hereinafter referred to as the appellant), preferred an appeal dated 29/09/2009 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 Ashok Kumar, Chairman, B.R. College of Education, Kurukshetra, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that pursuant to the meeting of NRC held on 28.02.2009 in which appellant's case was considered and five objections were raised, the NRC was required to send show cause notice to appellant. The appellant was not aware, as to whether the NRC had sent the same to it or not, but the same was never received by the appellant. It was quite later on, that the appellant realised that the address of the appellant had been wrongly mentioned by NRC in its records as was evident from the minutes of the meeting of NRC dt. 28.02.2009. In this regard the appellant wrote a letter on 05.04.2009 to NRC for correcting its address. Nevertheless the appellant has been meeting out the deficiencies pointed out by NRC in terms of the minutes of the meeting held On 28.02.2009; The decision of NCTE/NRC to put blanket ban on opening of new B.Ed colleges in the state of Haryana for 2009-10 academic session, completely relying upon recommendation made by the state govt. is bad in law as the Govt. of Haryana itself has not carried out any detailed survey to make such recommendation; The reliance placed by the NCERT upon letter dated 19-11-08, sent by the Govt. of Haryana and putting complete ban on opening B.Ed. courses is illegal and also contrary to decision of the Hon'ble Supreme Court of India rendered in State of Maharashtra vs Sant Dnyaneshwar Shikshan Shastra Mahavidyalaya [(2006) 9 SCC 1]; Thus the directions issued by the State Govt. are not binding upon the NCTE/NRC and by having bound by the same they have acted in completely illegal and unconstitutional manner.

**AND WHEREAS** the Council noted that in the application form of the institution, submitted to NRC on 17-04-09, the postal address is mentioned as "B.R. College of Education, V.P.O. Dhanipura, Arunai Road Tehsil, Pehowa Distt. Kurukshetra (Haryana) and to this address only, NRC mailed a show cause notice dated 08-03-09. However it noted that the name and address of the institution is mentioned as "B.R. College of Education V.P.O. Bhanipura, Arunai Road, Distt. Kurukshetra (Haryana)" in the minutes of the 137th meeting of NRC held on 28th February and 1st March 2009. Hence Dhanipura, has been wrongly mentioned as Bhanipura and the Tehsil name Pehowa is missing in the address shown in the minutes. But the show cause notice was mailed to correct address only. However, taking into consideration, the contention of the appellant that he has not received the show cause notice, the Council was of the view that there was enough justification in accepting the appeal to be remanded to NRC for re-issuance of the show cause notice by Regd. post with acknowledgement, and for further processing as per laid down procedure, in the NCTE Act.

**AND WHEREAS** after perusal of documents, memorandum of appeal, affidavit, VT Report and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside NRC's order dated 23-04-09 and remand back the case to NRC, for re-issuance of the show cause notice by Regd. post with acknowledgement, and for further processing as per laid down procedure, in the NCTE Act.

**NOW THEREFORE, the Council hereby remands back the case of B.R. College of Education , Kurukshetra, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**  
Vice-Chairperson

- 1. The Manager, B.R. College of Education , VPO - Dhanipura, Arunai Road, Tehsil - Pehowa, District , Kurukshetra - , Haryana**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89 - 1213/2009 - Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of Guru Brahmanand College of Education (Chaudhary Chanda Singh Shiksha Samiti), Karnal, Haryana dated 08/10/2009 is against the Order No. F.NRC/NCTE/F73/HR - 1467/2009/939 dated 23/04/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "Reply of show cause notice is not received in the stipulated time. (1). Government recommendation is negative. (2). Land is not in the name of the institution".

**AND WHEREAS** the Correspondent, Guru Brahmanand College of Education (Chaudhary Chanda Singh Shiksha Samiti) (hereinafter referred to as the appellant), preferred an appeal dated 08/10/2009 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 Rajinder Kumar, Secretary, Guru Brahmanand College of Education (Chaudhary Chanda Singh Shiksha Samiti), Karnal, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that documents related to the show cause notice deficiency, were already submitted to NRC on 05-05-08 and also on 11-07-08. It was further submitted that the State Govt of Haryana did not make any recommendation in response to NRC's letter dated 11-04-08, within 60 days and hence it was presumed that the State Govt. had no objection for opening of this B.Ed. college; In rural area, village Panchayat is the Competent Authority for issuing a certificate of CLU and even Tehsildar vide his letter dated 27-6-08 certified that the land was used for agriculture; The land was in the name of society on ownership basis, as required by NCTE.

**AND WHEREAS** the Council noted that the NRC issued a show cause notice on 8th March, 09 and in response to this the appellant did not submit any representation. Instead of responding to the show cause notice, the appellant had taken excuse saying that when the documents related to land and CLU were already available with NRC, why it had not considered them and issued a show cause notice. the Council inferred that the institution did not submit its reply to the NRC's show cause notice and hence the institution was directed to submit the same to NRC immediately. In view of the above the Council came to the conclusion that there was enough justification in accepting the appeal to be remanded to NRC, with a direction to the institution to submit the reply of the show cause notice and

NRC may examine the same and also re-scrutinise the VTR, with regard to size of the classroom and thereafter pass appropriate orders.

**AND WHEREAS** after perusal of documents, memorandum of appeal, affidavit, VT Report and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside NRC's order dated 23-04-09 and remand back the case to NRC with a direction to the institution to submit the reply of the show cause notice and NRC may examine the same and also re-scrutinise the VTR, with regard to size of the classroom and thereafter pass appropriate orders.

**NOW THEREFORE, the Council hereby remands back the case of Guru Brahmanand College of Education (Chaudhary Chanda Singh Shiksha Samiti), Karnal, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**  
Vice-Chairperson

1. **The Secretary, Guru Brahmanand College of Education (Chaudhary Chanda Singh Shiksha Samiti), Village - Manchuri, PO - Bairsal, Tehsil - Nilokheri, District - , Karnal - , Haryana**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89 - 1199/2009 - Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of M.V.N. College of Education (Modern Shiksha Samiti), Faridabad, Haryana dated 05/10/2009 is against the Order No. F.NRC/NCTE/F73/HR - 1428/2009/867 dated 23/04/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "The institution has not removed deficiencies as communicated to the Institution and also the State Government recommendation based on reasons and with necessary statistics is negative".

**AND WHEREAS** the Correspondent, M.V.N. College of Education (Modern Shiksha Samiti) (hereinafter referred to as the appellant), preferred an appeal dated 06/10/2009 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 Anirudh, Chairman, M.V.N. College of Education (Modern Shiksha Samiti), Faridabad, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that NRC had sent the application of the appellant institution on 10-6-08 to the State Govt. for its recommendations within 60 days and inspection of the institution was caused only on 07-10-08, that was after completion of the 60 days and hence it was to be considered that State Govt. had no objection for opening of this college; The appellant's land being outside the controlled area and inside the Municipal limit area, hence Secretary, Municipal Committee is the competent authority for issuing land use certificate; The land was in the name of the society on ownership basis.

**AND WHEREAS** the Council noted that the Secretary, Municipal Committee, Hodal vide its letter dated 13-04-07 stated that the land falls under the Municipal area and the Municipal Corporation had no objection for using the said land for education purpose. It further noted that the society was in possession of requisite land on ownership basis. In view of the above the Council came to a conclusion that there was adequate justification in accepting the appeal, to be remanded to NRC for issuance of Letter of Intent prior to grant of recognition under Clause 7(9) of NCTE Regulations.

**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 and set aside NRC's order dated 23.04.09 and remand back the case to NRC to issue letter of intent prior to grant of recognition under clause 7(9) of the NCTE Regulation, within 15 days of issue of this order.

**NOW THEREFORE, the Council hereby remands back the case of M.V.N. College of Education (Modern Shiksha Samiti), Faridabad, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**

Vice-Chairperson

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.

F.No.89 - 1141/2009 - Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of Major Bihari Lal Memorial College of Education (Bihari Lal Education Society), Gurgaon, Haryana dated 25/09/2009 is against the Order No. F. NRC/NCTE/F-73/HR-1697/2009 dated 23.04.09 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "1) CLU is not issued by the competent authority on the prescribed format. 2) In response to our letter, the State Government recommendation is negative".

**AND WHEREAS** the Correspondent, Major Bihari Lal Memorial College of Education (Bihari Lal Education Society) (hereinafter referred to as the appellant), preferred an appeal dated 25/09/2009 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 Rishi Raj, Secretary, Major Bihari Lal Memorial College of Education (Bihari Lal Education Society), Gurgaon, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that NCTE had never informed the appellant that there was any format designed by NCTE for issuing the CLU. Had the appellant known about the format about the same, he could have got the same prepared from the concerned authority and submitted to the office of NRC. The land being outside the notified area and also urban area, hence Sarpanch under Gram Panchayat Act, is the only competent authority to issue the CLU and it had already submitted the CLU issued by the Sarpanch to the NRC; It also obtained a fresh memo no. 6360 from the District and Town Planning Office, Gurgaon stating specifically that no CLU is required as the area on which the said college is situated falls outside the controlled area. With regard to point 2 it was submitted that the appellant's institution was inspected on 13/10/2008. At the time of the inspection on 13/10/2008, there was no mention of negative recommendation of State Government, moreover NRC vide letter no. 55226 dated 08/2009 informed the appellant that a copy of the application form had been sent to State Government for its recommendation. The Visiting Team constituted by NRC inspected the institution, only after the completion of 60 days. Hence, the State Government recommendation was not negative for the appellant.

**AND WHEREAS** the Council noted from the "Hibbanama" dated 13-06-08 that 2529.26 Sq.mt. of land was in possession of the society and the land

being located outside the controlled area, CLU was issued by Gram Panchayat office. To strengthen this stand it also submitted a certificate from the District Town Planner issued on 02-10-08 and Tehsildar office issued on 06-10-09, indicating that the land does not fall under the controlled area. It also noted that VTR dated 13-10-08 was positive and it inter-alia indicated the availability of adequate infrastructure and instructional facilities. In view of the above the Council came to a conclusion that there was adequate justification in accepting the appeal, to be remanded to NRC for issuance of Letter of Intent prior to grant of recognition under Clause 7(9) of NCTE Regulations.

**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 and set aside NRC's order dated 23.04.09 and remand back the case to NRC to issue letter of intent prior to grant of recognition under clause 7(9) of the NCTE Regulation, within 15 days of issue of this order.

**NOW THEREFORE, the Council hereby remands back the case of Major Bihari Lal Memorial College of Education (Bihari Lal Education Society), Gurgaon, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**  
Vice-Chairperson

1. **The Secretary, Major Bihari Lal Memorial College of Education (Bihari Lal Education Society), Village - Bilaspur Chowk, District, Gurgaon - , Haryana**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89 - 1165/2009 - Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of Major Nafe Singh Kungariya College of Education, Bhiwani, Haryana dated 29/09/2009 is against the decision of the Northern Regional Committee in its 137th meeting held on 28th Feb. & 1st March, 09, refusing recognition for conducting D.Ed. course on the grounds "1) State Govt. recommendation is required under clause 7(3) of Regulations, 2007. The state Govt. recommendation is negative. State Govt. has provided reasons/grounds and statistics for not granting recognition. 2) The institution has not submitted permission letter from the competent authority to use the land for educational purposes as required under clause 8(8) of regulation, 2007. 3) The land is not in the name of institution as required under 8(7) of the regulations 2007".

**AND WHEREAS** the Correspondent, Major Nafe Singh Kungariya College of Education (hereinafter referred to as the appellant), preferred an appeal dated 29/09/2009 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 Dinesh Kumar, Manager, Major Nafe Singh Kungariya College of Education, Bhiwani, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that the State Govt. was not competent to issue the letter dated 19-11-08 directing to stop processing of application as in the state of Haryana for D.Ed. course and further NCTE had no binding force to consider the State Govt. recommendation, as per the provision of the NCTE Regulations, 2007. With regard to point 2 it was submitted that CLU of any land is required only, if the land falls within the controlled area. As the proposed land of the appellant does not fall under the controlled area and hence permission for land use issued by Gram Panchayat was submitted to NRC alongwith its application form; The land that is in possession of the society, would be transferred in the name of the institution, within 3 months of obtaining recognition from NCTE.

**AND WHEREAS** the Council noted that the appellant had already submitted land use for education purpose issued by Gram Panchayat and further District Town Planner vide letter dated 20-09-07 certified that the said land does not fall under the controlled area. It also noted that the land was in the name of the society on ownership basis. In view of the above the Council came to the conclusion that there was enough justification in

accepting the appeal, to be remanded to NRC for causing inspection of the institution and thereafter passing appropriate orders.

**AND WHEREAS** after perusal of documents, memorandum of appeal, affidavit and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside NRC's decision dated 28th Feb & 1st March, 09 and remand the case to NRC to cause inspection of the institution within 30 days of issue of this order, to ascertain the availability of infrastructure and instructional facilities as per NCTE norms to become eligible for grant of recognition and thereafter pass appropriate order.

**NOW THEREFORE, the Council hereby remands back the case of Major Nafe Singh Kungariya College of Education, Bhiwani, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**

Vice-Chairperson

1. **The Manager, Major Nafe Singh Kungariya College of Education, VPO - Kungar, Tehsil - Bawani Khera, District - , Bhiwani - , Haryana**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89 - 1129/2009 - Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of Modern College of Education , Mohindergarh, Haryana dated 24/09/2009 is against the Order No. F.NRC/NCTE/F73/HR-1688/2009/1061 dated 23/04/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "1) Reply in respect of communicated deficiencies has not been received within stipulated period. 2) The state government recommendation based on reasons and with necessary statistics is negative".

**AND WHEREAS** the Correspondent, Modern College of Education (hereinafter referred to as the appellant), preferred an appeal dated 24/09/2009 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 Lokesh Kumar, H. Director, Modern College of Education , Mohindergarh, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that the appellant submitted its reply on 13-04-09, in response to the show cause notice dated 12-03-09. It was further submitted that inspite of State Govt's negative recommendation, the NRC is already granting recognition to the institutions in Haryana and NRC is also conducting inspection of new proposed B.Ed. colleges in Haryana and hence refusing recognition on the ground of state Govt. recommendation's negative, is not genuine.

**AND WHEREAS** the Council noted that NRC issued a notice on 14-03-09 to the institution to make a written representation within 30 days and the institution in response to the notice submitted, its reply on 13-4-09, well within the stipulated timeframe; whereas NRC decided the case in its 139th meeting held on 10-12th April, 2009, without waiting for the reply of the institution. It further noted that the appellant was in possession of requisite land, in the name of the society and Nagarpalika office, Mahendragarh issued a CLU on 6-09-07, as the said land is located within the limits of Municipal area. Further District Town Planner vide his letter dated 20-10-09 stated that the 06 Kanals area is in the name of the society and is located in the Municipal Corporation area. In view of the above, the Council came to the conclusion that there was adequate justification in accepting the appeal, to be remanded to NRC for issuance of Letter of Intent prior to grant of recognition under Clause 7(9) of NCTE Regulations.

**AND WHEREAS** after perusal of documents, memorandum of appeal, affidavit, VT report and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside NRC's order dated 23.04.09 and remand the case to NRC for issuance of Letter of Intent prior to grant of recognition under Clause 7(9) of NCTE Regulations.

**NOW THEREFORE, the Council hereby remands back the case of Modern College of Education , Mohindergarh, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**

Vice-Chairperson

1. **The President, Modern College of Education , Chamdhera Road, District, Mohindergarh - , Haryana**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89 - 1223/2009 - Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of Modern International College of Education , Faridabad, Haryana dated 12/10/2009 is against the Order No. F.NRC/NCTE/F73/HR-1339/2009/819 dated 23/04/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "1) CLU is not issued by the competent authority on the prescribed format. 2) In reponse to our letter, the state govt. recommendation is negative".

**AND WHEREAS** the Correspondent, Modern International College of Education (hereinafter referred to as the appellant), preferred an appeal dated 12/10/2009 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 Manoj Kumar, Secretary, Modern International College of Education , Faridabad, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that CLU of any land is required only if the land falls within the controlled area. As the proposed land of the appellant does not fall in the controlled area, as is evidenced from the District Town Planner letter dated 7-7-09, land use certificate for the purpose of education was obtained from Gram Panchayat Office; The decision of NRC to put blanket ban on opening of new B.Ed. colleges in the state of Haryana for 2009-10 academic session, completely relying upon recommendations made by the State Govt. is bad in law, as the Govt. of Haryana itself has not carried out any detailed survey to make such recommendation.

**AND WHEREAS** the Council noted that District Town Planner vide his letter dated 7-7-09, stated that the land at Kh.No.88/83, measuring 42 Kanal, present in the revenue estate of village Jasana, Tehsil Faridabad, does not fall under the controlled area of the district and hence there is no need to obtain permission for change of land use as on date; The appellant had already submitted to the NRC, the resolution of Panchyat office passed on 19-11-07, giving NOC for opening of the college. It further noted that VTR dated 07-10-08 was positive and it interalia indicated the availability of adequate infrastructure and instructional facilities. In view of the above the Council came to the conclusion that there was adequate justification in accepting the appeal, to be remanded to NRC for issuance of Letter of Intent prior to grant of recognition under Clause 7(9) of NCTE Regulations.

**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 and set aside NRC's order dated 23.04.09 and remand back the case to NRC to issue letter of intent prior to grant of recognition under clause 7(9) of the NCTE Regulation, within 15 days of issue of this order.

**NOW THEREFORE, the Council hereby remands back the case of Modern International College of Education , Faridabad, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**  
Vice-Chairperson

1. **The Manager, Modern International College of Education , Village - Jasana, Post - Badarpur Sayd, Tehsil - Faridabad, 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.

F.No.89 - 1159/2009 - Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of P.R.D. College of Education, Yamuna Nagar, Haryana dated 25/09/2009 is against the Order No. F.NRC/NCTE/F-73/HR - 1743/2009/2507 dated 02/06/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "Deficiencies communicated in the show cause notice issued by the office are not replied within stipulated period".

**AND WHEREAS** the Correspondent, P.R.D. College of Education (hereinafter referred to as the appellant), preferred an appeal dated 25/09/2009 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 Neeraj Kumar, Member, P.R.D. College of Education, Yamuna Nagar, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that the building completion certificate was issued by Gram Panchayat office; the institution possessed supporting documents for the entry of equipments of laboratories and also in respect of hardware and software for language lab; Institution was having sufficient number of computers for 100 students; land was in the name of the society. The appellant however admitted that he did not reply to the show cause notice of NRC, as he had filed a writ in the Hon'ble High Court of Jaipur and further requested NRC not to pass any adverse order against the appellant, in view of the pendency of the writ.

**AND WHEREAS** the Council noted that the NRC issued a show cause notice to the appellant on 25.03.09, to file a representation within 30 days and the institution in response to this notice, did not submit point wise reply, as the matter was sub-judice. In view of the above, the Council came to a conclusion that there was enough justification in accepting the appeal, to be remanded to NRC, with a direction to the institution to submit the reply to the show cause notice and NRC shall examine the same and thereafter pass appropriate orders.

**AND WHEREAS** after perusal of documents, memorandum of appeal, affidavit and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside NRC's order dated 02.06.09 and remand the

case to NRC with a direction to the institution to submit the reply to the show cause notice and NRC shall examine the same and thereafter pass appropriate orders.

**NOW THEREFORE, the Council hereby remands back the case of P.R.D. College of Education , Yamuna Nagar, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**

Vice-Chairperson

**1. The President, P.R.D. College of Education , VPO - Harnoul, District, Yamuna Nagar - , Haryana**

2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.

3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.

4. PS to Chairperson

5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89-1098/2009-Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of Pratap College of Education, Karnal, Haryana dated 23/09/2009 is against the Order No. F.NRC/ NCTE/F73/HR-1650/2009/1049 dated 23/04/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "Reply of show cause notice is not received in the stipulated time".

**AND WHEREAS** the Correspondent, Pratap 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 Ajay Bhatia, Vice. President, Pratap College of Education, Karnal, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that pursuant to show cause notice dt.08.03.2009 the appellant had submitted the reply to NRC on 20.03.09 alongwith all supporting documents. The said reply was sent to NRC through first flight courier vide delivery no.038194582 dt. 21.03.2009 and the same was received by NRC office on 23.03.2009, in proof of this P.O.D received from the office of the said courier was shown. Thus the impugned order was liable to be quashed on this ground alone as the appellant had duly submitted the reply to the show cause notice well within the stipulated period of 30 days".

**AND WHEREAS** the Council noted from the reply submitted by the institution that the society was in possession of 51,553 Sq.mts. of land; District Town Planner, Karnal vide his Memo No.1229 dated 29-05-09 certified that the said land does not fall under the controlled area and further Gram Panchayat office had already issued NOC for land use; It however noted that the appellant was having only 14,000 Sq.ft. of built-up area at the time of inspection and this was evident from the Building Completion Certificate issued by Gram Panchayat office on 16-06-08 and also affidavit dated 07.07.08 and this built-up area was less, as per the norms 1500 Sq.mts. is required. It was at a later date, the built-up area was increased and a revised affidavit was filed on 21-03-09, for a built-up area of 1546 Sq.mts. The building completion certificate dated nil, issued by the same Gram Panchayat office stated 15200 Sq.ft. (1546 Sq.mts.) built-up area availability. On perusal of this certificate one can easily deduce that there is misrepresentation of the fact, as 15200 Sq.ft. on conversion into Sq.mts. can

not be equated to 1546 Sq.mts. Further the VT also reported the size of the multipurpose hall as 1200 Sq.ft. and this is not as per norms. In view of the above, the Council came to the conclusion that there was no justification in accepting the appeal and that should be rejected.

**AND WHEREAS** after perusal of documents, memorandum of appeal, affidavit, VT Report and after hearing oral arguments advanced during hearing, the Council reached the conclusion that there was no justification to accept the appeal and that it should be rejected. Accordingly, the appeal was rejected and NRC's order dated 23-04-09 was confirmed.

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

**(S.V.S. Chaudhary)**  
Vice-Chairperson

1. **The , Pratap College of Education, VPO - Jundia,, Karnal - , Haryana**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89 - 1137/2009 - Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of S.D. College of Education (S.D. Education Society), Gurgaon, Haryana dated 24/09/2009 is against the Order No. F. NRC/NCTE/F73/HR-1318/2009 dated 23.04.09 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "1) CLU is not issued by the competent authority on the prescribed format. 2) In response to our letter, the State Government recommendation is negative".

**AND WHEREAS** the Correspondent, S.D. College of Education (S.D. Education Society) (hereinafter referred to as the appellant), preferred an appeal dated 25/09/2009 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 Narender Singh, President, S.D. College of Education (S.D. Education Society), Gurgaon, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that the appellant's land being outside the notified and urban area, hence Sarpanch under Gram Panchayat Act, is the only competent authority to issue CLU and they had already submitted to NRC, the CLU issued by Gram Panchayat office; The District Town Planner vide his Memo dated 04-12-07 certified that the land does not fall under the controlled area; State Govt. did not furnish its recommendations within 60 days in response to NRC's letter dated 18-4-08 and NRC caused inspection of the institution after completion of 60 days. Hence State Govt's negative recommendations were not applicable to the appellant.

**AND WHEREAS** the Council noted that District Town Planner vide letter dated 04-12-07 stated that the land at Kh.NO.248/299 pertaining to the appellant's society does not fall under the controlled area and Gram Panchayat had already issued CLU and this was available with NRC. It further noted that the VTR dated 06-10-08 was positive and it inter-alia indicated the availability of instructional and infrastructural facilities as per norms. In view of the above the Council came to a conclusion that there was adequate justification in accepting the appeal, to be remanded to NRC for issuance of Letter of Intent prior to grant of recognition under Clause 7(9) of NCTE Regulations.

**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 and set aside NRC's order dated 23.04.09 and remand back the case to NRC to issue letter of intent prior to grant of recognition under clause 7(9) of the NCTE Regulation, within 15 days of issue of this order.

**NOW THEREFORE, the Council hereby remands back the case of S.D. College of Education (S.D. Education Society), Gurgaon, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**  
Vice-Chairperson

1. **The Chairman, S.D. College of Education (S.D. Education Society), Janaula Pataudi, District, Gurgaon - , Haryana**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89-1107/2009-Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of Sadasukh College of Education, Mohindergarh Dist., Haryana dated 23/09/2009 is against the Order No. F. NRC/NCTE/F-73/HR-1683/2009 dated 11.05.09 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "1) State Govt. recommendation is negative. 2) Land is not in the name of institution. 3) Details of software and hardware for language lab are not submitted. 4) Number of computers is not sufficient for 100 students".

**AND WHEREAS** the Correspondent, Sadasukh College of Education (hereinafter referred to as the appellants), 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** Dr. Gajender Singh, H. Director, Sadasukh College of Education, Mohindergarh Dist., Haryana presented the case of the appellants institution on 19.10.2009. In the appeal and during personal presentation it was submitted that there was no need to consider the State Govt. negative recommendations, as it has forwarded its recommendations to NCTE, after the expiry of the stipulated period of 60 days; The land was in the name of the society that has applied for the recognition of the Sadasukh College of Education and this land would be transferred in the name of the institution within 3 months of obtaining recognition from NCTE; The details of software and hardware of language lab had already been submitted to the visiting team; Institution was having 25 computers for 100 students.

**AND WHEREAS** the Council noted that the society was in possession of 40 kanal land at Kh.No. 59/5,60/1,2,9,10 in the revenue estate of Kanina; Language lab was adequately equipped and ET lab was having sufficient number of computers. It further noted that VTR dated 08.10.08 was positive and it inter-alia indicated the availability of infrastructure and instructional facilities as per norms. In view of the above the Council came to a conclusion that there was adequate justification in accepting the appeal, to be remanded to NRC for issuance of Letter of Intent prior to grant of recognition under Clause 7(9) of NCTE Regulations.

**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 and set aside NRC's order dated 11.05.09 and remand back the case to NRC to issue letter of intent prior to grant of recognition under clause 7(9) of the NCTE Regulation, within 15 days of issue of this order.

**NOW THEREFORE, the Council hereby remands back the case of Sadasukh College of Education, Mohindergarh Dist., Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**

Vice-Chairperson

1. **The President, Sadasukh College of Education, VPO -Kanina, Mohindergarh Dist. - , Haryana**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89 - 1138/2009 - Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of Sandesh College of Education (Yesh Shiksha Avam Krishi Peryavaran Sansthan), Rewari, Haryana dated 25/09/2009 is against the Order No. F.NRC/NCTE/F73/HR - 1672/2009/907 dated 23/04/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "1) CLU is not issued by the competent authority on the prescribed format. 2) In response to our letter, the State Government recommendation is negative".

**AND WHEREAS** the Correspondent, Sandesh College of Education (Yesh Shiksha Avam Krishi Peryavaran Sansthan) (hereinafter referred to as the appellant), preferred an appeal dated 25/09/2009 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 Rattan Lal, Secretary, Sandesh College of Education (Yesh Shiksha Avam Krishi Peryavaran Sansthan), Rewari, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that the appellant's land does not fall under controlled area/ notified area of the District Town Planning office, hence Sarpanch under Gram Panchayat Act is only competent authority to issue the CLU and they had already submitted CLU issued by the Sarpanch to NRC; NRC sought State Govt. recommendations and the Govt. did not send any recommendations within 60 days, so state Govt. negative recommendations were not applicable to the appellant.

**AND WHEREAS** the Council noted that CLU was issued by Gram Panchayat office, as the land is in rural area and district town planner vide memo dated 08.08.09 stated that the said land does not fall under the controlled area. It however noted that VTR 6-10-08 indicated that the society had not constructed any building for the college, the management showed Visiting Team a school building in village Bhojawas; Having considered the refusal grounds, the Council felt that the glaring lacuna pointed out by VT upon physical verification of the infrastructure must be considered though it was not a refusal ground and hence opined that the case may be remanded for causing re-inspection of the institution after obtaining a payment of Rs.40,000 from the institution.

**AND WHEREAS** after perusal of documents, memorandum of appeal, affidavit and after hearing oral arguments advanced during the hearing,

the Council reached the conclusion that there was adequate ground to accept the appeal, set aside NRC's order dated 23-4-09 and remand the case to NRC for causing inspection of the institution after obtaining a payment of Rs. 40,000/- from the institution to ascertain the infrastructure and instructional facilities as per NCTE norms within one month of issue of this order and thereafter pass appropriate order.

**NOW THEREFORE, the Council hereby remands back the case of Sandesh College of Education (Yesh Shiksha Avam Krishi Peryavaran Sansthan), Rewari, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**  
Vice-Chairperson

1. **The Secretary, Sandesh College of Education (Yesh Shiksha Avam Krishi Peryavaran Sansthan), VPO - Karoli, Tehsil - Kosli, District, Rewari - , Haryana**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, A-46, Shantipath, Tilak Nagar, Jaipur - 302004, Rajasthan.
4. PS to Chairperson
5. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

F.No.89-1119/2009-Appeal

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

18/11/2009

**ORDER**

**WHEREAS** the appeal of Shanty College of Education, Mohindergarh, Haryana dated 24/09/2009 is against the Order No. F.NRC/NCTE/F73/HR-1645/2009/1012 dated 23/04/2009 of the Northern Regional Committee, refusing recognition for conducting B.Ed course on the grounds "Reply in respect of communicated deficiencies has not been received within stipulated period and also the state government recommendation based on reasons and with necessary statistics in negative".

**AND WHEREAS** the Correspondent, Shanty College of Education (hereinafter referred to as the appellant), preferred an appeal dated 24/09/2009 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 Raj Kumar, Chairman and Shri Dharmvir Yadav, Director, Shanty College of Education, Mohindergarh, Haryana presented the case of the appellant institution on 19.10.2009. In the appeal and during personal presentation it was submitted that the appellant submitted its reply on 13-04-09 in response to the show cause notice dated 12-03-09, within the stipulated time frame; In spite of State Govt's negative recommendation, the NRC is already granting recognition to the institution in Haryana and also conducting inspection of new proposed B.Ed. college in Haryana and hence state Govt. negative recommendation is not valid to the appellants institution.

**AND WHEREAS** the Council noted that NRC issued a show cause notice on 12-3-09 and in response to this the appellant submitted its reply and it was received by NRC office on 13-04-09. However, NRC took a decision to refuse recognition in its 139th meeting held on 10-12th April, 2009, without waiting for the reply of the institution. The council noted from the reply submitted by the institution in response to the show cause notice that 4959 sq. mt. of land was in the name of the society on ownership basis; The CLU was issued by Gram Panchayat, as District Town Planner stated the land is not within the controlled area; building plan was approved by Gram Panchayat Office and it indicated 4959 sq. mt. of land and 2559 sq. mt. of builtup area. However, the institution admitted in its reply that the size of the hall was increased by breaking the partitions of the hall hence the present

size of the multi purpose hall is more than required size of NCTE norms. In view of the above. the Council came to a conclusion there was enough justification in accepting the appeal, to be remanded to NRC for causing re-inspection of the institution after obtaining a payment of Rs. 40,000/- from the institution to ascertain the availability of multi purpose hall as per norms and also other parameters.

**AND WHEREAS** after perusal of documents, memorandum of appeal, VT report affidavit and after hearing oral arguments advanced during the hearing, the Council reached the conclusion that there was adequate ground to accept the appeal, set aside NRC's order dated 23-04-09 and remand the case to NRC for causing re-inspection of the institution after obtaining a payment of Rs. 40,000/- from the institution to ascertain the availability of multi purpose hall and also other parameters as per NCTE norms within one month of issue of this order and thereafter pass appropriate order.

**NOW THEREFORE, the Council hereby remands back the case of Shanty College of Education, Mohindergarh, Haryana to the NRC, NCTE, for necessary action as indicated above.**

**(S.V.S. Chaudhary)**  
Vice-Chairperson

1. **The President, Shanty College of Education, Vill.-Rewasa, Po & Teh.- Mohindergarh,, Mohindergarh - , 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.