

F.No.89-1214/2009-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

31/08/2010

ORDER

WHEREAS the appeal of Tagore College of Education, Distt. Karnal, Haryana against the order of the NRC F.No. NRC/NCTE/F73/HR-923/2009 dt. 23.04.09 refusing recognition on the grounds that the CLU is not issued by the competent authority on the prescribed format and the State Govt.'s recommendation is negative was rejected by the Council in their order No. F-89-1214/2009-Appeal dt. 19.07.10 on the ground that the Kh. Nos. mentioned in the CLU document dt. 28.06.10 issued by the Distt.- Town Planner Panchkula and submitted by the appellant, namely, 24/10/2/1 6(3), 24/2/2/2 (1-3) and 24/9/1 (6-14) over an area of 14k- 10m or 1.81 acres are different from those mentioned in the land document 'Hibbanama' executed on 21.02.06, there by leading to the conclusion that the CLU obtained was for a different piece of land.

AND WHEREAS the Correspondent, Tagore College of Education (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 aggrieved by the order of the Council the appellant filed a writ petition No. WP(C) 5193/2010 & C.M. No. 10252/2010 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court in their order dt. 04.08.10 set aside the Council's order dt. 19.07.10 and remanded the matter to the Council for decision afresh including in the light of the amended CLU document which was obtained after the date of dismissal of the appeal filed by the petitioner and further directed that the appeal be now disposed of within three weeks (from 04.08.10).

AND WHEREAS in pursuance of the Hon'ble High Court's order, the appellant, with his representation dt. 09.08.10, inter-alia furnished a clarificatory Memo No. 2550 STP (P)10/- dt. 27.07.10 issued by the senior Town Planner, Panchkula circle, Panchkula. Shri Balbir Singh also appeared on 25.08.10 to present his case. In the clarificatory memo the Town Planner has stated that the Khasra Nos. mentioned in his earlier memo dt. 28.06.10 may be read along with Hibbanama Regd. No. 2495 dt. 21.02.06 (Khawat No. 298, Khasra No. 24/2/2/2 (1-3) 24/9/1 (6-14) Jamabandi year 2002-03, intkal No. 2667) & Regd. Sale deed No. 275 dt. 30.05.08 (Khewat No. 50, Khatoni No. 61, Khasra No. 24/10/2/1(6-13), Jamabandi year 2002-03 intkal No. 2966). He also confirmed that the other terms and conditions of the NOC as conveyed in the earlier Memo dt. 28.06.10.

AND WHEREAS the Council noted that the NRC after getting an inspection of the appellant institution conducted and on receipt of a reply dt. 06.04.09 to the notice dt. 08.03.09 issued to the institution, refused recognition only on the grounds of absence of CLU on the prescribed format and negative recommendation of State

Govt. the Council also noted that on an earlier occasion the Council rejected the appeal of the institution only on the ground of certain discrepancies in the land documents noticed on the basis of the CLU dt. 28.06.10 issued by the senior Town Planner, Panchkula. Since the Senior Town Planner has clarified the position in his memo dt. 27.07.10 citing the document numbers in the Hibbanama, the Council came to the conclusion that the representation of the appellant deserved to be accepted and in supersession of the council's order dt. 19.07.10. The order of NRC dt. 23.04.09, was therefore, set aside with the direction that orders under clause 7(9) of the NCTE Regulations may be issued within 15 days of the receipt of the revised appellate order.

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 and that it should be accepted, set aside the order of the NRC dt. 23-05-09 and remand the case to the NRC for issuance of letter of intent prior to grant of recognition under clause 7(9) of the NCTE Regulation immediately, in supersession of the Council's order at 23-05-09.

NOW THEREFORE, the Council hereby remands back the case of Tagore College of Education, Distt. Karnal, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The President, Tagore College of Education, Amarharh Road, Sandhir, Tehsil - Nilokheri,, Distt. 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.89-935/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

31/08/2010

ORDER

WHEREAS the appeal of Swaranjali College of Education, Deviawas, Bithwana Chowk, Rewari, Haryana is against the minutes of the NRC meeting held on 29th July to 31st July, 2010 withdrawing recognition for conducting B.Ed and M.Ed. courses from 2010-11 academic session on the grounds that the subject expert nomination letter of the affiliating university for the selection committee of the faculty has not been submitted and the college website as per NCTE norms has not been developed.

AND WHEREAS the Correspondent, Swaranjali College of Education (hereinafter referred to as the appellant), preferred an appeal dated 09/08/2010 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 filing the statutory appeal to the council also filed a writ petition WP(C) 5443/2010 & C.M. No. 10715/2010 (for stay) before the Hon'ble High Court of Delhi at New Delhi fearing loss of admissions for the current academic year. The Hon'ble High Court in their order dt. 12.08.10 stayed the order of the NRC and directed the Council to decide the appeal within three weeks (from the date of the order).

AND WHEREAS Shri Surender Yadav, Secretary and Shri Naresh Kumar, Librarian presented the case of the appellant institution on 26.8.2010. In the appeal and during personal presentation, it was submitted that besides making selection of faculty on the recommendations of a duly constituted selection committee as per the policy of the State Govt./ University and submission of an affidavit by the institution, there is no specify requirement of submission of nomination and approval letters from the university. The appellant also submitted that they have written three letters to M.D. university, Rohtak on 01.08.09, 17.12.09 and 21.03.09 requesting nomination of university Experts to the Selection Committee for selecting faculty for B.Ed. and M.Ed. courses but received no reply. The appellant further submitted that the university only issued guidelines for appointing faculty and given names of experts who are to be included in the Selection Committee without making any specify nomination. The appellant submitted that following these guidelines they have constituted selection committee. He added that there is no system of University's approval for the selection of faculty members. The appellant submitted that they have created the web-site at the time of grant of recognition and the same is being updated as per the instructions of the NCTE.

AND WHEREAS the Council perused the copies of the minutes of the selection committees furnished by the appellant institution and found that subject experts were duly included in the Selection Committees. the Council taking into account all the submissions made by the appellant came to the conclusion that the appeal deserved to be accepted, the order of the NRC set aside and the NRC directed to restore recognition for B.Ed. and M.Ed. course within 15 days of the issue of the appellate order.

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 and set-aside NRC's decision taken about this institution vide minutes of NRC meeting held on 29th July to 31st July, 2010. Accordingly the minutes of NRC in respect of above institution was set-aside with direction to the NRC to restore recognition for B.Ed. and M.Ed. course within 15 days of the issue of the appellate order.

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

(Hasib Ahmad)
Member Secretary

1. **The Secretary, Swaranjali College of Education, Deviawas, Bithwana Chowk, St-Chhuriawas Bawal Road, , Rewari - 123401, 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.89-1054/2009-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

31/08/2010

ORDER

WHEREAS the appeal of Shanti College of Education, Una, Himachal Pradesh against the order of the NRC F.No.NRC/NCTE/F-7/HP-260/148 Meeting /2009/9613 dated 31-8-09 refusing recognition for M.Ed. course on the grounds that the land has not been registered in the name of the institution within 90 days; multipurpose hall is small in size; 20 computers are not enough for B.Ed. and M.Ed.; and titles in the library are not as per norms for M.Ed. was rejected by the Council in their order F.No. 89-1054/2009-Appeal/A5909 dated 06-11-09 on the grounds that the size of the multipurpose hall was inadequate as per norms and adequate computers and books were also not available at the time of inspection and the institution admitted these shortcomings.

AND WHEREAS the Correspondent, Shanti College of Education (hereinafter referred to as the appellant), preferred an appeal dated 14/09/2009 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 aggrieved by the order of the Council, the appellant file a writ petition No. WP (c) 13220/2009 and C.M.No.14394/2009 before the Hon'ble High Court of Delhi at New Delhi. The Hon'ble High Court in that order held that there was no basis in the order of NRC and Council to disagree with the visiting team's report in reference to multi-purpose hall, computers and books in the library set aside the Council's order and remanded the matter to the Council for fresh consideration and decision with reasons on or before 31st August, 2010. The appellant forwarded a copy of the Hon'ble High Court's order to the Council with his letter dated 06-08-2010 for compliance.

AND WHEREAS Shri. C.L.Sharma, Chairman presented the case of the appellant institution on 20-8-10. He has not furnished any additional documents. He has again drawn attention to what he had submitted in the appeal earlier and pleaded for re-consideration.

AND WHEREAS the Council noted that even though the visiting team had mentioned in the statement of 'essential data', which has also been signed by the Chairman of the appellant society only one multi-purpose hall of 125.10 Sq.mt. and the visiting team reported that hall is as per norms, the appellant has claimed that the institution has in fact two multi-purpose hall each with a total area of 125.10 to meet the requirements. the Council also noted while the visiting team has not commented about the inadequacy of computers and found addition of adequate number of books for M.Ed., the appellant has claimed that he has since brought the

number of computers to 40, by purchasing 20 more (as per copy of bill dated 04-09-09) and also placed orders for additional books and showed copies of the relevant orders to the visiting team.

AND WHEREAS the Council taking into account the submission of the appellant and the report of the visiting team and reviewing the entire matter has come to the conclusion, that in supersession of the Council's Order dated 06-11-09, the appeal deserved to be accepted, the order of the NRC dated 31-8-09 set aside and the NRC directed to issue necessary orders under the provisions of Clause 7(9) of the NCTE Regulations within 15 days of the receipt of the appellate order. 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 31-08-09 and remanded back the case to NRC for issuance of Letter of Intent prior to grant of recognition under Clause 7(9) of NCTE Regulations, 2007 within 15 days of issue of this order.

NOW THEREFORE, the Council hereby remands back the case of Shanti College of Education, Una, Himachal Pradesh to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Chairman, Shanti College of Education, Vill. Kailash Nagar, Po- Nakroh, Teh.- Amb,, Una - , 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.89-784/2010-Appeal

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

31/08/2010

ORDER

WHEREAS the appeal of LNT College of Education (Shri Laxmi Narayan Tayal Educational Society), Panipat, Haryana dated 30/06/2010 is against the Order No. NRC/NCTE/F-3/HR-490/2010/24076-83 dated of the NRC, withdrawal recognition for conducting B.Ed course on the ground that "the reply of the institution vide letter number 232/10 dated 19/02/2010 in response to letter NRC/NCTE/F-3/HR-490/151 Meeting/2009 14814 dated 08.01.2010 is not satisfactory".

AND WHEREAS the Correspondent, LNT College of Education (Shri Laxmi Narayan Tayal Educational Society) (hereinafter referred to as the appellant), preferred an appeal dated 30/06/2010 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 Correspondent, LNT College of Education (Shri Laxmi Narayan Tayal Educational Society) (hereinafter referred to as the appellant), preferred an appeal dated 30/06/2010 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 Sushil Gupta, Chairman and Shri Rakesh Dhiman, A.Manager, presented the case of the appellant institution on 26.08.2010. In the appeal and during personal presentation, it was submitted that a reply had been sent to the show cause notice dated 09.01.2010 on 19.02.2010, which was not found satisfactory by the NRC while issuing the order of withdrawal; NRC never informed about the date of inspection; the letters if any were sent to wrong address and were never received by the appellant, it was not possible to allow inspection as the records demanded by the team was in the custody of the President of the society, who was out of town for a period of one month. The reason for not allowing inspection was bona fide and the appellant has no hesitation in getting the college inspected at any point of time. At the same time he has challenged the power of NRC to conduct inspection under section 17 of the NCTE, Act. Here the contemplated challenge inter alia on the ground that the order passed by NRC is without giving any reasons.

AND WHEREAS the Council noted that the appellant has filed a writ petition No. WP(C)4327/2010 & CM No. 8584/2010 (to stay) before the Hon'ble High Court Delhi at New Delhi and Hon'ble High Court in their order dated 01.07.2010 stayed the operation of the impugned order till a decision of the appeal preferred by the petitioner and directed the disposal of the appeal on or before 31.07.2010. The

appellant however did not appear to present his case in the meeting of the Council held on 20.07.2010 and 16.8.2010.

AND WHEREAS the Council taking into account all aspects of the matter and the willingness of the appellant to have his institution conducted at any time has come to the conclusion that the appeal deserved to be accepted and the NRC directed to have an inspection of the institution conducted and the appellant directed to deposit the inspection fee of Rs. 40,000/- within 30 days of is issue of the appellant order.

NOW THEREFORE, the Council hereby remands back the case of LNT College of Education (Shri Laxmi Narayan Tayal Educational Society), Panipat, Haryana to the NRC, NCTE, for necessary action as indicated above.

(Hasib Ahmad)
Member Secretary

1. **The Manager, LNT College of Education (Shri Laxmi Narayan Tayal Educational Society), 79, Milestone, G.T. Road, Panipat,, Panipat - 132103, 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.
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