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F.No.89-115/2015 Appeal/11<sup>th</sup> Meeting-2015

**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

10/11/2015

**ORDER**

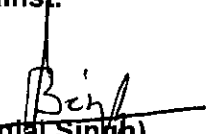
**WHEREAS** the appeal of Jeevan Jyoti Education Society, Behind Bandhavgarh Hotel House No. 336, Ward-15, Bandhavgarh, Umaria, Madhya Pradesh – 488661 dated 25/08/2015 is against the Order No. WRC/APP2111/223/227<sup>th</sup>/2015/8933-8939 dated 25/06/2015 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Hence, Recognition is refused u/s 14(3)(b) of NCTE Act, 1993. FDRs be returned."

**AND WHEREAS** Sh. Vikram Singh, Secretary and Sh. Jagmohan Singh, Owner, Jeevan Jyoti Education Society, Behind Bandhavgarh Hotel House No. 336, Ward-15, Bandhavgarh, Umaria, Madhya Pradesh – 488661 presented the case of the appellatant institution on 06/10/2015. In the appeal and during personal presentation it was submitted that "The building is still under construction, Due to monsoon season it got delayed. 3000 books are ordered and are under shipment. As per the book seller it will be delivered soon. The FDR of Rs. 8,00000/- were submitted as per the guidelines during the time of application, but now guidelines are changed, and we agree to make new FDRs of Rs. 12,00000/-..

**AND WHEREAS** Appeal Committee noted that the Visiting Team inspected the appellatant institution on 18.04.2015 and reported that the built up area was inadequate and construction was incomplete. Except computer lab, there was no other lab and library had only 400 books out of which only 40 books related to B.Ed. course. The appellatant in reply to the Show Cause Notice did not counter the position and during appeal presentation also agreed that building is still under construction. Committee, therefore, concluded to confirm the refusal order dated 25.6.2015 issued by WRC as the appellatant institution was not prepared enough for conducting the course.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the WRC was justified in refusing recognition and therefore, the appeal deserves to be rejected and the order of the WRC is confirmed.

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

  
(Juglal Singh)  
Member Secretary

1. **The Secretary, Jeevan Jyoti Education Society, Behind Bandhavgarh Hotel House No. 336, Ward-15, Bandhavgarh, Umaria, Madhya Pradesh – 488661.**
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. The Secretary, Education (looking after Teacher Education) Government of Madhya Pradesh, Bhopal.

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F.No. 89-116/2015 Appeal/11<sup>th</sup> Meeting-2015  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

10/11/2015

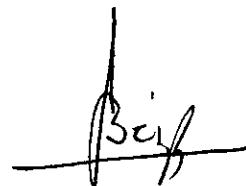
**ORDER**

**WHEREAS** the appeal of District Institute of Education & Training (DIET), Barkot, Uttarkashi, Uttarakhand dated 23/08/2015 is against the Order No. NRC/NCTE/NRCAPP-9641/238<sup>th</sup> Meeting (Part-VI)/2015/110619 dated 04/06/2015 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "The reply of the institution to the SCN 14/05/2015 has been considered and is not acceptable to NRC."


**AND WHEREAS** Sh. Shiv Prasad Semwal, Principal, District Institute of Education & Training (DIET), Barkot, Uttarkashi, Uttarakhand presented the case of the appellant institution on 06/10/2015. In the appeal and during personal presentation it was submitted that "Column of infrastructure detail, size of multipurpose hall is left blank in the essential data sheet because we have no separate multipurpose hall, but we use the training hall/class room of size 10.25 x 6.75 m, the biggest one as multipurpose hall too. However we have submitted the proposal of multipurpose hall, as per required size, to the competent authority i.e. SCERT/state Govt. (Affidavit & proposal are enclosed). Assurance have been given by the authority to release fund. Whenever approval will be given by the competent authority, after that we will start constructing it as soon as we receive the fund. Sir, DIET, Barkot is a Govt. institution, so we have limitations of fund, as per Govt. Rules. Since 47 (out of 50 seats) students have already been taken admission to D.El.Ed. course and completed their first semester, so it is the question of their future. The institution was already given recognition of two year BTC course earlier by NCTE, NRC. Taking its earlier record and considering the future of students, please consider about the recognition of D.El.Ed. course in DIET, Barkot. We will be grateful to you for the same."

**AND WHEREAS** Appeal Committee noted that a Show Cause Notice (S.C.N.) dated 14.05.2015 was issued to appellant institution seeking details of measurements of multipurpose hall and other facilities. The appellant institution in its reply dated 23.05.2015, (which is an endorsement to a letter addressed to SCERT, Dehradun) informed that estimates for construction of a multipurpose hall at an estimated cost of Rs. 19.91 lakh has been prepared and forwarded to concerned authority. The appellant institution in its Appeal Memoranda has also stated that a Training hall measuring 69.18 sq. mtrs. is being used as multipurpose hall. Appeal Committee considering that the appellant institution does not have a multipurpose hall of adequate size, decided to confirm the refusal order dated 04.06.2015 issued by NRC.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserves to be rejected and the order of the NRC is confirmed.



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

  
(Juglal Singh)  
Member Secretary

1. **The Principal, District Institute of Education & Training (DIET), Street No. – New Market, VPO – Barkot, Post Office – Barkot, Tehsil/Taluka-Barkot, Town/City – Barkot, District-Uttarkashi-249141, State – Uttarakhand.**
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttarakhand, Dehradun.

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F.No. 89-117/2015 Appeal/11<sup>th</sup> Meeting-2015  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

10/11/2015

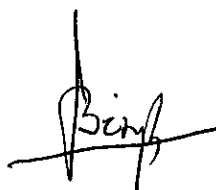
**ORDER**

**WHEREAS** the appeal of SSD Kanya Degree College, Dibai, Bulandshahr, Uttar Pradesh dated 02/09/2015 is against the Order No. NRC/NCTE/NRCAPP-3601/240<sup>th</sup> Meeting/2015/120819 dated 13/08/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not submitted reply of SCN."

**AND WHEREAS** Sh. Lokendra Pal Singh, Lecturer and Sh. Sushil Kumar, Office Superintendent SSD Kanya Degree College, Dibai, Bulandshahr, Uttar Pradesh presented the case of the appellant institution on 06/10/2015. In the appeal and during personal presentation it was submitted that "on the basis of the letter of intent issued on 23/02/2015 by NCTE, Jaipur, a letter dated 25/02/2015 was sent to Meerut University for the appointment of subject experts for approval of teachers and affiliation form but inspite of several repeated requests and personal visits, University did not issue the affiliation form and the name of subject experts till date as such the letter of intent remained unreplied in time. The NCTE issued show cause notice on 05/06/2015, but the same could not be replied for the above mentioned reasons. Consequently no expert was appointed. As such the entire process of granting permission/recognition collapsed and NCTE refused the permission for the course. Reply of show cause notice was sent to NRC, Jaipur through a letter with an affidavit. It all happened due to non-cooperation of the Meerut University. The applicant institution had no option except to wait and request for the form and appointment of experts. It all reflects the bonafide of the applicant institution."

**AND WHEREAS** Appeal Committee noted that a letter of Intent under clause 7(13) of the NCTE Regulations, 2014 was issued to the appellant institution on 23.02.2015. Appellant institution was required to furnish compliance of L.O.I. within a period of two months. As the institution did not furnish any compliance to the L.O.I., a Show Cause Notice (S.C.N.) dated 05.06.2015 was issued. The appellant institution did not furnish reply to the S.C.N. which resulted in issue of refusal order dated 13/08/2015. The appellant institution in its Memoranda of Appeal submitted that inspite of several letters C.C.S. University, Meerut did not cooperate in appointing subject experts for approval of teachers. The difficulty experienced by the appellant institution in getting affiliation and subject experts nominated by the C.C.S. University, Meerut can be well understood when it is noticed that Copy of L.O.I. dated 23.02.2015 was endorsed by N.R.C. Jaipur to Registrar, Chattrapati Shahuji Maheraaj (CSJM) University, Kanpur instead of Choudary Charan Singh University, Meerut. The appellant institution in its online application has very clearly filled up the name of C.C.S. University, Meerut as affiliating University. N.R.C. has therefore, erred in not endorsing the copy of L.O.I. to the concerned university which might have caused delay in getting a suitable response from the University. Committee therefore, decided to remand back the case to N.R.C. with a direction to reissue the L.O.I. with suitable time to the appellant institution for compliance.

**AND WHEREAS** on perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, the Committee concluded to remand back the case to N.R.C. with a direction to re-issue the L.O.I. correcting the name of affiliating University in the endorsement.



**NOW THEREFORE, the Council hereby remands back the case of SSD Kanya Degree College, Dibai, Bulandshahr, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.**

  
**(Juglal Singh)**  
Member Secretary

- 1. The Secretary, SSD Kanya Degree College, Dibai Bulandshahr, SSD Kanya Degree College, Saria Kishan Chand, Galibpur Road, Dibai Bulandshahr, Uttar Pradesh – 203393.**
- 2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.**

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F.No. 89-118/2015 Appeal/11<sup>th</sup> Meeting-2015  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

10/11/2015

**ORDER**

**WHEREAS** the appeal of IPS Management and Education, Rohtak, Haryana dated 13/08/2015 is against the Order No. NRC/NCTE/HR -1569/234<sup>th</sup> Meeting/2015/120255 dated 06/08/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "List of faculty duly approved by the affiliating university has not been submitted by the institution. Building completion certificate issued by the competent Govt. authority (in the format prescribed by the NRC, NCTE) clearly mentioning the name of the institution, courses, location of the land, plot number, total land and total built up area has not been submitted by the institution. An opportunity was given to the institution to furnish course-wise detailed information regarding land documents, faculty position, infrastructure support, Endowment & Reserve Fund etc., as per NCTE Regulations, 2014 within 30 days from the date of issue of the letter dated 05/02/2015. The institution did not submit reply to the letter dt. 05/02/2015."

**AND WHEREAS** Dr. Jogender Singh, Chairman and Dr. Sarita Karwasra, Secretary, IPS Management and Education, Rohtak, Haryana presented the case of the appellant institution on 06/10/2015. In the appeal and during personal presentation it was submitted that "As under Lord Krishna Jan Kalyan Evm Shiksha Samiti two Colleges were approved by NRC, NCTE of which both the colleges were having same khasra no. of land and building. Now only IPS College of Education Research & Technology is in this land and building but now as file of shifting the college premises of IPS College of Education Research & Technology has been submitted to NRC, NCTE therefore only IPS Management and Education College will be run by the Society in this land and building."

**AND WHEREAS** Appeal Committee noted that recognition for conducting B.Ed. course was finally withdrawn by N.R.C. on the ground that appellant institution did not furnish reply to the Show Cause Notice (S.C.N.) dated 05/02/2015. The appellant during the course of appeal presentation stated that reply to the N.R.C. letter dated 05/02/2015 was delivered in the office of N.R.C. by hand on 27/02/2015. As evidence, copy of letter dated 27/02/2015 bearing acknowledgement stamp with date was submitted by the appellant. Committee noted that the acknowledgment stamp does not bear any diary number. Committee, however, keeping in view the submissions made by appellant, decided to remand back the case to N.R.C. for verifying the genuineness of the letter dated 27/02/2015 and its receipt in the office of N.R.C. subject to the correctness of statement made by appellant with regard to submission of reply dated 27/02/2015 and the matter may be re-examined for issue of revised orders.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to verify the genuineness of letter dated 27/02/2015 and its receipt in the office of N.R.C., Jaipur, subject to letter dated 27/02/2015 having been received in the office of N.R.C. and the matter may be re-examined for issue of revised orders.



**NOW THEREFORE, the Council hereby remands back the case of IPS Management and Education, Rohtak, Haryana to the NRC, NCTE, for necessary action as indicated above.**

  
**(Juglal Singh)**  
Member Secretary

- 1. The Appellant, IPS Management and Education, Rohtak, H.No. 7, Lane No. – 5, Vinay Nager Opp. Devilal Park, Rohtak, Haryana – 124001.**
- 2. The-Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.**
- 3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.**
- 4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.**

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F.No.89-120/2015Appeal/11<sup>th</sup> Meeting-2015  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

10/11/2015

**ORDER**

**WHEREAS** the appeal of Sri Raja Rajeshwari College of Education, Walajapet, Vellore, T.N. dated 10/09/15 is against the Order No. APS05218/B.Ed/TN/2013-14/56401 dated 23/01/2014 of the Southern Regional Committee, withdrawing recognition for conducting B.Ed. course on the grounds that "The staff list submitted by the institution has many deficiencies. Even the original list is not submitted/available. And however, request for shifting proposal is rejected."

**AND WHEREAS** Sh. N. Guna Sekaran, Chairman and Sh. P. Paramasivam, Correspondent, Sri Raja Rajeshwari College of Education, Walajapet, Vellore, T.N. presented the case of the appellant institution on 06/10/2015. In the appeal and during personal presentation it was submitted that "We submitted staff list approved by Tamilnadu Teacher Education University in original. And also we submitted staff list in NCTE prescribed format without any deficiencies."

**AND WHEREAS** Appeal Committee noted that there is a delay of more than one year and five months in filing appeal by the appellant. The appellant has attributed this delay to the death of managing trustee on 25.07.2014. Committee noted that withdrawal order is dated 23.01.2014 and the legitimate date for filing appeal against the impugned order was 22.03.2014. The date of death of managing trustee as told by appellant institution was in July, 2014. As such the death of Managing trustee which took place after six months of the withdrawal orders cannot be a valid reason for delay. Moreover, the online appeal was registered in September, 2015 i.e. after one year & two months from the date of death of the Trustee. Committee therefore, decided that reasons for delay in preferring appeal are not convincing and delay occurred is inordinate. Committee concluded not to condone the delay and appeal is rejected for reasons of delay.

**AND WHEREAS** on perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the hearing, Committee decided to reject the appeal on grounds of inordinate delay.

  
(Juglal Singh)  
Member Secretary

1. The Correspondent/Secretary, Sri Raja Rajeshwari College of Education, V.G.M. Nagar, Ammoor Road, Walajapet – 632513, Vellore District, Tamilnadu.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Southern Regional Committee, Jnana Bharathi Campus Road, Nagarabhavi, Opp. National Law School, Bangalore - 560 072.
4. The Secretary, Education (looking after Teacher Education) Government of Tamil Nadu, Chennai.



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**F.No. 89-121/2015 Appeal/11<sup>th</sup> Meeting-2015**  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**

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

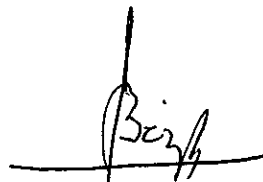
10/11/2015

**ORDER**

**WHEREAS** the appeal of College of Modern Education, Motla Kalan, Rewari, Haryana dated 04/09/2015 is against the Order No. NRC/NCTE/NRCAPP-3750/237<sup>th</sup> Meeting/2015/115974 dated 10/06/2015 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "Reply to the show cause notice is not satisfactory on the following points. Plot no. and building plan do not match with mentioned on hardcopy of online application submitted by the institution. Total built-up area as mentioned in the hard copy of online application is 2000 sq. mts. whereas the VT report mentions the total area of 1669 sq. mt. The map of existing plan submitted by the institution shows the covered area 3009 sq.mts. The building plan submitted was signed application does not match with submitted to VT. Hence, the Committee decided that recognition to the institution is refused u/s 14/15 (3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution."

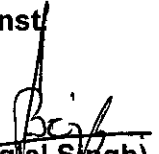
**AND WHEREAS** Sh. Anil Yadav, Secretary, College of Modern Education, Motla Kalan, Rewari, Haryana presented the case of the appellant institution on 06/10/2015. In the appeal and during personal presentation it was submitted that "the miss-match of plot no. (408/401) mentioned on the hard copy of the online application was human error. It is submitted that the inspection report itself may be perused to observe that the inspection had been carried out at Plot No. 401 and not Plot No. 408. The building plan submitted with the hard copy did not match with the online application as at the time the building plan was submitted construction of the building was in fact underway."

**AND WHEREAS** Appeal Committee noted that land identification number as filled in the online application was khasra no. 408. This khasra number 408 is entered twice (Page 1 & Page. 3) of the online application. The land documents enclosed with the application pertained to khatoni no. 401. The building plan enclosed with the hard copy of the application did not mention any property identification number. The building plan however, mentioned the plot area as 65340 sq. feet and covered area as 16650 sq. feet. The discrepancies were pointed out to the appellant institution through a Deficiency letter dated 8/08/2013. The appellant institution furnished to N.R.C. another building plan which was for a proposed D.El.Ed. Course at Khatoni no. 408 (overwritten on No. 401). The built up area as per above plan was 19702 sq. feet. In reply to a Show Cause Notice dated 30.04.2015 the appellant institution furnished another building plan for property at Khasra no. 401 which mentions the covered area as 3009 sq. meters. Committee observed that in addition to the fact that the three building plans are different, none of these three plans are approved by any civic authority and as such there is no sanctity of such building plans. The Visiting Team in its inspection report dated 22/03/2014 has informed that the size of multipurpose hall is only 500 sq. feet. Committee further observes that land documents are essential documents required to be submitted alongwith application. There can be no change in the property number as filled in the online application. Khasra number as filled in the application form was 408 and the building plan submitted with the application also pertained to Khasra no. 408. Submitting of land documents for Khasra no. 401 therefore, cannot be accepted. Committee decided to confirm the refusal order dated 10.06.2015 issued by N.R.C. on grounds of inadequate size of multipurpose hall, non-submission of B.C.C. issued by Competent Authority and land documents with a different khasra number.



**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, the documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the NRC was justified in refusing recognition and therefore, the appeal deserves to be rejected and the order of the NRC is confirmed.

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

  
(Juglal Singh)  
Member Secretary

1. The Appellant, College of Modern Education, VPO-Motla Kalan, District – Rewari, Haryana – 123401.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Haryana, Chandigarh.

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F.No. 89-160/2014 Appeal/11<sup>th</sup> Meeting-2015  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

10/11/2015

**ORDER**

**WHEREAS** the appeal of Shivalik Institute of Education, Saharanpur, Uttar Pradesh dated 26/03/2014 is against the Order No. NRC/NCTE/NRCAPP-6406/223<sup>rd</sup> Meeting/2013/69698 dated 04/02/2014 of the Northern Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "As per documentary evidence submitted by the institution, the land has been given to Shivalik Institution on Private Lease Basis, which is not as per 8(7)(i) of NCTE Regulations, 2009."

**AND WHEREAS** Dr. Neeraj Kaushik, Principal, Shivalik Institute of Education, Saharanpur, Uttar Pradesh presented the case of the appellant institution on 06/10/2015. In the appeal and during personal presentation it was submitted that "The Society running the institution is in possession of 2.058 Hectare (20580m<sup>2</sup>) as per the clause 8(7) (1) of the NCTE Regulation 2009. For evidence certified copies of the registered sale deeds (i) Khasara No. 153/area 1.603 ha. Dated Dec., 12, 2003 (ii) Khasara No. 159/area 0.327 ha. Dated Aug. 19, 2004 and (iii) Khasara No. 158/area 0.128 ha. Dated April 8, 2005 in favour of the Society are appended herewith as Annexure-2 (i), 2(ii) and 2(iii). The online application was filed on 29/12/2012 and the hard copy of the online application alongwith Annexures was dispatched by speed post on January 4, 2013 well within 7 days as per clause 7(1-A\_ (1) of the NCTE regulations 2009, for evidence a photocopy of the speed post receipt no. EU332424154TN dated 04/01/2013 in appended herewith as (Annexure 3- speed post receipt no. EU332424154TN dated January 4, 2013). The institute is already running B.Ed. course with effect from academic session 2004-2005 (Annexure-4 NRC, NCTE's letter of approval of B.Ed. dated Aug.4, 2004), vide letter no. F.NRC/NCTE/F-3UP-1184/5122 dated Aug. 4, 2004. The institute has earned accreditation by NAAC with latter Grade B. (Annexure-5, NAAC certificate)."

**AND WHEREAS** Appeal Committee noted that the appellant institution had earlier preferred an appeal against the refusal order dated 04/02/2014 and the appellate authority vide its order dated 25/11/2014 had confirmed the refusal order dated 04/02/14 issued by N.R.C. The appellant filed a Writ Petition no. 3329/2015 in the Hon'ble High Court of Delhi. The Hon'ble High Court in its order dated 19/05/2015 has ruled that the private lease between the applicant society and the applicant institution does not dilute the condition of ownership and possession of land as required under Clause 8(7)(i) of 2009 Regulation or 8(4) of Regulations, 2014. The Hon'ble High Court has remanded the matter back to the appellate authority in view of the petitioner's assertion that land in question belongs to society and has been leased to the institution.

**AND WHEREAS** Appeal Committee has no hesitation in admitting that N.R.C. had issued refusal order dated 04/02/2014 and appellate authority had confirmed the impugned order not appreciating in spirit the contents of clause 8(7)(I) of 2009 Regulations. But going through the relevant documents reveal that the appellant institution had not submitted certified copy of the registered land documents issued by Competent Authority in favour of the society alongwith hard copy of the application as required under clause 7(1) (IV) of 2009 Regulations. Since the requirement of furnishing certified copy of land document alongwith hard copy of application is not reproduced in the 2014 Regulations and all applications are now required to be processed as per 2014 Regulations, Committee decided to remand back the case to N.R.C. with a direction to re-process the application of appellant institution as per NCTE Regulations, 2014.

**AND WHEREAS** after perusal of the memorandum of appeal, affidavit, documents available on records and considering the oral arguments advanced during the hearing, the Committee concluded that the appeal deserves to be remanded to NRC with a direction to re-process the application of appellant institution as per NCTE Regulations, 2014.

Now **THEREFORE**, the Council hereby remands back the case of Shivalik Institute of Education, Saharanpur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.

  
(Juglal Singh)

Member Secretary

1. The Secretary, Shivalik Institute of Education, KN-153, 158, 159, Free Hold Honourship, NA, Redi, Mustahkam, Saharanpur, Uttar Pradesh - 247001.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Northern Regional Committee, Fourth Floor, Jeevan Nidhi-II, LIC Building, Bhawani Singh Marg, Ambedkar Circle, Jaipur - 302005, Rajasthan.
4. The Secretary, Education (looking after Teacher Education) Government of Uttar Pradesh, Lucknow.

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F.No.89-151/2013 Appeal/11<sup>th</sup> Meeting-2015  
**NATIONAL COUNCIL FOR TEACHER EDUCATION**  
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

10/11/2015

**ORDER**

**WHEREAS** the appeal of Mohammedwalla Trust, Thane, Maharashtra dated 22/03/2013 is against the Order No. WRC/APW00173/123041/178<sup>th</sup>/2013/100500 dated 05/03/2013 of the Western Regional Committee, refusing recognition for conducting B.Ed. course on the grounds that "The institution has not been able to submit the staff profile duly approved by the affiliating University, even though it was asked for as for as back as the 148<sup>th</sup> meeting of WRC."

**AND WHEREAS** Mrs. Kausar Jahan Ab. Latif Gawandi, Administrative Officer and Sh. Bhushan Murlidhar Vibhute, Assistant, Mohammedwalla Trust, Thane, Maharashtra presented the case of the appellant institution on 06/10/2015. In the appeal and during personal presentation it was submitted that "The appellants are a trust established by a religious minority (Muslim) in the State of Maharashtra. The appellants is a Society Registered under the Society Registration Act, 1860 and having their office mentioned in the cause title. Respondent No. 1 is the, WRC, NCTE, Bhopal. 2. The appellants by this appeal inter alia challenging the impugned order dated 05/03/2013 not considered the Petitioners Application."

**AND WHEREAS** Appeal Committee noted from the case history of the appellant institution that it had applied for recognition of B.Ed. course way back in the year 2002. Since then recognition has been refused to the institution on a number of times and appellant institution had preferred appeal against the refusal orders. Committee further noted that Western Regional Committee in its 144<sup>th</sup> Meeting held on 29-31<sup>st</sup> January, 2011 decided to issue a Letter of Intent and accordingly a Letter of Intent was issued on 22.02.2011. The appellant institution was given two month time to fulfil certain formalities including selection and appointment of faculty with the approval of affiliating University. As the appellant institution failed to submit staff list approved by examining body and the selected Principal did not have adequate teaching experience, a Show Cause Notice (S.C.N) dated 25.04.2011 was issued. Subsequently a refusal order dated 27.09.2011 was issued on the ground that the institution has not submitted staff profile duly approved by examining body. The refusal order dated 27.09.2011 was appealed against and the appellate authority vide its order dated 20.03.2012 gave the appellant another three months time to submit approved staff profile.

**AND WHEREAS** Appellant institution informed W.R.C., Bhopal and NCTE, New Delhi vide its letter dated 06.07.2012 about the non-cooperation of affiliating University in the matter of approving staff profile. Considering the difficulties faced by appellant institution, the Regional Director, W.R.C. addressed a letter dated 29.11.2012 to Registrar of all State Universities for adherence to the provisions of clause 7(9) of the NCTE, Regulations, 2009. Since the appellant institution was not able to submit the staff profile even thereafter, W.R.C., Bhopal issued refusal order dated 05.03.2013 which is now appealed against.

**AND WHEREAS** the appellant preferred an appeal against the refusal order dated 05.03.2013 and at the same time also filed a Writ Petition no. 600 in the High Court of Bombay pressing for prosecution of the appeal. The Writ Petition has now been disposed of and the Hon'ble Court vide its order dated 07/08/2015 has directed to expedite the hearing of the appeal and dispose of the same as early as positive. The petitioner was also permitted to file additional

affidavit, documents before the appellate authority. The appellant institution has furnished copies of faculty/principal approved in December, 2014 and January, 2015.

**AND WHEREAS** keeping in view the orders dated 07/08/2015 of Hon'ble Court, Appeal Committee decided to remand back the case to W.R.C. for considering the list of faculty which the appellant should furnish to them within a period of 30 days from the date of issue of appeal orders.

**AND WHEREAS** after perusal of the Memoranda of Appeal, affidavit, documents on record and oral argument advanced during the hearing Committee concluded to remand back the case to W.R.C. for considering the list of faculty which the appellant institution should furnish to them within 30 days of the issue of appeal orders.

**Now THEREFORE, the Council hereby remands back the case of Mohammedwalla Trust, Thane, Maharashtra to the WRC, NCTE, for necessary action as indicated above.**

  
(Jugla Singh)  
Member Secretary

1. The Secretary, Mohammedwalla Trust, Mohammed Khalid College of Education, At Post : Tarapur, Tal: Palghar, Distt: Thane Tarapur, Thane – 401502. 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. The Secretary, Education (looking after Teacher Education) Government of Maharashtra, Mumbai.