



F.No.89-831/2016 Appeal/13th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 31-8-2017

ORDER

WHEREAS the appeal of MMT College of Education, Dokarranji, Seoni, Madhya Pradesh dated 15/12/2016 is against the Order No. WRC/APP2695/260th/{M.P.}/2016/174745 dated 19/10/2016 of the Western Regional Committee, withdrawing recognition for conducting D.El.Ed. Course on the grounds that "the reply received from the institution was placed before WRC in its 260th meeting held on October 13-15, 2016 and the Committee decided that "...This case refers to complaints received from various quarters that there is no building. Further documentary evidence was submitted from the Talathi Deolari that the building is under construction. This contradicts the Building Completion Certificate issued by the Sarpanch, Gram Panchayat – Dokaranji. Further, Recognition was given to the institution on 02/05/2016 on the basis of a letter from the additional Collector, Seoni. The veracity of the certificate from the additional Collector has been questioned. It is clear that, there was no building at the time of VT and the documents regarding the building submitted by the institution appear to be false. The institution replied on 07/10/2016 but has not produced any documentary evidence. Hence, Recognition is withdrawn under Section 17 of the NCTE Act, from the end of the academic session next following the date of withdrawal."

AND WHEREAS Shri. Sandeep Tewari, Manager, MMT College of Education, Dokarranji, Seoni, Madhya Pradesh presented the case of the appellant institution on 25/03/2017. In the appeal and during personal presentation it was submitted that "the complainant himself has given an affidavit to the District Collector, Seoni, MP that he did not make any complaint dated 04/04/2016 and that quoting his name and address the complaint was made which is fake. On the basis of this complaint the entire issue was raised by WRC. The Anuvibhageeya Adhikari (Rajasva) vide letter dated 09/11/2016 informed the Addl. Collector, Seoni, MP about the building existed on the Khasra No. 297/1 which is in the name of the college and that it has been complete

in all respects including diversion for Educational purpose and approval of the Addl. Collector for running the Private College vide letter dated 30/12/2014. They had constructed a very big building much before the inspection was carried out by the WRC. A copy of the Building Completion Certificate is enclosed. The WRC was also required to seek comments of the VT Members as they have actually visited the site and captured the facts in Video. But WRC without taking in cognizance has withdrawn the recognition. They had completed all the formalities and only thereafter given recognition by the WRC but this is not acceptable to some of the powerful persons of their locality. The appellant enclosed copies of the affidavit of the complainant denying that he made any complaint, letter dt. 09.11.2016 from the Anuvibhageeya Adhikari and a building completion certificate.

AND WHEREAS Appeal Committee noted that appellant society i.e. 'Nov Suryoday Kalyan Samitee' submitted online application seeking recognition for D.El.Ed. programme (one unit -50 seats) with institution name as 'MMT College of Education'. Land documents enclosed with the application were in the form of a sale deed in respect of land measuring 0.40 Hec. at khasra no. 297/1 and the sale was registered in September, 2011.

AND WHEREAS Appeal Committee further noted that inspection of the appellant institution was conducted on 15.02.2016 and the V.T. in its report observed that institution has land and building in name of the society. The V.T. report nowhere states the address of site where inspection was conducted. The address of communication in col. 2 of the report is mentioned as Plot no. 1, street no. 2, Village-Dokarranji, Post Bagali, Tel. Keolari, Dist. Seoni-480661, M.P. It is not verifiable from the report whether the above address is for communication or it was an address where proposed institution was to be located with land documents for 297/1, Village Kewlari, Dist. Seoni.

AND WHEREAS Appeal Committee noted that impugned withdrawal order dated 19.10.2016 was issued by WRC as a result of a complaint purported to have been made by one Shri. Suresh Chander, Social Worker who complained that there is no building at Khasra no. 297/1. The appellant has raised question about the identity of the complainant (Shri. Suresh Chand) and it is observed that different

copies of the complaint purported to have been made by Shri. Suresh Chand bear different signatures which prima facie prove that somebody with forged signatures has been making complaint against the appellant institution.

AND WHEREAS Appeal Committee observed that there have been same conflicting reports about the existence of institution building at Khasra no. 297/1, Gram Kewlari. The report of Tehsildar dated 04.07.2016 states that building of the college was found to be under construction at Khasra no. 297/1 (0.4. hec) and Khasra no. 297/2 (0.40 Hec.) with different types of building materials lying aside. Tehsildar also reported that as told by Principal, college is not conducting any programme as yet. The report of Tehsildar is supported by a few photographs of a under construction structure at door beam level.

AND WHEREAS from perusal of the documents available on relevant file Appeal Committee observed that different documents such as B.C.C. etc by appellant institution bearing approvals of local authorities does not bear signatures which can be said to be similar and matchable. For getting recognition, possibility of submission of fake and bogus certificates by the appellant is not ruled out altogether. Appeal Committee, therefore, decided that the institution be inspected under section 13 with the help of local authorities. Videography of the inspection shall also be made and report placed before Appeal Committee within 30 days of the issue of Appeal order.

AND WHEREAS the Committee noted that before and after issue of recognition order on 02.05.2016, certain complaints were made by one Shri Suresh Chandra, a Social Worker of Dokarranji, Tehsil Kewlari, Distt. Seoni, M.P about grant of recognition to the appellant institution. In one complaint dt. 04.04.2016 addressed to WRC, he stated that diversion order was not issued in favour of the land of the Society in Khasra No. 297/1 and no building for educational purpose has been constructed thereon. The WRC sent a letter dt. 20.04.2016 to the complainant to submit the complaint on a notarised affidavit within 15 days. No reply has been received to their letter. A Copy of this complaint was sent to the Society also on 20.04.2016 and they replied on 29.04.2016 enclosing a certificate dt. 29.04.2016 from Add. Collector, Siwani stating that a three storeyed building has been constructed by the Samiti on Khasra no. 297/1. Shri Suresh Chandra sent a letter dt. 29.05.2016 to the Hon'ble

Minister, School Education, M.P. complaining that no building has been constructed on Khasra No. 297/1. He requested for an inquiry. The Hon'ble Minister forwarded the complaint to Madhyamik Shiksha Mandal, M.P. for making an inquiry, who in turn forwarded the same to the WRC on 25.06.2016. The Anuvibhageeya Adhikari (Rajasva) Kevalari, Distt. Seoni with reference to a letter dt. 27.06.2016 from the Addl. Collector, Seoni sent a report to the Collector, Seoni on 07.07.2016, with copies inter alia to the R.D., WRC, Principal, M.M.T College and the Complainant. In this report, it is stated that the Tahsildar and Halka Patwari made an on the site inspection on 04.07.2016 and according to them there is no College building on Khasra no. 297/1, presently some construction work is in progress and on that land no college was found functioning. With that report, a panchanama, Tahsildar's report and some photographs (showing that a building is under construction) were enclosed.

AND WHEREAS the Committee noted that thereafter the WRC wrote a detailed letter to the Collector, Seoni on 03.08.2016, enclosing copies of the letter dt. 07.07.2016 from Anuvibhageeya Adhikari, Tehsildar's report, certificate of the Addl. Collector, Seoni dt. 29.04.2016 with a request to conduct an inquiry into the allegations made by the complaint and about the very existence of the building on Khasra No. 297/1 and submit a report in respect of the existence of the MMT College of Education within one month. The Collector was also requested to verify the correctness of the Addl. Collector's certificate dt. 29.04.2016 about completion of a three storey building on Khasra No. 297/1 and the Patwari/ Sarpanch certificate to the effect that there is no building on Khasra No. 297/1.

AND WHEREAS the Committee noted that, the WRC, without waiting for a reply to the letter dt. 03.08.2016 sent to the collector Seoni and on the basis of an internal communication between Anubhageeya Adhikari and the Collector dt. 07.07.2016 issued a show cause notice to the appellant on 26.09.2016 on the above grounds. The appellant replied on 07.10.2016. Reiterating that a three-storeyed building has been constructed on Khasra no. 297/1 in which the institution is functioning, the appellant submitted that adjacent to Khasra No. 297/1, there is a Khasra No. 297/2, Rakba 0.40 hect. which is in the name of the Shri Sandeep Tiwari, which is an ancestral land on which a building is being constructed (by himself). Shri Sandeep Tiwari is also associated with the Society. The appellant also enclosed copies of

inspection reports of the Nodal Officer (Principal, Govt. High School, Kevalari) dt. 20.08.2016 and 01.10.2016 which confirms running of the institution in a three storeyed building with 49 students. The appellant also enclosed a notarised copy of the affidavit of Shri Suresh Chandra, addressed to the Collector, Seoni inter alia stating that the complaint made in his name was false and he did not make any complaint. The WRC, not accepting the reply and observing that no documentary evidence was produced, decided to withdraw recognition and issued the withdrawal order on 19.10.2016.

AND WHEREAS the Committee noted that the appellant wrote a letter to the WRC on 24.11.2016. With this letter, the appellant enclosed a copy of the letter dt. 09.11.2016 sent by Anuvibhageeya Adhikari (Rajaswa), Kewlari to the Addl. Collector, Seoni. In this letter, it has been stated that he has conducted an inspection of the institution on 08.11.2016 and found that on Khasra No. 297/1 belonging to Nav Suryodaya Kalyan Samiti in the Village Dokarrarji, a three storeyed building has been constructed in which D.El.Ed. course of M.M.T. College of Education is running. He also stated that land diversion order was issued on 22.11.2011 and the Addl. Collector, Seoni has issued No Objection Certificate on 30.12.2014 for opening a private college. He also stated that as per register the names of 49 students, one principal and 5 teachers are registered.

AND WHEREAS the Committee noted that the appellant with their letter dt. 25.03.2017, given during personal presentation, enclosed inter alia a notarised copy of the letter dt. 8/10.03.2017 issued by the Office of the Collector, Seoni and signed by Addl. Collector addressed to the R.D. WRC. In this letter, the Collector drew attention to the contents of the letter of the Anuvibhageeya Adhikari (Rajaswa), Kevalari dt. 09.11.2016 and which were also mentioned therein. It is also mentioned in that letter that the complainant presented himself before the Court and submitted that the complaint was made falsely by somebody in his name and that he did not make any complaint. It is further mentioned that the WRC got a physical inspection of the institution done. The appellant also forwarded copy of the affidavit of the complainant and its enclosures. The office of the Collector suggested that further necessary action may be taken in the light of the above.

AND WHEREAS the Committee noted that the compliant dt. 04.04.2016 was signed by one Shri Suresh Chandra, Social Worker, Village Dokarraniji in English. In response to WRC's letter dt. 20.04.2016 asking him to submit the compliant in an affidavit, he did not reply. The complaint dt. 29.05.2016 sent by Shri Suresh Chandra, Social Worker, Village Dokarraiji, to the Hon'ble Minister, School Education, Govt. of M.P. has been signed in a different way and the language used appears to be English. The file contains complaints of similar nature sent by a person named Shri Suresh Chandra Baghel by e-mail. On the other hand, the office of the Collector, Seoni in their letter dt. 08/10.03.2017 addressed to the R.D., WRC stated that the complainant (alleged) appeared before the Court and gave in writing that the false complaint against M.M.T College of Education has been made by some other person in his name and he did not make any complaint. This written statement was submitted by one Shri Suresh Chandra of Dokarraiji Village. He also submitted an affidavit and gave copies of his Election Identity Card and Adhar Card. It is also mentioned in that letter that according to the rules of the General Administration Deptt. of the State Govt. if someone makes a false complaint in someone else's name it will be closed. In the light of this position, it can be safely held that the complaint was pseudonymous.

AND WHEREAS the Committee noted that there are prima facie contradictions between the reports of the Anuvibhageeya Adhikari (Rajaswa), Kevlari sent to the Collector, Seoni on 07.07.2016 and 09.11.2016. The former report mentioned that there is no building on Khasra No. 297/1 and presently some construction is going on. On the other hand, the letter dt. 09.11.2016 sent by Anuvibhageeya Adhikari, Kevlari to the Addl. Collector, Seoni, after conducting an inspection on 08.11.2016, not only confirms existence of a building on Khasra No. 297/1 and functioning of a College with 49 students, one principal and five teachers with other instructional facilities, but also confirms the land diversion certificate dt. 22.11.2011 and No Objection Certificate dt. 30.12.2014, the latter issued by the Addl. Collector. Now the office of the Collector, Seoni in their letter dt. 08/10.03.2017 confirmed the position stated by the Anuvibhageeya Adhikari in his letter dt. 09.11.2016.

AND WHEREAS the Committee in their meeting held on 04.07.2017 noted that the Council got the appellant institution inspected under section 13 of the NCTE Act

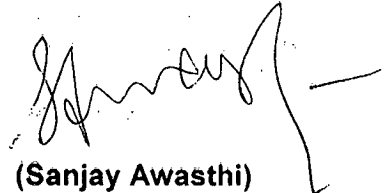
on 30th and 31st of May, 2017 as suggested in para 7 above. The visiting team reported that the first year D.El.Ed. course was started in the academic year 2016-17 with 49 students and Principal, teachers and other non-teaching staff are available. The VT recommended continuance of the course in the academic year 2017-18. The various land documents enclosed to the VT report mentioned the land identification of Khasra No. 297/1. Details of staff have also been enclosed. A copy the building completion certificate submitted to the VT and signed by the Sub-Divisional Engineer, Seoni shows 16200 sq. ft. built up area in three floors. The Committee viewed the CD of the building and its interiors submitted by the VT and found that the building is a three storeyed one- ground, first and second floors, with requisite facilities.

AND WHEREAS in conclusion, the Committee noted that the position stated in the letter from the office of the Collector, Seoni dt. 08/10.03.2017 addressed to the RD, WRC, on both the issues, namely, that (i) the complaint is not genuine but a pseudonymous one and (ii) there is a three storey-building for MMT College of Education on Khasra No. 279/1 should be taken as final. In these circumstances, the Committee concluded that the matter deserved to be remanded to the WRC with a direction (i) to consider the contents of the letter of the Collector, Seoni dt. 8/10.03.2017 addressed to them; (ii) the inspection report dt. 30-31 May, 2017 conducted under section 13 of the NCTE Act; and (iii) the position of the building emerging from the two CDs prepared during the visits of the Inspection Teams on 15.02.2016 and 30-31, May, 2017 and take further action as per the NCTE Regulations, 2014. In the meanwhile, the order of withdrawal may be kept in abeyance. A copy of the Inspection Report dt. 30-31 May, 2017 and the CD prepared on that occasion are forwarded to the WRC.

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 the WRC with a direction (i) to consider the contents of the letter of the Collector, Seoni dt. 8/10.03.2017 addressed to them; (ii) the inspection report dt. 30-31 May, 2017 conducted under section 13 of the NCTE Act; and (iii) the position of the building emerging from the two CDs prepared during the visits of the Inspection Teams on

15.02.2016 and 30-31, May, 2017 and take further action as per the NCTE Regulations, 2014. In the meanwhile, the order of withdrawal may be kept in abeyance. A copy of the Inspection Report dt. 30-31 May, 2017 and the CD prepared on that occasion are forwarded to the WRC.

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



(Sanjay Awasthi)
Member Secretary

1. The Manager, MMT College of Education, 11, Dokarranji, Seoni, Madhya Pradesh – 480661.
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.



F.No.89-828/2016 Appeal/13th Meeting-2017
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31.8.2017

ORDER

WHEREAS the appeal of Rosomoyee Vivekananda Topoban Pathagar College, Murshidabad, West Bengal dated 13/12/2016 is against the proceeding of 226th meeting of ERC held on 29-30 November, 2016 (serial no. 27) deciding to refuse recognition for conducting B.Ed. Course (Addl. intake) on the grounds that "NOC issued from the affiliating / examining body not submitted."

AND WHEREAS Shri. N.K. Ghosh, President and Shri. D.P. Ghosh, Member, Rosomoyee Vivekananda Topoban Pathagar College, Murshidabad, West Bengal presented the case of the appellant institution on 24/03/2017. In the appeal and during personal presentation it was submitted that Rosomoyee Vivekananda Topoban Pathagar is a running B.Ed. College under the recognition of NCTE, order no. F.No. ER-184.6.3/ERCAPP-1508/B.Ed/2015/31201, dt. 11/04/2015. At present a single unit (50 students) is running in this college. The NOC issued from affiliating body regarding the matter is already submitted to the office of the ERC, NCTE at Bhubaneswar. The copy of the same is once again enclosed herewith the hard copy of this appeal."

AND WHEREAS Appeal Committee noted that appeal has been preferred against a decision taken by ERC in its 226th Meeting held on 29th and 30th November, 2016. The appellant could not provide copy of formal order issued in this regard. The file made available to Appeal Committee also pertain to grant of recognition for basic unit of 50 seats for B.Ed. programme in April, 2015.

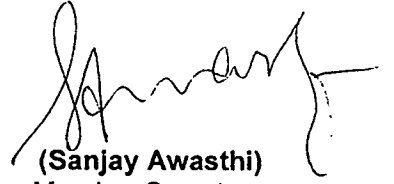
AND WHEREAS the file of the ERC about the application for grant of permission for increased intake in B.Ed. course has been obtained and placed before the Committee on 05.07.2017. The Committee noted from the file that the appellant,

on the basis of the minutes of the 215th meeting of the ERC held on 26-27 May, 2016, in which a decision was taken to issue show cause notice inter alia on the ground of non-submission of NOC issued by affiliating / examining body, and which was uploaded on the website, sent a reply dt. 20.06.2016. The appellant did not submit NOC with this letter and in the circumstances, the ERC refused recognition in their order no. ER/7-ER-226.8.7/ERCAPP3450 (B.Ed Addl. intake)/2016/50593 dt. 23.12.2016.

AND WHEREAS the Committee noted that according to the provisions of Clause 5(3) of the NCTE Regulations, 2014, a No Objection Certificate (NOC) issued by the concerned affiliating body has to be submitted along with the hard copy of the application. The appellant enclosed to the appeal a copy of the letter dt. 12.11.2013 issued by the Higher Education Deptt., Govt. of West Bengal in response to the ERC's letter dt. 06.03.2013 seeking recommendations of the State Govt. on the appellant's earlier application dt. 26.12.2012 for B.Ed. course. The appellant also enclosed a copy of the letter dt. 09.07.2015 from the Registrar, Kalyani University granting temporary affiliation to the appellant institution for the B.Ed. course of one unit recognised by the ERC on 11.04.2015. Both these communications are not NOCs for the increased intake applied for. As the appellant has not submitted the required NOC from the affiliating body for their application for increased intake in B.Ed. course as per the NCTE Regulations, 2014, the Committee concluded that the ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order the ERC confirmed.

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 ERC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the ERC is confirmed.

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



(Sanjay Awasthi)
Member Secretary

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1. The Secretary, Rosomoyee Vivekananda Topoban Pathagar Deled College, 780 & 1789, Viti, Palsanda More, Murshidabad, West Bengal - 742238.
2. The Secretary, Ministry of Human Resource Development, Department of School Education & Literacy, Shastri Bhawan, New Delhi.
3. Regional Director, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubaneswar - 751 012.
4. The Secretary, Education (looking after Teacher Education) Government of West Bengal, Kolkata.



F.No.89-619/2016 Appeal/13th Meeting-2017

NATIONAL COUNCIL FOR TEACHER EDUCATION

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

Date: 31-8-2017

ORDER

WHEREAS the appeal of Shri Babu Singh Degree College, Kaushambi, Uttar Pradesh dated 29/09/2016 is against the Order No. NRC/NCTE/Invalid Printout/254th Meeting/2016/153460-63 dated 14/07/2016 of the Northern Regional Committee, refusing recognition for conducting D.El.Ed. course on the grounds that "In response to show cause notice dt. 07/12/2015, the institution has not submitted the valid print-out of the online application."

AND WHEREAS Sh. Anuj Singh, Manager and Sh. Manoj Kumar Srivastav, Member, Shri Babu Singh Degree College, Kaushambi, Uttar Pradesh presented the case of the appellant institution on 06/01/2017. In the appeal and during personal presentation it was submitted that "Valid print was due to network problem or website problem so it is not my fault."

AND WHEREAS Appeal Committee noted that out of the three print out copies of the application, none was a valid printout so far as these applications did not contain application I.D. The appellant institution was given an opportunity to submit valid printout of the application form by issuing a Show Cause Notice (SCN) dated 07/12/2015. Appellant in their reply dated 19/12/2015 stated that while getting printout of application, NRCAPP number was not generated and the processing fee was paid through net banking. During the course of appeal presentation, appellant stated that due to network problem valid printout could not be generated. The appellant, however, during the course of presentation submitted copy of a printout which bears I.D. No. NRCAPP15712 and also a copy of the challan for payment of processing of Rs. 1,50,000 /- on 30.06.2015. Appellant also submitted copy of the acknowledgement receipt dated 13/07/2015. The appellant also submitted a copy of their letter dt. 13.07.2015 with which a copy of the print out indicating the Application ID of NRC-APP 15712 and other documents were submitted to the NRC. This letter

bears a receipt stamp of the NRC dt. 13.07.2015. It is not clear why the appellant did not inform N.R.C. about the application with valid printout bearing I.D. number when he replied to S.C.N. on 07.12.2015. Appeal Committee also recollected some similar cases where applications without I.D. code of some institutions were rejected and same applications bearing I.D. code were processed simultaneously by N.R.C. The refusal order dated 14.07.2016 does not mention any code number allotted to the appellant institution whereas appellant brought to the notice of Appeal Committee that a valid printout bearing NRCAPP 15712 was submitted to N.R.C ON 13.07.2015.

AND WHEREAS before taking a final decision in this regard NCTE is required to check up the status of application bearing code no. NRCAPP15712 from NRC, Jaipur and place it before the Appeal Committee.

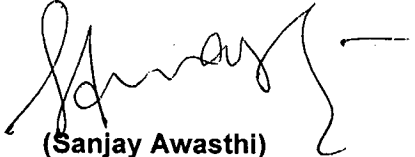
AND WHEREAS the Committee in their meeting held on 05.07.2017 noted that while a letter was sent to the NRC on 1/14.03.2017 to check up the position as indicated in para 4 above no reply has been received till date. In these circumstances, the Committee decided to consider the matter on the basis of the available records.

AND WHEREAS the Committee noting that the appellant has submitted a copy of the on-line application bearing NRCAPP No. 15712 and also proof of payment of the processing fee, concluded that the matter deserved to be remanded to the NRC with a direction to verify the authenticity of the APP No. 15712 and take further action as per the NCTE Regulations, 2014. For this purpose, the appellant is directed to intimate to the NRC the circumstances under which he obtained the print out bearing APP No. 15712, which was submitted to the NRC with their letter dt. 13.07.2015 and the reasons for informing the NRC on 19.12.2015 that NRCAPP number did not become available when print was taken during on-line submission. He should furnish these informations to the NRC within 15 days of receipt of the orders on the appeal.

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 the NRC with a direction to verify the authenticity of the APP No. 15712 and take further action as per the NCTE Regulations, 2014. For this purpose, the appellant is directed to intimate to the NRC the circumstances under which the obtained the print out bearing APP No. 15712, which was submitted to the NRC with their letter dt. 13.07.2015 and the reasons for informing the NRC on 19.12.2015 that NRCAPP number did not become available when print was taken during on-line submission. He should furnish these informations to the NRC within 15 days of receipt of the orders on the appeal.

NOW THEREFORE, the Council hereby remands back the case of Shri Babu Singh Degree College, Kaushambi, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Shri Babu Singh Degree College, Plot No. 49, 54/1, Street/Road-00, Village/Town – Sayara Meethepur, Tehsil/Taluka – Sirathu, Kaushambi, Uttar Pradesh – 212217.
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.



F.No.89-189/2017 Appeal/13th Meeting-2017
NATIONAL COUNCIL FOR TEACHER EDUCATION
Hans Bhawan, Wing II, 1, Bahadurshah Zafar Marg, New Delhi - 110 002

Date: 31.8.2017

ORDER

WHEREAS the appeal of Shailesh Mahavidyalaya, Ghazipur, Uttar Pradesh dated 03.03.2017 is against the decision of the Northern Regional Committee taken in their 261st Meeting held from 14th to 19th December, 2016 to withdraw recognition for conducting B.Ed. course on the grounds that "the institution was granted recognition under clause 7(16) vide order 01.03.2016. After recognition, NRC received letter from the Registrar, Veer Bahadur Singh Purvanchal University, Jaunpur. In the letter, the Registrar mentioned that the institution has been given recognition on fake faculty list. Hence, institution was given show cause notice and reply submitted by the institution is not acceptable. The institution has tried to mislead NRC by submission of fake list. Hence, the Committee decided to withdraw the recognition granted to the institution of B.Ed. course under section 17 of the NCTE, Act, 1993 from the end of the academic session next following the date of order of withdrawal. Formal order of withdrawal of recognition was issued by the NRC vide F. NRC/NCTE/NRC.APP4340/261st Meeting/ 2016/178958-63 dt. 25.07.2017.

AND WHEREAS Sh. Sanjay Kumar Yadav, Manager, Shailesh Mahavidyalaya, Uttar Pradesh presented the case of the appellant institution on 05/05/2017. In the appeal and during personal presentation it was submitted that "The recognition has been erroneously and wrongly withdrawn. The Registrar committed an error in informing that the recognition was obtained on fake faculty list and the Registrar corrected the error committed by their office. Hence withdrawal of recognition is unwarranted and recognition erroneously withdrawn."

AND WHEREAS the Committee noted that a letter of Intent (LOI) dated 19.01.2015 was issued to appellant institution prior to grant of recognition for B.Ed. course. The appellant institution furnished a compliance report dated 05.08.2015

submitting therewith a list of faculty containing the names of one Head of the Deptt. and seven faculty members approved by Veer Bahadur Singh Purvanchal University, Jaunpur on 26.06.2015 and 22.06.2015 respectively. The appellant with their letter dt. 21.09.2015 submitted the names of two more faculty members (Music and Physical Education), approved by affiliating University on 18.09.2015. Considering the compliance reported by appellant institution, recognition order dated 01.03.2016 was issued granting recognition for one unit of B.Ed. programme.

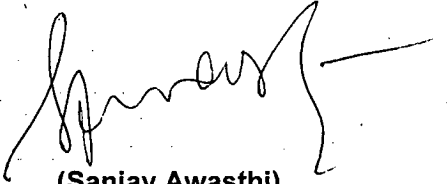
AND WHEREAS the relevant file of the NRC, which was not complete earlier was placed before the Committee on 05.07.2017 duly completed. The Committee noted from the file that the Registrar, Veer Bahadur Singh Purvanchal University, Jaunpur wrote a letter dt. 28.07.2016 to the Regional Director, NRC, enclosing a list of institutions, which were granted recognition and mentioning the dates of issue of Letters of Intent, approvals of the faculty and issue of recognition orders. In that letter, the Registrar requested the NRC to verify the correctness of these documents and take necessary action. In respect of the appellant institution, the dates of issue of LOI, approval of faculty and grant of recognition have been mentioned as 10.01.2015, 05.05.2016 and 01.03.2016 respectively. NRC, finding that while the recognition order was issued on 01.03.2016 on the basis of the approval of the faculty by the University on 22.06.2015, 26.06.2015 and 18.09.2015, as intimated by the appellant, the University has subsequently mentioned the date of approval was 05.05.2016, in their 256th Meeting (part-2) held from 22nd to 25th August, 2016, decided to issue a show cause notice. The appellant in their reply dated 'Nil' and received in the NRC on 13.10.2016, submitted that as the earlier approved staff did not join, after issuing an advertisement again, they got the faculty appointed with the approval the university. The appellant also enclosed a copy of the letter dt. 05.05.2016 from Veer Bahadur Singh Purvanchal University, Jaunpur approving 15 faculty members for B.Ed. course in the appellant institution.

AND WHEREAS the Committee noted from the file that the NRC did not seek verification of the authenticity of the University's letters dt. 22.06.2015, 26.06.2015 and 18.09.2015 and the letter dt. 05.05.2016 enclosed to the appellants letter dated 'Nil' and received on 13.10.2016. As the appellant has given reasons for recruiting fresh faculty which is reported to have been approved by the University, the

Committee concluded that the matter deserved to be remanded to the NRC with a direction to get all the four approvals verified by the University and take further action as per the NRC Regulations, 2014. In the meanwhile, the order of withdrawal shall be kept in abeyance.

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 the NRC with a direction to get all the four approvals verified by the University and take further action as per the NRC Regulations, 2014. In the meanwhile, the order of withdrawal shall be kept in abeyance.

NOW THEREFORE, the Council hereby remands back the case of Shailesh Mahavidyalaya, Ghazipur, Uttar Pradesh to the NRC, NCTE, for necessary action as indicated above.



(Sanjay Awasthi)
Member Secretary

1. The Manager, Shailesh Mahavidyalaya, 531, 0, 531, Sawas, Ghazipur, Uttar Pradesh – 275204.
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.