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F.NRC/NCTE/F-3/HR-1767/188<sup>th</sup> meeting/2011/13738

Date:

22 DEC 2011

Order

WHEREAS, in terms of section 14 (3)(b) of the NCTE Act, 1993 Rawal College of Education, Sohna Road Near Village Zakopur, Tehsil- Ballabhgarh, Faridabad-121001, Haryana had submitted an application to the Northern Regional Committee of NCTE for grant of recognition for seeking permission for B.Ed. Course of one year duration for an intake of 100 (One Hundred only) seats on 15.10.2008.

AND WHEREAS, deficiency letter was issued to the institution on 25.03.2009.

AND WHEREAS, the matter was placed before NRC in its 144<sup>th</sup> meeting held from July 12-14, 2009 and it was decided to close file and return FDRs if submitted. Accordingly, the application of the institution was closed vide order dated 29.07.2009 on the following point:-

- The reply of the institution has not been received in the stipulated time.

AND WHEREAS, the institution has filed CWP No. 1800/2010 in the Hon'ble Court of Punjab and Haryana at Chandigarh. The Court had passed an order dated 09.04.2010.

AND WHEREAS, in compliance of the court order, the case was considered by NRC in its 160<sup>th</sup> meeting held from May 18-20, 2010 and it was decided to give one more opportunity to the institute to remove the following deficiencies within a period of 90 days. Accordingly, deficiency letter was issued to the institution on 29.05.2010 on the following points:-

- The CLU has not yet been submitted.
- Building completion certificate issued by competent authority has not yet been submitted.
- The land is not in the name of the institution.
- Building plan is without plot number/khasra number.

AND WHEREAS, the matter was placed before NRC in its 163<sup>rd</sup> meeting held from July 29-31, 2010 and it was decided to issue Show Cause Notice. Accordingly, show cause notice was issued to the institution on the following point:-

- The land is not registered in the name of the institution.

AND WHEREAS, reply dated 04.08.2010 received from the institution was considered by NRC in its 164<sup>th</sup> meeting held from August 28-29, 2010 and it was decided to issue the letter of intent under clause 7(9) of Regulation 2009. Accordingly, letter of intent prior to recognition under clause 7(9) was issued to the institution on 21.09.2010.

AND WHEREAS, reply received from the institution in response to the aforesaid letter was considered by NRC in its 170<sup>th</sup> meeting held from October 21-22, 2010 and it was decided to issue show cause notice. Accordingly, show cause notice was issued to the institution on 03.11.2010.

AND WHEREAS, the matter was placed before NRC in its 172<sup>nd</sup> meeting held from November 12-13, 2010 and it was decided that VT be constituted. Accordingly, the inspection of the institution was conducted on 21.11.2010.

AND WHEREAS, the VTR was considered by NRC in its 180<sup>th</sup> meeting and it was decided to seek clarification from the institution. Accordingly, clarification letter was issued to the institution on 07.06.2011 to submit the clarification on the following points:-



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1. The Multipurpose hall of the institution has been furnished in form of an auditorium/Committee Room, which is not appropriate to the requirement of a teacher training course.
2. The Faculty appointed by the institution has not been approved by the affiliating university.
3. The institution did not submit a copy of the advertisement issued for appointment of faculty, a list of candidates who appeared for interview duly signed by each candidate.
4. A copy of the experience Certificate of the Principal for teacher in a Teacher Training College has not been submitted.

AND WHEREAS, reply dated 18.07.2011 & 20.07.2011 received from the institution in response to the aforesaid letter.

AND WHEREAS, the institution has filed CWP No. 14580/2011 in the Hon'ble High Court of Punjab and Haryana at Chandigarh. The Court had passed order dated 25.08.2011, which is follows:-

"the respondents are directed to consider the petitioner's case for recognition within a week, failing which this court would be constrained to pass appropriate orders not only with respect to interim relief but with respect to the failure of respondents to take an appropriate decision also".

AND WHEREAS, the court had passed order dated 05.09.2011, which is follows:-

"the petitioner have been denied recognition by the University as: (a) the petitioners have not taken the approval of the University for appointment of the Principal (b) advertisement has not been issued for recruiting staff; and (c) experience certificates of the faculty members have not been submitted.

The petitioners claim that they have complied with these conditions and despite a favourable inspection report, that NCTE has not taken any decision in the matter. The fact that a large number of applications are pending or have to be decided, is a matter for the NCTE to consider and rectify as such an excuse, does not absolve respondent No. 1 of its obligation to decided application expeditiously, particularly when an inspection report is available. In case, the matter is not decided, one way or the other within ten days, the Secretary, National Council for Teacher Education, shall be required to furnish his explanation and be present in person".

The Court had passed order dated 16.09.2011, which is follows:-

“the petitioner have been denied recognition by the University as: (a) the petitioners have not taken the approval of the University for appointment of the Principal (b) advertisement has not been issued for recruiting staff; and (c) experience certificates of the faculty members have not been submitted.

The petitioners claim that they have complied with these conditions and despite a favourable inspection report, that NCTE has not taken any decision in the matter. The fact that a large number of applications are pending or have to be decided, is a matter for the NCTE to consider and rectify as such an excuse, does not absolve respondent No. 1 of its obligation to decided application expeditiously, particularly when an inspection report is available. In case, the matter is not decided, one way or the other within ten days, the Secretary, National Council for Teacher Education, shall be required to furnish his explanation and be present in person".

Counsel for the NCTE informs the Court that no decision has been take or conveyed to the petitioner. The NCTE is prima facie, guilty of intentional violation of order dated 05.09.2011 and would, therefore, be required to show cause why proceedings under the Contempt of Courts Act, 1971, be not initiated against them for intentional violation of order dated 05.09.2011 for 22.09.2011.

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AND WHEREAS, in compliance of the court order, the case was considered by NRC in its 187<sup>th</sup> meeting held from October 07-08, 2011 and it was observed that "The concerned State Government be requested to provide its opinion to start new B.Ed. Course in Rawal College of Education, Haryana in view of NCTE Public Notice regarding demand supply of teachers in the region." Hence, recommendation from the State Government be obtained. Accordingly, letter was issued to the State Govt. on 18.10.2011.

AND WHEREAS, the Court had again passed order dated 23.09.2011 received in the office of NRC on 31.10.2011, which is follows:-

"The matter in dispute has been pending before the NCTE for final decision but as submitted by counsel for the NCTE, a final decision would necessary take some time. In case the petitioners are not allowed to participate in the counselling, the writ petition would be rendered infructuous and the petitioner-college would have to postpone admissions for one year. The petitioners are permitted to participate in the on-going counselling but the candidates so selected or allotted to the petitioners Society/College shall be granted final admission, subject to the out some of the writ petition".

AND WHEREAS, the recommendation of the State Govt. is still awaited. However, a court order dated 17.10.2011 has been received in the office of NRC on 12.11.2011 which is reproduced below:-

"Prima-facie there appears to be no valid reasons to prolong its decision by the NCTE except for extraneous factors. It is directed that whatever decision may it be, the same be taken and conveyed within seven days failing there shall be required an enquiry into the affairs of the NCTE".

AND WHEREAS, the case was considered in the light of the orders of the Hon'ble High Court of Punjab and Haryana and it was decided that *the recognition for B.Ed.course with an annual intake of 100 seats under clause 7(11) of NCTE Regulations, 2009 be granted to the institution from the academic session 2012-2013, in view of the directions of NCTE Hqrs. dated 11.8.2011 based on the judgement of the Hon'ble Supreme Court.*

NOW, THEREFORE, in exercise of the powers vested under Section 14(1) of the NCTE Act, 1993, the Northern Regional Committee hereby grants recognition to **Rawal College of Education, Sohna Road Near Village Zakopur, Tehsil- Ballabhgarh, Faridabad-121001, Haryana** for conducting B.Ed. Course of one year duration for annual intake of 100 (One Hundred only) seats from the session 2012-13, under clause 7(11) of NCTE Regulations subject to the following conditions:

- I. The institution shall comply with the various other norms and standards prescribed in the NCTE regulations, as amended from time to time.
- II. The institution shall make admission only after it obtains affiliation from the examining body in terms of clause 8(12) of the NCTE Regulations, 2009.

Further, the recognition is subject to fulfillment of all such other requirements as may be prescribed under relevant norms and standards of NCTE for other regulatory bodies like UGC, the State Government etc, wherever applicable.

The institution shall submit to the Regional Committee a Self-Appraisal Report at the end of each academic year alongwith the statement of annual accounts duly audited by a Chartered Accountant together with statement of T.D.S. in respect of the salary paid to the staff.

The institution shall maintain & update its Web-site as per provisions of NCTE Regulations and always display following as mandatory disclosure: -

- Copy of the Application Form
- Land and Building Particulars
- Staff Profile



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- Recognition letter
- Information for having fulfilled the norms & standard and other required conditions.

In case if the land is in the name of the Society/Trust, the Society/Trust must transfer the land within six month in the name of the institution failing to which action shall be initiated to withdraw the recognition. It shall be essential on the part of the institution concerned to get the needful done in this regard and intimate the respective Regional Committee along with the new land document within the stipulated time.

If the institution contravenes any of the above conditions or the provisions of the NCTE Act, Rules, Regulations and orders made or issued, there under, the Regional Committee shall withdraw the recognition as stipulated provisions of Section 17(1) of the NCTE Act 1993.

By orders,

(Dr. Ram Kishor)  
Regional Director

The Manager to Govt. of India  
Department of Publications, (Gazette Section)  
Civil Lines, Delhi – 110 054

C.C.

- (1) The Secretary/Principal, Rawal College of Education, Sohna Road, Near Village Zakopur, Tehsil- Ballabgarh, Faridabad-121001, Haryana
- (2) The Secretary (Education), Govt. of Haryana (Deptt. Of Higher Education). Secretariat, Chandigarh (Haryana)
- (3) The Secretary, MDU Rohtak, Haryana
- (4) The Secretary, Dept. of Elementary and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi- 110001.
- (5) The Director, Directorate of Higher Education, I/C Teacher Education, Govt. of Chandigarh (Haryana)
- (6) The US (Computer), National Council for Teacher Education, Hans Bhawan, Wing-II,1, Bhadurshah Zafar Marg, New Delhi – 110 002.
- (7) MIS, NRC NCTE, Jaipur, Rajasthan.
- (8) Office Order file/ Institution file.

  
Regional Director