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**NATIONAL COUNCIL FOR TEACHER EDUCATION
EASTERN REGIONAL COMMITTEE**

(A Statutory Body of the Government of India)
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TO BE PUBLISHED IN GAZETE OF INDIA PART – III, SECTION 4

ERC/7-58.4.1)/2005/ 2 3 5 2

July 20, 2005

ORDER

WHEREAS the applicant institution viz. **Islamia Teacher Training College (B.Ed.), Phulwari Sharif, Patna, Bihar, Pin – 801 505** had applied for recognition of B.Ed. course of one year duration under Section 14 of the NCTE Act, 1993 to the ERC, NCTE which was received in ERC office on 4.11.1996.

AND WHEREAS the institution was allowed to continue for the sessions 1997-98, 1998-99 vide ERC order dated 3/4.9.98 until the final disposal of their application.

AND WHEREAS the Eastern Regional Committee in its 9th meeting held on 2-3 February, 1999 decided to accord one year Provisional Recognition with effect from the academic year 1999-2000 with intake of 120 vide order No. 7636 dated 22.2.99 subject to removal of certain deficiencies:

AND WHEREAS the institution was visited on 23.8.1999 to check its functioning without prior notice.

AND WHEREAS the Regional Committee in its 13th meeting held on 23-24 March, 2000 after due consideration of the report of the visiting team and the representation dated 8.2.2000 of the institution in response to the Show Cause Notice dated 10/12.1.2000 as well as other documents and materials submitted decided to extend one year conditional recognition for the academic year 2000-2001 with intake of 120 vide order No. 800 dated 4.4.2000 subject to removal of the following deficiencies:

- (i) There should be 12 full-time qualified teachers in position by 30.6.2000 and reported to ERC.
- (ii) The teachers should be paid UGC/ State Govt. scales.
- (iii) The institution should have its own building and no other institution should be running in the same building.
- (iv) The curriculum transaction should be as per NCTE norms.
- (v) The Supervised practice teaching should be conducted as per NCTE norms.
- (vi) The institution should obtain affiliation from the university and report to ERC.
- (vii) The Endowment funds and reserve funds should be maintained as per NCTE norms.

AND WHEREAS the institution was again visited on 19.1.2001 by a visiting team constituted by the Regional Committee.

AND WHEREAS the Regional Committee in its 18th meeting held on 20-21 April, 2001, after due consideration of the report of the visiting team and the representation dated 7.4.2001 of the institution in response to the Show Cause Notice dated 8/9.3.2001 as well as other

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documents and materials submitted by the institution refused recognition vide order No. 1326 dated 8.5.2001 due to non-compliance of certain deficiencies.

AND WHEREAS the institution preferred an appeal dated 19th June, 2001 to the NCTE, New Delhi under Section 18 of NCTE Act, 1993 against the above order of the Eastern Regional Committee and the Council vide Order dated 31.8.2001 remanded the case to the Eastern Regional Committee, Bhubaneswar for consideration after due verification of the claims made by the institution with specific directions to the Regional Director for further consideration of the case after obtaining clearance from the State Govt. of Bihar as the institution was under investigation by Vigilance Department and records were taken from ERC, NCTE.

AND WHEREAS the Govt. of Bihar was requested several times to furnish the present status of the institution in light of the vigilance inquiry and as no reply was received from Govt. of Bihar the ERC could not take any decision in the matter.

AND WHEREAS the institution preferred a writ in the Hon'ble High Court Patna and the Hon'ble High Court in its Judgement dated 23.09.2002 in C.W.J.C. No.8527 of 2002 ordered that "as the appellate authority has remitted the matter back to the Eastern Regional Committee, it is obliged to make inspection, proceed in the matter and take a final decision in accordance with the law regarding affiliation of petitioners-institution". In pursuance of this Judgement of the Hon'ble High Court, a visit of the applicant institution was carried out by a visiting team on 16.11.2002.

AND WHEREAS the Regional Committee in its 30th meeting held on 11.12.2002 after due consideration of the report of the visiting team as well as other relevant materials furnished by the applicant institution and gathered by the Committee, had observed that the claims made by the applicant institution regarding its present status and removal of deficiencies are not satisfactory and no significant improvement observed in the status of the institution found earlier and accordingly the Regional Committee decided to confirm the earlier decision of withdrawal/ refusal of recognition Order dated 8.5.2001 vide order No. ERC/7-30(ER-30.5(1)/2002/4346 dated 16.12.2002.

AND WHEREAS the institution preferred an appeal dated 31st December, 2002 to the NCTE, New Delhi under Section 18 of NCTE Act, 1993 against the above order of the Eastern Regional Committee.

AND WHEREAS the Council vide Order dated February 28, 2003 rejected the appeal made by the institution.

AND WHEREAS the petitioners' institution submitted a compliance report vide letter dated 16.9.2004 in respect of following eleven deficiencies pointed out in the proceeding of the 30th ERC meeting on the basis of visiting team report dated 16.11.2002 in pursuance of direction of the Hon'ble High Court of Patna vide order dated 10.9.2004 passed in C.W.J.C. No. 3604 of 2003:

- (i) The Principal does not possess teaching experience as per NCTE norms.
- (ii) Legally valid land document in the name of the institution are not available.
- (iii) Copy of the building plan approved by the competent authority of the State for an educational institution is not available.
- (iv) Fixed Deposit Receipt in original or in photocopies for Rs.5 lakhs towards endowment fund are not available.
- (v) Documents in support of Reserve fund to the tune of three months salary of teachers and staff are not available.

- (vi) The institution failed to obtain affiliation from the concerned University in support of its past recognized period 1995 to 2001.
- (vii) The financial conditions of the institution is not satisfactory.
- (viii) The institution is not in a position to pay salary to teachers and staff as per UGC or State Govt. pay scale.
- (ix) For appointing teaching staff NCTE norms of recruitment and also the selection procedure laid down by the State/ University have not been followed.
- (x) Admission of students have not been done in accordance with NCTE norms.
- (xi) No hostel facility is available for students.

The Hon'ble High Court Patna on perusal of original records of the institution directed to furnish the copy of the inspection report to the counsel for the petitioners within a period of one week from 10.9.2004. Further, the Hon'ble Court directed that "The petitioners, if so advised, shall file compliance report showing that all the defects/ lacunas pointed out are satisfied and if such a report is filed, the ERC shall look into the same and if satisfied then take a final decision and pass an order regarding recognition of the petitioners' institution within a period of one month from the date of filing of the said report."

AND WHEREAS pursuant to the above order of the Hon'ble High Court, the institution submitted the compliance report vide its letter dated 16.9.2004. On perusal of the said report of the institution, the Regional Committee in its 49th meeting held on 28.9.2004 decided to call for the original documents on or before 12th October, 2004 for verification by the Committee vide letter No. 2858 dated September 30, 2004.

AND WHEREAS the Regional Committee in its 50th meeting held on 14.10.2004 examined the order dated 10.9.2004 of the Hon'ble High Court Patna, verified the original documents furnished by the institution on 12.10.2004 along with the compliance report dated 16.9.2004 submitted by the institution and decided to ask for the information from the institution regarding original documents pertaining to lease deed of land for verification vide letter No. 3046 dated October 20, 2004, and the Registrar, Magadh University to furnish the detailed information regarding affiliation of the said institution vide letter No. 3048 dated October 20, 2004.

AND WHEREAS the Regional Committee in its 51st meeting held on 30.11.2004 reviewed the proceedings of the last meeting and was satisfied with the land documents submitted by the institution vide their letter dated 1.11.2004. It also examined the letter of 30.9.1997 and 24.3.1998 submitted by the institution regarding affiliation and noted that those letters were recommendations to the Bihar State Govt. for approval and found that these documents were not convincing about the affiliation status of the institution. Since no letter was received from the Magadh University regarding affiliation, the Committee could not take a final decision and decided that letter may be written to the Vice-Chancellor and Registrar, Magadh University as well as to the Secretary, Higher & Secondary Education, Govt. of Bihar for their opinion on affiliation.

AND WHEREAS the Regional Committee in its 52nd meeting held on 21.12.2004 considered the reply of the Registrar, Magadh University vide their letter dated 14.12.2004 received by fax and observed that the institution did not have the affiliation of Magadh University in support of its past recognized period 1995-2001. The Committee noted the contention of the University that "since the State Government has not accorded its approval to this institution with regard to proposed affiliation, the present institution stands as non-affiliated unit. Considering all these facts, the university had decided not to conduct the examination of its students for session 1997-99 and onwards."

AND WHEREAS the Regional Committee in consideration of the above letter of the Registrar, Magadh University decided to re-confirm its earlier decision of withdrawal/ refusal

of recognition vide order No. 1326 dated May 8, 2001, which was taken in the 30th ERC meeting held on 11.12.2002 on the ground that the institution did not have affiliation from the concerned University i.e. Magadh University in support of its past recognized period 1995-2001.

AND WHEREAS, the Eastern Regional Committee confirmed the earlier decision of withdrawal/ refusal of recognition Order No. ERC/7-18/2001/1326 dated 8.5.2001 of the applicant institution vide its Order No.ERC/7-52(ER-52.6)/2004/3885 dated December 27, 2004.

AND WHEREAS a letter No. R/192/05 dated 19.2.2005 was received from the Registrar, Magadh University regarding affiliation of the institution and the Regional Committee in its 54th meeting held on 2.3.2005 considered the letter of the Registrar which stated that "this college has the status of an affiliated college from the period 1995-2001." The Committee considered the previous letter of Registrar dated 14.12.2004 and noted the change of stand of the Registrar and decided that a letter be written to the Secretary, Higher and Secondary Education, Govt. of Bihar for his comments in this regard.

AND WHEREAS the Eastern Regional Committee in its 55th meeting held on 4.4.2005 considered the letter No. 372 dated 2.4.2005 received from the Secretary, Secondary Education, HRD Deptt., Govt. of Bihar along with previous proceedings and orders on the subject and noted that the Bihar Government have not taken any decision on the recommendation of the Magadh University, Bodh Gaya regarding the affiliation to Islamia Teacher Training College, Phulwari Sharif, Patna, Bihar for the past recognized period i.e. 1995-2001. The Committee also noted that the institution has also made an appeal against the ERC order to the Council and decided that no further action is needed on the part of ERC.

AND WHEREAS the Correspondent, Islamia Teacher Training College (B.Ed.), Patna, Bihar preferred an appeal dated 15.3.2005 to the Council against the Order No.ERC/7-52(ER-52.6)/2004/3885 dated December 27, 2004 issued by Eastern Regional Committee.

AND WHEREAS the Council accepting the recommendation of the Appeal Committee decided to reverse the Order dated December 27, 2004 of ERC, Bhubaneswar with the advice that ERC may verify recruitment of qualified teachers by the College after three months of granting recognition.

AND WHEREAS the Eastern Regional Committee in its 58th meeting held on 6.7.2005 considered the Council Appeal Order F.No.89-56/2005-Appeal dated 4.7.2005 reversing the Order of withdrawal of recognition dated 27.12.2004 in respect of the institution and decided to seek clarification from the NCTE Hqrs. regarding the approved intake capacity of the institution.

AND WHEREAS the NCTE Hqrs. vide its letter No.92-2/2004.Appeal dated 19th July, 2005 clarified that the Appeal Committee had conducted inspection with reference to earlier sanctioned intake of 120 and being an old case, and the fact that the institute is having infrastructure facilities and other requirements with reference to intake of 120, the institution may be granted recognition with an intake of 120.

Now, therefore, in compliance of the Order No.89-56/2005.Appeal dated July 4, 2005 and the clarification received from NCTE Hqrs. vide its letter dated July 19, 2005, the Eastern Regional Committee hereby grants recognition to Islamia Teachers' Training College (B.Ed.) Phulwarisharif, Patna, Bihar (India) for **B.Ed. Course of one year** duration from the academic session **2005-2006** with an annual intake of **120** (One Hundred and Twenty)

nts subject to the compliance of the following conditions before the commencement of course.

- a. The institution will ensure that Principal and at least 9 (nine) lecturers duly qualified by the affiliating University are in position for an intake of 120 students and a report to this effect shall be sent to the Eastern Regional Committee within three months of issue of this Order.
- b. The institution shall submit the list of teaching staff duly countersigned by the competent authority of the University within one month of commencement of the course.
- c. The institution shall pay salary to the teaching staff as prescribed by State Govt./UGC.
- d. The institution shall within one month of the receipt of recognition order, convert the Endowment Fund account into a Joint Account in the form of FDR for a period of not less 60 months (five years) in a Nationalised Bank to be operated alongwith an official of the Regional Committee.
- e. The institution shall create a Reserve Fund for an amount equal to three months salary of the teachers and staff within one month from the date of issue of this order and maintain in the form of FDR in favour of the management of the institution for a period of not less than sixty months (five years) in a Nationalised Bank.
- f. The institution shall adhere to all the other regulations and guidelines as framed by NCTE from time to time.

Further, the recognition is subject to fulfillment of all such other requirements as may be prescribed by other regulatory bodies like UGC, the State Government, etc.

The institution shall submit to the Regional Committee a Performance Appraisal Report at the end of each academic year alongwith a copy of the approval of the affiliating University to the appointment of faculty members, and the statement of annual accounts duly audited by a Chartered Accountant.

If the institution contravenes any of the above conditions or any of the provisions of the NCTE Act, Rules, Regulations and Orders made or issued thereunder, the Regional Committee may withdraw the recognition under the provisions of Section 17(1) of the NCTE Act.

By order


Regional Director

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

Copy to:

1. The General Secretary, Islamia Teachers Training College (B.Ed.), Phulwari Sharif, Patna, Bihar, Pin- 801 505
2. The Principal, Islamia Teachers Training College (B.Ed.), Phulwari Sharif, Patna, Bihar, Pin- 801 505
3. The Secretary, Department of Elementary Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi-110 001
4. The Secretary, Department of Secondary and Higher Education, Government of Bihar, New Secretariat, Vikash Bhawan, Patna, Bihar, Pin – 800 015
5. The Registrar, Magadh University, Bodh-Gaya, Bihar, Pin - 824 234

6. The Member Secretary, National Council for Teacher Education, Hans Bhawan, Wing – II, 1, Bahadur Shah Zafar Marg, New Delhi – 110 002
7. The Under Secretary (Computer Cell), National Council for Teacher Education, Hans Bhawan, Wing – II, 1, Bahadur Shah Zafar Marg, New Delhi – 110 002
8. Office Order file/institution file


Regional Director