

**Before Himachal Pradesh Private Educational Institutions
Regulatory Commission, Shimla**

Case No: 01 of 2023
Date of Institution: 02.01.2023
Date of Decision: 10.01.2023

In the matter of:

Priyanka

.....Petitioner (s)

Versus

Institute of Computer and Finance Management, Hamirpur (H.P.)

.....Respondent (s)

Orders

A complaint was received from the complainant namely Priyanka regarding validity of NTT course and diploma given by ICEM Institution Hamirpur and for refunding their fees in case found in contravention to existing rules and regulations/policy. The complaint was forwarded to the Managing Director of the institution to appear before the Commission along with the relevant documents related to the institute affiliation etc.

During hearing Sumit Kumar the Managing Director of the Institute of Computer and Finance Management, Hamirpur (H.P.) and Pankaj, Secretary Him Education Research Society appeared before the Commission and it was apprised by the respondent that they are conducting the Nursery Teacher Training Course under the Him Education Research Society registered with the HP Govt under society registration act 2006 and various institutes are organised and functional under the same society. It was further stated that they could not get any approval from the NCTE for the NTT course and the same is being conducted by them since 2003. The prospectus of Shoolini Teacher Training Centre, one of the institution functional under the same society, was submitted by the Managing Director.

On perusal of the documents submitted by the respondent it is evident that without seeking any approval from the State Government and Central Regulatory Authority the respondent is conducting the NTT course and awarding the diplomas without any authority simply by registering the society under Society Registration Act, 2006. Moreover, they are charging fee of Rs.20,000 for one year NTT course and Rs.40,000 for two years NTT course without getting the fee structure approved from any State Authority or Regulatory Authority. The societies registered under the Society Registration Act, 2006 cannot conduct business to earn profit, since the societies are registered for non profiteering functions.

Observations:

- That the State Government has not made any policy with regard to the Nursery Teacher Training Courses. However, as per notification dated 28.11.2014 regarding norms and procedure for Teacher Education programme, it can be inferred that conducting of such education programmes, Diploma in Nursery Teacher (2 years) and Nursery Teacher Programmes (1 year) are very much in the domain of NCTE after the institutes fulfil the norms and standards prescribed in the notification and fee shall be fixed by the State Government/affiliating body in accordance with the provision of NCTE (guidelines for regulations of tuition fees and other fee chargeable by unaided teacher education institution) regulation, 2002 as amended from time to time.
- **In view of the observations made hereinabove, the Commission hereby issue the following directions: -**
- The certificate/diploma for Nursery Teacher Training courses issued by the respondent institute without obtaining any approval from the Central /State education regulatory authority stands invalid, since the date of inception of NTT course by the institute. Similarly, any diploma/ certificate issued by any other private institute in this state conducting Nursery Teacher Training course without obtaining any approval from the State /Central regulatory authority is declared invalid, since the date of inception of NTT course by the institutes.
- That the respondent is directed to refund the fee to complainant along with the interest at the rate of 9% per annum.
- The State Government must frame policy for Nursery Teacher Training courses in the interest of students who are being cheated by few of institutes in the name of education.
- Director Elementary Education is directed to inquire into the issue, as various complaints are being received from the students who are being given NTT diploma by the institute without any approval/legal validity from Regulatory authority.
- That as per prospectus Rs. 20,000 has been charged from the complainant for Nursery Teacher Training (1 year) and under section 11 HPPER Act 2010, r/w rule 6(b) of HPPER rules, 2011, the penalty amounting to Rs. 60,000 (Sixty Thousand Rupees Only), is imposed on the respondent for violating admission norms.

Matter stands adjudicated, representations/applications, if any, in this matter also stands disposed off.

File after completion be consigned to record room.

Announced.

(Major General Atul Kaushik)

Chairman

(Prof. Shashi Kant Sharma)

Member