

TO BE PUBLISHED IN GAZETTE OF INDIA PART - III SECTION - 4

No.WRC/APW05016/123617/B.Ed./M.H./2021/ ^{218487 to} ²¹⁸⁴⁹² Date: 11/2/21

RESTORATION ORDER

WHEREAS, recognition was granted to the institution namely to **SHREE OM NAMHA PRATISHTHANS RAMJI PAWAR B.ED. COLLEGE, AT. POST TADMUGLI, TALUKA-NILANGA, DIST-LATUR-413522, MAHARASHTRA** under section 14 (3)A of NCTE Act, 1993 for conducting B.Ed.course, with an annual intake of 100 students (Two basic units of 50 students each) vide order No. WRC/5-6/106th/2008/40619-40624 dated 29.08.2008.

2. **AND WHEREAS**, Revised Recognition order was issued to **SHREE OM NAMHA PRATISHTHANS RAMJI PAWAR B.ED. COLLEGE, AT. POST TADMUGLI, TALUKA-NILANGA, DIST-LATUR-413522, MAHARASHTRA** vide order No. F.No. WRC/APW05016/123617/2015/145567,580,593,595,599,607,624 dated 31.05.2015 for B.Ed. of Two Years Duration with an annual intake of 100 students for two basic unit of (50 students each) from the academic session 2015-2016.

3. **AND WHEREAS**, Compliance was not submitted as per regulations 2014.

4. **AND WHEREAS**, the matter was placed in 255th Meeting of WRC held on June 22-24, 2016 and the Committee decided that "...The agenda put up by the RD was examined by the Committee. The Committee agrees with the proposal to issue Show Cause Notices as proposed in the agenda item. In the agenda it was proposed to send SCN to all cases who have not complied NCTE Regulations, 2014."

5. **AND WHEREAS**, a Show Cause notice was issued to the institution on 27.02.2017 for not submitting the documents in compliance of Regulation 2014 mentioned in the revised order.

6. **AND WHEREAS**, the reply of show cause notice was not submitted by the institution.

7. **AND WHEREAS**, the matter was placed in 311th Meeting held on September 25-27, 2019, of WRC and the Committee decided that.

"...The Show Cause Notice was issued to the institution vide letter dated 27/02/2017.

The summary of the case submitted reveals that the institution has not submitted reply of the Show Cause Notice.

Hence, the committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order"

8. **AND WHEREAS**, the Withdrawal order was issued to the institution on 14.10.2019.

9. **AND WHEREAS**, the institution had filed an appeal to NCTE, Hqrs. On 21.11.2020. The Appellate Authority vide its appeal order dated 26.03.2021 confirms the order appealed against.

10. **AND WHEREAS**, the institution had approach to the Hon'ble High Court of Delhi At New Delhi. W.P. (C) No. 4305/2021 & CM APPL. 13110/2021 dt. 07.04.2021, the operative part is produced here below:-

"... It is stated in the writ petition that as the withdrawal order dt. 14.10.2019 was to take effect only from the end of the academic session next following the date of communication of the order, i.e. from the end of the academic session 2020-2021, the petitioner had admitted 50 students during the academic session 2020-2021. In any event, the withdrawal order has now been quashed. In these circumstances, it is directed that the students admitted for the academic session 2020-2021 will be regularised, and all consequential steps will be taken by the respondents.

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As a result, the petitioner is also entitled to restoration of its recognition until the WRC takes a final decision. The respondents are directed to modify their website to reflect the status of the institution as a recognized institution and communicate the same both to the affiliating university of the petitioner and to the concerned department of the State Government.

The writ petition stands allowed in these terms.

11. **NOW THEREFORE, recognition of the institution viz SHREE OM NAMHA PRATISHTHANS RAMJI PAWAR B.ED. COLLEGE, AT. POST TADMUGLI, TALUKA-NILANGA, DIST-LATUR-413522, MAHARASHTRA for B.Ed. course with an annual intake of 100 students (Two basic units of 50 students of each) is hereby restored till withdrawal order is passed against it.**
12. The terms and conditions shall remain same mentioned in the revised recognition order issued vide order dt. 31.05.2015.

By Order

Auc
01/12/2017

(Dr. Akhil Kumar Shrivastava)
Regional Director

**The Manager to Govt of India Press
Department of Publications, (Gazette Section)
Civil Lines, Delhi-110054.**

Copy to:-

1. **THE PRINCIPAL**, SHREE OM NAMHA PRATISHTHANS RAMJI PAWAR B.ED. COLLEGE, AT. POST TADMUGLI, TALUKA-NILANGA, DIST-LATUR-413522, MAHARASHTRA.
2. **SECRETARY**, SHRI OM NAMAH PRATISHTHAN SOCIETY, TADMUGLI, TALUKA-NILANGA, DIST-LATUR-413522, MAHARASHTRA.
3. **THE SECRETARY**, HIGHER EDUCATION, GOVT OF MAHARASHTRA, MANTRALAYA, MUMBAI, MAHARASHTRA.
4. **THE REGISTRAR**, SWAMI RAMANAND TEERTH MARATHWADA UNIVERSITY, NANDED, MAHARASHTRA.
5. IT SECTION, FOR UPLOADING ON WEBSITE.
6. OFFICE ORDER **FILE APW05016/123617/B.Ed.**

Auc
01/12/2017

Regional Director

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 4305/2021 & CM APPL. 13110/2021 (stay)

RAMJI PAWAR B.ED COLLEGE Petitioner

Through: Mr. Sanjay Sharawat, Advocate

versus

NATIONAL COUNCIL FOR TEACHER

EDUCATION & ORS. Respondents

Through: Mr. Jai Sahai Endlaw &

Mr. Ashutosh Rana, Advocate

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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07.04.2021

The proceedings in the matter have been conducted through hybrid mode [physical and virtual mode].

1. Issue notice. Mr. Jai Sahai Endlaw, learned counsel, accepts notice on behalf of the respondents. With the consent of learned counsel for the parties, the petition is taken up for disposal.

2. The petitioner assails an order dated 14.10.2019 of the Western Regional Committee ["WRC"] of the National Council for Teacher Education ["NCTE"], by which the recognition granted to the petitioner for establishment of the B.Ed. course was withdrawn, and an order dated 26.03.2021, by which its appeal against the aforesaid order dated 14.10.2019 was rejected by the Appellate Committee of the NCTE.

3. The petitioner was granted recognition for its B.Ed. course on 29.08.2008. The case of the petitioner is that, unlike several other institutions, it did not receive a revised recognition order after the

notification of the NCTE (Recognition Norms and Procedure) Regulations, 2014 or any show cause notice pursuant thereto. However, by the impugned order dated 14.10.2019, its recognition was withdrawn under Section 17 of the National Council for Teacher Education Act, 1993. Although the address of the petitioner-institution in the recognition order was erroneously mentioned, the petitioner received the order through its sponsoring trust. In the writ petition, the specific case of the petitioner is that it did not receive the show cause notice dated 27.02.2017, referred to in the impugned order of the WRC.

4. The Appellate Committee of the NCTE disposed of the petitioner's appeal by the second impugned order dated 26.03.2021. The only ground of rejection was that the appellant had not replied to the show cause notice dated 27.02.2017 or given any explanation in that regard. It is apparent from the order of the Appellate Committee that the petitioner had, alongwith the appeal, submitted various documents to demonstrate satisfaction of the grounds referred to in the withdrawal order. None of these documents have been considered in the impugned order of the Appellate Committee.

5. Further, it is also apparent that before passing of the withdrawal order dated 14.10.2019, the petitioner was issued only one show cause notice, whereas the Standard Operating Procedure of the NCTE undisputedly requires two show cause notices to be issued prior to an order withdrawing recognition.

6. In view of the aforesaid, the impugned withdrawal order dated 14.10.2019 and the order of the Appellate Committee dated 26.03.2021, are set aside, and the matter is remanded to the WRC for a fresh

