

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

F.No.NCTE/WRC/APW00807/123141/B.ED/375th/MH/2022

221628 to

Date: 3/1/2023

221635

Restoration Order

WHEREAS, the institution, namely, SWAMI VIVEKANAND SHIKSHAN PRASARAK MANDALS, SWAMI VIVEKANAND COLLEGE OF EDUCATION, UDGIR, LATUR, MAHARASHTRA was granted recognition by WRC, NCTE vide order No.WRC/2-32/123141/70/2005/2747 dated 06.04.2005. Formal recognition order was issued to the institution for B.Ed. course with annual intake of 100 from the academic session 2005-2006 vide order No.WRC/5-6/APW00807/123141/70/2007/C-13058-13063 dated 17.03.2007.

2. **AND WHEREAS**, WRC in its 172nd meeting held on October 13-15, 2012 has permitted shifting of premises of the institution vide order dated 19.11.2012 from Swami Vivekanand Shikshan Prasarak Mandals, Swami Vivekanand College of Education, Udgir, Latur, Maharashtra to Swami Vivekanand Shikshan Prasarak Mandal, Swami Vivekanand College of Education Survey No. 184, Jalkot Road, Bodhan Nagar, Tq. Udgir, Dist- Latur-413517, Maharashtra.

3. **AND WHEREAS**, after promulgation of NCTE Regulations, 2014, the revised recognition order was issued to the institution vide order No.WRC/APW00807/123141/2015/149849-9855 dated 04.08.2015 for conducting B.Ed. programme of two years duration with an annual intake of 100 students (two basic units of 50 students each) from the academic session 2015-2016.

4. **AND WHEREAS**, the matter regarding compliance by the institutions of the conditions of the revised recognition order was placed in the 255th WRC meeting held on June 22-24, 2016 and the Committee decided that show cause notice be issued to all such institutions which have not submitted compliance. Accordingly, show cause notice was issued to the institution dated 27.02.2017.

5. **AND WHEREAS**, in response to the aforesaid show cause notice, reply not submitted by the institution.

6. **AND WHEREAS**, the matter was considered by WRC in its 311th meeting held on September 25-27, 2019 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."

Accordingly, withdrawal order was issued to the institution dated 10.10.2019.

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7. **AND WHEREAS**, the institution had approached the Hon'ble High Court of Delhi at New Delhi in W.P.(C) 4597/2020 & CM APPL. 16614/2020 and the Hon'ble Court had passed an order dated 14.01.2022, the operative part is as follows:-

"... 8. As stated above, the counter affidavit does not deal with the issue of whether a second show cause notice was served upon the petitioner. Mr. Rana relies upon the aforesaid order of this Court dated 25.09.2019 in Kashyap Smriti (supra). The Court noted therein that, in such circumstances, a more appropriate and constructive approach would be to serve a copy of the show cause notice once again on the petitioner, and give them an opportunity to file a reply. The same is equally applicable to the present case.

9. For the aforesaid reasons, the impugned order of the WRC dated 10.10.2019 is set aside, and the matter is remanded to the WRC with the following directions:-

- a. The WRC will serve a copy of the show cause notice dated 27.02.2017 upon the petitioner. The petitioner will be given 15 days' time thereafter to reply to the show cause notice, and the matter will be adjudicated in accordance with law.
- b. A copy of the show cause notice will also be forwarded to Mr. Rana to obviate any further controversy as to whether it was duly received by the petitioner. Mr. Rana states upon instructions, that the petitioner will not insist upon the service of a second show cause notice.
- c. Consequent upon setting aside the impugned withdrawal order, the respondents are also directed to issue an order of restoration of recognition in favour of the petitioner within one week from today, and to update the same on their website. The status of the petitioner as a recognized institution will also be conveyed to the concerned State Government and to the petitioner's affiliating university.

10. The writ petition, alongwith the pending application, stands disposed of with these directions."

In compliance of directions of Hon'ble Court, counselling order was issued dated 15.11.2022 by WRC, NCTE.

8. **AND WHEREAS**, the matter was considered by WRC in its 375th meeting held on November 18-19, 2022 and the Committee has decided the following:-

*"The original file of the Institution along-with other related documents, Order dated 14.01.2022 in W.P.(C) 4597/2020 & CM APPL. 16614/2020 passed by Hon'ble High Court of Delhi at New Delhi were carefully examined in the light of NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the Committee decided that in compliance of direction of Hon'ble Court, **recognition of B.Ed. course be restored until fresh withdrawal order is passed by WRC, NCTE. The institution has already been permitted to participate in the counselling for admission to B.Ed. course for the academic session 2022-23 vide order dated 15.11.2022, being conducted by the Affiliating Body/ concerned State Govt. The concerned State authorities be intimated accordingly. A copy of restoration order be also uploaded on the WRC web portal on NCTE website.***

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R. Mohan

Further, the Committee observed as under:

- *Show cause notice u/s 17 was issued dated 27.02.2017.*
- *No reply was submitted in response to show cause notice.*
- *Recognition for B.Ed. course was withdrawn vide order dated 10.10.2019.*
- *The Hon'ble Court directed vide order dated 14.01.2022 WRC to serve a copy of the show cause notice dated 27.02.2017 upon the petitioner giving 15 days' time thereafter to reply to the show cause notice, and the matter will be adjudicated in accordance with law.*
- *The petitioner will not insist upon the service of a second show cause notice.*

In view of the above, the Committee decided that in compliance of order dated 14.01.2022 passed by Hon'ble Court, a copy of show cause notice dated 27.02.2017 be sent to the institution prior to withdrawal of recognition be issued to the institution u/s 17 of the NCTE Act for B.Ed. programme to submit reply accompanied by an original affidavit within 15 days from the date of issue of the show cause notice failing which the WRC will take decision as deemed fit as per the provisions contained in the NCTE Act and Regulations."

9. **NOW THEREFORE**, recognition of the Swami Vivekanand Shikshan Prasarak Mandal, Swami Vivekanand College of Education Survey No. 184, Jalkot Road, Bodhan Nagar, Tq. Udgir, Dist- Latur-413517, Maharashtra for conducting B.Ed. programme of two years duration with an annual intake of 100 students (two basic units of 50 students each) is hereby restored till a fresh withdrawal order is issued by WRC.

10. The terms and conditions shall remain same mentioned in the revised recognition order issued vide order dated 04.08.2015.


(NAVEEN MALIK)
REGIONAL DIRECTOR (I/c)

To

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

Copy to:-

1. **The Principal**, Swami Vivekanand Shikshan Prasarak Mandal, Swami Vivekanand College of Education Survey No. 184, Jalkot Road, Bodhan Nagar, Tq. Udgir, Dist- Latur-413517, Maharashtra.
2. **The Secretary**, Swami Vivekanand Shikshan Prasarak Mandal, Swami Vivekanand Campus, Survey No.184, Bodhan Nagar, Jalkot Road, Udgir, Dist- Latur – 413517, Maharashtra.

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3. **The Registrar,** Swami Ramanand Teerth Marathwada University, Dist-Nanded, Maharashtra.
4. **The Education Secretary,** Department of Higher Education, Govt. of Maharashtra, Mantralaya, Mumbai, Maharashtra.
5. **The Secretary,** Department of School Education and Literacy, Ministry of Education, Government of India, Shastri Bhawan, New Delhi - 110001.
6. **The Under Secretary, IT and e-Governance,** National Council for Teacher Education, G-7, Sector - 10, Dwarka, New Delhi - 110075.
7. IT Section, WRC- for uploading order on website.
8. Office Order File/Institution File No. APW00807/123141/B.ED.

R. Mohite

REGIONAL DIRECTOR (I/c)