

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

F.No.WRC/APW01817/123264/B.ED/374th/2022 **220820**

Date: **07/11/2022**

RESTORATION ORDER

WHEREAS, the institution, namely, **JIJAMATA BAHU-UDDDESHIYA SHIKSHAN PRASARAK MANDAL, AT.POST PATODA, TA. JALKOT, LATUR-413514, MAHARASHTRA** was granted recognition by WRC, NCTE for **B.Ed.** course vide Order No.WRC/2-32/123264/75/2005/5815-817 dated **22.07.2005**.

2. AND WHEREAS, after promulgation of NCTE Regulations, 2014, the revised order was issued to the institution vide order No.WRC/APW01817/123264/2015/140554-561 dated **31.05.2015** 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.

3. 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 issued to the institution on 02.01.2017.

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

5. AND WHEREAS, the matter was considered by the WRC in its 310th meeting held on August 19-21, 2019 and the Committee decided as under:-

"The Show Cause Notice was issued to the institution vide letter dated 02/01/2017. 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."

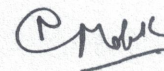
6. AND WHEREAS, Withdrawal Order No.WRC/APW01817/123264/310th/2019/205784-205791 dated 03.09.2019 was issued to the institution.

7. AND WHEREAS, the institution has filed an appeal to NCTE Hqrs against withdrawal order dated 03.09.2019 and the Appellate Authority vide order dated 15.07.2020 decided that, *the WRC was justified in withdrawing recognition and therefore, the appeal deserved to be rejected and the order of the WRC is confirmed."*

8. AND WHEREAS, the institution has filed W.P. (C) 5002/2020 & CM APPL.18008/2020 in the Hon'ble High Court of Delhi at New Delhi and the Hon'ble Court had passed an order dated 13.10.2020. The operative part of court order is as under:-

"In these facts and circumstances, the matter is remanded back to WRC to reconsider the case of the petitioner as per law taking into account the documents which have been file in this court.

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In the meantime, as the withdrawal order is operative from the end of the next academic year namely end of 2020-2021, the petitioner is permitted to participate in the counselling for the present academic year.

The respondent will take appropriate steps including correction on the website and appropriate intimation to the concerned department of higher education, State of Maharashtra and to the concerned affiliating university.

Needful be done within three days.

The WRC is free to deal with the case of the petitioner uninfluenced by any observations made by this court. Nothing further survives in this petition and the same is disposed of. All other pending applications, if any, are also disposed of."

Accordingly, a letter issued to the affiliating body on 09.01.2021 permitting to participate in the counseling process for admitting students for the academic session 2020-2021.

9. AND WHEREAS, the institution has filed W.P. (C) 4630/2021 & CM APPL. 14222/2021 in the Hon'ble High Court of Delhi at New Delhi challenging the aforesaid letter dated 09.01.2021 and the Hon'ble Court had passed an order dated 13.04.2021. The operative part of court order is as under:-

"In view of the fact that the schedule of counselling in the State of Maharashtra for year 2021-22 has not yet been released, suffice it to say that, in event the proceedings pursuant to remand culminate in an order in favour of the petitioner, it will entitled to participate in counseling for year 2021-2022 and subsequent academic years.

The WRC is directed to take up the petitioner's application and dispose of the same at its very next meeting and, in any event, no later than three weeks from today. This order be communicated by learned counsel for the parties to the petitioners affiliating university as well as to the concerned department of the Government of Maharashtra.

Similarly, the WRC will communicate its decision on the petitioner's application to the affiliating university and to the Government of Maharashtra immediately upon the decision being taken.

It is made clear that the timeline contained in this order is peremptory, and the WRC is directed to follow is directed to follow the aforesaid schedule scrupulously. In the event there is any delay in the disposal of the proceedings, it is for the WRC to approach this Court for an extension of time, and the petitioner's case for interim orders will be reconsidered in the light of the submissions of the WRC. The petitioner will also be at liberty to seek appropriate order in such circumstances.

The petition alongwith pending applications stand disposed of in these terms."

10. AND WHEREAS, the matter was considered by the WRC in its 339th meeting held on July 28-30, 2021 and the Committee decided as under:-

"The original file of the Institution, order of the Hon'ble Court along-with other related documents were carefully considered and examined by WRC in the light of NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the following observation were made:

- 1. The recognition of the institution was withdrawn by WRC as per the decision of WRC in 310th meeting held on 19th-21st August 2021.*
- 2. The institution approached the Hon'ble High Court of Delhi and as per the directions of the Hon'ble Court in W.P. No. 5002/2020 dated 13.10.2020, the institution was permitted to participate in counseling for the academic session 2020-2021.*

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3. *The institution has further approached the Hon'ble High Court of Delhi and the Hon'ble Court in W.P. No. 4630/2021 has passed an order dated 13.04.2021*

The WRC considered the order of the Hon'ble Court in W.P. No. 4630/2021 alongwith the original file of the institution and observed the following :-

- a. The institution has submitted only the scanned copy of staff list, wherein the stamp and signature of Registrar has been affixed only on last page.*
- b. The institution has not submitted the Change of Land Use Certificate, Non Encumbrance Certificate, Building Plan and Building Completion Certificate, as asked for in the Show Cause Notice.*

In view of the above, the Committee decided that the decision for withdrawal taken by WRC in its 310th meeting and intimated to the institution vide dated 03rd September 2019 stands. "

11. AND WHEREAS, Withdrawal Order No.WRC/APW01817/123264/B.ED./339th/2021/217258-217262, 217270 dated 28.08.2021 was issued to the institution.

12. AND WHEREAS, the institution has filed W.P. (C) 11787/2021 in the Hon'ble High Court of Delhi at New Delhi challenging the aforesaid order dated 28.08.2021 and the Hon'ble Court had passed an order dated 12.10.2021. The operative part of court order is as under:-

"9. In these circumstances, although the impugned order dated 28.08.2021 is appealable, it is necessary to protect the interests of the petitioner in this petition under Article 226 of the Constitution of India. W.P.(C) 11787/2021 Page 7 of 7 Had the WRC complied with the timeline laid down in the order dated 13.04.2021, the petitioner would have had a chance of preferring its appeal prior to the counselling for the year 2021-22. As things stand today, counselling for the academic year 2021-22 has already commenced, and the petitioner is being subjected to the belated order of the WRC.

10. For the aforesaid reasons, while the petitioner is at liberty to file its appeal before the Appellate Committee within two weeks from today, in the meanwhile, the petitioner will be entitled to participate in counselling, and admit students for the academic year 2021-22. The WRC is directed to reflect the status of the petitioner as a recognised institution for the academic year 2021-22 on its website, and also communicate the same to the petitioner's affiliating University and the concerned State Government within one week from today.

11. Having regard to the apparent non-compliance of the order of this Court dated 13.04.2021, the Regional Director of the WRC is directed to file an affidavit explaining the position, so that the Court may consider whether to institute further proceedings in this regard. Affidavit be filed within three weeks."

13. AND WHEREAS, permission letter to participate in the counselling for the academic session 2021-2022 was issued to the institution on 26.10.2021.

14. AND WHEREAS, institution vide letter dated 06.12.2021 received in WRC on 22.12.2021 has requested for reduction in annual intake of 100 students (two units of 50 students each) to 50 students (one unit of 50 students each).

15. AND WHEREAS, the institution has filed an appeal to NCTE Hqrs against order dated 28.08.2021 and the Appellate Authority vide order dated 15.12.2021 remand back the case to WRC for revisiting the matter.

16. AND WHEREAS, institution again vide letter dated 28.12.2021 received in WRC on 07.01.2022 requested for reduction in annual intake of 100 students (two units of 50 students each) to 50 students (one unit of 50 students each).

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17. AND WHEREAS, the matter was considered by the WRC in its 374th meeting held on October 18-19, 2022 and the Committee decided as under:-

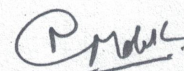
"The original file of the Institution along-with other related documents, representation from the institution regarding reduction of B.Ed. intake were carefully examined in the light of NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the Committee observed as under:

- Initially, recognition was granted vide order dated 22.07.2005.
- Revised order was issued dated 31.05.2015.
- Recognition for B.Ed. course was withdrawn vide order dated 03.09.2019.
- Appellate Authority confirmed the withdrawal order vide its order dated 15.07.2020.
- Being aggrieved, the institution filed W.P. 5002/2020 in the Hon'ble High Court of Delhi and the Hon'ble Court remanded back the matter to WRC to reconsider while allowing the institution to participate in the counselling process for admitting students for academic session 2020-2021.
- The matter was placed before the 339th Meeting of WRC held on 28th-30th July, 2021 and the Committee upheld the decision of withdrawal taken by WRC in its 310th meeting in pursuance of which the said withdrawal order was communicated to the institution vide order dated 28.08.2021.
- Against the said order, the institution approached the Hon'ble High Court of Delhi in W.P.(C) 11787/2021 wherein vide order dated 12.10.2021, the Court directed WRC to permit the institution to participate in counselling and admit students for the academic year 2021-2022 and also directed the petitioner to file an appeal within a period of two weeks from the date of the order. The institution was issued letter dated 26.10.2021 permitting to participate in counselling for the academic year 2021-2022.
- The institution vide letter dated 06.12.2021 received in WRC on 22.12.2021 requested for reduction of B.Ed. intake from two units to one unit.
- In the meanwhile, Appellate Authority vide its order dated 15.12.2021 decided to set aside the order dated 28.08.2021 and remanded back the matter to WRC for reconsideration.

*In view of the above, the Committee decided that **recognition for B.Ed. course be restored until fresh withdrawal order is passed by WRC, NCTE. The institution is permitted to participate in the counselling for admission to B.Ed. course for the academic session 2022-23 and subsequent academic sessions until a fresh withdrawal order is passed by WRC, 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.***

Further, the Committee decided that prior to grant of permission regarding reduction of B.Ed. intake from 100 to 50, as requested, the institution is still deficient on the following in light of NCTE Regulations, 2014:

- Certified copy of registered land documents not submitted.
- In the Change of Land Use certificate issued/approved by Tahsildar. Jalkot, the diverted area not mentioned.
- Original approved faculty list by the Affiliating Body comprising 1 Principal + 07 faculty qualified as per NCTE Regulations, 2014 and subsequent amendment vide Notification dated 09.06.2017 for one unit (50 intake) of B.Ed. course not submitted.
- Faculty in respect of Fine Arts not appointed as per Appendix-4 of NCTE Regulations, 2014.
- Faculties reflected at sl.no.4 to 9 of the approved faculty list have been appointed on temporary basis.

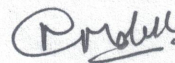


In view of the above, the Committee decided that Show Cause Notice prior to withdrawal of recognition be issued to the institution u/s 17 of the NCTE Act for B.Ed. programme to submit reply to SCN accompanied by an original affidavit within 30 days from the date of uploading of minutes on the website failing which the WRC will take decision as deemed fit as per the provisions contained in the NCTE Act and Regulations."

18. NOW THEREFORE, recognition of the **JIJAMATA BAHU-UDDESHIYA SHIKSHAN PRASARAK MANDAL, AT.POST PATODA TA. JALKOT LATUR-413514, 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 until fresh withdrawal order is passed by WRC, NCTE. The institution is permitted to participate in the counselling for admission to B.Ed. course for the academic session 2022-23 and subsequent academic sessions until a fresh withdrawal order is passed by WRC.**

The terms and conditions shall remain same mentioned in the revised recognition order issued vide order dated 31.05.2015.

By Order



(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**, Jijamata Bahu-Uddeshiya Shikshan Prasarak Mandal, At. Post Patoda, Ta-Jalkot, Latur-413514, Maharashtra.
2. **The Secretary**, Jijamata Bahu-Uddeshiya Shikshan Prasarak Mandal, At. Post Patoda, Ta-Jalkot, Latur-413514, Maharashtra.
3. **The Registrar**, Swami Ramanand Teerth Marathwada University, 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, Govt. 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 on website.
8. Office Order File/Institution File No.APW01817/123264.



REGIONAL DIRECTOR (I/C)