

TO BE PUBLISHED IN GAZETTE OF INDIA PART III SECTION 4

F. NO./NCTE/WRC/RJ-799/B.ED./378th/RJ./2022

222796

Date:

9/3/23

REVISED ORDER

222803

WHEREAS, recognition was granted to the institution namely, KOTA COLLEGE OF EDUCATION, SP-1, RIICO INDUSTRIAL AREA, RAMPUR, JHALAWAR ROAD, KOTA, RAJASTHAN for B.Ed. Course of one year duration with an annual intake of 100 students vide order No. F.NRC/NCTE/F-7/6863-6878 & 6992 dated 13.08.2006.

2. **AND WHEREAS**, due to non-receipt of willingness alongwith original affidavit from the institution for switching over to two years duration B.Ed. Course in pursuance of NCTE Regulations 2014, revised order has not been issued to the institution.

3. **AND WHEREAS**, the matter was considered by WRC in its 336th meeting held on 24th to 25th March, 2021 and the Committee decided as under:-

"... The original file of the Institution 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 was made that:

The institution has not submitted Affidavit for adherence of provisions of NCTE Regulations, 2014.

Revised Recognition Order has not been issued to the institution for B.Ed two years programme. However, it is not clear whether institution is running one year B.Edprogramme or two years programme or it is running or closed.

Hence, the Committee decided to issue Final Show Cause Notice u/s 17 of NCTE Act 1993 to submit the notarized / certified documents on the above-mentioned grounds within 30 days from the date of issue of this Final Show Cause Notice.

A letter may be written to the concerned affiliating University with a request to intimate the present status of this institution."

Accordingly, Final Show Cause Notice was issued to the institution vide letter dated 07.04.2021.

4. **AND WHEREAS**, the institution had filed a writ petition before the Hon'ble High Court of Delhi at New Delhi in W.P.(C) No. 9611/2021 and Hon'ble Court passed order dated 06.09.2021, the operative part is as under:

"... 2. The petitioner was granted recognition for B.Ed. course with an intake of 100 students on 13.08.2006. According to the petitioner, pursuant to the notification of the NCTE Regulations 2014, it submitted an affidavit dated 06.03.2015, stating that it wishes to continue with the intake of 100 students. However, the revised recognition order was not W.P.(C)9611/2021 Page 2 of 2 issued.

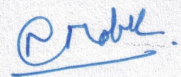
3. In the meanwhile, on 07.04.2021, the petitioner was issued a "FINAL SHOW CAUSE NOTICE U/S 17" which proceeds on the ground that the petitioner had not submitted an affidavit in terms of the 2014 Regulations. The petitioner has not yet replied to the show cause notice and has instead filed the present writ petition for quashing of the show cause notice and for a direction upon the respondents to issue the revised recognition order.

जी-7 सेक्टर -10, द्वारका, नई दिल्ली - 110075

G-7, Dwarka Sector 10, New Delhi-110075

दूरभाष /Phone: 011-43152353, 20893264

Website: www.ncte.gov.in



4. Having regard to these facts and circumstances, I am of the view that the appropriate course is to permit the Western Regional Committee ["WRC"] of the NCTE to consider the petitioner's case and take an appropriate view thereupon, rather than for the writ court to intervene at this stage.

5. Mr. Sanjay Sharawat, learned counsel for the petitioner, submits that the writ petition be considered as a reply to the show cause notice. The WRC is directed to examine the matter in the light of the contents of the writ petition and dispose of the pending show cause notice as expeditiously as possible and practicable.

6. The petition is disposed of with these directions."

5. **AND WHEREAS**, the matter was considered by WRC in its 370th Meeting held on 10th & 12th September 2022 and the Committee decided as under :-

"...The original file of the Institution along-with other related documents, 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 order dated 13.08.2006 was issued for B.Ed. course of one year duration with intake of 100.*
- *On promulgation of NCTE Regulations, 2014 and change of duration of B.Ed. from one year to two years, the institution has not conveyed its willingness and not submitted the original affidavit for adherence of provisions of NCTE Regulations, 2014 for two years B.Ed. programme, as a result revised recognition order has not been issued to the institution for conducting two years B.Ed. programme as per extant NCTE Regulations.*
- *WRC in its 336th meeting held on 24th-25th March, 2021 considered the matter and as decided, a letter dated 06.04.2021 has been issued to University of Kota (affiliating body) with request to intimate the present status of the institution and mentioning the decision taken by Committee to issue final show cause notice u/s 17 on the following grounds:*
 - (i) *The institution has not submitted Affidavit for adherence of provisions of NCTE Regulations, 2014.*
 - (ii) *Revised Recognition Order has not been issued to the institution for B.Ed. two years programme. However, it is not clear whether institution is running one year B.Ed. programme or two years programme or it is running or closed.*
- *Final show cause u/s 17 has been issued to the institution dated 07.04.2021 on the above grounds as intimated to Affiliating Body with direction to institution to submit representation/ documents within 30 days from the date of issue of final Show Cause Notice.*
- *The institution vide letter dated 08.09.2021 has informed WRC, NCTE along with a copy of Order dated 06.9.2021 passed by Hon'ble High Court of Delhi in W.P.(C) 9611/2021 wherein the Hon'ble Court directed to examine the matter and consider the writ petition as a reply to the show cause notice and dispose of the pending show cause notice as expeditiously as possible and practicable.*

Prabhu

- The Committee also noted on perusal of records that no such document/affidavit has been submitted by the institution in the office of NRC, NCTE and found that no affidavit is attached in the regulatory file of the institution for which revised order has not been issued.
- The Committee also noted from copy of the representation dated 23.07.2021 of institution (attached on file) that currently institution is neither running one year nor two years B.Ed. programme.

In view of the above enumerated facts, the Committee decided as under:

- Recognition granted to the institution for B.Ed. course stands withdrawn u/s 17 of NCTE Act, 1993 with effect from the date of cancellation/withdrawal of affiliation by the affiliating body on the following grounds:
 - (i) The institution has not submitted an affidavit for adherence of conditions of recognition for two year B.Ed. course in light of NCTE Regulations, 2014.
 - (ii) Revised recognition order has not been issued by WRC, NCTE.
 - (iii) Running of B.Ed. course has been stopped by the institution due to non-issuance of Revised recognition order.
 - (iv) The institution is not eligible to run the B.Ed. programme as per extant NCTE Regulations as amended time to time.

Withdrawal order be issued to the institution with a copy endorsed to Affiliating Body, State Government and others concerned. The affiliating body is to be requested not to conduct counseling for admission of any student for B.Ed. programme in respect of the institution."

Accordingly, withdrawal order dated 13.10.2022 was issued to the institution.

6. AND WHEREAS, the institution filed an appeal before the Appellant Authority at NCTE, New Delhi and the Appellant Authority vide order dt. 30.11.2022 decided as under:-

"...After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal committee of the Council concluded to remand back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The Appellant is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The WRC is at a liberty to verify the submitted documents from the concerned issuing authority."

As per direction of the Appellate Authority an E-mail dated 06.12.2022 alongwith documents submitted by the institution.

7. AND WHEREAS, the matter was considered by WRC in its 378th meeting held on 21st & 22nd December, 2022 and the Committee decided as under:-

Cont...4

Crabbe

"...The original file of the Institution along with other related documents was 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:

- *Initial recognition order dated 13.08.2006 was issued for B.Ed. course of one-year duration with an intake of 100.*
- *On promulgation of NCTE Regulations, 2014 and change of duration of B.Ed. from one year to two years, the institution has not conveyed its willingness and has not submitted the original affidavit for adherence to provisions of NCTE Regulations, 2014 for two years B.Ed. programme, as a result, revised recognition order has not been issued to the institution for conducting two years B.Ed. programme as per extant NCTE Regulations.*
- *WRC in its 336th meeting held on 24th-25th March 2021 considered the matter and as decided, a letter dated 06.04.2021 has been issued to the University of Kota (affiliating body) with a request to intimate the present status of the institution and mentioning the decision taken by Committee to issue final show cause notice u/s 17 on the following grounds:*
 - i. *The institution has not submitted an Affidavit for adherence to provisions of NCTE Regulations, 2014.*
 - ii. *Revised Recognition Order has not been issued to the institution for B.Ed. two years programme. However, it is not clear whether the institution is running one-year B.Ed. programme or two years programme or it is running or closed.*
- *Final show cause u/s 17 has been issued to the institution dated 07.04.2021 on the above grounds as intimated to Affiliating Body with direction to the institution to submit representation/ documents within 30 days from the date of issue of final Show Cause Notice.*
- *The institution vide letter dated 08.09.2021 has informed WRC, NCTE along with a copy of Order dated 06.9.2021 passed by Hon'ble High Court of Delhi in W.P.(C) 9611/2021 wherein the Hon'ble Court directed to examine the matter and consider the writ petition as a reply to the show cause notice and dispose of the pending show cause notice as expeditiously as possible and practicable.*
- *The Committee also noted on perusal of records that no such document/affidavit has been submitted by the institution in the office of NRC, NCTE and found that no affidavit is attached in the regulatory file of the institution for which revised order has not been issued.*
- *The Committee also noted from a copy of the representation dated 23.07.2021 the institution (attached on file) that the institution is currently neither running one year nor two years B.Ed. programme.*
- *The WRC in its 370th meeting held on 10th & 12th September 2022 considered the whole matter and decided that recognition granted to the institution for B.Ed. course stands withdrawn u/s 17 of NCTE Act, 1993 with effect from the date of cancellation/withdrawal of affiliation by the affiliating body on the following grounds:*

Prabhu..

- (i) The institution has not submitted an affidavit for adherence to conditions of recognition for two years B.Ed. course in light of NCTE Regulations, 2014.
- (ii) Revised recognition order has not been issued by WRC, NCTE.
- (iii) Running of B.Ed. course has been stopped by the institution due to the non-issuance of the Revised recognition order.
- (iv) The institution is not eligible to run the B.Ed. programme as per extant NCTE Regulations as amended from time to time.

It has been recorded in the minutes of the 370th meeting that a withdrawal order be issued to the institution with a copy endorsed to Affiliating Body, State Government, and others concerned. The affiliating body is to be requested not to conduct counseling for admission of any student for B.Ed. programme in respect of the institution.

Accordingly, a withdrawal order dated 13.10.2022 was issued to the institution.

- Being aggrieved with the withdrawal order, the institution preferred an appeal before the NCTE Appellate Authority and Appeal Committee of the Council concluded to remand back the case vide Order dated 30.11.2022 to WRC with a direction to consider the documents submitted in the appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulations, guidelines, and amendments issued from time to time. In the said order, the Appellant has been directed to forward to the WRC the documents submitted in the appeal within 15 days from the receipt of the order of the Appeal. The WRC is at liberty to verify the submitted documents from the concerned issuing authority.
- Considering the direction of the Appeal Committee, an E-mail dated 06.12.2022 along with documents submitted by the appellant institution.
- Reply from the institution has been considered by WRC and found satisfactory.

In view of the above, the Committee decided that the revised order in accordance with relevant provisions of NCTE Regulations, 2014, guidelines, and amendments issued from time to time be issued to the institution for B.Ed. course of two years duration. The concerned State authorities and affiliating bodies be intimated accordingly. A copy of the revised order be also uploaded on the WRC web portal of NCTE website. "

8. NOW THEREFORE, in the light of the above decision of WRC and in accordance with the NCTE Regulations, 2014, the Western Regional Committee (NCTE) hereby issues the revised recognition order to institution viz. **KOTA COLLEGE OF EDUCATION, SP-1, RIICO INDUSTRIAL AREA, RAMPUR, JHALAWAR ROAD, KOTA, RAJASTHAN** for conducting B.Ed. programme of two years duration with an annual intake of 100 students (Two basic units of 50 each) with effect from the commencement of Academic Session 2023-2024 subject to fulfilment of following conditions:-

- (i) The institution shall create additional facilities that include (a) additional built-up area, (b) additional infrastructure, (c) additional funds, (d) additional staff as per Regulations, 2014 and inform Regional Committee with required documents **within 30 days from the date of issue of order.**

Cont...6

Arora

- (ii) In case of additional unit, the applicant-institution will be required to submit the required documents such as land documents, Encumbrance Certificate (EC), Land Use Certificate (LUC), Building Plan (BP), Building Completion Certificate (BCC) and the Approved Staff List in the specified proforma available on the website to the Regional Committee in proof of having provided additional facilities as per NCTE Regulations, 2014.
 - (iii) In case it is decided, the Regional Committee shall arrange for verification of documents, inspection of the premises and check adherence to these conditions as per NCTE Regulations, 2014. If it is found by the Regional Committee that the institution fails to comply with these requirements, the institution shall not be permitted to admit students for the academic year 2024-2025.
 - (iv) In case any existing institution's matter is sub-judice under court direction/SCN under section 17 of the NCTE Act/Complaint etc., the institution shall be required to submit a copy of the Hon'ble Court order/reply to SCN/complaint/already submitted alongwith the documents, if any together with the documents referred above. In case the institution's request for shifting of premises is pending, such institution shall be required to submit the requisite documents as per provisions of the NCTE Regulations, 2014 with a copy of the order/NOC of the affiliating body/State Govt. and such other documents as indicated in the revised format recognition order. The final decision shall be subject to the directions given by the Hon'ble Court in the Writ Petition/case decided by the Western Regional Committee in respect of Section 17/complaint cases etc.
9. Further, the recognition is subject to fulfillment of other requirements as may be prescribed by other regulatory bodies like UGC, affiliating University/body, the State Government etc, as applicable. The affiliating body (University/State Govt.) shall also be required to verify the authenticity of the land & building documents as well as appointment of requisite teaching & non-teaching staff as per provisions of the NCTE Regulations, 2014 by the concerned institution before grant of affiliation to an institution.
10. The institution shall submit to the Regional Committee a Self-Appraisal Report at the end of each academic year along with the statement of annual accounts duly audited by a chartered Accountant.
11. The institution shall maintain & update its website as per provisions of NCTE Regulations and always display following as mandatory disclosure:-
- a) Sanctioned programmes along with annual intake in the institution:
 - b) Name of faculty and staff in full as mentioned in school certificate along with their qualifications, scale of pay and photograph.
 - c) Name of faculty members who left or joined during the last, quarter:
 - d) Names of Students admitted during the current session along with qualification, Percentage of marks in the qualifying examination and in the entrance test, if any, date of admission, etc.:
 - e) Fee charged from students;
 - f) Available infrastructural facilities;

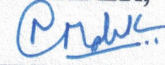
//7//

- g) Facilities added during the last quarter;
- h) Number of books in the library, journals subscribed to and additions, if any, in the last quarter;
- i) The affidavit with enclosure submitted along with application.
- j) The institution shall be free to post additional relevant information. If it so desires.
- k) Any false or incomplete information on website shall render the institution liable for withdrawal of recognition.

If institution contravenes any of the above conditions or the provision of the NCTE Act, Rules, Regulations and orders made and issued there under, the institution will render itself liable to adverse action including withdrawal of recognition by the Regional Committee under the provisions of Section 17(1) of the NCTE Act 1993.

12. Recognition order vide No. F.NRC/NCTE/F-7/6863-6878 & 6992 dated 13.08.2006 be treated as cancelled from the date of issue of this revised order.

BY ORDER,



(NAVEEN MALIK)

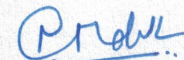
REGIONAL DIRECTOR (I/C)

To

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

Copy to:

1. **THE PRINCIPAL**, KOTA COLLEGE OF EDUCATION, SP-1, RIICO INDUSTRIAL AREA, RAMPUR, JHALAWAR ROAD, KOTA, RAJASTHAN.
2. **THE SECRETARY**, OASIS EDUCATIONAL SOCIETY, B-67, BHAGIRATH MARG, SHYAM NAGAR, JAIPUR-722252, RAJASTHAN.
3. **THE REGISTRAR**, UNIVERSITY OF KOTA, MBS MARG, NEAR KABIR CIRCLE, SWAMI VIVEKANANDA NAGAR, KOTA, RAJASTHAN 324005.
4. **THE SECRETARY**, HIGHER EDUCATION, GOVERNMENT OF RAJASTHAN, SECRETARIAT, JAIPUR, RAJSTHAN.
5. **THE SECRETARY**, DEPT. OF SCHOOL EDUCATION AND LITERACY, MINISTRY OF EDUCATION, GOVERNMENT OF INDIA, SHASTRI BHAWAN, NEW DELHI-110001.
6. **THE UNDER SECRETARY**, (IT & E-GOVERNANCE), NCTE, G-7, SECTOR-10, DWARKA, NEW DELHI-110075.
7. IT SECTION, WRC- FOR UPLOADING ON WEBSITE.
8. OFFICE ORDER FILE/INSTITUTION FILE (RJ-799) (B.ED).



REGIONAL DIRECTOR (I/C)