

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

F.No.NCTE/WRC/APW06067/223672/B.ED/M.P./2023 224355 to 224362 Date: 05/10/2023

RESTORATION ORDER

- WHEREAS**, the institution, namely, BALAJI B.ED. COLLEGE, C/O-AMBIKA PRASAD SAHU, BALAGHAT ROAD, SEONI, MADHYA PRADESH was granted recognition by WRC, NCTE for B.Ed. course of two year duration with an annual intake of 100 students vide order No.WRC/5-6/121st/2009/57775-57780 dated 17.07.2009.
2. **AND WHEREAS**, after promulgation of NCTE Regulations, 2014, the revised recognition order was issued to the institution viz. BALAJI B.ED. COLLEGE, C/O-AMBIKA PRASAD SAHU, BALAGHAT ROAD, SEONI, MADHYA PRADESH vide order No.WRC/APW06067/223672/121/2015/137481-137490 dated 27.05.2015 for conducting B.Ed. programme of two years duration with an annual intake of 100 students from the academic session 2015-2016.
3. **AND WHEREAS**, the matter regarding compliance of conditions of revised recognition order was considered by WRC in its 255th meeting held on 22-24 June, 2016 as per decision of WRC, Show Cause Notice u/s 17(1) was issued to the institution on 21.12.2016.
4. **AND WHEREAS**, reply of show cause notice submitted by the institution received in WRC on 21.01.2017 was considered by WRC in its 310th meeting held on 19th-21st August, 2019 and Committee decided that recognition of the institution be withdrawn and Accordingly, Withdrawal Order was issued to the institution on 04.09.2019.
5. **AND WHEREAS**, the institution had approached the Hon'ble High Court of Delhi at New Delhi vide W.P. (C) No. 5217/2020 and the Hon'ble court passed an order dated 13.08.2020 and thereby staying the withdrawal order dated 04.09.2019.
6. **AND WHEREAS**, in compliance of the court order dated 13.08.2020 passed by the Hon'ble High Court of Delhi at New Delhi, the name of the institution was added in the list of recognized institution and letter was sent to Commissioner of Higher Education Department, Govt. of M.P. on dated 25.08.2020 for the session 2020-21.
7. **AND WHEREAS**, Institution had filed an appeal to NCTE Hqrs. under section 18 of NCTE Act, 1993. The Appellate Authority vide its order dated 19.11.2020 remanded back the case to the WRC, NCTE. The institution submitted the reply/documents which was received on 03.12.2020 in response to Appellate Authority direction.
8. **AND WHEREAS**, Institution approached the Hon'ble High Court of Delhi at New Delhi in W.P. (C) 10018/2020 for annulment of withdrawal order in compliance of appeal order dated 19.11.2020. The Hon'ble court passed an order dated 08.12.2020 and thereby quashing of the withdrawal order dated 04.09.2019.

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9. **AND WHEREAS**, matter was placed in 329th meeting held on 17th-19th August, 2021 and the Committee decided that last opportunity be given to the institution and Accordingly, Final Show Cause Notice was issued to the institution on 11.03.2021.

10. **AND WHEREAS**, the institution approached the Hon'ble High Court of Delhi at New Delhi in W.P. (C) 4292/2021 against the issuance of final show cause notice dated 11.03.2021 and the Hon'ble court passed an order dated 07.04.2021 with the following directions:

"It is made clear that the communication dated 11.03.2021, although styled as "final show cause notice", is in effect to be treated as a direction to submit information, and the WRC will be obliged to commence the process for withdrawal under Section 17 of the Act afresh in the event it is not satisfied with the response and information submitted by the petitioner herein."

11. **AND WHEREAS**, reply of Final Show Cause Notice submitted by the institution received in WRC on 22.04.2021 was considered by WRC in its 341st meeting held on 17th-18th August, 2021 and Committee decided that the recognition granted to the institution be withdrawn and Accordingly, Withdrawal Order issued to the institution on 06.09.2021.

12. **AND WHEREAS**, , the institution filed W.P.(C) 12648/2023 and Hon'ble High Court of Delhi at New Delhi passed order dated 25.09.2023 and operative part as under:

1. Learned counsel appearing on behalf of the parties submit that the controversy involved in the instant case is covered by the decision passed by this court vide order dated 18.09.2023 in **W.P. (C) 12235/2023**.
2. In view of the aforesaid, the instant petition stands disposed of in terms of similar directions, as under:-

"(i) The NRC is directed to pass an order of restoration in favour of the petitioner-institution for recognition of the concerned course in accordance with law within a period of seven days from the date of receipt of copy of the order passed today. The said order shall remain subject to the further decision to be taken by the concerned Regional Committee;

(ii) The Copy of the order of restoration of the recognition of the petitioner institution for the concerned course will have to be communicated to all concerned;

(iii) Once an order of restoration is passed the petitioner-institution would be entitled to participate in the counselling etc."

3. The directions passed in **W.P (C) 12235/2023** shall apply *mutatis mutandis* in the instant case.
4. With the aforesaid directions, the instant petition stands disposed of.

13. **AND WHEREAS**, WRC in its 385th meeting held on 17th may, 2023 has taken the following decision, "the committee unanimously resolved that all such matters where the case is remanded back by the appellate authority or through the orders of the court, the Regional Director is authorized to issue restoration order pending re-consideration of the withdrawal order subject to ratification by the Committee in the ensuing meeting."

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14. **NOW THEREFORE**, in terms of the decision taken by WRC in its 385th meeting and order dated 25.09.2023 of Hon'ble High Court of Delhi, the said recognition granted to the above institution viz. **BALAJI B.ED. COLLEGE, C/O-AMBIKA PRASAD SAHU, BALAGHAT ROAD, SEONI, MADHYA PRADESH** for conducting B.Ed. programme of two years duration with an annual intake of 100 students is hereby restored subject to further consideration by the WRC.

15. The terms and conditions shall remain same mentioned in the revised recognition order issued vide order dated 27.05.2015.

By Order,

(Rayindra Singh)
Regional Director

To

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

Copy to:

1. **The Principal**, Balaji B.Ed. College, C/O-Ambika Prasad Sahu, Balaghat Road, Seoni, Madhya Pradesh.
2. **The Secretary**, Ramratan Geeta Trust, Ward No-27, Prem Nagar, Near Sai Mandir, Balaghat, Madhya Pradesh.
3. **The Registrar**, Rani Durgawati University, Jabalpur, Madhya Pradesh.
4. **The Secretary**, Department of Higher Education, Govt. of Madhya Pradesh, Mantralaya, Bhopal-462011, Madhya Pradesh.
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 - APW06067/223672 (B.Ed.)

Regional Director