

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

F.No.WRC/APW01129/123199/375th/2022

22/143

Date: 9/12/2022

WITHDRAWAL ORDER

WHEREAS, the institution, namely, **SHRI DHANESHWARI MANAV VIKAS MANDAL, TULSI ARCADE FLAT NO.B-101, CANNUGHT GARDEN, CIDCO, AURANGABAD-431003, MAHARASHTRA** was granted recognition by WRC, NCTE for B.Ed. Course vide Order No.WRC/2-32/64/123199/2004/6390 dated 20.09.2004 with an annual intake 100 students.

2. AND WHEREAS, formal recognition order was issued to the institution vide Order No.WRC/5-6/123199/64/2004/7008-13 dated 25.08.2005.

3. AND WHEREAS, after promulgation of NCTE Regulations, 2014, the revised recognition order was issued to the institution vide order No.WRC/APW01121/123199/2015/140661,663,664, 666,667,669,671,675 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.

4. AND WHEREAS, in response to Revised Recognition order, reply submitted by the institution vide letter dated 28.10.2015.

5. 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 **23.02.2017**.

6. AND WHEREAS, in response to the show cause notice, reply submitted by the institution vide letter dated 29.01.2018.

7. AND WHEREAS, the matter was placed in 316th WRC meeting held on August 27-28 & September 4, 2020, and the Committee decided that:-

"The WRC considered the entire issue in detail and noted that as per NCTE Regulations dated 13.11.2002. Initially institutions were permitted to start the course in a rented-premises with a condition to shift to their own premises within a period of three years from the date of such recognition.

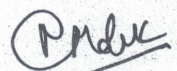
From the Agenda note placed before WRC, it is observed that many institutions have not yet shifted to their own premises neither they have applied to WRC for shifting of premises of their institutions.

The WRC considered the entire issue in detail and decided that Show Cause Notice u/s 17 of the NCTE Act be issued to reply within 30 days to all such institutions which have been permitted or given recognition/permission to run the programme in rented premises and have not yet applied for shifting of their institution.

Further, the WRC also decided that the applications of the institutions who have applied for shifting or premises be examined by office at the earliest and placed before WRC for consideration and decision."

8. AND WHEREAS, show cause notice was issued to the institution on 28.09.2020.

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



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10. AND WHEREAS, the matter was placed before WRC in its 322nd meeting held on November 23-24, 2020, 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:-

- 1. Recognition was granted to the institution on 25.08.2005 on rented premises with a condition that to shift the institution in its own premises within a period of three year from the date of issue of recognition order.*
- 2. The institution has not shifted the institution in its own premises till date.*
- 3. Accordingly, Show Cause Noted was issued to the institution on 28.09.2020.*
- 4. The institution has not submitted the reply of the Show Cause Notice till date.*

In view of above, the Committee decided that the recognition of B.Ed. programme of the institution be WITHDRAWN under 7(15) from the next academic session 2021-22".

11. AND WHEREAS, Withdrawal Order No.WRC/APW01121/123199/322nd/2020/212565-212571 dated 11.12.2020 was issued to the institution.

12. AND WHEREAS, the institution has filed W.P. (c) No.13447/2021 & CM APPL. 42376/2021 in the Hon'ble High Court of Delhi at New Delhi and the Court had passed an order dated 29.11.2021. The operative part of court order is as under:-

"6. In view of the above, there is no impediment to the petitioner participating in the counselling, and admitting students for the academic session 2021-2022. The NCTE is directed to reflect the status of the petitioner as a recognised institution for the year 2021-22 on its website. The NCTE is also directed to communicate the same to the petitioner's affiliating university, and the concerned State Government within one week from today.

7. The Appellate Committee of the NCTE may also endeavour to dispose of the petitioner's appeal as expeditiously as possible and practicable, and will in any event do so not later than three months from today."

13. AND WHEREAS, Restoration Order was issued to institution on 17.12.2021.

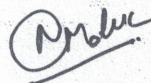
14. AND WHEREAS, the institution has filed W.P. (c) No. 12546/2022 & CM APPL. 37976/2022 in the Hon'ble High Court of Delhi at New Delhi and the Court had passed an order dated 31.08.2022. The operative part of Court order is as under:-

"6.3 WRC is directed to reflect the status of Petitioner as a recognized institution on its official website and to intimate the same to its affiliating University [Swami Ramanand Teerth Marathwada University, Nanded, Maharashtra] and to the "Education Secretary, [Higher Education] Govt. of Maharashtra" within a period of 10 days from today.

6.4 Appellate Committee is directed to forthwith take up the appeal of Petitioner and decide the same as expeditiously as possible, preferably in the next scheduled meeting.

7. The Court has not examined the merits of the case and the Appellate Committee shall proceed to decide the appeal on its own merits, in accordance with law. All rights and contentions of the parties are left open."

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15. AND WHEREAS, the matter was placed before WRC in its 371st meeting held on September 21-22, 2022, and the Committee decided as under:-

"The original file of the Institution along-with other related documents, Order dated 31.08.2022 in W.P.(C) No. 12546/2022 passed by Hon'ble High Court of 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, the institution is permitted to participate in the counselling being conducted for admission to B.Ed. course by the affiliating body/ concerned State Govt. for the academic session 2022-23. The concerned State authorities will be intimated accordingly. A copy of the said order will also be uploaded on the WRC web portal on NCTE website."

16. AND WHEREAS, permission letter to participate in the counselling for the academic session 2022-2023 was issued to the institution on **03.10.2022**.

17. AND WHEREAS, institution filed an appeal before the Appellate Authority at NCTE, New Delhi against the aforesaid withdrawal order and the Appellate Authority vide order dated **19.10.2022** decided as follows:-

"the instant appeal deserves to be rejected and therefore, the impugned withdrawal order dated 11.12.2020 issued by WRC is confirmed."

18. AND WHEREAS, the matter was placed before WRC in its 375th meeting of WRC held on November 18-19, 2022, and the Committee decided as under:-

"The original file of the Institution along-with other related documents, Order dated 31.08.2022 in W.P.(C) 12546/2022 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, 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 03.10.2022, being conducted by the Affiliating Body/ concerned State Govt. under intimation to the concerned State authorities and a copy of counselling order has also been uploaded on the WRC web portal on NCTE website."

Further, the Committee observed as under:

- Recognition was granted vide order dated 25.08.2005 on rented premises with a condition to that the institution will have to shift to its own premises within a period of three years from the date of issue of the said recognition order.
- The institution has failed to comply the same condition and not shifted the institution in its own premises.
- Show cause notice was issued dated 28.09.2020.
- No reply of show cause notice was submitted by the institution.
- Recognition for B.Ed. course was withdrawn from the academic session 2021-2022 vide order dated 11.12.2020.
- Recognition for B.Ed. course was restored in pursuance of order dated 29.11.2021 passed by Hon'ble High Court of Delhi at New Delhi in W.P.(C) 13447/2021.
- The institution was issued permission letter dated 03.10.2022 to participate in the counselling for the academic session 2022-2023 during the pendency of appeal filed by the institution.

Pradeep

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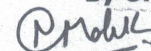
- The appellate committee in pursuance of the directions passed vide order dated 31.08.2022 by the Hon'ble High Court of Delhi at New Delhi in W.P.(C) 12546/2022 decided to confirm the withdrawal order dated 11.12.2020 passed by WRC.

In view of the said decision of the appellate committee, the WRC decided that deficiencies mentioned in the withdrawal order dated 11.12.2020 still persists, hence status of recognition for B.Ed. course is treated as withdrawn for which the institution shall not be entitled for taking admission of fresh batch of students from the academic session 2023-2024 and subsequent academic sessions. The concerned State authorities including affiliating body be intimated accordingly. The status of institution be updated on web portal on NCTE website.

19. **NOW THEREFORE**, in exercise of the powers conferred U/S 17 of the NCTE Act, 1993, the recognition granted to the institution, namely, **SHRI DHANESHWARI MANAV VIKAS MANDAL, TULSI ARCADE FLAT NO.B-101, CANNUGHT GARDEN, CIDCO, AURANGABAD-431003, MAHARASHTRA** for B.Ed. course (Code No.APW01129/123199) for an annual intake of 100 students (two basic units of 50 students each) is hereby withdrawn for which the institution shall not be entitled for taking admission of fresh batch of students from the academic session 2023-2024 and subsequent academic sessions.

20. Further, if the institution is not satisfied by the order, it may prefer an appeal against the aforesaid order under Section 18 of the NCTE Act, 1993 through 'online mode' available on NCTE's website www.ncte.gov.in within 60 days of the issue of this order. The guidelines for filing the appeal may be seen on NCTE website.

By Order



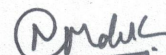
(NAVEEN MALIK)

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**, Shri Dhaneshwari Manav Vikas Mandal, College of Education, Hatta, Tq. Basmati, Dist- Hingoli, Maharashtra.
2. **The Secretary**, Shri Dhaneshwari Manav Vikas Mandal, Hatta, Tq. Basmati, Dist- Hingoli, Maharashtra.
3. **The Registrar**, Swami Ramanand Teerth Marathawada University, Nanded, Maharashtra.
4. **The Education Secretary**, Department of Higher Education, Govt. of Maharashtra, Mantralaya, Mumbai, Maharashtra.
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 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. APW01121/123199



REGIONAL DIRECTOR I/C