

F.NO.WRC/APW02528/222131/APW01684/223295/D.El.Ed./B.Ed./386th/MP/2023

Date: 14/06/2023

ORDER

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223230

WHEREAS, the institution, namely, Shri Siddhi Vinayak College, 427, C.P. Colony, Mora, Gwalior, Madhya Pradesh-474006 was granted recognition by WRC NCTE for B.Ed. Course of one year duration with an annual intake of 100 students vide order No.WRC/2-32/223295/76/2005/6235 dated 09.08.2005 followed by order dated 28.10.2006 from the academic session 2005-2006.

2. **AND WHEREAS**, the institution namely, Shri Siddhi Vinayak College, 427, C.P. Colony, Mora, Gwalior, Madhya Pradesh-474006 was granted recognition/permission for D.El.Ed course of two years duration with an annual intake of 50 students vide order No.WRC/5-6/90/2006 dated 30.10.2006.

3. **AND WHEREAS**, after promulgation of NCTE Regulations, 2014, the Revised Recognition order was issued to the institution vide No.WRC/APW01684/223295/2015/145978 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**, permission was granted to the institution viz. Shri Siddhi Vinayak College, run by Shri Kanha Shiksha Prachar Prasara Evam Samaj Kalyan Samiti, Plot/Khasra No.1503/1, 1505/2, Street Number/Village-Khureri, Post Office-Morar, Tehsil/Taluka/Town/City/District- Gwalior- 474006, Madhya Pradesh for additional intake of 50 for D.El.Ed. course, thus making total intake of 100 from the academic session 2017-2018 vide order No.WRC/NCTE/APP3122/222131/254th/D.El.Ed.(Increase in intake)/M.P./2016/168589 dated 20.06.2016.

5. **AND WHEREAS**, the matter was considered by WRC in its 297th meeting held on 13-14 September, 2018 seeking compliance from the institution vide WRC letter dated 19.09.2018 on the following:

"The case file was seen. The institution has applied for shifting on 05.09.2018. An examination of the file shows that the institution has not submitted CLU (Diversion Certificate), non-encumbrance certificate, and Building Completion Certificate. The institution should also submit a list of current staff duly approved by the Registrar of the Jiwaji University for B.Ed. course and by the Rajya Shiksha Kendra for D.El.Ed. course. FDRs for Rs.12.00 lakhs for B.Ed. course and FDRs for Rs.12.00 lakhs for D.El.Ed. course. They should also submit NOC from the Registrar, Devi Ahilya Vishwavidyalaya, Indore and Jiwaji University, Gwalior for B.Ed. course and from Madhyamik Shiksha Mandal for D.El.Ed. course.

Compliance should be submitted by the institution within one month."

6. **AND WHEREAS**, the institution has not submitted reply in response to WRC letter dated 19.09.2018 and the matter was considered by WRC in its 301st meeting held on 17-18 January 2019, wherein the Committee decided to issue Show Cause Notice to the institution on the following:

"The case file was seen. This is a case of shifting. Compliance letter dated 19.09.2018 was issued to the institution, to which reply was not submitted by the institution.

Hence, shifting is not permitted.

The institution is required to submit an affidavit stating all the courses with intake run by the institution on the existing premises with supporting land documents (certified), current staff list duly approved by the affiliating body in original and bank statements regarding payment of salary to the faculty members.

Hence, Show Cause Notice be issued to the institution u/s 17 of the NCTE Act, 1993. Reply should be submitted within one month, failing which recognition will be withdrawn."

Accordingly, show cause notice under Section 17 was issued for D.El.Ed. course vide letter dated 07.02.2019 and show cause notice under Section 17 was issued for B.Ed. course vide letter dated 24.01.2019.

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7. **AND WHEREAS**, the institution has not submitted reply of the show cause notice dated 07.02.2019 issued for D.El.Ed. course and the matter was considered by the WRC in its 306th meeting held on 29th to 30th April, 2019, wherein the Committee decided to withdraw recognition for D.El.Ed. course on the following grounds:

"The Show Cause Notice was issued to the institution on 07.02.2019. The institution has neither submitted reply nor submitted the documents asked in the Show Cause Notice dated 07.02.2019.

Hence, the committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for D.Ed. (D.El.Ed.) programme with effect from the end of the academic session next following the date of communication of the said order."

Accordingly, withdrawal order for D.El.Ed. course was issued to the institution dated 10.05.2019.

8. **AND WHEREAS**, the institution has not submitted reply of the show cause notice dated 24.01.2019 issued for B.Ed. course and the matter was considered by the WRC in its 309th meeting held on 23rd to 26th July, 2019, wherein the Committee decided to withdraw recognition for B.Ed. course on the following grounds:

"The Show Cause Notice was issued to the institution vide letter dated 24.01.2019. The reply of the Show Cause Notice of the institution has not been received."

Accordingly, withdrawal order for B.Ed. course was issued to the institution dated 01.08.2019.

9. **AND WHEREAS**, being aggrieved, the institution had filed an appeal against the withdrawal order for B.Ed. course and the Appellate Authority, NCTE vide order dated 23.12.2019 remanded back the case to WRC with a direction to consider the reply dt. 24.04.2019, to be sent again by the appellant to them and take further action as per the NCTE Regulations, 2019. The appellant has been directed to forward to the WRC, their reply letter dt. 24.04.2019 with all its enclosures, within 15 days of receipt of orders on the appeal. The appellant in the appeal also claimed that they have sent letters dt. 04.10.2018 and 10.10.2018 regarding the information required for considering their request for shifting of premises. Since the WRC has taken a stand that a reply to their clarificatory letter dt. 19.09.2018 has not been received, the appellant has been directed to forward to the WRC their letters dt. 04.10.2018 and 10.10.2018 again with all their enclosures and any other documents considered necessary for taking appropriate action on their proposal for shifting of premises.

10. **AND WHEREAS**, the WRC in its 313th meeting held on 25th to 27th February, 2020 considered the matter keeping in view the directions of the Appellate Authority order dated 23.12.2019 for B.Ed. course and decided that Show Cause Notice be issued u/s 17 of the NCTE Act to the institution to reply within 30 days on the following grounds:

- (i) The institution is required to submit notarised CLU and NEC in original.
- (ii) As per CLU and NEC the Khasra No. is not same in both.
- (iii) As per BCC the built up area is less for running D.El.Ed. (Two units) and B.Ed. (Two units).
- (iv) FDR of Rs.5.00 lakh and Rs.7.00 lakh not submitted.

Accordingly, Show Cause Notice u/s 17 was issued for B.Ed. course vide letter dated 20.03.2020.

11. **AND WHEREAS**, being aggrieved, the institution had filed an appeal against the withdrawal order for D.El.Ed. course and the Appellate Authority, NCTE vide order dated 23.12.2019 remanded back the case to WRC with a direction to consider the reply dated 24.04.2019 to be sent again by the appellant to them and take further action as per the NCTE Regulations, 2019. The appellant has been directed to forward to the WRC, their reply letter dt. 24.04.2019 with all its enclosures within 15 days of receipt of orders on the appeal.

12. **AND WHEREAS**, keeping in view the directions of the Appellate Authority order dated 23.12.2019, the matter was considered in the 313th meeting of WRC held on 25th to 27th February, 2020 and Committee decided with direction to WRO to re-examine the case thoroughly and place the matter in the ensuing WRC meeting.

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13. **AND WHEREAS**, the matter was considered in the 321st meeting of WRC held on 09-11 November, 2020 and the Committee decided that last opportunity be given to the institution to reply within 30 days u/s 14 of the NCTE Act for D.Ed course on the following ground:

"The institution is required to submit a fresh faculty list in the prescribed format duly approved by the concerned affiliating body along with a faulty approval letter issued by the affiliating body."

Accordingly, final show cause notice was issued to the institution dated 26.11.2020.

14. **AND WHEREAS**, the institution had submitted an application for shifting of premises on 15.02.2022 & 21.04.2022 from खसरा न. 1503/1, 1505/2, ग्राम-खुरैरी, पोस्ट-मोरार, तहसील-खालियर, जिला-खालियर, मध्य प्रदेश-474006 to खसरा न. 21, सर्वे न. 734/1/2, महु-मंडलेसर रोड, ग्राम-कोदरिया, तहसील-महु, जिला-इंदौर, मध्य प्रदेश.

15. **AND WHEREAS**, the matter was considered by WRC in its 364th meeting held on 15th to 17th June, 2022 and accordingly as decided by Committee, restoration order dated 07.07.2022 for both B.Ed. and D.El.Ed. course was issued to the institution. The Committee further decided to put agenda for shifting of premises in the next meeting of WRC.

16. **AND WHEREAS**, the matter of shifting of premises was placed in 373rd meeting of WRC held on 08th October, 2022 considered *The original file of the Institution along-with other related documents, order dated 28.01.2022 in W.P.(C) 1709/2022 passed by Hon'ble High Court of Delhi*, wherein the Committee decided that *Visiting Team be constituted for inspection of the institution for verification of infrastructural and instructional facilities available at its new premises*. Accordingly, inspection was conducted through online mode on 21.12.2022.

17. **AND WHEREAS**, the matter was considered by WRC in its 379th meeting held on January 17, 2023, wherein the Committee made following observations:

"The original file of the Institution along-with other related documents, Order dated 28.01.2022 in W.P.(C) 1709/2022 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 observed that: The online VT of the Institution was scheduled on 21.12.2022 the report received is not conclusive. In view of the above, Visiting Team be re-constituted to conduct the inspection through online mode."

18. **AND WHEREAS**, inspection was conducted for the second time online on 09.02.2023, and visiting team report was considered by WRC in its 380th WRC meeting held on 10th February, 2023 and accordingly, show cause notice dated 11.03.2023 was issued to the institution for compliance of deficiencies mentioned therein.

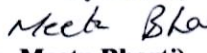
19. **AND WHEREAS**, reply of show cause notice submitted by the institution was considered in the 383rd meeting of WRC held on 20th to 21st April, 2023 and accordingly, final show cause notice was issued dated 18.05.2023 to the institution for compliance of deficiencies mentioned therein.

20. **AND WHEREAS**, reply in response to final show cause notice submitted via email dated 08.05.2023 by the institution on the basis of minutes uploaded on the website and the matter was considered by WRC in its 386th Emergent Meeting of WRC held on 26th May, 2023 wherein the Committee decided that the institution be permitted shifting of premises and accordingly informed to institution, State Govt., Affiliating Body and all concerned. The permission order for shifting be uploaded on website.

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21. **NOW THEREFORE**, in exercise of the powers vested under Section 14/15 (3) (a) of NCTE Act, 1993, permission under Clause 8(9) of NCTE Regulation, 2014 is hereby granted for change of premises in respect of institution viz. Shri Siddhi Vinayak College from the address (for B.Ed. course) at 427, C.P. Colony, Mora, Gwalior, Madhya Pradesh-474006 and from the address (for D.El.Ed. course) at Plot/Khasra No.1503/1, 1505/2, Street No/Village-Khureri, P.O.-Morar, Tehsil/Taluka/Dist.-Gwalior, Madhya Pradesh-474006 to the proposed address at Khasra No.21, Survey No.734/1/2, Mhow-Mandleshwar Road, Village-Kodariya, Tehsil-Mhow, Dist. Indore, Madhya Pradesh with immediate effect for conducting both B.Ed. and D.El.Ed. courses respectively.

By Order,

(Dr. Meetu Bharti)
Regional Director

To
 The Manager,
 Government of India Press,
 Department of Publications (Gazette Section)
 Civil Lines, New Delhi – 110 054.

Copy to:

1. The Principal, Shri Siddhi Vinayak College, Khasra No.21, Survey No.734/1/2, Mhow-Mandleshwar Road, Village-Kodariya, Tehsil-Mhow, Dist. Indore, Madhya Pradesh.
2. The Secretary, Shri Kanha Shiksha Prasara Prachar & Samaj Kalyan Samiti, 427- C.P. Colony, Murar, Gwalior, Madhya Pradesh.
3. The Secretary, Department of Higher Education, Govt. of Madhya Pradesh, Mantralaya, Bhopal- 462011, Madhya Pradesh.
4. The Secretary, Department of School Education, Govt. of Madhya Pradesh, Mantralaya, Vallabh Bhawan, Bhopal, Madhya Pradesh.
5. The Registrar, Jiwaji University, Gwalior, Madhya Pradesh-474011.
6. The Registrar, Devi Ahilya Vishwavidyalaya, Nalanda Campus, R.N.T Marg, Indore-452001, Madhya Pradesh.
7. The Secretary, Board of Secondary Education, Shivaji Nagar, Bhopal, Madhya Pradesh – 462011
8. The Director, SCERT, B-Wing, Pustak Bhawan, Jail Rd, Arera Hills, Bhopal, Madhya Pradesh- 462011.
9. Institution File: APW01684/223295(B.Ed.), APW02528/222131 (D.El.Ed.)


Regional Director