

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

File No. WRC/APW06067/223672/341st/M.P/B.Ed./2021/217429 Date: 6/9/2024

WITHDRAWAL ORDER

WHEREAS, recognition was granted to the institution namely **BALAJI B.ED COLLEGE, C/O -AMBIKA PRASAD SAHU, BARGHAT ROAD, SEONI, MADHYA PRADESH** Vide Order No. WRC/5-6/121th /2009/57775-57780 dated 17.07.2009 for **B.Ed.** course of 2 years duration with an annual intake of 100 students.

AND WHEREAS, the revised recognition order was issued to the institution namely **BALAJI B.ED COLLEGE, C/O -AMBIKA PRASAD SAHU, BARGHAT, SEONI, MADHYA PRADESH** vide order no. F.No. WRC/APW06067/223672/121/2015/13748-490 dated 27.05.2015 for **B.Ed.** Programme of two years duration with an annual intake of 100 students from the academic session 2015-16 with certain conditions.

AND WHEREAS, the matter was placed in 255th Meeting of WRC held on June 22-24, 2016 and the Committee decided that "...The agenda put up by the RD was examined by the Committee. The Committee agrees with the proposal to issue Show Cause Notices as proposed in the agenda item. In the agenda it was proposed to send SCN to all cases who have not complied NCTE Regulations, 2014."

AND WHEREAS, a Show Cause notice was issued to the institution on 21.12.2016 for not submitting the documents in compliance of Regulation 2014 mentioned in the revised order.

AND WHEREAS, the reply of show cause notice was submitted by the institution on 27.01.2017.

AND WHEREAS, the matter was placed in 310th Meeting held on August 19th -21st, 2019 of WRC and the Committee decided that:-

"...The Show Cause Notice was issued to the institution vide letter dated 21/12/2016 and reply received on 27/01/2017.

The summary of the case reveals that the reply was not submitted within the stipulated time of 30 days as per the Show Cause Notice.

Moreover, the staff profile for approved intake is not submitted. Building Completion Certificate, CLU, NEC & Building Plan are also not submitted in original.

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."

AND WHEREAS, the withdrawal order issued to the Institution on 04.09.2019.

AND WHEREAS, the institution has approach to the Hon'ble High Court of Delhi at New Delhi W.P. (C) No. 5217/2020 dt. 13.08.2020.

AND WHEREAS, in response to order passed by the Hon'ble High court of Delhi At New Delhi, the institution name added in the list of recognized institution and letter sent to Commissioner of Higher Education Department, Govt. of M.P. on dated 25.08.2020 for the session 2020-21.

AND WHEREAS, the institution had filed an appeal to NCTE, Hqrs. On 25.08.2020. The Appellate Authority vide its appeal order dated 19.11.2020 remanded back the case to the WRC, NCTE, for necessary action. The institution has submitted the reply/documents which was received on 03.12.2020 in response to Appellate Authority direction.

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AND WHEREAS, the institution has approach to the Hon'ble High Court of Delhi at New Delhi W.P. (C) No. 10018/2020 dt. 08.12.2020. The operative part's produced here below:-

"... In view of the above, in my opinion, the net effect of the order of the Appellate Authority dated 19.11.2020 is that the order passed by WRC dated 04.09.2019 stands quashed. It is ordered accordingly. The WRC is free to take steps and decision as per

order passed by the appellate authority in accordance with law based on the documents submitted by the petitioner uninfluenced by any observation made herein

Accordingly, the writ petition is disposed of. All pending applications also stand disposed of. All consequential reliefs will be granted forthwith to the petitioner including correction of petitioner's status as recognized institution on the website of Respondents and a communication will be issued to the Department of Higher Education, Madhya Pradesh and Affiliating University regarding recognized status of the petitioner institution."

AND WHEREAS, the matter was placed in 329th Meeting held on August 17th -19th , 2021 of WRC 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 . The institution is required to submit latest Staff list duly approved by the Registrar of the concerned affiliating body clearly indicating the seal and signature of the Registrar along with faculty approval letter issued by the concerned affiliating body.

In view of the above, the Committee decided that last opportunity be given to the institution to reply within 30 days u/s 14 of the NCTE Act for B.Ed programme."

AND WHEREAS, the Final Show Cause Notice was issued to the Institution on 11.03.2021.

AND WHEREAS, the institution had approach to the Hon'ble High Court of Delhi at New Delhi W.P. (C) No. 4292/2021 dt. 07.04.2021. The operative part is produced here below:-

"...Mr. Kumar however submits that there has been no change in the faculty, and the affiliating university of the petitioner has changed in the interregnum due to the enactment of the Madhya Pradesh Universities (Amendment) Act, 2019. He submits that the process of approval by the new affiliating university will take an inordinately long time.

In view of the fact that the matter is, at the moment, at the stage where the WRC has only called for information from the petitioner, the interference of the Court Under Article 226 of the Constitution is not called for. It is open to the petitioner to make the its submissions with regard to the faculty list approved in 2015-16 before the WRC, and for the WRC to reconsider that aspect.

It is made clear that the communication dated 11.03.2021, although styled as "Final Show cause Notice" is in effect to be treaded 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. The writ petition is disposed of with these direction."

AND WHEREAS, the reply of show cause notice was submitted by the institution on 22.04.2021.

AND WHEREAS, the matter was placed in 341st Meeting held on August 17-18, 2021 of WRC and the Committee decided that:-

"...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 Committee observed as under:

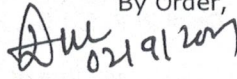


1. The institution was issued Show Cause Notice as per the decision of WRC in 329th meeting to submit the latest staff list.
2. In response, the institution vide its representation dated 16.04.2021 has mentioned that staff appointed in 2015-2016 is still continuing in the institution.
3. The affiliating body of the institution has been changed from Rani Durgawati University to Chhindwara University.
4. The Advocate for the institution has made a submission in the Court that "Mr. Kumar however submits that there has been no change in the faculty, and the affiliating university of the petitioner has changed in the interregnum due to the enactment of the Madhya Pradesh Universities (Amendment) Act, 2019. He submits that the process of approval by the new affiliating university will take an inordinately long time."
5. The institution is required to submit the latest staff list duly approved by the Chhindwara University.

In view of the above, the Committee decided that the recognition granted to the institution be withdrawn from the academic session 2022-2023 u/s 17 of the NCTE Act for B.Ed course."

NOW, THEREFORE, in exercise of the powers vested u/s 17(1) of the NCTE Act, 1993, the Western Regional Committee now hereby **Withdrawn** recognition of **BALAJI B.ED COLLEGE, C/O -AMBIKA PRASAD SAHU, BALAGHAT ROAD , SEONI, MADHYA PRADESH** granted for **B.Ed.** course on the grounds mentioned above from the end of the academic session **2022-2023** following the date of communication of the said order.

Further, if the institution is not satisfied with the Order, it may prefer an Appeal u/s 18 of the NCTE Act, 1993 through "online mode" available on NCTE's website www.ncte.gov.in within 60 days from the date of issue of this Order. The guidelines for filing appeal may be seen on NCTE's website.

By Order,

(Dr. Akhil Kumar Shrivastava)
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, (HIGHER EDUCATION) GOVT. OF M.P., SATPURA BHAWAN, BHOPAL, M.P.
5. IT SECTION, FOR UPLOADING ON WEBSITE.
6. EMAIL ID, balajiseoni@gmail.com
7. OFFICE ORDER FILE, 223672


Regional Director