

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

F.NO.WRC/APW01376/123224/375/2022 221051

Date: 29/11/2022

RESTORATION ORDER

WHEREAS, the institution, namely, **LATE SHIVRAMJI HIWSE B.ED COLEGE, MAHARASHTRA GRAMIN VIKAS WELFARE SOCIETY, C/O-SUNRISE ENGLISH SCHOOL, RATHI NAGAR, AMRAVATI-444603, MAHARASHTRA** was granted recognition by WRC NCTE for **B.Ed.** course vide order No.WRC/2-32/123224/2005/5094 dated **27.06.2005** with an annual intake of 100 students.

2. AND WHEREAS, after promulgation of NCTE Regulations, 2014, the revised recognition order was issued to the institution vide order No.WRC/APW01376/123224/2015/136605-618 dated **25.05.2015** 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.

3. 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 **02.01.2017**.

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

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

"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.

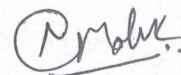
The WRC considered the entire issue in detail and decided that Show Cause Notice u/s 17 of the NCTE Act be issued to reply within 30 days to all such institutions which have been permitted or given recognition/permission to run the programme in rented premises and have not yet applied for shifting of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

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

6. AND WHEREAS, Show Cause Notice was issued to the institution on 30.09.2020.

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

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8. AND WHEREAS, the matter was placed in the 321st meeting held on November 9-11, 2020 and 322nd meeting held on November 23-24, 2020 and the Committee has decided the following:-

"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 27.06.2005 on rented premises with a condition that to shift the institution in its own premises within a period of three years 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 30.09.2020.*
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 clause 7(15) from the next academic session 2021-22."

9. AND WHEREAS, Withdrawal Order was issued to the institution on 19.12.2020.

10. AND WHEREAS, the institution has filed an appeal to NCTE Hqrs against withdrawal order dated 19.12.2020 and the Appellate Authority vide order dated 04.10.2021 set aside the impugned order dated 19/12/2020 and remanded back the case to WRC.

11. AND WHEREAS, Appeal Committee noted that the Hon'ble High Court of Delhi vide order dated 08.04.2021 passed in W.P. (C) 4382/2021 has observed as follows:-

"Appellate Committee of NCTE, is directed to ensure that, whenever an order of remand is passed, the status of the impugned is clearly spelt out so that the institution is not compelled to approach the Court in this manner."

12. AND WHEREAS, Appeal Committee also noted that the Hon'ble High Court of Delhi vide order dated 03.07.2021 passed in W.P. (C) 7260/2021 has observed as follows:-

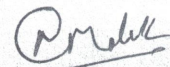
"Although the Appellate Committee of the NCTE would be well advised to expressly quash the original order of the concerned Regional Committee while remanding the matter, the position in law is that the order automatically stands quashed. The institution is, therefore, entitled to the benefits of recognition until a fresh withdrawal order is passed."

13. AND WHEREAS, the matter was placed in the 375th meeting of WRC held on November 18-19, 2022 and the Committee has decided the following:-

"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 decided that since the withdrawal order dated 19.12.2020 passed by WRC has been quashed by the appellate authority, the recognition of B.Ed. course be restored until fresh withdrawal order is passed by WRC, NCTE. The institution is permitted to participate in the counselling for admission to B.Ed. course for the academic session 2022-23 and subsequent academic sessions until a fresh withdrawal order is passed by WRC, being conducted by the Affiliating Body/ concerned State Govt. The concerned State authorities be intimated accordingly. A copy of restoration order be also uploaded on the WRC web portal on NCTE website."

Further, the Committee observed as under:

- *Recognition was granted for B.Ed. course vide order dated 27.06.2005 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.*
- *Revised order was issued dated 25.05.2015 after promulgation of NCTE Regulations, 2014.*



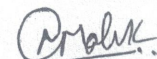
- Show cause notice dated 02.01.2017 was issued due to non-compliance of conditions as required under NCTE Regulations, 2014. Reply not submitted.
- The institution has failed to comply the condition and not shifted in its own premises.
- Show cause notice was issued dated 30.09.2020.
- No reply was submitted in response to show cause notice.
- Recognition for B.Ed. course was withdrawn from the academic session 2021-2022 vide order dated 19.12.2020 on the ground that the institution has not shifted to its own premises but still running on rented premises and show cause notice was issued dated 30.09.2020. No reply submitted by the institution in response to show cause notice.
- NCTE Appellate Authority has set aside the impugned withdrawal order dated 19.12.2020 and remanded back the matter to WRC vide its order dated 04.10.2021 with direction to WRC to consider the reply to their show cause notice dated 30.09.2020. The institution was directed to forward to the WRC a copy of their reply to the Show Cause Notice and also copy of their letter dated 16.08.2021 submitted in appeal, within 15 days of receipt of orders on the appeal.
- Reply not submitted by institution.
- Performance Appraisal Report for the academic session 2020-2021 has not been submitted.

In view of the above, the Committee decided that Show Cause Notice prior to withdrawal of recognition be issued to the institution u/s 17 of the NCTE Act for B.Ed. programme to submit reply to SCN accompanied by an original affidavit within 30 days from the date of uploading of minutes on the website failing which the WRC will take decision as deemed fit as per the provisions contained in the NCTE Act and Regulations."

14. **NOW THEREFORE**, Recognition of **LATE SHIVRAMJI HIWSE B.ED COLEGE, MAHARASHTRA GRAMIN VIKAS WELFARE SOCIETY, C/O-SUNRISE ENGLISH SCHOOL, RATHI NAGAR, AMRAVATI-444603, MAHARASHTRA** for conducting B.Ed. programme of two years duration with an annual intake of 50 students (one basic unit of 50 students each) is hereby restored till a fresh withdrawal order is issued by WRC.

The terms and conditions shall remain same mentioned in the revised recognition order issued vide order dated **25.05.2015**.

By order

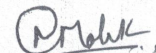


(NAVEEN MALIK)
REGIONAL DIRECTOR I/C

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

Copy to:-

1. **The Principal**, Late Shivramji Hiwse B.Ed College, Maharashtra, Gramin Vikas Welfare Society's C/o Sunrise English School, Rathni Nagar, Amravati-444603, Maharashtra.
2. **The Secretary**, The Maharashtra, Gramin Vikas Welfare Society's, C/o Sunrise English School, Rathni Nagar, Amravati-444603, Maharashtra.
3. **The Registrar**, Sant Gadagebaba Amravati University, Amravati, Maharashtra.
4. **The Education Secretary**, Department of Higher Education, Govt. of Maharashtra, Mantralaya, Mumbai, Maharashtra.
5. **The Secretary**, Department 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.APW01376/123224.



REGIONAL DIRECTOR I/C