

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

No.WRC/APW01595/223265/303rd/2019

WITHDRAWAL ORDER

Whereas, recognition was granted to the institution, namely, SHIV VIDYA SHIKSHA PRASAR SAMITI, D.V.S. MAHAVIDYALAYA, 48, SARASWATI NAGAR-1, OPP. OF A.G. OFFICE, GWALIOR -474002 MADHYA PRADESH (APW01595/223265) for B.Ed. Course for 100 Intake vide order dated 03.08.2004.

2. AND WHEREAS, One Shri Pawan Dubey filed a PIL in the Hon'ble High Court of Madhya Pradesh at Jabalpur. The Hon'ble High Court directed to inspect all B.Ed. institutions in the State of Madhya Pradesh. Since the institutions are existing institutions, the inspection was conducted by NCTE Hqrs. u/s 13 of the NCTE Act.

3. AND WHEREAS, the Inspection (U/s-13) was conducted by NCTE Hqrs. on 04.09.2014.

4. AND WHEREAS, the Deficiency Letter was issued by the NCTE Hqrs. to the institution on 13.04.2015 & 04-08-2016 and the institution was submitted reply on 21-05-2015 in WRC forwarded to Hqrs for necessary action.

5. AND WHEREAS, the letter for AFFIDAVIT REGARDING ACCEPTANCE AND COMPLIANCE OF NCTE REGULATIONS, 2014 was issued to the institution on 17.01.2015 and the reply was received on 16.01.2015.

6. AND WHEREAS, Revised Recognition order was issued for two basic units of (50 students each) to the institution on 30.05.2015.

7. AND WHEREAS, the VTR alongwith file of the institution were received from NCTE Hqrs. in WRO on 19.07.2016.

8. AND WHEREAS, the matter was placed in 258th meeting of WRC held on August 22-24, 2016 and the Committee decided that "...Deficiency letter dt. 13/04/2015 was issued to the institution which submitted a reply received 21/05/2015 (these letters were received in WRO on 19/07/2016 from NCTE Hqrs.). After an examination of the above letter, the following points emerge:-

i) **Shifting by the institution without obtaining prior permission, and non-fulfillment of the prescribed norms concerning built up area and infrastructural facilities:**

The institution has explained that it started functioning in rented premises as per the order dt. 27/06/2005 (a formal Recognition Order was issued vide letter No. WRC/95-6/92/2006 dt. 04/01/2007 which was for 16 institutions). The Society constructed its own building and wrote to the WRC for permission to shift the college vide its letter dt. 03/07/2006 alongwith necessary evidence in support of land and building. Two reminders dt. 08/06/2008 and 03/05/2009 were given for permission for shifting. In the meanwhile, since Jiwaji University was pressing hard for shifting the college to its own premises, this was done in September 2006. The institution continuously requested shifting permission, letters are on file, but no action on these is seen.

Therefore the explanation of the institution is acceptable.

However, the action of shifting needs to be regularized. The institution should deposit the fee of Rs. 1,50,000/- and all documents, so that further action can be taken by the WRC.

Section 8(11) of the NCTE Regulations, 2014 be brought to the notice of this institution that all teacher training institutions are required to comply with the requirement specified in Appendix-4 of these Regulations that an institution should have 3500 sq. mtrs. of built up area if it is recognized, as in the present case, for 2 units of B.Ed. and 1 unit of D.Ed.

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ii) **Implementation of recommendations of the affiliating body :**

The college has informed that it has purchased books worth Rs. 68,233. Copy of bills has been submitted. An affidavit has also been submitted in this context. Hence, this explanation is satisfactory.

iii) **Low Attendance of the Students :**

The college has explained that on the day of inspection, the trainee students had gone for practice teaching to 2 Govt. Schools. The college has also enclosed copies of Attendance Register of the students from October 2014-December 2014. This document shows attendance of students of 80% and above.

This explanation is satisfactory.

This institution is recognized for 2 units of B.Ed. hence, the norms stated in Appendix-4 of the NCTE Regulations, 2014 apply. The staff required is 1+15. The institution has submitted an approved faculty list of only 1+7. Hence, a faculty list of 1+15 approved by affiliating body.

Show Cause Notice be issued relating to built up area and staff list."

9. AND WHEREAS, the Show Cause Notice was issued to the institution on 26.08.2016 and the reply of SCN was received on 07.09.2016.

10. AND WHEREAS, the matter was placed in 259th Meeting held on September 21 -23, 2016 of WRC and the Committee decided that "...Show Cause Notice was issued to the institution on 26/08/2016, and the reply was received on 07/09/2016, the points of the reply are as under:-

i) **Shifting:**

The institution has stated that it had shifted in the year 2006 and in spite of many reminders inspection was not carried out.

The VT conducted under Section 13 has not made any adverse observations on land and built up area. However, on perusal of the records it is seen that, while the land area is sufficient to run two courses, the built up area is less i.e. 3000 sq. mtrs. against a requirement of 3500 sq. mtrs. for two units of B.Ed. and one unit of the D.Ed. course.

The institution is required to exercise one of the two options: of either increasing the built up area by 500 sq. mtrs. or reducing the units of the B.Ed. course to one.

The institution should convey its decision within 15 days.

ii) **Staff :**

The institution is required to appoint staff as per NCTE Regulations, 2014. This action is necessary since the Regulations have been framed under the supervision of the Hon'ble Supreme Court. The institution is advised to comply with the requirement immediately. **It should submit the lists of the required staff members duly approved by the competent authorities within a period of one month.**

Hence, Clarification be obtained from the institution on the above two grounds."

11. AND WHEREAS, the clarification letter was issued to the institution on 27.09.2016 and the reply of clarification was received on 15.10.2016.

12. AND WHEREAS, the matter was placed in 263rd Meeting held on November 25-27, 2016 of WRC and the Committee decided that "...This case relates to shifting. Clarification letter was issued on the ground the built up area is only 3000 sq. mtrs against the requirement of 3500 sq. mtrs. The institution was also asked to appoint staff.

By way of reply, the institution has stated that the matter is subjudice.

Hence, the case be put up after receipt of final judgement of the Hon'ble High Court of M.P. Bench at Gwalior."

13. AND WHEREAS, the matter was placed in 290th Meeting held on March 21-23, 2018 of WRC and the Committee decided that "...WRC in its 263rd meeting decided that the case should be put up as soon as the final judgment of the Hon'ble High Court of Madhya Pradesh, Bench at Gwalior is received.

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The decision of the court is now received. The court has asked the WRC to take a decision after considering the reply of the institution (Annex-P/7). The petitioner has stated that the language of the Show Cause Notice is a bit confusing. Therefore, the clarification is stated below:-

The Show Cause Notice dated 28.06.2016 refers only to two points:-

- (a) The required built-up area as per NCTE Regulations, 2014 for running two units of the B.Ed. course and one unit of the D.Ed. course is 3500 sq.mts. whereas the institution has only 3000 sq.mts. If the institution wants to continue both the courses it should sent a resolution to reduce the intake of the B.Ed. to one unit then the built-up area is sufficient.
- (b) The institution should submit in original the staff profile approved by the affiliating body. The staff profile required for one unit of B.Ed. course is one Principal and seven faculty members. The staff profile required for two units is one Principal and fifteen faculty members.

The institution should decide and convey its decision failing which recognition will be withdrawn.

Compliance should be submitted by the institution within one month, failing which Recognition will be withdrawn."

14. AND WHEREAS, the clarification letter was issued to the institution on 26.03.2018 and the reply of clarification was received on 23.04.2018.

15. AND WHEREAS, the matter was placed in 291st Meeting held on April 26 -27, 2018 of WRC and the Committee decided that "...Compliance letter was sent on 26.03.2018 regarding reduction of units for B.Ed. course. Institution vide reply dated 20.04.2018 has enclosed a resolution for reducing the unit of B.Ed. from two to one and has also submitted staff profile. The institution needs to submit an additional FDR for Rs.4.00 lakhs.

On receipt of the amount, order will be issued."

16. AND WHEREAS, the clarification letter was issued to the institution on 04.05.2018 and the reply of clarification was not submitted by the institution till date.

17. AND WHEREAS, the matter of the institution for the B.Ed. course (Code No. APW01595/223265) was placed in **303rd Meeting held on February 26th -28th, 2019** of WRC and the Committee decided that "...The original file of the Institution alongwith other related documents, NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time, were carefully considered by WRC and the following observations were made:-

- The clarification letter dated 26/03/2018 & 04/05/2018 was issued to the institution to fulfil the requirement additional Fund vide NCTE Regulations 2014.
- The institution has not submitted any reply in this regard.

Hence, the committee decided to withdraw the recognition for B.Ed. programme from the academic session 2019-2020. under Section 17(1) of the NCTE Act, 1993."

18. NOW THEREFORE, in exercise of powers vested under section 14(3)(b) of the NCTE Act, 1993, the recognition of **SHIV VIDYA SHIKSHA PRASAR SAMITI, D.V.S. MAHAVIDYALAYA, 48, SARASWATI NAGAR-1, OPP. OF A.G. OFFICE, GWALIOR -474002 MADHYA PRADESH** for B.ED.(CO-ED) course is hereby withdrawn.

19. Further, if the institution is not satisfied by the order, it may prefer an appeal to National Council for Teacher Education, Hans Bhawan, Wing-II, 1, Bahadur Shah Zafar Marg, Near ITO, New Delhi-110002 online against this order under Section 18 of the NCTE Act, 1993 within 60 days of the issue of this order. The guidelines for filing the appeal may be seen on NCTE website.



By Order,



**(Dr. Ved Prakash Pandey)
Regional Director**

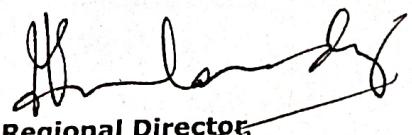
Encl:

1. Original FDR of Rs. 5.00 Lakhs No. 35739914664/SBI.
2. Original FDR of Rs. 3.00 Lakhs No. 31813869885/SBI.

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

Copy to:-

1. The Principal, Shiv Vidya Shiksha Prasar Samiti, D.V.S. Mahavidyalaya, 48, Saraswati Nagar-1, Opp. Of A.G. Office, Gwalior -474002 Madhya Pradesh.
2. The Secretary, Shiv Vidya Shiksha Prasar Samiti, 48, Saraswati Nagar -1, Opp. Of A.G. Office, Gwalior, Madhya Pradesh.
3. The Secretary, Higher Education, Govt. of Madhya Pradesh, Mantralaya, Bhopal, Madhya Pradesh.
4. The Registrar, Jiwaji University, Gwalior, MADHYA PRADESH.
5. The Secretary, Dept. of School Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi-110 001.
6. The US (Computer), National Council for Teacher Education, Hans Bhawan, Wing-II, 1, Babadurshah Zafar Marg, New Delhi-110002.
7. Office Order File APW01595/223265.
8. File No. APW02408/222107/D.Ed.


Regional Director
07/3/19