

No. WRC/OAPW0162&APW01959/213029/296th/2018/199977 To Date: 07/09/18
199984

RESTORATION ORDER

WHEREAS, recognition was granted to the institution, namely, KESARWANI MAHAVIDYALAYA, GOLE BAZAR, GARHA PATHAK ROAD, JABALPUR- 488002, MADHYA PRADESH under section 14 of NCTE Act, 1993 for conducting B.ED. (CO-ED).course vide order dated 29.09.2000 for an annual intake of 100 students.

AND, WHEREAS, Shri Pawan Dubey filed W.P. No 2370/2012 (PIL) in the Hon'ble High Court at Jabalpur. The Hon'ble Court directed NCTE to conduct inspection of all B.Ed. institutions in the State of Madhya Pradesh.

AND, WHEREAS, letter was issued to the institution on 19.01.2015 (Affidavit regarding acceptance and Compliance of NCTE Regulations, 2014). The institution submitted the Affidavit.

AND WHEREAS, Revised Recognition order was issued for two basic units (50 students each) to the institution on 31.05.2015.

AND, WHEREAS, inspection of the institution U/S 13 was conducted on 19.02.2015 by NCTE Hqrs.

AND, WHEREAS, the institution was sent letter dated 27.07.2015 by NCTE Hqrs. pointing out the deficiencies. The institution submitted reply to the NCTE Hqrs.

AND, WHEREAS, VT report alongwith file of the institution were received in WRC office on 12.11.2015.

AND, WHEREAS, the matter was placed in 237th Meeting held on December 21-22, 2015 of WRC and the Committee decided that "... The reply of the institution was examined in the context of the inspection report of the NCTE hqrs conducted under section 13 of the NCTE Act, 1993. The reply is not satisfactory on the following points:-

- (i) Institution is not in possession of built up area as per NCTE norms;
- (ii) HOD on regular basis not appointed. Staff as required not appointed for B.Ed. and M.Ed. courses;
- (iii) Staff list duly approved by the affiliating body, giving details of appointment of HOD on regular basis not submitted;
- (iv) The institution has not made any effort to obtain NAAC Accreditation;
- (i) Salary is not paid in accordance with the NCTE Regulations; and
- (v) Website of the institution is not functional; and
- (vi) Attendance of students and working days are very less.

The explanation is not satisfactory on the above points and corrective action has not been completed.

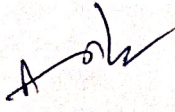
Hence, Show Cause Notice u/s 17 be issued on the above grounds."

AND, WHEREAS, SCN was issued to the institution on 05.01.2016. The reply was received on 04.02.2016.

AND, WHEREAS, the matter was placed in 246th Meeting held on March 16-18, 2016 of WRC and the Committee decided that "... Consequent to the consideration of the reply of the institution, to the points raised after inspection under Section 13, the WRC had issued a Show Cause Notice on 05/01/2016. The institution vide reply dt. 04/02/2016 has given the following responses :

- i) The institution has stated that it has a built up area of 2500 sq. mtrs. against the requirement of 2000 sq. mtrs. Documentary evidence has not been submitted.

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- ii) Earlier Dr. P.L. Saxena was Professor and Head. After her retirement, the Mahavidyalaya did not find anyone suitable.
- iii) Regarding the faculty, one Associate Professor and 5 Assistant Professors have been appointed. 2 Professors are on Contract basis. Further, the institution should appoint staff as per the NCTE Regulations, 2014 i.e. 16 faculty members for two units of the B.Ed. course.
- iv) Documentary evidence regarding Salary paid to the staff has not been submitted.

Hence, Clarification be obtained on the above grounds."

AND, WHEREAS, letter for Clarification was issued to the institution on 21.03.2016 and reply was received on 12.04.2016.

AND, WHEREAS, the matter was placed in **252nd Meeting held on May 09-10, 2016** of WRC and the Committee decided that "... Clarificatory letter was issued on 21.03.2016 asking the institution to provide documentary evidence regarding the built up area of 2500 sq. mtrs. The institution has submitted a certificate issued by the Jabalpur corporation. The institution has not submitted list of fulltime faculty members and HOD, duly approved by the University.

The institution should comply with this requirement by 30th of May, 2016."

AND, WHEREAS, letter for Clarification was issued to the institution on 17.05.2016 and reply was received on 01.06.2016.

AND, WHEREAS, the matter was placed in **254th Meeting held on June 07-09, 2016** of WRC and the Committee decided that "... Clarificatory letter was issued on 17/05/2016 and reply was received on 01/06/2016. It was pointed out that the institution has not submitted the list of full time faculty members and HOD, duly approved by the University. The institution has not submitted till today the required list of one HOD/Principal and 15 faculty members inspite of so many reminders.

Hence, Recognition of the institution for B.Ed. course is withdrawn under Section 17 of the NCTE Act, 1993, from the academic session 2016-2017."

Since Recognition is withdrawn for the B.Ed. course, Show Cause Notice be issued prior to withdrawal of Recognition of M.Ed. course (225015), since running of the B.Ed. course/any other teacher education course affiliated to a University is essential for running the M.Ed. course."

AND WHEREAS, the Withdrawal Order issued on 21.06.2016. The institution filed a appeal to the appellate authority Hqrs. dated 16.08.2016. Regulatory file sent to Hqrs. on 25.08.2016.

AND WHEREAS, Appeal order dated 28-03-2017, Decision Direction of the Appellate Authority "...The committee, concluded that the WRC was justified in refusing recognition and therefore, the appeal deserved to be rejected and the order of the WRC is confirmed.

NOW THEREFORE, the Council hereby confirms the order appealed against.

AND WHEREAS, the Institution was filed W.P. No. 5820/2017 in the Hon'ble High Court, Jabalpur, Madhya Pradesh decision of High Court ... "In the meantime, this Hon'ble Court may kindly be pleased to stay the operation of impugned order dated 21.06.2016 (Annexure P/1) and impugned order dated 28.03.2017 (Annexure -P/2) This Hon'ble Court may kindly be further pleased to pass an interim order, directing respondents No. 2 & 3 to allow the petitioner-College to conduct counselling for the next academic year, during pendency of the writ petition."

AND WHEREAS, the institution filed a appeal to the appellate authority Hqrs no. 89-501/2016/Appeal/11th/meeting-2017 dated 16.08.2016.

AND WHEREAS, Appeal order dated 12-07-2018, Decision Direction of the Appellate Authority "... the Committee Concluded that the matter deserved to be remanded to WRC with a direction to Consider these documents to be submitted to them by the appellant, and take further action as per the NCTE Regulations, 2014. The appellant is directed to forward to the WRC, all the documents submitted by them in appeal with their letter dt. 25.05.2018 within 15 days of receipt of the orders on the appeal,

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NOW THEREFORE, the Council hereby remands back the case of Kesarwani Mahavidyalaya, Gole Bazar Garha Phatak Road, Jabalpur, Madhya Pradesh to the WRC, NCTE, for necessary action as indicated above.

AND, WHEREAS, the matter was placed in 295th Meeting held on July 30-31, 2018 of WRC and the Committee decided that "... This is a case of appeal. The Appellate Authority vide order dated 12.07.2018 has remanded the case to WRC for further processing the application.

The WRC examined the file and found that the institute has submitted the staff profile of 1+17 (excluding librarian) who are approved by the competent authority. Lecturer at sr. no. 4 does not have M.Ed. degree and should not be appointed. In the list the details about the M.Ed. degree of faculty at sr. no. 2 & 3 are not given. Further, it is seen that percentage of marks both at the PG and M.Ed. levels have not being given. Secondly FDRs for 12 lakhs have not been submitted.

Hence, Compliance should be submitted by the institution within one month failing which decision regarding withdrawal of recognition will stand."

AND, WHEREAS, letter seeking Clarification was issued to the institution on 07.08.2018 and reply was received on 06.08.2018.

AND, WHEREAS, the matter was placed in 296th Meeting held on July 30-31, 2018 of WRC and the Committee decided that "... This is a case of appeal. Compliance letter was issued to the institution on 07.08.2018 and the institution replied vide letter dated 04.08.2018. Since, the institution has fulfilled all the requirements, the Recognition is restored and permitted to continue with two units."

NOW THEREFORE, the recognition of KESARWANI MAHAVIDYALAYA, GOLE BAZAR, GARHA PATHAK ROAD, JABALPUR, - 488002, MADHYA PRADESH for conducting B.Ed. course with an annual intake of 100 students (two basic units of 50 students each) is hereby revived.

By Order,

(Awadhesh Nayak)
Regional Director

To,

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

Copy to:

1. The Principal, KESARWANI MAHAVIDYALAYA, GOLE BAZAR, GARHA PATHAK ROAD, JABALPUR, - 488002, MADHYA PRADESH.
2. The Secretary, MADHYA PRADESH KESARWANI SHIKSHA SAMITI, JABALPUR, - 488002, MADHYA PRADESH.
3. The Secretary, Higher Education, Government of Madhya Pradesh, Mantralaya, Bhopal- 462011, Madhya Pradesh with a request to update the recognized list with the recognition/withdrawal orders issued by WRC time to time from the copy of order endorsed to you.
4. The Registrar, RANI DURGAWATI VISHWAVIDYALAYA, JABALPUR, MADHYA PRADESH.
5. The Secretary, Department of School Education & Literacy, Ministry of Human Resource Development, Government of India, Shastri Bhawan, New Delhi- 110001.
6. The Under Secretary (Computer Section), National Council for Teacher Education, Hans Bhawan, Wing- II, Bahadurshah Zafar Marg, New Delhi- 110002.
7. The Computer Programmer, Computer Section, WRC, NCTE, Bhopal with a request to include the name of the institution in the recognized list uploaded in WRC website.
8. Office order file/Institution file OAPW0162&APW01959/213029.

Regional Director