

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

F. No. NCTE/WRC/223015/B.ED./M.P./2023 223253

Date: 10/06/2023

Restoration Order

WHEREAS, the institution, namely, Yuva Vyavsaek Shikshan Mahavidyalaya, A.B. Road, Guna, Madhya Pradesh, Pin Code-473001 was granted recognition by WRC, NCTE for B.Ed. course with an annual intake of 100 students vide order No.WRC/2-32/223015/68/2005/991 dated 24.02.2005 followed by formal order granting recognition for B.Ed. course of one year duration with annual intake of 100 from the academic session 2005-2006 in the name of institution viz. Yuva Vyavasaik Shikshan Sansthan, Behind RTO Office By Pass Road, Guna 473001, Madhya Pradesh vide No.WRC/5-6/223015/68/2004/10503-10509 dated 28.11.2006.

2. **AND WHEREAS**, after promulgation of NCTE Regulations, 2014, the Revised Recognition Order was issued to the institution viz. Yuva Vyavsaik Shiksha Mahavidyalaya, A.B. Road, Guna, Madhya Pradesh 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 vide order No.WRC/223015/2015/147842-850 dated 31.05.2015 subject to compliance conditions mentioned therein.

3. **AND WHEREAS**, the matter regarding compliance of conditions of revised recognition order was considered by WRC in its 255th meeting held on 22-24 June, 2016 and accordingly, Show Cause Notice u/s 17(1) was issued to the institution dated 26.07.2016.

4. **AND WHEREAS**, no reply in response to Show Cause Notice submitted by the institution and the matter was considered by WRC in its 268th meeting held on February 09th-11th, 2017 and as decided by Committee, show cause notice was issued dated 15.02.2017.

5. **AND WHEREAS**, on the directions of the Council, show cause notice dated 06.10.2017 was issued to the institution to comply condition regarding submission of mandatory affidavit within the specified date.

6. **AND WHEREAS**, reply in response to show cause notice submitted vide letter dated 8.03.2017 received on 15.03.2017 and the matter was considered by WRC in its 303rd meeting held on February 26th-28th, 2019 and Committee decided to withdraw the recognition for B.Ed. programme under section 17(1) of the NCTE Act, 1993 on following grounds:

- The institution has not submitted letter granting approval for the appointment of faculty by the Competent Authority/ Affiliating Body.
- The institution has submitted BCC but not in prescribed format and not issued by approving authority.
- The institution has not submitted building plan approved by competent authority mentioning name of institution, name of course, khasra No./ Plot No., total land area, total built up area and earmarked area for each course being run in the same premises.
- The institution has not submitted original/notarized Land use certificate issued by competent authority.

Contd...2 *Meek*

- The institution has not submitted NEC issued by competent authority.
- The institution has not submitted original FDRs towards reserve and endowment fund.

Accordingly, withdrawal order issued to the institution dated 07.03.2019.

7. **AND WHEREAS**, being aggrieved with the withdrawal order, the institution filed an appeal and NCTE Appellate Authority confirmed the impugned order of withdrawal dated 07.03.2019 vide order dated 11.06.2019.

8. **AND WHEREAS**, the institution filed W.P. (C) 7238/2019 and Hon'ble High Court of Delhi at New Delhi passed order dated 10.01.2020, the operative part is as under:

- *The Factum of pendency of the instant writ petition and the interim directions passed by this court will be communicated by the petitioners to all students. The orders passed by this court will be communicated by the petitioners to all students. The orders passed by this court will also be uploaded on the petitioner's website.*
- *The fact that the students will not be entitled to claim any equity, merely, because such protem interim directions have been issued, will also be communicated to the students.*

9. **AND WHEREAS**, the institution filed Cont. Cas (C) 474/2020 and Hon'ble High Court of Delhi at New Delhi passed order dated 28.08.2020, the operative part is as under:

- *Learned counsel for the petitioner has pointed out to an order dated 09.07.2019 whereby the petitioner institution is permitted to participate in the counselling process subject to outcome of the present petition. It is pleaded that this order has not been implemented by the respondent.*
- *Respondents will ensure that the initial status of the petitioner is changed on the website appropriate intimation is sent to the Department of Higher Education, State of Madhya Pradesh and to the affiliating university.*

10. **AND WHEREAS**, the appeal filed by the institution was decided by Appellate Authority vide order dated 07.03.2023 and the Appeal Committee confirmed the withdrawal order dated 07.03.2019.

11. **AND WHEREAS**, the institution again filed W.P. (C) 6047/2023 CM APPL. 23676/2023 and Hon'ble High Court of Delhi at New Delhi passed order dated 16.05.2023 with direction to issue restoration order, the operative part of court order is as under:

- This court finds it appropriate to remit the matter back to the WC instead of remitting it back to the Appellate Committee.
- Let the consequential order of restoration be passed by the WRC as expeditiously as possible in any case, not beyond two weeks. The same be also communicated to the concerned affiliating university and the Department of Higher Education.

12. **NOW THEREFORE**, in compliance of directions of Hon'ble Court, recognition of Yuva Vyavsaik Shiksha Mahavidyalaya, A.B. Road, Guna, Madhya Pradesh for conducting B.Ed. programme of two years duration with an annual intake of 100 (two basic units of 50 students each) is hereby restored pending consideration of the matter and until a fresh withdrawal order is issued by the WRC, NCTE.

Meek Cont...3

//3//

13. The terms and conditions shall remain same mentioned in the revised recognition order issued vide order dated 31.05.2015.

By Order,
Meetu Bharti
(Dr. Meetu Bharti)
Regional Director

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

Copy to:

1. The Principal, Yuva Vyavsaik Shiksha Mahavidyalaya, A.B. Road, Guna, Madhya Pradesh
2. The Secretary, Yuva Vyavsaik Shikshan Sansthan, Prashar Marg, Ashok Nagar, Tehsil-Ashok Nagar, Guna, Madhya Pradesh.
3. The Registrar, Jiwaji University, Gwalior - 474011, Madhya Pradesh.
4. The Secretary, Department of Higher Education, Govt. of Madhya Pradesh, Mantralaya, Bhopal-462011, Madhya Pradesh.
5. The Secretary, Dept. of School Education and Literacy, Ministry of Education, Government of India, Shastri Bhawan, New Delhi-110001.
6. The Under Secretary, (IT & e-Governance), NCTE, G-7, Sector-10, Dwarka, New Delhi-110075.
- ✓ 7. IT Section, WRC- for uploading on website.
8. Office Order File/Institution File -223015 (B.Ed.)

Meetu Bharti
Regional Director