

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

F. No. NCTE/WRC/APW04630/223532/B.ED/M.P./2023 **223261** Date: **13/06/2023**

Restoration Order

WHEREAS, the institution, namely, Radha Krishna College, behind of Sangita Lough, Civil Line, Datia-475661, Madhya Pradesh was granted recognition by WRC, NCTE for B.Ed. course of one year duration with an annual intake of 100 (SEC) vide order No.WRC/5-6/100th/2008/31133-31138 dated 24.03.2008.

2. **AND WHEREAS**, the institution submitted application dated 22.07.2013 for shifting of premises and inspection at the new premises was conducted on 09.01.2014.

3. **AND WHEREAS**, in compliance with the orders of the Hon'ble High Court of Madhya Pradesh dated 12.05.2014, NCTE conducted inspection under Section 13 of the NCTE Act, 1993 on 06.09.2014.

4. **AND WHEREAS**, the visiting team report for shifting was considered by WRC in its 217th meeting held on February 23-24, 2015, wherein Committee decided that shifting be permitted. Accordingly, permission order for shifting from "Radha Krishna College, behind of Sangita Lough, Civil Line, Datia-475661, Madhya Pradesh" to "Radha Krishna College, Plot No.49,51,54, Street No.National Highway 75, Village-Chituwa, P.O./Tehsil/City- Datia, Dist.Datia-475661, Madhya Pradesh" was issued vide order F.No.WRC/APW04630/223532/217th/2015/132635-642 dated 11.03.2015 for conducting B.Ed. course followed by Corrigendum issued in the name of institution viz. Radha Krishna College, Plot No.87,88,99/2, Street No.National Highway 75, Village-Chituwa, P.O./Tehsil/City-Datia,Dist.Datia-475661, Madhya Pradesh vide No.WRC/APW04630/223532/2015/148810 dated 31.05.2015.

5. **AND WHEREAS**, after promulgation of NCTE Regulations, 2014, the revised recognition order was issued to the institution viz.Radha Krishna College, Plot No.87,88,99/2, Street No.National Highway 75, Village-Chituwa, P.O./Tehsil/City-Datia,Dist.Datia-475661, Madhya Pradesh vide order No.WRC/APW04630/223532/2015/148809-8817 dated 31.05.2015 for conducting B.Ed course of two years duration with an annual intake of 100 students (two basic units of 50 students each) from the academic session 2015-2016 subject to fulfilment of the conditions mentioned therein.

6. **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 was issued to the institution dated 28.09.2016.

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

8. **AND WHEREAS**, no reply submitted by institution in response to show cause notice and the matter was considered by WRC in its 309th meeting held on July 23rd-26th, 2019 wherein the Committee decided to withdraw 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 with following observation:

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"...The Show Cause Notice was issued to the institution vide letter dated 15/02/2017. The reply of the Show Cause Notice of the institution has not been received. Hence, the committee decided to withdraw the recognition."

Accordingly, withdrawal order was issued to the institution dated 01.08.2019.

9. **AND WHEREAS**, being aggrieved, the institution filed an appeal and NCTE Appellate Authority remanded back the case to WRC vide order dated 19.03.2020 for revisiting the matter with direction to the institution to submit to WRC originals/authentic copies of all the required documents to WRC within 15 days of the issue of appeal order.

10. **AND WHEREAS**, the matter was considered by WRC in its 316th meeting held on August 27th-28th, 2019 & 4th September, 2020, wherein the Committee decided to issue final show cause notice under section 17 of NCTE Act 1993. Accordingly, final show cause notice was issued to the institution dated 18.09.2020.

11. **AND WHEREAS**, the institution filed W.P.(C) 5539 & CM APPLs. 19960-61/2020 and the Hon'ble High Court of Delhi at New Delhi passed order dated 21.08.2020, the operative part of court order is as under:

"... 8. In view of the above, in my opinion, the net effect of the order of the Appellate Authority dated 19.03.2020 is that the order passed by WRC dated 01.08.2019 stands quashed. It is ordered accordingly. The WRC is free to take its decision as per law based on the documents submitted by the petitioner.

9. Accordingly, the writ petition is disposed of. All pending applications, if any, be also disposed of.

10. All consequential reliefs will be granted to the petitioner including participation in the on-going counselling for academic session 2020-21."

12. **AND WHEREAS**, the institution filed W.P.(C)7325/2021 and the Hon'ble High Court of Delhi at New Delhi passed order dated 30.07.2021, the operative part of court order is as under:

"... 6. The petition is, therefore, allowed and the NCTE is directed to issue an order of restoration of recognition. The petitioner will be permitted to participate in counselling and admit students for the year 2021-22 and subsequent years, until and unless a fresh withdrawal order is passed against it. The status of the petitioner as a recognised institution will also be reflected on the respondent-NCTE's website, and will be communicated by the NCTE to the petitioner's affiliating university as well as to the concerned departments of the State Government. The NCTE is directed to comply with these directions within one week.

7. The writ petition is disposed of with these conditions."

13. **AND WHEREAS**, the institution again filed W.P. (C) 8271/2023 and the Hon'ble High Court of Delhi at New Delhi passed order dated 02.06.2023 as under:

"1. Learned counsel appearing on behalf of respondent no.1-NCTE on advance instructions states that the restoration order in the instant case would be passed within a period of ten days from today.

2. Let a copy of the restoration order be also communicated to all concerns including the University.

3. Respondent no.1-NCTE is directed to update the status of the petitioner-institution on the basis of the restoration order.

4. With the aforesaid observations, the instant petition stands disposed of."

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14. **NOW THEREFORE**, in compliance of directions of Hon'ble Court, recognition of Radha Krishna College, Plot No.87,88,99/2, Street No.National Highway 75, Village-Chituwa, P.O./Tehsil/City-Datia,Dist.Datia-475661,Madhya Pradesh for conducting B.Ed. programme with an annual intake of 100 students (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.

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

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

To

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

Copy to:

1. The Principal, Radha Krishna College, Plot No.87,88,99/2, Street No.National Highway 75, Village-Chituwa, P.O./Tehsil/City- Datia, Dist.Datia-475661, Madhya Pradesh.
2. The Secretary, Maa Devin Shiksha Avam Bal Kalyan Samiti, Bilara House, 220, A.B. Patel Nagar, City Centre, Gwalior, Madhya Pradesh.
3. The Secretary, Department of Higher Education, Govt. of Madhya Pradesh, Mantralaya, Bhopal-462011, Madhya Pradesh with a request to update the recognized list with the recognition/withdrawal/restoration orders issued by WRC time to time from the copy of order endorsed to you.
4. The Registrar, Jiwaji University, Gwalior - 474011, 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 - APW04630/223532/B.ED

Meethu Bharti
Regional Director