

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

F.No.WRC/APP1709/222/279th/{M.P.}/2017/

188682

Date 16 Aug 17

REFUSAL ORDER

WHEREAS, in terms of Section 14 of the NCTE Act, SMT RAMKALI SHIKSHANA EVAM GAU SEVA SAMITI, PLOT NUMBER -10 STREET/ROAD/VILLAGE/TOWN /CITY/POST OFFICE/TEHSIL/TALUKA - INDERGARH, DISTRICT - DATIA-475675, MADHYA PRADESH (APP1709/222) had submitted on 29.09.2011 the application to the Western Regional Committee of the NCTE for grant of recognition to, SHRI KRISHNA COLLEGE, PLOT/KHASARA NO. 10, STREET NUMBER/VILLAGE/ POST OFFICE/ TOWN/ CITY - INDERGARH, TEHSIL/TALUKA - SEONDHA, DISTRICT - DATIA, MADHYA PRADESH for starting the D.El.Ed. Course.

AND WHEREAS, as per clause 7(4) of NCTE Regulations, 2014, letter to State Government was issued on 29.11.2011 and 02.02.2012 requesting to give their recommendation/comments.

AND WHEREAS, Rajya Shiksha Kendra, Bhopal, Madhya Pradesh vide letter dated 27.01.2012 has given their recommendation.

AND WHEREAS, the matter was placed before WRC in its 162nd meeting held on May 10, 2012 and the Committee decided that fresh cases for recognition cannot be considered until the state Govt. changes its advice. Accordingly, Rejection order issued on 05.06.2012

AND WHEREAS, the institution filed W.P. No.3015/2016 before the Hon'ble High Court of Madhya Pradesh, at Gwalior and the Hon'ble High Court had passed an order dated 06.05.2016.

AND WHEREAS, the original file, visiting team report and other relevant documents were considered by WRC in its 256th meeting held on July 19-21, 2016 and the Committee observed that "...This case is being considered in view of the order of the Hon'ble High Court of M.P. Bench at Gwalior, Order dt. 06/05/2016, in which the Hon'ble High Court has directed that -"... if the Institute in question submits an application in accordance with the regulations, 2014 formulated under National Council for Teacher Education Act, the claim of the petitioner - Institute for starting the course for the academic Session 2017-2018 shall be considered in accordance with the regulations and the observations and the limitations prescribed by a coordinate Bench of Principal Seat of this Court at Jabalpur vide order dated 28th January, 2016 passed in Writ Petition No. 19819 of 2015 [Ambition College of Education Vs. National Council for Teacher Education and others], so also the requirement fo Regulations 2014 and a decision be taken either-way, well before starting academic session in question..." Accordingly the documents submitted were examined. The following lacunae were observed :-

- Originally certified copy of land documents has not been submitted;
- Originally notarized copies of CLU, and Building Plan, have not been submitted. Building Plan is not approved by the competent authority and land area and built up area are not mentioned; and
- Originally notarized copies of Building Completion Certificate and Non-Encumbrance Certificate have not been submitted.

Hence, Show Cause Notice be issued on the above grounds. Accordingly Show Cause Notice was issued on 26.07.2016.

AND WHEREAS, the reply received from the institution was placed in the 263rd Meeting of WRC held on November 25-27, 2016 and the Committee decided that "...Show Cause Notice was issued to the institution 26/07/2016 and reply was received on 09/08/2016. An examination of the file shows that the institution has two plots of land, one for 0.48 Hectares, and another for 0.16 Hectares both of which are in Khasra No. 10. The institution is required to send originally certified copy of land documents within 30 days. **Hence, Clarification be obtained from the institution on the above ground.**" Accordingly, Clarification letter was issued on 29.11.2016.

AND WHEREAS, the reply received from the institution was placed in the 270th Meeting of WRC held on March 1-3, 2016 and the Committee decided that "...Clarification letter was issued on 29/11/2016. The institution has submitted three certified documents but these documents raise doubts about their validity. Hence, all the three documents be got verified from the Sub-registrar, Datia. Accordingly, Sub-Registrar, Datia, letter was issued on 20.03.2017

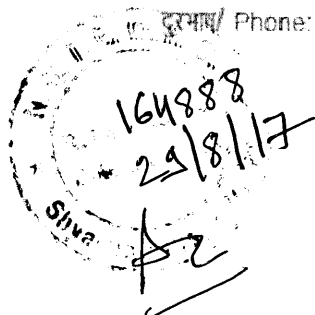
मानस भवन, श्यामला हिल्स, भोपाल-462002

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NCTE HQrs. Website : www.ncte india.org



AND WHEREAS, the reply received from the institution was placed in the 279th Meeting of WRC held on August 10-11, 2017 and the Committee decided that "The case file was seen. The institute had submitted two land documents both in the name of the society. These documents were sent to the Sub Registrar for verification. The Sub Registrar has confirmed that one document is in the name of an individual and that this document has been tampered with. Hence, Recognition is refused. Collector Datia be requested to examine the case and initiate action under law."

NOW, THEREFORE, the WRC, in exercise of powers vested u/s 14 (3)(b) of the NCTE Act, hereby refuses recognition to SHRI KRISHNA COLLEGE, PLOT/KHASARA NO. 10, STREET NUMBER/ VILLAGE/ POST OFFICE/ TOWN/ CITY - INDERGARH, TEHSIL/TALUKA - SEONDHA, DISTRICT - DATIA, MADHYA PRADESH for the D.El.Ed. Course.

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

Regional Director

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

Copy to:

1. The Principal, SHRI KRISHNA COLLEGE, PLOT/KHASARA NO. 10, STREET NUMBER/ VILLAGE/ POST OFFICE/ TOWN/ CITY - INDERGARH, TEHSIL/TALUKA - SEONDHA, DISTRICT - DATIA, MADHYA PRADESH
- ✓ 2. The Secretary, SMT RAMKALI SHIKSHANA EVAM GAU SEVA SAMITI, PLOT NUMBER -10 STREET/ROAD/VILLAGE/TOWN /CITY/POST OFFICE/TEHSIL/TALUKA - INDERGARH, DISTRICT - DATIA-475675, MADHYA PRADESH.
3. The Secretary, Board of Secondary Education, Shivaji Nagar, Bhopal, Madhya Pradesh.
4. The Director, S.C.E.R.T., Wing B, Pustak Bhawan, Arera Hills, Bhopal, M.P.
5. The Secretary, Department of Elementary Education & Literacy, Government of India, Ministry of Human Resource Development, Shastri Bhawan, New Delhi.
6. The Under Secretary (EDP Section), National Council for Teacher Education, Hans Bhawan, Wing- II, Bahadurshah Zafar Marg, New Delhi- 110002.
7. Office Order file/Institution file.(APP2121/223)
8. Office Order file/Institution file.(APP1709/222)


Regional Director