

F. No. WRC/313019/281st/Guj./2017/190044

Date 23/09/17

Refusal Order

Whereas, recognition was granted to the institution, R. B. Sagar College of Education, Fatehpur, Ahmedabad, Gujarat for conducting B.Ed. Course with an annual intake of one unit (80 students) vide order no WRC/5-6/23/2000/8652-57 dt. 13.10.2000.

And whereas, the institution had submitted an application for shifting of premises vide letter no. 27/J/07-08 dt. 19.12.2007.

And whereas, the WRC considered the matter and decided to refuse to grant permission for change of premises vide letter no. WRC/313019/2008/37668 dt. 24.07.2008.

And whereas, institution vide letter dt. 03.10.2010 & 19.10.2010 had requested WRC for consideration of request for shifting of premises.

And whereas, WRC vide letter no. WRC/313019/Shifting/2010/6467 dt. 15.12.2010 had informed the institution to submit the relevant document as per clause 8(11) of NCTE Regulations, 2009.

And whereas, the institution had submitted another application for shifting of premises dt. 09.10.2010 and the matter was placed before the WRC in its 183rd meeting held on 09th - 10th May, 2013, the Committee decided to issue clarification letter for submission of inspection fees along with the relevant documents.

And whereas, reply dt. 25.06.2013 of clarification letter was placed before WRC in its 190th meeting held on 18th - 20th September, 2013 and the committee decided to issue Show Cause Notice dt. 19.10.2013.

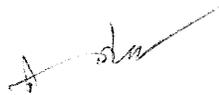
And whereas, CBI Office, Bhopal vide letter no. 03/3/C00082014A0011/CBI/BPL dt. 08.07.2014 requested WRO (NCTE), Bhopal to provide the document related to land and WRO (NCTE), Bhopal vide letter no. WRC/1-39/Estt./2014-119920,921 dt. 14.07.2014 forwarded the desired documents to CBI Office, Bhopal.

And whereas, reply dt. 13.11.2013 of Show Cause Notice was placed before WRC in its 210th meeting held on September 30th, 2014 and the committee has decided to consider the case after notification of the new Regulations of NCTE.

And whereas, the WRC has received an affidavit dt. 12.01.2015 from the institution, and a revised recognition order no. WRC/313019/2015/148853-8860 dt. 31.05.2015 was issued to the institution for conducting B.Ed. course with an annual intake of 50 seats (one basic units of 50 students) from session 2015-16.

And whereas, Gujarat University vide letter dt. 13.10.2015 has informed the WRC regarding decision of the University to keep in abeyance the letter no. Academic/34146/2014 dt. 18.10.2014 issued by the University and a complaint vide email dt. 20.05.2016 has been received in WRO (NCTE), Bhopal regarding the land, building etc of the institution.

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And whereas, the WRO (NCTE), Bhopal vide letter no. WRC/313019/Complaint/Guj/2016/168477 dt. 07.06.2016 has informed the institution to give its comments/submit its representation on the points raised in the complaint and vide letter no. WRC/313019/2016/16879 dt. 14.06.2016 has informed the Registrar, Gujarat University, Ahmedabad about the location of institution as per record of WRC (NCTE), Bhopal.

And whereas, reply/documents were received in the office on 11.07.2016.

And whereas, the institution has filed a Writ Petition no. 11268/2016 before Hon'ble High Court of Gujarat, Ahmedabad and Hon'ble High Court of Gujarat has passed an order dt. 21.12.2016 which is as follows :-

"During the course of hearing, learned counsel for the petitioner under the instructions seeks permission to withdraw the present petition with a view to avail alternatives remedy before the Appellate Authority of respondent no. 1 under Section 18 of the NCTE Act. Permission, as prayed for, is granted. The present petition stands disposed of as withdrawn. Notice is discharged. No order as to costs."

And whereas, the institution has also filed an appeal before Appellate Authority of NCTE Hqrs. New Delhi on 29.03.2017. Thereafter, the NCTE, Hqrs New Delhi vide order no. 89-25/2017/ Appeal/7th Meeting-2017 dt. 29.05.2017 decided as follows :-

"The Committee concluded that the matter deserved to be remanded to the WRC with a direction to take urgent action taken on the request of the appellant for shifting of their premises in accordance with the provisions of the NCTE Regulations, 2014 and communicate the decision to the appellant."

And whereas, the matter was placed before WRC in its 277th meeting held on June 29th - 30th , 2017 and the committee decided to issue conveying decision letter dt. 06.07.2017.

And whereas, reply dt. 13.07.2017 of conveying decision letter was placed before WRC in its 279th meeting held on August 10th - 11th , 2017 and the committee decided to issue Show Cause Notice dt. 18.08.2017.

And whereas, reply dt. 08.09.2017 of show cause notice was placed before WRC in its 281st meeting held on September 19th -20th , 2017 and the committee decided as follows :-

"The case file was seen. This is a case of shifting. The Appeal Authority vide order dt. 29.05.2017 remanded the case to WRC with the directions to process shifting of the premises.

The WRC in its 279th meeting decided to issue a show cause notice to the institution on 18.08.2017 regarding the ownership of land. which is on private lease.

The institute vide its reply dt. 13.09.2017 has confirmed that the land is on lease from a company namely Dharmam Enterprises, registered under company act which is also a private party.

Therefore, institute does not possess land on ownership basis or on lease from Govt./Govt. body as required under NCTE Regulations.

Hence, shifting is refused and Recognition is withdrawn from the session 2018-2019.

FDR, if any, be returned."

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Now, therefore, the permission to shift the premises is refused and the recognition of R. B. Sagar College of Education, Fatehpur, Ahmedabad, Gujarat, for one units (50 students) of the B.ED course is **hereby withdrawn from the academic session 2018-2019** in terms of Section 17(1) of the NCTE Act, 1993.

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

Yours Faithfully

(Awadhesh Nayak)
Regional Director (I/C)

To,

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

Copy to:-

1. The Principal, R. B. Sagar College of Education, Fatehpur, Ahmedabad, Gujarat.
2. The Secretary , Sagar Welfare Education Trust, Devbhoomi Nagar, D-Cabin, Sabarmati, Ahmedabad, Gujarat - 380019..
3. The Registrar, Gujarat University, P.B.No. 4010, Navrangpura, Ahmedabad, Gujarat - 380009.
4. The Secretary, (Higher Education), Government of Gujarat, Mantralaya, Gandhinagar, Gujarat.
5. The Secretary, Department of School Education and Literacy, Ministry of Human Resource Development, Government of India, New Delhi.
6. The Under Secretary, Computer Section, National Council For Teacher Education, Hans Bhawan, Wing-Ii, Bhadur Shah Zafar Marg, New Delhi - 110 002.
7. The Computer Programmer, Computer Section, WRC NCTE, Bhopal
8. Office Order File/Institution File **WRC/313019.**


Regional Director (I/C)