

F. No WRCAPP2704/D.El.Ed./288th/2018/195621

Date: 23 Feb 18

Refusal Order

Whereas, in terms of section 15 of the NCTE Act, 1993, Jagrani Devi Middle Convent School Society, Ward No. - 9, Near Nahar Petrol Pump, New Baradwar, Teh. - Sakti, District - Janjgir-Champa, Chhattisgarh had submitted an application on 29.05.2015 to the Western Regional Committee of the NCTE for grant of permission to Jagrani Devi College Of Education, Plot No. 430/2, Street No. 1/1, Village- Darrabhatha, Thathari, Jaijapur, District- Janjgir-Champa, Chhattisgarh-495690 for conducting D.El.Ed. course of 2 years duration.

And whereas, the proposal was examined by WRC in its 241st meeting held on 4th -6th February, 2016 and the Show Cause Notice letter was issued to the institution on 11.02.2016, and reply was submitted by the institution on dt. 10.03.2016.

And whereas, the matter was placed in 266th meeting held on 10th - 12th January, 2017 and Committee decided to issue letter of Clarification to the institution on the following points:-

"The case file was seen. Show Cause Notice was issued to the institution on 11/02/2016 and reply was received on 10/03/2016. The institution is running the B.Ed. course with 2 units and now it has applied for D.El.Ed. course (APP2704) and M.Ed. (APP3369).

All the land documents of the above are in the name of JAGRANI DEVI COLLEGE OF EDUCATION, at Khasra NO. 539/2 in Village- Baradwar.

The Society has also applied for a B.Ed. course (APP3374) and a D.El.Ed. course (APP3312) both at JAGRANI DEVI COLLEGE OF EDUCATION, at PLOT NO. 430/2 in Village - Darrabhatha.

An examination of the files shows the following deficiency:-

All the land documents are in the name of an individual namely Brijbhushan Dwivedi. Compliance in this matter should be submitted within 30 days."

And whereas, accordingly letter of Clarification was issued to the institution on 17.01.2017, and reply was submitted by the institution on dt. 08.02.2017.

And whereas, the matter was placed before the WRC in its 271st meeting held on 23rd - 25th March, 2017 and Committee decided to issue refusal order to the institution on the following points:-

"The case file was seen. Show Cause Notice was issued followed by a clarification letter on the ground that the land is in the name of an individual. The land has to be transferred either through sale or gift deed etc. and the same should be registered in the office of the Sub-Registrar. Since enough opportunity was given to the Society to effect this change, the Society has not complied with the essential requirement.

Hence, Recognition is refused u/s 14(3)(b) of NCTE Act, 1993."

And whereas, accordingly refusal order was issued to the institution on 03.04.2017.

And whereas, institution had filed the appeal on 01.06.2017 before the appellate authority, NCTE, New Delhi and forwarded the original file to NCTE Hqrs. on 04.09.2017.

And whereas, order dt. 27.11.2017 issued by the appellate authority, NCTE, New Delhi, with the direction of remands back the case of Jagrani Devi College of Education to the WRC, NCTE for necessary action as indicated.

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And whereas, the matter was placed before the WRC in its 286th WRC meeting held on January 16th - 17th, 2018, the Committee decided as follows:-

"The case file was seen. The society applied for D.El.Ed. course under APP2704 and another for D.El.Ed. course under APP3312. These two applications appear to be the same (Two applications for one institution).

The above three applications are in Plot No.430/2 which is in the name of an individual, which is not permitted.

The society has submitted a correction deed for Plot No.539/1 in village Baradwar, which is not related to the land mentioned in the above application. The society has also submitted correction deed for Plot Nos.540/5 & 540/13.

The society is required to submit a correction deed for land at Plot No.430/2 for further processing of three applications.

Compliance should be submitted by the institution within one month, failing which Recognition will be refused."

And whereas, accordingly a letter was issued to the institution on 23.01.2018, and reply was submitted by the institution on dt. 24.01.2018.

And whereas, matter was placed before the WRC in its 287th meeting held on January 30th - 31st, 2018 committee decided to issue show cause notice on following points:-

"The case file was seen. Consequent to the issue of compliance letter dated 23.01.2018, the institution has submitted a correction deed dated 28.01.2017, wherein the ownership has been changed from an individual to the institution. Hence, the land documents are in order. However, the institution needs to submit the CLU and Building plan for Khasra No.430/2.

The Society vide letter dated 24.01.2018 has requested for change of location of application from 430/2 to 539/3. This is not permissible.

Hence, Show Cause Notice be issued as to why recognition should not be refused. Reply should be submitted within one month.

Accordingly show cause notice was issued to the institution on 07.02.2018 and reply dt. 05.02.2018 was submitted by the institution in this office on 07.02.2018.

And whereas, the matter was placed before the WRC in its 288th meeting held on 15th-16th February, 2018 and Committee decided to issue refusal order to the institution on the following points:-

"The case file was seen. Show Cause Notice was issued to the institution on 07.02.2018. The institution has admitted that there has been an error in the mention of Khasra Nos. The rectification of khasra numbers is not within the purview of the WRC.

Hence, Recognition is refused."

Now, therefore, in exercise of the powers vested under section 15 (3) (b) of NCTE Act, 1993, **the Western Regional Committee hereby refuses grant of permission of D.El.Ed. course to Jagrani Devi College Of Education, Plot No. 430/2, Street No. 1/1, Village- Darrabhatha, Thathari, Jaijaipur, District- Janjgir-Champa, Chhattisgarh- 495690.**


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

Yours Faithfully,


(Awadhesh Nayak)
Regional Director (I/C)

Encl:

1. Original FDR A/C No. 34800131464 dt. 18.03.2015 of Rs. 7.00 lakhs drawn at State Bank of India, Br. Bhothia, Block – Jaijaipur, Dist - Champa, Chhattisgarh - 495686.
2. Original FDR A/C No. 34800133245 dt. 18.03.2015 of Rs. 5.00 lakhs drawn at State Bank of India, Br. Bhothia, Block – Jaijaipur, Dist - Champa, Chhattisgarh - 495686.

To,

**The Manager, (Gazette Section)
Government of India,
Department of Publications,
Civil Lines, Delhi – 110054.**

Copy to:-

1. The Principal, Jagrani Devi College Of Education, Plot No. 430/2, Street No. 1/1, Village-Darrabhatha, Thathari, Jaijaipur, District- Janjgir-Champa, Chhattisgarh- 495690. **(E-mail ID : jrd.college@yahoo.in)**
2. The Secretary, Jagrani Devi Moddle Convent School Society, Ward No. – 9, Near Nahar Petrol Pump, New Baradwar, Teh. – Sakti, District – Janjgir-Champa, Chhattisgarh.
3. The Secretary, (Higher Education), Government of Chhattisgarh, Mantralaya, Raipur- 492001, Chhattisgarh.
4. The Director, Education Chhattisgarh State Council of Educational Research & Training, Shankar Nagar, Raipur-492006.
5. The Secretary, Dept. of School Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi – 110001.
6. The US (Computer), National Council for Teacher Education, Hans Bhawan, Wing-II, Bahadurshah Zafar Marg, New Delhi – 110002.
7. Computer programmer, Computer Section, WRO (NCTE), Bhopal.
8. Office Order file/Institution file **WRCAPP2704**.


Regional Director (I/C)