

No.WRC/APP2783/Court/222/247th/{M.P.}/2016/

164921

Date: 18/04/16

SHOW CAUSE NOTICE

WHEREAS, in terms of Section 14 of the NCTE Act, 1993, VISHAMBHAR NATH SHIKSHA SAMITI KOTMA COLLIERY DIST ANUPPUR, STREET/ROAD -VIKAS NAGAR, VILLAGE/TOWN/CITY/POST OFFICE/TEHSIL/TALUKA/TOWN/CITY - KOTMA, DISTRICT - ANUPPUR, PIN CODE 484334, MADHY PREDESH had submitted the application on 29.05.2015 to the Western Regional Committee of the NCTE for grant of recognition for D.El.Ed. Course of 2 years duration with an annual intake of 50 students.

AND WHEREAS, the matter was placed before WRC in its 234th meeting held on November 3-5, 2015 and the Committee decided that "...As per public notice dated 27.02.2015 applications were not invited for D.El.Ed. course from Madhya Pradesh except from 20 districts which were listed in the notification. The WRO presented a list of 30 applications submitted for the D.El.Ed. course in agenda no 13 which are from the districts from where applications were not to be accepted. The WRC, therefore, decided to return the applications to these institutions alongwith processing fee. Copies of the letters be sent to NCTE Hqrs for refund of fees". Accordingly, application returned on 12.11.2015

AND WHEREAS, the Hon'ble High Court of Madhya Pradesh, at Jabalpur in the context of Ambition College of Education, had passed an order dated 28.01.2016 in which it has been directed that, '...In our opinion, the condition specified in the impugned notification dated 27.02.2015 (Annexure-P/3) to exclude 20 districts of State of Madhya Pradesh from consideration, deserves to be quashed and set aside in terms of this order. In other words, all applications received before the cut off date including of the respondent No.1 from concerned twenty districts of State of Madhya Pradesh ought to be treated as valid and eligible to participate in the consideration process. Indisputably, the petitioner had submitted such application in response to the notification on 30.06.2015, which is within the extended cut off date(i.e. 30.06.2015). In that, the fact that the petitioner had submitted application on 30.06.2015 has not been disputed. For that reason, respondent No.1 and other statutory Authorities will be obliged to decide the application preferred by the petitioner and take a final decision thereon expeditiously and not later than 3rd March, 2016. If any other application has been received from the districts which were otherwise excluded in terms of the impugned notification, within specified time, even those applications be processed by the respondent No.1 and other statutory Authorities in accordance with law before 3rd March, 2016 and decision thereon be communicated to the concerned applicants. If the decision is adverse to the concerned applicants, they will be free to challenge the same on grounds as may be permissible in law...'

In view of the above directions of the Hon'ble High Court, WRC in its 241st meeting held on February 4-6, 2016 directed the RD / WRO to take action on each such application received.

AND WHEREAS, the matter was placed before WRC in its 247th WRC meeting held on April 4-6, 2016 and the Committee observed that "...An examination of the file shows the following deficiencies :-

- i) NOC from the affiliating body not submitted;
- ii) Originally certified copy of land documents not submitted;
- iii) Notarized copy of CLU/Diversion, Building Plan, Building Completion Certificate, and Non-Encumbrance Certificate order not submitted;
- iv) As per information available, the institution is not a composite institution; and
- v) As per Affidavit and building plan, the built up area is 4000 sq. ft, which is not sufficient.

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

Letter to the State Govt. for seeking its recommendation be sent under clause 7(4)."

Besides this, you are also hereby directed to re-submit the processing fee of Rs.1,50,000/-.. DD No.038276 dated 30.05.2015 for Rs.1,50,000/-. The DD submitted by you is sent herewith for revalidation..

मानस भवन, श्यामला हिल्स, भोपाल-462002

Manas Bhawan, Shyamla Hills, Bhopal-462002

दूरभाष/ Phone: 0755-2739672, 2660915, 2660379, 2660372 फैक्स/ Fax: 0755-2660372

Email: wrc@ncte-india.org Website : www.nctewrc.co.in
NCTE HQrs. Website : www.ncte-india.org

for D.O.
19/5/16
BA

149392
18/5/16

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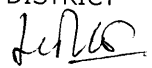
NOW THEREFORE, this Show Cause Notice is issued to the institution u/s 14(3)(b) of NCTE Act, 1993 giving an opportunity for making a written representation within a period of 30 days from the date of issue of this notice. In the event of this office not receiving any representation within 30 days of the issue of this notice, it will be presumed that the institution does not wish to make any representation and the Western Regional Committee shall take decision, as it deems fit and proper.

(Satish Gupta)
Regional Director

To,
The Secretary,
VISHAMBHAR NATH SHIKSHA SAMITI KOTMA COLLIERY DIST ANUPPUR,
STREET/ROAD -VIKAS NAGAR, VILLAGE/TOWN/CITY/POST OFFICE
/TEHSIL/TALUKA/TOWN/CITY - KOTMA, DISTRICT - ANUPPUR,
PIN CODE 484334, MADHY PREDESH.
Email - vishambhar@rediffmail.com

Encl: DD No.038276 dated 30.05.2015 for Rs.1,50,000/- in original.

✓ Copy to the Principal, K.S. MEMORIAL EDUCATION COLLEGE KOTMA DIST ANUPPUR MP, PLOT/KHASARA NO - 232/3/1/GHA, VILLAGE - GOENDA, POST OFFICE/TEHSIL/TALUKA/TOWN/CITY - KOTMA, DISTRICT - ANUPPUR, PIN CODE - 484334, MADHY PREDESH


Regional Director