

F. No.WRC/APW01352/323206/B.Ed./301st/GUJ/2018/201288

Date : 01/02/19

RESTORATION ORDER

Whereas, recognition was granted to the institution, SMT. Zarmarben Shankarbai Patel Women's College (Vidhyadhan , Charitable Trust), Vidyakunj Circle Subash Chandra Bose Marg, Near Palanpur Jakatnaka, Surat-395009 Gujarat under section 14 of NCTE Act, 1993 for conducting B.ED.course with an annual intake of 100 students vide order no. WRC/2-32/76/323206/2005/6343 dt. 09.08.2005.

2. And whereas, after the promulgation of NCTE (Recognition, Norms and Procedure) Regulations, 2014 vide notification dt. 28.11.2014, SMT. Zarmarben Shankarbai Patel Women's College (Vidhyadhan , Charitable Trust), Vidyakunj Circle Subash Chandra Bose Marg, Near Palanpur Jakatnaka, Surat-395009 offering B.Ed. course was informed via email/public notice to submit a duly notarized affidavit as an acceptance of the NCTE Regulations, 2014 by the institution.

3. And whereas, after the receipt of affidavit dt. 22.01.2015 from the institution, a revised recognition order no.WRC/APW01352/323206/2015/143889-011 dt. 31.05.2015 was issued to the institution for conducting B.Ed. Programme of two years duration with an annual intake of 100 seats (two basic units of 50 students) from session 2015-16.

4. And whereas, the matter was placed before the WRC in its 255th Meeting held on June 22-24, 2016 and the Committee decided to issue show cause notice dt.24.08.2016.

5. And whereas, reply not submitted by the institution after the SCN the matter was placed before the WRC in its 279th meeting held on August 10th-11th, 2017 and the Committee decided as follows :-

"The case file was seen. Show Cause Notice was issued to the institution on 24.08.2016. The institute has not replied till date.

Hence, Recognition is withdrawn from the session 2018-2019.

FDRs, if any, be returned."

6. And whereas, a withdrawal Order No. WRC/APW01352/323206/Guj./279th/2017/189413-9414 dt. 08.09.2017 was issued to the institution.

7. And whereas, the institution has filed an S.C.A. No. 21821/2018 before the Hon'ble High Court of Gujarat at Ahmedabad. The Hon'ble High Court vide order dt. 20.09.2018 has decided as follows:-

"Under these circumstances, pending hearing of the present petition, the WRC is directed to reconsider the decision taken on show cause notice and the petitioner is directed to give proper reply within one week by mentioning correct number of case file to the WRC with all the relevant documents. Upon receipt of such reply and documents, the WRC is directed to take fresh decision in accordance with Rules and pass appropriate order within two weeks from the date of receipt of reply and the documents from the petitioner and place the same for further consideration of this Court."

8. And whereas, the vide court order dt. 20.09.2018 in SCA No. 21821/2018 passed by the Hon'ble High Court of Gujarat at Ahmedabad and reply dt. 26.09.2018 was placed before the WRC in its 298th meeting held on October 9th, 2018 and the Committee has decided as follows:-

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"After perusal of directions of Hon'ble High Court of Gujarat at Ahmedabad in S.C.A. No.21827/2018 dated 20.09.2018 vis-à-vis NCTE Act & Regulations, 2014, the Committee observed that:-

- (i) Institution has filed the petition before the Hon'ble Court without exhausting the channel of Appellate Authority, NCTE as prescribed in NCTE Regulations, 2014.
- (ii) Institution has not complied the submission of documents regarding faculty as prescribed in the NCTE Regulations, 2014 as well as NCTE notification published on 09.06.2017.
- (iii) The institution has not submitted Building Completion Certificate issued by the competent authority as per NCTE Regulations, 2014.
- (iv) The institution has not submitted FDRs for Rs.12.00 lakhs as prescribed in NCTE Regulations, 2014.

Hence, the Committee decided to issue Show Cause Notice to the institution to submit the following documents within 30 days of the issue of the letter, failing which recognition will be withdrawn u/s 17(1) of the NCTE Act, 1993:-

Letter of grant of approval by the affiliating body with the evidence of appointment of faculty as prescribed in the NCTE Regulations, 2014 for an intake of 100 seats (two units).

- (i) Building Completion Certificate issued by the competent authority as per NCTE Regulations, 2014.
- (ii) FDRs for Rs.12.00 lakhs in joint operation as prescribed in NCTE Regulations, 2014."

9. And whereas, a show cause no. WRC/APW01352/323206/298th /B.Ed./Guj./2018/200512-200514 dt.22.10.2018 was issued to the institution.

10. And whereas, the Hon'ble High Court of Gujarat at Ahmedabad passed the an order dt. 11.10.2018 in S.C.A. No. 21821/2018. The Hon'ble High Court vide order dt. 11.10.2018 has decided as follows:-

"As stated at bar, the petitioner has furnished compliance with the documentary evidence as per the said order of this Court, which is annexed at page No. 176 to the present petition. It seems that the WRC has neither understood the Court's order in its letter and spirit nor has taken pain to consider the documents supplied by the petitioner.

In light of this position, the WRC is directed to pass appropriate order in terms of order dated 20.09.2018 passed by this Court after considering the documents furnished by the petitioner in terms of letter dated 26.09.2018 and place the decision for consideration of this Court."

11. And whereas, the vide court order dt. 11.10.2018 in SCA No. 21821/2018 passed by the Hon'ble High Court of Gujarat at Ahmedabad was placed before the WRC in its 299th meeting held on October 30th – November 1st, 2018 and the Committee has decided as follows:-

"After perusal of directions of Hon'ble High Court of Gujarat at Ahmedabad in S.C.A. No.21827/2017 dated 20.09.2018 & 11.10.2018 vis-à-vis NCTE Act & Regulations, 2014 and notification published on 09.06.2017, where the NET/Ph.D. qualification is mandatory for the appointment. The Committee reconsidered the matter in the light of direction of Hon'ble High Court order dated 11.10.2018 alongwith the documents furnished by the petitioner vide letter dated 26.09.2018 and observed that:-

- (i) On the perusal of the staff list-I, it is seen that faculty from S.No.1 to 11 interviewed on 11.08.2018 and appointed on 14.08.2018 except S.No.3 are not eligible for the appointment as per NCTE notification published on 09.06.2017.

- (ii) Date of appointment of faculty in the staff list-II from S.No.1 to 6 interviewed on 18.08.2018 and appointed on 20.08.2018 are not eligible for the appointment.
- (iii) Building Completion Certificate duly signed by RES/Government Engineer in the prescribed proforma not submitted.
- (iv) FDR for Rs.5.00 lakhs as Endowment fund and FDR for Rs.7.00 lakhs as Reserve fund, as required under clause 10(1) of NCTE Regulations, 2014 not submitted.

Hence, the Committee decided that institution is required to submit the compliance within one month for further processing.

12. And whereas, Conveying letter No. WRC/APW01352/323206/B.Ed./299th/Guj/2018/200549-200551 dt. 02.11.2018 was issued to the institution.

13. And whereas, reply dt. 21.11.2018 & 27.11.2018 of institution was placed before the WRC in its 301st meeting held on January 17th -18th, 2019 and Committee decided as follows:-

"The case file was seen. Compliance letter dated 02.11.2018 was issued to the institution.

Institution vide reply dated 21.11.2018 & 27.11.2018 has submitted the staff profile of 1+15 faculty members approved by the competent authority. Building Completion Certificate and FDRs for Rs.12.00 lakhs submitted.

Hence, Recognition for B.Ed. course with two units is restored."

14. Now therefore, this restoration order is issued as per decision of the WRC in its 301st meeting as cited above.

15. Contravention of any of the provisions of the NCTE Act, 1993, NCTE Regulations, 2014 and any deviation from it will be liable for action, against the institution, as defined under NCTE Act, 1993 and NCTE Regulations, 2014.

(Dr. Ved Prakash Pandey)
Regional Director

To,

The principal,
Smt. Zarmarben Shankarbhai Patel Women's College,
(Run By Vidhyadhan Cheratible Trust),
Vidyankuj Circle Subash Chandra Bose Marg,
Nr. Palanpur Jakatnaka,
Surat,
Gujarat-395009

Copy to:

1. The Registrar, S.N.D.T. Women's University - Mumbai
2. The Education Secretary, (Higher Education), Govt. of Gujarat, Mantralaya, Gandhinagar, Gujarat.
3. The Secretary, Vidhyadhan Cheratible Trust, Vidyankunaj Circle Subash Chandra Boase Marg, Nr. Palanpur Jakatnaka, Surat-395009 Gujarat

Regional Director

31/1/19