

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

File No. WRC/OAPW0179/114054/314<sup>th</sup>/2020

209075

Date: 07/08/2020

ORDER

WHEREAS, recognition was granted to the institution namely **LOKHIT COLLEGE OF PHYSICAL EDUCATION, ARVI ROAD, YAVATMAL, MAHARASHTRA** vide Order No. WRC/5-6/16/99/5137-5140 dated 31.08.1999 for **B.P.Ed.** course of one year duration with an annual intake of 60 students for the academic session 1999-2000.

AND, WHEREAS, the revised recognition Order was issued to the institution namely **LOKHIT B.P.Ed. EDUCATION COLLEGE PUSD, ARVI ROAD, YAVATMAL, MAHARASHTRA-445001** vide order No. WRC/OAPW0179/114054/2015/147472 dt. 31.05.2015 for conducting **B.P.Ed.** course of two years duration with an annual intake of 100 students (one basic unit of 100 students) from the academic session 2015-16 with following conditions:-

- The institution shall create additional facilities that include (a) additional built-up area, (b) additional infrastructure, (c) additional funds, (d) additional staff as per Regulations, 2014 and inform Regional Committees with required documents by October 31, 2015.
- The applicant-institution for additional unit will be required to submit the required documents such as land documents, Encumbrance Certificate (EC), Land Use Certificate (LUC), Building Plan (BP) and the Approved Staff List in the specified proforma available on the website to the Regional Committee in proof of having provided additional facilities before October 31, 2015. Building Completion Certificate (BCC) may be given along with other documents if available, otherwise it can also be given to the Visiting Team at the time of inspection.
- The Regional Committees shall arrange for verification of documents, inspection of these premises and check adherence to these conditions by 20 Feb, 2016. If it is found by the Regional Committee that the institution fails to comply with these requirements, the institutions shall not be permitted to admit students for the academic year 2016-2017.
- In case any existing institution's matter is sub-judice under court direction/SCN under section 17 of the NCTE Act/Complaint etc., the institution shall be required to submit a copy of the Hon'ble Court order/reply to SCN/complaint/already submitted alongwith the documents, if any together the documents referred above. In case the institution's request for shifting of premises is pending, such institutions shall be required to submit the requisite documents as per provisions of the NCTE Regulations, 2014 with a copy of the order/NOC of the affiliating body/State Govt. and such other documents as indicated in the revised format recognition order. The final decision shall be subject to the directions given by the Hon'ble Court in the Writ Petition/case decided by the Western Regional Committee in respect of Section 17/complaint cases etc.

AND WHEREAS, the institution has not complied with the conditions of revised recognition order. The matter was considered by WRC in its 255<sup>th</sup> meeting and Committee decided to issue Show Cause Notice u/s 17 of NCTE Act 1993 on the following points:-

- **Staff Profile for the session 2015-16 duly approved by the affiliating body.**
- **Originally notarized Change of land Use/Non-Encumbrance Certificate, Building Plan and Building Completion Certificate.**

AND WHEREAS as per decision of WRC Show Cause Notice was issued to the institution on 22.08.2016.

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AND WHEREAS, the institution has submitted reply of Show Cause Notice vide letter dt. 07.09.2016. The matter was considered by the WRC in its 292<sup>nd</sup> meeting held on 15-17, May 2018 and the Committee decided as under:-

*"Consequent to the issue of Revised Recognition order, Show Cause Notice dated 22.08.2016 was issued for non-compliance.*

*The institution vide reply dated 07.09.2016 has submitted the staff profile of 2 lecturers, 3 contributory lecturers and other subsidiary staff, which is not as per Appendix-VII of NCTE Regulations, 2014. Principal has not been appointed. The staff profile is not approved by the Registrar.*

*FDRs for additional Rs. 4.00 lakhs in joint account and Building Completion Certificate issued by a Government Engineer not submitted in original.*

***Hence, Recognition is withdrawn from the next academic session 2018-2019."***

AND WHEREAS, withdrawal order was issued to the institution on 02.06.2018. The institution has filed an appeal against the withdrawal order dt. 02.06.2018 and the appeal Committee passed an order dt. 02.04.2019 thereby confirm the order to the WRC. The institution has filed W.P. 3956/2019. In the High Court of Judicature at Bombay Nagpur Bench, Nagpur against withdrawal order dt. 02.06.2018. The Hon'ble High Court of Delhi passed an order dt. 10.06.2019.

AND WHEREAS, the institution has submitted reply on 19.02.2019 & 17.06.2019. The matter was considered by the WRC in its 308<sup>th</sup> meeting held June 19-21, 2019 and the Committee decided as under:-

*"In compliance to the Hon'ble Court order in W.P. No. 3956/2019 dated 10/06/2019, the committee considered the matter. The directions of the appellant authority are also taken into consideration.*

*It is observed that the institution has not submitted Building Completion Certificate in original, latest staff profile approved by the affiliating body and Revised FDRs of Rs. 7+5 lakhs.*

***Hence, the committee decided to provide last opportunity to submit the list of qualified staff profile approved by the affiliating body, Building Completion Certificate, FDRs of Rs. 7+5 lakhs in original as per NCTE Regulations 2014 and amendment Regulations dated 9/6/2017."***

AND WHEREAS, a letter was issued to the institution on 09.07.2019. The institution has submitted reply of letter dt. 18.07.2019. The matter was considered by the WRC in its 309<sup>th</sup> meeting held on July 23-26, 2019 and the Committee decided as under:-

*"In compliance to the Hon'ble High Court order in W.P. No. 3956/2019 dated 10/6/2019. The institution vide letter dated 18/7/2019 submitted the documents.*

*On examination of the documents the committee observed that the faculty at Sr. No. 7 & 8 are not qualified as per NCTE amended Regulations 9/6/2017.*

***The institution needs to submit the above within 30 days failing which the withdrawal order dated 02/06/2018. will remain stands."***

AND WHEREAS, a letter was issued to the institution on 31.07.2019. The institution has submitted reply of letter dt. 16.08.2019. The matter was considered by the WRC in its 314<sup>th</sup> meeting held on 13<sup>th</sup> to 15<sup>th</sup> & 22<sup>nd</sup> July 2020 and the Committee decided as under:-

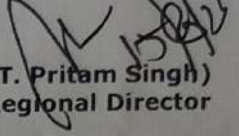
*"This is a RPRO case remanded back by the Court.*

*The Committee considered the reply of the institution in response to Show Cause Notice dated 22.08.2016 and 31.07.2019 and decided that the institution has complied with all the requirements laid down in NCTE Regulations, hence, recognition of the institution be restored for B.P.Ed course."*

NOW, THEREFORE, the Western Regional Committee hereby restores recognition of **LOKHIT B.P.Ed. EDUCATION COLLEGE PUSD, ARVI ROAD, YAVATMAL-445001, MAHARASHTRA** for **B.P.Ed** course of one basic unit.

Further, if the institution is not satisfied with the Order, it may prefer an Appeal u/s 18 of the NCTE Act, 1993 through "online mode" available on NCTE's website [www.ncte.gov.in](http://www.ncte.gov.in) within 60 days from the date of issue of this Order. The guidelines for filing appeal may be seen on NCTE's website.

By order,

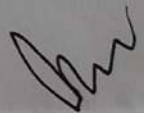
  
(T. Pritam Singh)  
Regional Director

To,

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

Copy to:

1. The Principal, **LOKHIT B.P.Ed. EDUCATION COLLEGE, ARVI ROAD, YAVATMAL, MAHARASHTRA.**
2. The Secretary, **MAGASVARGIA LOKHIT SHIKSHAN PRASARAK MANDAL PUSAD, ARNI ROAD, DIST. YAVATMAL, MAHARASHTRA-445001.**
3. The Education Secretary, (Higher Education) Govt. of Maharashtra Mantralaya, Mumbai, Maharashtra.
4. The Registrar, **AMRAVATI UNIVERSITY, AMRAVATI, MAHARASHTRA-444602.**
5. The Secretary, Department of School Education and Literacy Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi-110001.
6. The US (EDP), National Council for Teacher Education, G-7, Sector-10, Dwarka, New Delhi-110075.
7. Computer Section, WRC, for uploading on website.
8. File No. **OAPW0179/114054.**

  
Regional Director