

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

F.No. WRC/NCTE/RJ-10-B.Ed./406th Meeting/2024/225481-88

Dated: 09.09.2024

WITHDRAWAL ORDER

WHEREAS, recognition was granted to the institution namely Govt. Institute of Advanced Studies in Education, Meersah Ali, Jaipur Road, Opposite Vishal Mega Mart, District- Ajmer-305001, Rajasthan vide Order F.No./F-3/RJ-10/3834 dated 28.10.1996 for B.Ed. (Secondary) course of one year duration with an annual intake of 150 students.

2. AND WHEREAS, Revised Provisional Recognition Order (RPRO) was issued to the institution vide Order No. NRC/NCTE/RJ-10/2015/120247-252 dated 06.08.2015 for B.Ed. Programme of two years duration with an annual intake of 150 students (three basic units of 50 students each) from the academic session 2015-2016.

3. AND WHEREAS, the matter was considered by WRC in its 325th Meeting held on 09th January, 2021, wherein the Committee decided as under:-

*"The WRC considered the PIL and also the complaint received against the institution (s) and decided that the institution may be directed to submit the faculty list duly approved by the affiliating body, for all the courses being run in the institution (s).
The WRC also decided that the copy of Show Cause Notice also be marked to the Higher Education Department, Govt. of Rajasthan."*

4. AND WHEREAS, Show Cause Notice (SCN) was issued to the institution on 22.01.2021. The institution has not submitted any reply of SCN.

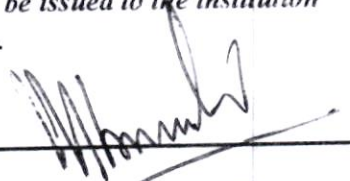
5. AND WHEREAS, the matter was considered by WRC in its 329th Meeting held on 17th - 19th February 2021 and the Committee decided as under:-

"The original file of the Institution along-with other related documents were carefully considered and examined by WRC in the light of NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the following observation was made that:

1. Recognition was granted to the institution on 28.10.1996 with an annual intake of 150 for B.Ed programme.
2. On promulgation of NCTE Regulation 2014, all the recognized institution conducting B.Ed. one year course was required to submit an affidavit for their willingness to adhere to the provisions NCTE Regulations 2014 and accordingly revised recognition orders for two years B.Ed. course was to be issued to the institution.
3. As per records available, the institution mentioned here under conducting B.Ed. course has not submitted an affidavit showing their willingness to come under the NCTE Regulations 2014 and the Revised Recognition order for B.Ed. course of two years duration has not been issued to the institution.

In view of the above, the Committee decided that Show Cause Notice be issued to the institution to reply within 30 days u/s 17 of the NCTE Act for B.Ed. programme.

SLC



A copy of the same Show Cause Notice be endorsed to the Commissioner, Department Higher Education, Rajasthan, Jaipur for necessary action in the matter.

6. **AND WHEREAS**, Show Cause Notice was issue to the institution on 07.03.2021 and the institution has not submitted any reply.

7. **AND WHEREAS**, a Writ Petition was filed before the Hon'ble High Court of Rajasthan at Jodhpur in D.B. Civil Writ Petition No.12117/2019 Order dated 01.12.2021 by Dr. Jitendra Sharma, wherein the Hon'ble court has directed the following:

"... The petitioner-retired professor has raised a grievance about the respondents-colleges not engaging qualified teaching staff. NCTE-respondent no. 5 is represented through counsel Shri Vivek Shrimali. He stated on instruction that taking cognizance of the averments made by the petitioner in the PIL, the NCTE has issued notices to the concerned colleges and reply is awaited. On the basis of the reply that may be filed the NCTE will take a suitable decision in accordance with law, however, this may take some time.

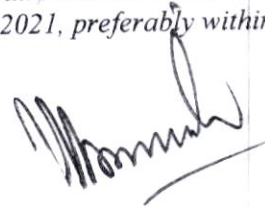
Let the NCTE take a final decision on the show-cause Notice dated 07.03.2021 and 05.04.2021. They shall be done preferably within six months from today.

While disposing of the petition we also record the statement of additional advocate General that the teaching staff engaged in those colleges is according to the NCTE norms. We do not express any opinion on this averment and we direct the NCTE to examine the factual aspects and legal consequences."

8. **AND WHEREAS**, the matter was considered by WRC in its 370th meeting held on 10th & 12th September 2022, and the Committee has decided the following :-

"...The original file of the Institution along-with other related documents, were carefully examined in the light of NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the Committee observed as under:

- Initially, recognition was granted for B.Ed. course of one year duration with intake of 150 vide order dated 28.10.1996.*
- Revised order dated 06.08.2015 was issued for B.Ed. course of two years duration with intake of 150 in light of NCTE Regulations, 2014.*
- WRC in its 325th meeting held on 09th January, 2021 considered the D.B. Civil Petition PIL No.12447/2019 filed in the Hon'ble High Court of Judicature Rajasthan at Jodhpur i.e. complaint against the institution and the Committee decided that the institution may be directed to submit the faculty list duly approved by the affiliating body, for all the courses being run in the institution(s). The WRC also decided that the copy of Show Cause Notice also be marked to the Higher Education Department, Govt. of Rajasthan. Accordingly, Show Cause Notice u/s 17 was issued dated 22.01.2021 with a copy endorsed to State Govt. and Affiliating Body.*
- Matter was considered by WRC in its 329th meeting held on 17th to 19th February, 2021 and accordingly, Show Cause Notice u/s 17 was issued dated 07.03.2021 with direction to submit an affidavit showing their willingness to come under the NCTE Regulations, 2014.*
- Subsequently, an order dated 01.12.2021 passed by Hon'ble High Court of Judicature for Rajasthan at Jodhpur in D.B. Civil Writ Petition No. 12117/2019 with direction to NCTE to take a final decision on the show cause notice dated 07.03.2021 and 05.04.2021, preferably within six months for the date of issue of order.*



The Committee considered the whole facts enumerated above and observed that the institution is still deficient on the following:

- The institution has not submitted affidavit in response to Show Cause Notice u/s 17 issued dated 07.03.2021.
- The institution has not submitted faculty list for B.Ed. course in NCTE prescribed format duly approved by the Registrar of concerned affiliating body.

In view of the above, the Committee decided to withdraw the recognition under Section 17(1) of the NCTE Act, 1993 for B.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

9. **AND WHEREAS,** Withdrawal Order was issued to the institution on 10.11.2022.

10. **AND WHEREAS,** the institution filed an appeal before the Appellant Authority at NCTE, New Delhi and the Appellant Authority vide Order dated. 09.02.2023 remanded back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by the appellant institution and take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The WRC is further directed to verify the list of faculties approved by the affiliating Body w.r.t. to the course concerned running in the institution and take further appropriate action as per the intake granted in compliance the provision of NCTE Regulations, 2014. The Appellant is directed to forward to the WRC the documents submitted in appeal within 15 days from the receipt of order of the Appeal. The WRC is at liberty to verify the submitted documents from the concerned issuing authority.

11. **AND WHEREAS,** the matter was considered by WRC in the 381st meeting of WRC held on 28th February 2023 and the Committee has decided the following:

"The original file of the Institution along with other related documents was carefully examined in the light of the NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the Committee observed as under:

- Recognition was granted for B.Ed. course of one year duration with intake of 150 vide order dated 28.10.1996.
- Revised order for B.Ed. course of two year duration with intake of 150 (three units) was issued vide order dated 06.08.2015 subject to compliance of conditions mentioned therein.
- In consideration of PIL and also the complaint against the institution, show cause notice u/s 17 was issued dated 21.01.2021 to the institution. Reply not submitted.
- WRC in its 329th Meeting held on 17 -19 February, 2021 considered the matter and observed that willingness in shape of affidavit for conducting two year B.Ed. course in pursuance of NCTE Regulations, 2014 has not been submitted by the institution. Accordingly, show cause notice dated 07.03.2021 was issued with direction to the institution to submit an affidavit to come under the NCTE Regulations, 2014.
- WRC in its 370th meeting held on 10th & 12th September, 2022 considered the order dated 01.12.2021 passed by Hon'ble High Court of Judicature for Rajasthan at Jodhpur in D.B. Civil Writ Petition No.12117/2019 and as decided by Committee, recognition for B.Ed. course was



withdrawn with effect from the end of the academic session next following the date of communication (10.11.2022) of the said order.

- The appeal preferred by institution was remanded back vide order dated 09.02.2023 passed by NCTE Appellate Authority.
- As per the directions laid down by the Hon'ble Delhi High Court in WP (C) 7260/2021 vide order dated 30.07.2021, the Committee decided that since the matter has been remanded by way of appeal an order of restoration of recognition for B.Ed. course in favor of the institution be issued until a fresh withdrawal is passed by WRC after reconsideration.

A copy of restoration order be endorsed to State Govt., Affiliating Body and others concerned.

Further, the Committee made following observations:

- As per appeal remand back order dated 09.02.2023, the institution is required to forward the documents submitted in appeal within 15 days from the receipt of the order of the Appeal.
- Requisite documents in reference to appeal remand back order are yet to be submitted by the institution.

In view of the above, the Committee decided that a Show Cause Notice prior to the withdrawal of recognition be issued to the institution u/s 17 of the NCTE Act. The institution shall submit a reply accompanied by an original affidavit within 30 days from the date of uploading of minutes on the website failing which the WRC will take a decision as deemed fit as per the provisions contained in the NCTE Act and Regulations."

12. **AND WHEREAS**, complaint dated 13.02.2023 received from Dr. Jitendra Sharma received on 01.03.2023 in connection with remand back appeal in respect of the said institution.

13. **AND WHEREAS**, the institution has submitted the reply dated 21.02.2023 in compliance to the remand back order on Appeal vide No.89-16/E-287133/2023 Appeal/1st Meeting, 2023 APPLWRC202314517/117111 dated 09.02.2023.

14. **AND WHEREAS**, reply vide letter dated 22.03.2023 was received on 13.04.2023 from the institution in response to show cause notice decided in 381st Meeting of WRC held on 28.02.2023.

15. **AND WHEREAS**, the matter was considered in its 392nd Meeting of WRC held on 22nd August, 2023 and the Committee has decided the following: **"WRC decided that the Final Show Cause Notice be issued to the institution under Section 17 of NCTE Act, 1993 before withdrawal of recognition for its B.Ed. Course on the ground that the institution does not have the faculty as per Norms prescribed by the NCTE for B.Ed. Course."**

16. **AND WHEREAS**, Final Show Cause Notice(FSCN) was issued to the institution dated 05.09.2023 and the institution has submitted reply dated 20.09.2023.

17. **AND WHEREAS**, the institution filed a Writ Petition before the Hon'ble High Court of Rajasthan at Jaipur having in S.B. Civil Writ Petition No. 18901/2023 and vide Order dated 22.12.2023, wherein the Hon'ble court has directed the following:



“... 7. In view of the prayer made, petitions are disposed of without issuing notices to the respondents.

8. Considering that there are serious consequences for withdrawal of recognition of M.Ed. and B.Ed. Courses already being run by the Institute and future of the students would be involved, it shall be appropriate in the circumstances that NCTE Before passing an order, provide an opportunity of hearing to the Institute.

9. A copy of this order be placed separately in each file. Copy of order be sent to respondents.”

18. **AND WHEREAS** the case of this institution was considered by WRC in its 399th Meeting held on 09th & 10th January, 2024 and it was decided that: *“In compliance of order dated 22/12/2023 passed by the Hon’ble High Court of Rajasthan, Jaipur Bench, in the S.B. Civil Writ Petition No. 18901/2023, the matter was considered by the WRC and decided that the Institution be directed to present its case before WRC in its next meeting for hearing. The date of WRC meeting be informed to the institution as and when decided.”*

Accordingly, a letter dated 06.02.2024 was issued to the institution to appear before WRC on 13.02.2024, 02:30 P.M.

19. **AND WHEREAS** the matter was considered in its 400th Meeting of WRC held on 13th February, 2024 and the Committee decided as under:

“The original file of the Institution along with other related documents was carefully examined in the light of the NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the Committee observed as under:

In compliance of order dated 22.12.2023 passed by Hon’ble High Court of Rajasthan, Jaipur Bench and decision taken by WRC, letter was issued to the institution to present its case on 13.02.2024 at 2:30 p.m. The principal/representative of the institution has not appeared before the WRC to present their case as per the direction of the Hon’ble High Court. A Final opportunity be given to the institution to appear before the WRC in its next meeting.”

Accordingly, a letter dated 26.02.2024 was issued to the institution to appear before WRC.

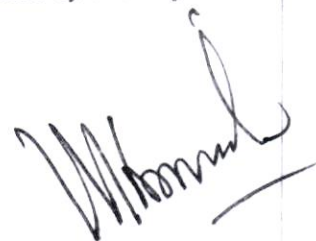
20. **AND WHEREAS**, a letter dated 13.02.2024 received from the institution seeking extension of time period of case of B.Ed. & M.Ed. course for compliance.

21. **AND WHEREAS**, as per decision of WRC, a letter was issued on 26.02.2024 followed by subsequent letter dated 21.03.2024 to the institution to appear before the WRC Committee on 27th March, 2024 at 11:30 A.M during 402nd Meeting of WRC.

22. **AND WHEREAS**, the representatives of IASE, Ajmer appeared in person on 27.03.2024 and presented their case before WRC along with authorization letter dated 26.03.2024.

23. **AND WHEREAS**, the matter was considered in its 402nd Meeting of WRC held on 27th March, 2024 and the Committee decided as under:

“The original file of the institution along with other related documents was carefully examined in the light of the NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the Committee observed as under:



- *The representatives of institution presented their case before the WRC and following deficiencies were pointed out by WRC:*
 - i. *Institutional website is not functional.*
 - ii. *Institution does not have requisite faculty for B.Ed. course for the approved intake in light of NCTE Norms and Regulations.*

In view of the above, WRC decides that the institution be directed to remove the above deficiencies within a reasonable period of time. Institution be informed accordingly with a copy endorsed to the State Govt."

24. AND WHEREAS, a letter dated 08.04.2024 was issued to the institution with copy endorsed to Principal Secretary, Higher Education, Govt. of Rajasthan, Shiksha Sankul, JLN Marg, Jaipur.

25. AND WHEREAS, the matter was considered in its 406th Meeting of WRC held on 24th – 26th July, 2024 and the Committee decided as under:

"The original file of the institution along with other related documents was carefully examined in the light of the NCTE Act, 1993 Regulations and Guidelines issued by NCTE from time to time and the Committee observed as under:

1. *Show cause notice decided in the 381st WRC meeting held on 28.02.2023 and institution submitted reply on the basis of uploaded minutes on NCTE web portal.*
2. *Final show cause notice was issued dated 05.09.2023 as per decision of 392nd WRC meeting held on 22nd August, 2023 on the ground that the institution does not have requisite faculty for B.Ed. programme as per NCTE norms.*
3. *In pursuance of Order dated 22.12.2023 passed by Hon'ble High Court of Rajasthan, Jaipur Bench in W.P. 18901/2023, the authorized representatives from the institution had appeared in person before the Western Regional Committee, NCTE (402nd meeting) on 27.03.2024. Accordingly, as decided by Committee, letter dated 08.04.2024 was issued giving reasonable opportunity to institution for compliance regarding fulfillment of deficiencies related to appointment of requisite faculty and to make functional of institutional website.*

The institution is still found deficient on the following grounds:

- i. *The institution has failed to fulfill deficiencies and did not submit any reply in response to final show cause notice even after final SCN/ personal hearing made with authorized representatives from the institution.*
- ii. *Separate updated approved faculty list for B.Ed. programme in original showing all details in the NCTE prescribed proforma showing all columns displayed in proforma along with the approval letter of affiliating body for selection/appointment of faculties for B.Ed. programme has not been submitted.*
- iii. *The institution has failed to appoint requisite number of faculties as per Appendix-IV of NCTE Regulations, 2014 for B.Ed. approved intake of 150 as per prescribed qualification laid down under NCTE Norms and Regulations as amended from time to time.*
- iv. *The institutional website is not found operational, which is in violation of Clause 7(14)(i), 8(6), 8(14) and 10(3) of NCTE Regulations, 2014 as amended from time to time.*



In view of the above, the Committee decides that recognition for B.Ed. Programme be withdrawn u/s 17 of NCTE Act, 1993 with effect from the end of the academic session next following the date of communication of withdrawal order."

26. **NOW THEREFORE**, in exercise of the powers conferred under Section 17(1) of the NCTE Act, 1993, recognition granted for **B.Ed. programme** in respect of the institution viz. **Govt. Institute of Advanced Studies in Education, Meers Shah Ali, Jaipur Road, Opposite Vishal Mega Mart, District-Ajmer-305001, Rajasthan** is hereby withdrawn from the end of the academic session next following the date of communication of the said withdrawal order.

27. इसके अलावा, यदि संस्थान और संबद्ध निकाय को एनसीटीई अधिनियम, 1993 की धारा 17(4) के निम्नलिखित प्रावधानों के बारे में सूचित किया जाता है:-

(4) यदि कोई संस्था (1) के अधीन मान्यता वापस लेने वाले आदेश के प्रवृत्त होने के पश्चात अध्यापक शिक्षा में कोई पाठ्यक्रम या प्रशिक्षण प्रस्थापित करती है तो, या जहां अध्यापक शिक्षा में कोई पाठ्यक्रम या प्रशिक्षण प्रस्थापित करने वाली कोई संस्था नियत दिन के ठीक पूर्व अधिनियम के अधीन मान्यता या अनुज्ञा प्राप्त करने में असफल हो जाती है या उपेक्षा बरतती है वहां, ऐसे पाठ्यक्रम या प्रशिक्षण के अनुसरण में या ऐसी संस्था में पाठ्यक्रम या प्रशिक्षण करने के पश्चात प्राप्त अध्यापक शिक्षा में अर्हता को, केन्द्रीय सरकार, किसी राज्य सरकार या विश्वविद्यालय के अधीन या केन्द्रीय सरकार या किसी राज्य सरकार द्वारा सहायता प्राप्त किसी विद्यालय, महाविद्यालय या अन्य शिक्षा निकाय में नियोजन के प्रयोजनों के लिए, विधिमान्य अर्हता नहीं मानी जाएगी।

28. Further, the institution and affiliating body are hereby informed about the following provision of Section 17(4) of NCTE Act, 1993:-

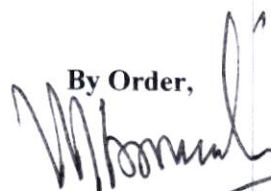
"If an institution offers any course or training in teacher education after the coming into force of the order withdrawing Recognition under sub-section (1) or where an institution offering a course or training in teacher education immediately before the appointed day fails or neglects to obtain recognition or permission under this Act, the qualification in teacher education obtained pursuant to such course or training or after undertaking a course or training in such institution, shall not be treated as a valid qualification for purposes of employment under the Central Government, any State Government or University, or in any school, college or other educational body aided by the Central Government or any State Government."

29. इसके अलावा, यदि संस्थान इस आदेश से संतुष्ट नहीं है, तो इस आदेश की जारी होने की तिथि से 60 दिनों के भीतर एन.सी.टी.ई अधिनियम, 1993 के धारा 18 के अंतर्गत एक अपील की जा सकती है जो ऑनलाइन होगी तथा एन.सी.टी.ई की वेबसाइट www.ncte.gov.in पर उपलब्ध है।

30. Further, if the institution is not satisfied with the Order, it may prefer an Appeal against the aforesaid order under Section 18 of the NCTE Act, 1993 through "online mode" available on NCTE's website www.ncte.gov.in within 60 days from the date of issue of this order. The guidelines for filing the appeal may be seen on NCTE website

To

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

By Order,

(Madan Singh Yadav)
Regional Director

09/09/24

Copy to:

1. **The Principal,**
Govt. Institute of Advanced Studies in Education,
Meersshah Ali, Jaipur Road,
Opposite Vishal Mega Mart,
District- Ajmer-305001,
Rajasthan
2. **The Principal Secretary (Higher Education)**
Govt. of Rajasthan,
Department of College Education,
Block-IV, Jawahar Lal Nehru Marg,
District- Jaipur-302015
Rajasthan
3. **The Registrar,** Maharshi Dayanand Saraswati University,
Pushkar Bypass Rd,
Ghooghra-305009,
Rajasthan
4. **The Secretary,**
Dept. of School Education and Literacy,
Ministry of Education, Government of India,
Shastri Bhawan,
New Delhi-110001
5. **The Director,**
Directorate of Higher Education,
I/c Teacher Education,
Govt. of Rajasthan,
Directorate, Bikaner,
Rajasthan
6. **The Under Secretary (IT and E-Governance),**
National Council for Teacher Education,
G-7, Sector-10, (Near Sector-10 Metro Station),
Dwarka, New Delhi-110075
7. **IT WRC, NCTE Section-** for uploading withdrawal order on website.
8. Institution file.


Regional Director