

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

F.No. WRC/NCTE/RJ-173-M.Ed./406th Meeting/2024/225489-96

Dated: 09.09.2024

WITHDRAWAL ORDER

WHEREAS, recognition was granted to the institution namely, “Govt. Institute of Advanced Studies in Education, Ganga Nagar Road, District - Bikaner- 334001, Rajasthan vide Order F. No. F-3/RJ-3/M.Ed./2000/2765 Dated 05.06.2000 for M.Ed. course of one year duration with an annual intake of 30 students.

2. **AND WHEREAS**, Revised Provisional Recognition Order (RPRO) was issued to the institution vide Order No. NRC/NCTE/RJ-../2015/124221 dated 21.09.2015 for conducting M.Ed. Programme of two years duration with an annual intake of 50 students (one basic unit of 50 students) from the academic session 2015-2016.

3. **AND WHEREAS**, the matter was considered by WRC in its 316th Meeting held on 27th to 28th Aug & 04th Sep, 2020 considered the matter and as decided Show Cause Notice dated 12.01.2021 under Section 17 of NCTE Act, 1993 was issued to the institution for submission of compliance to the conditions mentioned/stipulated in the Revised Recognition Order. The institution has not submitted any reply to the Show Cause Notice.

4. **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.”*

Accordingly, Show Cause Notice was issued to the institution on 22.01.2021.

5. **AND WHEREAS**, the matter was considered by WRC in its 336th Meeting held on 24th to 25th March, 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:-

- *The institution has not submitted any requisite documents in response to the Show Cause Notice dt 12.01.2021. The institution is required to submit the notarized / certified documents to the conditions mentioned in said Show Cause Notice.*

Hence, the Committee decided to issue Final Show Cause Notice u/s 17 of NCTE Act 1993 to submit the notarized / certified documents on the above-mentioned grounds within 30 days from the date of issue of this Final Show Cause Notice.”

all



Accordingly, the Final Show Cause Notice was issued to the institution dated 05.04.2021 and the institution submitted their reply dated 22.04.2021 received in WRC on 04.05.2021.

6. **AND WHEREAS**, the institution filed a Writ Petition before the Hon'ble High Court of Rajasthan at Jodhpur in S.B. Civil Writ Petition No.12117/2019 Order dated 01.12.2021, 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."

7. **AND WHEREAS**, the matter was considered in the WRC 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 M.Ed. course of one year duration with intake of 30 vide Order dated 05.06.2000.*
- *Revised order dated 21.09.2015 was issued for M.Ed. course of two years duration with intake of 50 in light of NCTE Regulations, 2014.*
- *As decided by NRC in its 281st Meeting held on 20-21 February, 2018, Show Cause Notice u/s 17 was issued dated 28.03.2018 for submission of compliance regarding adherence of conditions/standards stipulated under NCTE Regulations, 2014.*
- *Matter was considered by WRC in its 316th Meeting held on 27th to 28th August & 04th September, 2020 and as decided by WRC, Show Cause Notice u/s 17 was issued dated 12.01.2021 with direction to submit compliance of conditions mentioned in the revised recognition order and the documents mentioned therein.*
- *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.*
- *As decided by WRC in its 336th meeting held on 24th - 25th March, 2021, final Show Cause Notice u/s 17 was issued dated 05.04.2021 for compliance of following:*



- a. *The institution has not submitted any requisite documents in response to Show Cause Notice dated 12.01.2021. The institution is required to submit the notarized / certified documents to the conditions mentioned in said Show Cause Notice.*
- *In response, representation vide letter dated 22.04.2021 with enclosures, received on 04.05.2021 from the institution.*
 - *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 faculty list for M.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 M.Ed. programme with effect from the end of the academic session next following the date of communication of the said order."

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

9. **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 with direction to WRC 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.*

10. **AND WHEREAS,** the matter was considered 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 M.Ed. course of one year duration with intake of 30 vide order dated 05.06.2000.*
- *Revised order for M.Ed. course of two year duration with intake of 50 (one unit) was issued vide order dated 21.09.2015 subject to compliance of conditions mentioned therein. 2022.*
- *As decided by NRC in its 281st meeting held on 20-21 February, 2018, show cause notice u/s 17 was issued dated 28.03.2018 for submission regarding adherence of conditions/standards*



- stipulated under NCTE Regulations, 2014, subsequently issued show cause notice dated 12.01.2021 as decided in 316th WRC meeting.
- As decided by WRC in its 325th meeting held on 09th January, 2021, show cause notice dated 22.01.2021 was issued to the institution.
 - As decided by WRC in its 336th meeting held on 24th-25th March, 2021, final show cause notice dated 05.04.2021 was issued to the institution citing deficiencies mentioned therein.
 - 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 M.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."

11. **AND WHEREAS**, in compliance of Show Cause Notice on the basis of uploaded minutes in the website, the institution has submitted reply on 27.03.2023 which was received in WRC on 13.04.2023.

12. **AND WHEREAS**, the matter was considered by WRC in its 392nd Meeting 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 M.Ed. Course on the ground that the institution does not have the faculty as per Norms prescribed by the NCTE for M.Ed. Course."**

13. **AND WHEREAS**, Final Show Cause Notice under Section 17 was issued to the institution dated 05.09.2023 and the institution has submitted their reply dated 20.09.2023 received in WRC 06.10.2023.



14. **AND WHEREAS**, a copy of the complaint dated 07.12.2023 was received against institution viz. Govt. Institute of Advanced Studies in Education, Ganga Nagar Road, District - Bikaner- 334001, Rajasthan for M.Ed. Course mentioning therein that the Staff list is not as per NCTE norms.

15. **AND WHEREAS**, the case of the institution was considered by WRC in its 399th Meeting held on 9th & 10th January, 2024 and it was decided that: ***"The Final Show Cause Notice was issued to the institution on 5/09/2023 on the ground that the institution does not have the faculty as per norms prescribed by NCTE. The institution has submitted reply vide letter dated 20/09/2023. The WRC decided to examine the reply in detail and put up in next meeting."***

16. **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:

The WRC observed that the list of the faculty submitted by the institution in respect of B.Ed. and M.Ed. courses are common which is not acceptable as per NCTE norms and standards prescribed in regulation 2024. The institution is a govt. institution. Therefore, WRC decided to issue a letter to the Secretary Education Govt. of Rajasthan to look into the matter and clarify the position in the regard. On receipt of the clarification matter be placed before the WRC."

17. **AND WHEREAS**, a letter dated 23.02.2024 was issued to the Secretary, Higher Education, Shiksha Sankul, Jawahar Lal Nehru Marg, Jaipur- 302015, Rajasthan. The Higher Education Department of Government of Rajasthan has not submitted any reply.

18. **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:

- *Department of Higher Education, Govt. of Rajasthan has not submitted any reply in response to letter dated 23.02.2024 issued by WRC.*

WRC decides that a reminder letter be issued to Secretary, Department of Higher Education with a copy endorsed to Principal Secretary, Education and Chief Secretary of Govt. of Rajasthan with request to submit reply within 15 days from the date of issuance of the letter."

19. **AND WHEREAS**, a letter dated 08.04.2024 was issued to the Secretary, Higher Education, Shiksha Sankul, Jawahar Lal Nehru Marg, Jaipur- 302015, Rajasthan with copy endorsed to the Chief Secretary, Govt. of Rajasthan, Secretariat, District-Jaipur-302005, Rajasthan and the Principal Secretary, Education, Govt. of Rajasthan, Secretariat, District-Jaipur-302005. No reply received from the concerned State Govt. of Rajasthan.



20. **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 M.Ed. programme as per NCTE norms.
3. The institution submitted reply of final SCN vide letter dated 20.09.2023 enclosing copy of approved faculty list for M.Ed. programme, which shows that faculties are also reflected in B.Ed. programme of the same institution.
4. As decided by WRC in its 400th meeting held on 13.02.2024, a letter dated 23.02.2024 was written to Principal Secretary (Higher Education), Govt. of Rajasthan conveying the observation of Committee that the list of the faculty submitted by the institution in respect of B.Ed. and M.Ed. courses are common which is not acceptable as per NCTE norms and standards prescribed in Regulation 2014 and requesting to look into the matter being the Government Institution.
5. Due to no response from Principal Secretary (Higher Education), Govt. of Rajasthan, a reminder letter dated 08.04.2024 was issued as per decision of 402nd WRC meeting held on 27.03.2024.
6. Afterwards, no reply received from State Govt. of Rajasthan.
7. Moreover, complaints received against the institution related to faculty position.

The institution is still found deficient on the following grounds:

- i. *The institution has failed to fulfill deficiencies even after providing reasonable opportunity by means of show cause notice/final SCN as decided by WRC from time to time.*
- ii. *Separate updated approved faculty list for M.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 M.Ed. programme has not been submitted. Submitted faculty list shows inclusion of faculties appointed for B.Ed. programme, which is not acceptable.*
- iii. *The institution has failed to appoint requisite number of faculties as per Appendix-V of NCTE Regulations, 2014 for M.Ed. approved intake of 50 as per prescribed qualification laid down under NCTE Norms and Regulations as amended from time to time.*

In view of the above, the Committee decides that recognition for M.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."

21. **NOW THEREFORE**, in exercise of the powers conferred under Section 17 of the NCTE Act, 1993, recognition granted for **M.Ed. programme** in respect of the institution viz. **Govt. Institute of Advanced Studies in Education, Ganga Nagar Road, District - Bikaner- 334001, Rajasthan** is hereby withdrawn from the end of the academic session next following the date of communication of the said withdrawal order.



22. 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।

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

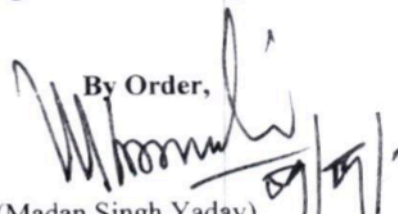
"If an institution offers any course or training in teacher education after the coming into force of the order withdrawing Recognition under sub-section (1) or where an institution offering a course or training in teacher education immediately before the appointed day fails or neglects to obtain recognition 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."

24. 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।

25. 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.

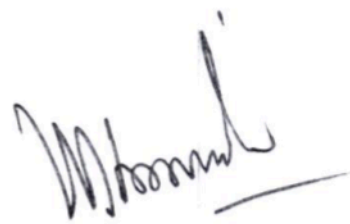
To

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

By Order,

(Madan Singh Yadav)
Regional Director

Copy to:

1. **The Principal,**
Govt. Institute of Advanced Studies in Education,
Ganga Nagar Road,
District- Bikaner- 334001,
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,**
Mohan Lal Sukhadia University,
District-Udaipur-313001,
Rajasthan
4. **The Secretary,**
Department 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