

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

No.F.NCTE/WRC/RJ-49/B.Ed./399<sup>th</sup> Meeting/2024/224806 To 09 Dated: 23/01/2024

WITHDRAWAL ORDER

WHEREAS, recognition was granted to the institution namely, “**Govt. Institute of Advance Studies In Education**,” **Ganga Nagar Road Bikaner, Rajasthan** vide Order No. F-NRC/NRC/F-3,(4)/RJ-1,(49/98/881-936 dated 01.06.1998 for conducting **B.Ed.** course of one year duration with an annual intake of 170 students.

2. AND WHEREAS, Revised Recognition Order issued to the institution namely, “**Govt. Institute of Advance Studies in Education**” Ganga Nagar Road Bikaner, Rajasthan **vide order no. NRC/NCTE/RJ-49/2015/122782 dt. 08.09.2015** for **B.Ed. Course with an annual intake of 100 student.**

3. AND WHEREAS, The matter was placed in the WRC in its 336<sup>th</sup> Meeting held on 24<sup>th</sup> - 25<sup>th</sup> March, 2021, and the Committee has decided the following :-

“...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 certified copy of Land Documents.*
- The institution has not submitted Land Use Certificate issued by the competent authority.*
- The institution has not submitted Non – Encumbrance Certificate issued by the competent authority.*
- The institution has not submitted staff list in prescribed format duly approved by the Registrar of concerned affiliating body.*
- The institution has submitted Building Plan which is not approved by the competent authority.*

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.

4. AND WHEREAS, In view of above decision of WRC, Show Cause Notice was issued to the institution on 05.04.2021, the institution has submitted its reply of SCN on 04.05.2021.

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**5. AND WHEREAS**, Dr. Jitendra Sharma has filed a Writ Petition No. 12117/2019 in the Hon'ble High Court of Rajasthan at Jodhpur, the Hon'ble Court has passed following Order on 01.12.2021.

*"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."*

**6. AND WHEREAS**, The matter was placed in the WRC 370<sup>th</sup> meeting held on 10<sup>th</sup> & 12<sup>th</sup> 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 170 vide order dated 01.06.1998.
- Revised order dated 08.09.2015 was issued for B.Ed. course of two years duration with intake of 200 in light of NCTE Regulations, 2014.
- As decided by NRC in its 281<sup>st</sup> meeting held on 20-21 February, 2018, Show Cause Notice u/s 17 was issued dated 24.03.2018 for submission of compliance regarding adherence of conditions/ standards stipulated under NCTE Regulations, 2014.
- Matter was considered by WRC in its 316<sup>th</sup> meeting held on 27<sup>th</sup> to 28<sup>th</sup> August & 4<sup>th</sup> September, 2020 and as decided by WRC, Show Cause Notice u/s 17 was issued dated 14.10.2020 with direction to submit compliance of conditions mentioned in the revised recognition order and the documents mentioned therein.
- WRC in its 325<sup>th</sup> meeting held on 9<sup>th</sup> 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).

**Contd.3/.....**

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 336<sup>th</sup> meeting held on 24<sup>th</sup>-25<sup>th</sup> March, 2021, Final Show Cause Notice u/Section-17 was issued dated 05.04.2021 for compliance of following deficiencies:
  - i. The institution has not submitted certified copy of land documents.
  - ii. The institution has not submitted Land Use Certificate issued by the competent authority.
  - iii. The institution has not submitted Non-Encumbrance Certificate issued by the competent authority.
  - iv. The institution has not submitted staff list in prescribed format duly approved by the Registrar of concerned affiliating body.
  - v. The institution has submitted Building Plan which is not approved by the competent authority.
- In response to the Final Show Cause Notice dated 05.04.2021, the institution has submitted their reply vide letter No. IAS/BKN/ NCTE/2021/293-294 dated 22.04.2021 received in WRC on 04.05.2021, together with its enclosures. Meanwhile, 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 wherein directed to NCTE to take a final decision on the Show Cause Notice dated 07.03.2021 followed by another Final Show Cause Notice dated 05.04.2021, preferably within six months from 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 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.”**

**7. AND WHEREAS**, In compliance of above decision of WRC, recognition withdrawal Order was issued to the institution on 10.11.2022.

**8. AND WHEREAS**, Institution filed an appeal before the Appellant Authority at NCTE, New Delhi and the Appellant Authority vide Order dtd. 09.02.2023 decided as follows:-

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“...Noting the submission and verbal arguments advanced during the hearing, Appeal Committee decided to remand back the case to WRC with a direction to consider the documents submitted in appeal which are required to be sent to them by 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.

#### **IV. DECISION: -**

After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded to **remand 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 a liberty to verify the submitted documents from the concerned issuing authority.

**9. AND WHEREAS**, the matter was placed in the 381<sup>st</sup> meeting of WRC held on 28<sup>th</sup> 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 170 vide order dated 01.06.1998.
- Revised order for B.Ed. course of two year duration with intake of 200 (four units) was issued vide order dated 08.09.2015 subject to compliance of conditions mentioned therein.
- As decided by NRC in its 281<sup>st</sup> meeting held on 20-21 February, 2018, Show Cause Notice u/s 17 was issued dated 24.03.2018 for submission regarding adherence of conditions/standards stipulated under NCTE Regulations, 2014, subsequently issued show cause notice dated 14.10.2020 as decided in 316<sup>th</sup> WRC meeting.
- As decided by WRC in its 325<sup>th</sup> meeting held on 9<sup>th</sup> January, 2021, show cause notice dated 22.01.2021 was issued to the institution.

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- As decided by WRC in its 336<sup>th</sup> meeting held on 24<sup>th</sup>-25<sup>th</sup> March 2021, final show cause notice dated 05.04.2021 was issued to the institution citing deficiencies mentioned therein.
- WRC in its 370<sup>th</sup> meeting held on 10<sup>th</sup> & 12<sup>th</sup> 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 the 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.**

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

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11. **AND WHEREAS**, The matter was placed in the WRC 392<sup>nd</sup> meeting held on 22<sup>nd</sup> 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."

12. **AND WHEREAS**, the matter was placed by the WRC in its 399<sup>th</sup> Meeting held on 09<sup>th</sup> and 10<sup>th</sup> January, 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 and decided as under:-

**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 was directed to submit the compliance report within 15 days. The institution has submitted reply dated 20/09/2023. The same was examined by the WRC and observed that the faculties shown in the B.Ed. list are also shown in the M.Ed. Programmes, therefore, the institution does not have the faculty in the B.Ed. course as prescribed in the NCTE Regulations.**

**In view of above, WRC decided that the recognition of B.Ed. Course be withdrawn under section 17 of the NCTE Act, 1993 on the above grounds from the end of the academic session next following the date of communication of withdrawal order."**

13. **Now Therefore**, In view of the above decision of the Committee, the above recognition of B.Ed. Course granted to **Govt. Institute of Advance Studies In Education, Ganga Nagar Road Bikaner, Rajasthan** is hereby withdrawn under Section-17 (1) of the NCTE Act, 1993 on the above grounds from the end of the academic session next following the date of communication of withdrawal order.

14. 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,

(Ravindra Singh)  
Regional Director

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To

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

**Copy to:**

1. The Principal, Govt. Institute of Advance Studies In Education, Ganga Nagar Road, Distt.- Bikaner- 334001, Rajasthan.
2. The Registrar, M.L.S University, Udaipur, Rajasthan.
3. The Secretary, Department of Higher Education, Government of Rajasthan, Secretariat, Jaipur, Rajasthan.
4. It Section, for Uploading on Website.
5. Office Order File- RJ-49/B.Ed.

  
**Regional Director**

23/01/2024