

F.NO.NCTE/WRC/ APW04503/123547/405thMeeting/MH/2024/225403 Date: 13.08.2024
Computer No. 18721

WITHDRAWAL ORDER

WHEREAS, the institution, namely, JAI GANESH EDUCATIONAL FOUNDATION SR.NO.64, INDRAPRASTH KRANTINNAGAR, WADGAON (BK), SINHAGAD ROAD, PUNE-411041 MAHARASHTRA for B.Ed. course vide order No.WRC/5-6/103rd/2008/34681 dated 16.05.2008 with an annual intake 100 students.

2. AND WHEREAS, after promulgation of NCTE Regulations, 2014, the revised recognition order was issued to the institution vide order No.WRC/APW04503/123547/2015/145478-501 dated 31.05.2015 for conducting B.Ed. programme of two years duration with an annual intake of 100 students (two basic units of 50 students each) from the academic session 2015-2016 subject to fulfillment of the conditions mentioned therein.

3. AND WHEREAS, the matter regarding compliance by the institutions of the conditions of the revised recognition order was placed in the 255th WRC meeting held on June 22-24, 2016 and the Committee decided that show cause notice be issued to all such institutions which have not submitted compliance. Accordingly, show cause notice issued to the institution on 13.12.2016.

4. AND WHEREAS, the institution did not submit reply in response to the aforesaid show cause notice.

5. AND WHEREAS, the Institution filed a W.P.No.6463 of 2021 in the Hon'ble High Court of Judicature at Bombay, Civil Appellate Jurisdiction and the Hon'ble Court had passed an order dated 03.02.2022. The operative part of the order is as under:-

"...We direct Respondent No.2 to examine this issue on the basis of documents presented before it by Respondent Nos.4 and 5 based upon which Respondent Nos.2 and 3 have considered granting of legal status to Respondent Nos.4 and 5. These Respondent will also take note of the contentions raised in the petition and the appointment orders annexed and file an affidavit. If there is a variance and mis-projection of facts as alleged by the Petitioner, then we expect Respondent Nos.2 and 3 to take note of the same and take necessary action..."

6. AND WHEREAS, the W.P.No.6463 of 2021 was again listed before the Hon'ble High Court of Judicature at Bombay, Civil Appellate Jurisdiction and the Hon'ble Court had passed an order dated 20.12.2022. The operative part of the order is as under:-

"...Four weeks is granted to file affidavit in reply in respect of claims which are raised in the present petition. If the reply is not filed, the Court will be constrained to saddle cost on Respondent No.2 or will summon the Senior officer, if reply is placed on record without an advance copy to the Petitioner..."



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आज़ादी का
अमृत महोत्सव

7. **AND WHEREAS**, the matter was considered by WRC in its 380th meeting held on 10th February, 2023 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:

- *Recognition was granted for B.Ed. course vide order dated 16.05.2008.*
- *On promulgation of NCTE Regulations, 2014, Revised order was issued dated 31.05.2015 for compliance of conditions mentioned therein. No compliance was submitted by the institution.*
- *WRC in its 255th meeting held on June 22-24, 2016 considered the matter and Show Cause Notice u/s 17 was issued dated 13.12.2016 to the institution for compliance regarding fulfillment of conditions mentioned/stipulated in the revised recognition order.*
- *No reply was submitted by the institution in response to show cause notice dated 13.12.2016.*
- *Being aggrieved, the Principal filed a case W.P.No.6463 of 2021 before the Hon'ble High Court of Judicature at Bombay and Hon'ble Court passed order dated 20.12.2022 followed by another order dated 03.02.2022 directing the Respondent Nos.2 to examine this issue on the basis of documents presented before it by Respondent Nos.4 and 5 and take necessary action."*

In view of the above, the Committee decided that Final Show Cause Notice prior to 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. A copy of show cause notice be endorsed to the State Government and Affiliating Body."

8. **AND WHEREAS**, W.P. No. 6463 of 2021 was again listed before the Hon'ble High Court of Judicature at Bombay on 22nd February, 2024 and the Hon'ble court has given following direction:-

"Thereafter, the issue brought about in this order has been looked into by this Court and several further orders have been passed. Reply affidavit have been filed by the University and NCTE. To this reply affidavit minutes of meeting held on 10th February, 2023 have been annexed. It is stated therein that the authority has decided that, final show cause notice prior to withdrawal of the recognition be issued to the Respondent-Management.

To the query put to learned Counsel appearing for NCTE as to what step have been taken, now it is one year since this decision was taken in the meeting, learned Counsel for the NCTE is not aware. The NCTE should have given instruction to its Counsel as the matter is notified in advance. Therefore, we go by the decision taken in the minutes of the meeting, as nothing contrary has been shown to us. It is also informed that similar notice

was issued to the Respondent-Institute in the year 2016. Since the NCTE is already satisfied that action is needed and we do not find any impediment in the way, we expect the NCTE to complete the contemplated action, if not already taken, within a period of two weeks. It is in respect of prayer clause (a) of the Petition .”

9. **AND WHEREAS**, the 402nd meeting of WRC held on 27 March 2024 has considered the above matter and decided to issue Final Show Cause Notice to the institution as per the decision of 380th meeting of WRC which was not acted upon.

10. **AND WHEREAS**, The institution has submitted reply vide letter Nos. JGF/216/2024-25 dated 10.04.2024 received in WRC office in 18.04.2024.

11. **AND WHEREAS**, The matter was placed in the 403rd Meeting held on 02nd and 03rd May 2024 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:

1. Final show cause notice was issued vide letter dated 12.04.2024 on the grounds mentioned therein.
2. The institution submitted reply vide letter received dated 18.04.2024 in which made a reference to its Email dated 02.03.2017.

In view of the above, the Committee decides that a letter be issued to the institution seeking a reply to final show cause notice as well as Email dated 02.03.2017 along with the copy of show cause notice dated 13.12.2016 issued by WRCNCTE within 15 days from the date of issue of letter.

12. The institution filed WP before the Hon'ble High Court of Judicature at Bombay Civil Appellate Jurisdiction having WP(C) No. 6463/2021, the Hon'ble Court Vide Order dated 09.05.2024 had passed a following:-

1. "Pursuant there to reply is filed by the Joint Director of Higher Education in which it is stated that the Joint Director of Education by communication dated 26.04.2024 has informed the Director of Education to take necessary action against the Respondent-Management. The reply is filed by the Regional Director of National Council for Teacher Education, annexing the minutes of the meeting held on 27 March 2024 wherein the decision is taken to issue final show cause notice to the Respondent – Management under section 17 of The National Council for Teachers Education Act, 1993 prior to the withdrawal of the recognition and 15 days time was given to file reply. Thereafter, we are informed that the notice was issued and meeting was also held.

2. The reply is filed by the University wherein it is stated that the notice is issued for imposition of penalty and demanding as to why further action under concerned statute should not be taken. Since these actions, though initiated are not yet taken to its logical end, hearing of this Petition is deferred to 4 July 2024."

13. **AND WHEREAS,** The institution has submitted reply of documents in compliance of Final Show Cause Notice vide letter no. JGF/Vip/218/2024-25 dated 18.04.2024 received in WRC office on 02.05.2024 and institution has submitted reply vide letter no. JGF/Vip/225/2024-25 dated 28.05.2024 received in WRC office on 05.06.2024 in pursuance of decision in 403rd Meeting held on 02nd and 03rd May 2024, behalf of NCTE website Minutes.

14 **AND WHEREAS,** The matter was placed in its 405th Meeting held on 03rd July 2024 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:

"In obedience of Court Order dated 09.05.2024 in W.P.(C) No.6463/2021 passed by the Hon'ble High Court of Bombay, the institution has submitted a reply in accordance with decision taken by WRC as per Minutes of 403rd meeting held on 2nd & 3rd May, 2024 uploaded on website vide letter dated 28.05.2024 received on 05.06.2024. The Committee observed that the institution is still deficient on the following grounds:

1. The institution has submitted lease deed registered on 21.12.2021 for a period of 33 years from Aditya Educational Foundation i.e. Private Party for Survey no.42, for which institution has submitted Building Plan and Building Completion Certificate. These land documents are not in accordance with the NCTE Regulation 2014.
2. The Building Plan is not approved by the Competent authority of State Govt
3. The institution has submitted Building Plan and Building Completion Certificate for Survey no.42 whereas the initial recognition was granted by NCTE at Survey no.64. The institution has shifted to new premises/ building without prior approval of NCTE.
4. Building Safety Certificate is not submitted.
5. Fire Safety Certificate is not submitted.
6. The Change of Land Use Certificate from Competent Authority of State Govt. is not submitted.
7. The Building Completion Certificate submitted is not certified from the Competent Authority of State Govt.
8. The Non Encumbrance Certificate is not issued from the Competent Authority of State Govt.
9. Building Disabled Friendly Certificate is not submitted.
10. The list of faculty/teaching staff approved by the affiliating body is not submitted.
11. The salary statement of staff for the last six months is not submitted.

12. The copies of FDRs submitted are matured after which the institution has not submitted renewed FDRs towards Endowment and Reserve Fund including Form 'A' issued by the concerned bank."

In view of the above, the Committee decides that recognition for B.Ed. course 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.

15. **Now Therefore,** In view of the decision of the Committee, the above recognition of B.Ed. Course granted to **JAI GANESH EDUCATIONAL FOUNDATION SR.NO.64, INDRAPRASTH KRANTINNAGAR, WADGAON (BK), SINHAGAD ROAD, PUNE-411041 MAHARASHTRA** 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.

16. Further, if the institution is not satisfied by 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-india.org within 60 days of the issue of this order. The guidelines for filing the Appeal may be seen on NCTE website


(MADAN SINGH YADAV)
REGIONAL DIRECTOR

To

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

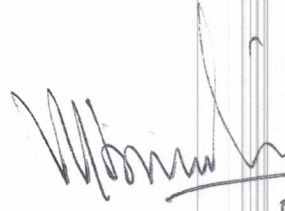
Copy to:

1. The Principal, Jai Ganesh Educational Foundation Sr.No.64, Indraprasth Krantinnagar, Wadgaon (Bk), Sinhagad Road, Pune-411041 Maharashtra.
2. The Secretary, Jai Ganesh Educational Foundation Sr.No.64, Indraprasth Krantinnagar, Wadgaon (Bk), Sinhagad Road, Pune-411041 Maharashtra.
3. The Registrar, Savitribai Phule Pune University, Ganeshkhind Road, Ganeshkhind, Pune-41107, Maharashtra.
4. The Education Secretary(Higher Education), Govt. of Maharashtra, Mantralaya, Mumbai, Maharashtra.

5. **The Under Secretary, IT and E-governance**, National Council for Teacher Education,
G-7, Sector – 10, Dwarka, New Delhi – 110075.

✓ 6. Consultant- IT Section, WRC, for uploading on website.

7. Office Order File/Institution File No-123547.


09/08/24

REGIONAL DIRECTOR