

F.No.SRCAPP1695/D.Ed/AP/2013-14

/ 53583

Date: 10/09/13

Speed Post

TO BE PUBLISHED IN GAZETTE OF INDIA PART III SECTION 4

PREAMBLE:

Sri Venkateswara Educational Society, Warangal Road, 622, Narsampet - 506132 Andhra Pradesh had applied for grant of recognition to Vivekananda College of Education, Sri.Venkateshwara Educational Society, Plot No: 715/1,724/1, Narsampet, Warangal, Narasampet - 506132, Andhra Pradesh for D.Ed Course for two years duration under Section 15(1) of the NCTE Act, 1993 to the Southern Regional Committee, NCTE online on 01.10.2011. The institution has submitted hard copy of the application on 07.10.2011.

The application was scrutinized and a copy of application was sent to State Government for recommendation on 07.11.2011. A reminder letter to the State Government was sent on 28.12.2011. A deficiency letter was issued to the institution on 30.12.2011. The institution has replied to the deficiency letter on 05.03.2012.

The SRC in its 221st held on 19th -20th April, 2012, considered the reply of the institution dt. 05.03.2012 and all the relevant documentary evidences and decided to serve Show cause Notice.

Accordingly, Show cause notice was issued to the institution on 15.05.2012. The institution submitted its reply on 22.05.2012.

The reply of the institution to the show cause notice was duly considered by SRC in its 224th meeting held on 14th - 17th June, 2012 and the reply is unconvincing and not satisfactory, deficiencies still persist as under:

- Sale deed of land document dated 17.02.2012 is registered after the date of on-line application, which is not permissible as per NCTE Regulations 2009

The reply to the show cause notice is not satisfactory and unconvincing.

Under the above grounds and with reference to the totality of information collected & based on a collective application of mind, the Committee has decided as per NCTE Regulations 2009, to refuse and reject the application of the institution for recognition of D.Ed course.

Accordingly, rejection letter was issued to the institution vide no. F.No.SRCAPP1695/D.Ed/AP/2012-13/43704 dated 11/07/2012.

Aggrieved by the rejection order of SRC the institution preferred an appeal to NCTE-Hqrs and the appellate authority order in its order No. F.No. 89-359/2012 Appeal / 8th Meeting - 2012 dated 18/09/2012 stated that "...the council concluded that there was adequate ground to remand the case to the SRC with a direction to process the applications and to take the further decision thereafter".

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In obedience to the appellate authority order, the application and reply to DL of the institution was processed and placed in 233rd SRC meeting held on 26th to 28th September, 2012 and the committee decided to issue notice under section 14 (1) of NCTE Act.

Accordingly, a show cause notice was issued to the institution on 06.11.2012. The institution has submitted written representation on 09.11.2012.

The SRC in its 236th meeting held on 16th-18th December 2012, considered the reply of the institution dt.09-11-2012 and all other relevant documents and decided to cause inspection under section 14 (1) of NCTE Act, to examine whether the institution fulfils all the requirements as per the norms, for the proposed programme, subject to the condition that the deficiencies, if any, were duly rectified by the institution, as per the norms.

The inspection of the institution was fixed between 15th -19th January 2013. The same was intimated to institution on 08.01.2013.

The inspection of the institution was conducted on 16.01.2013. The VT report was received by SRC on 21.01.2013.

The visiting team report and the court order in W.P.No.30828 of 2012 was placed before SRC in its 240th meeting held on 9th-11th March 2013 and the committee decided that "as directed by the Hon'ble Court, process the case on merit. Simultaneously, submit to the Hon'ble court that it is not possible, in view of the Supreme Court order dated 13.12.2012 either to grant recognition for 12-13 or (even) for 13-14 and seek further directions".

A private notice has been received from Shri Sriram, advocate in his letter dt. 16.03.2013 received by SRC on 21.03.2013 stating that ".....hereby bring to your notice that this inaction on your part to consider the application bearing No.SRCAPP1695 in terms of the order of the Hon'ble High Court, dt. 29.10.2012 is tantamount to willfully and deliberately disobeying the court's order. You are requested to dispose the application of my client forthwith in compliance with the Hon'ble High Court order dt. 29.10.2012, and consider granting recognition to conduct the D.Ed course either for the academic year 2012-13 or 2013-14 within 1st week from the receipt of this notice. If not, my client will be constrained to initiate contempt proceedings against your office".

The institution has submitted its written representation on 08.04.2013 stating that "advertising to the subject cited that, we humble requesting to state that we applied our applications for grant of recognition 2012-13 on 01.10.2011, due to "Sakala janula samme" in Telangana region in A.p land document is registered after the date of on-line application. Then our application rejected on 11.07.2012 and appealed to NCTE head quarter and considered our appeal vide order No.F.No.89-359/2012 Appeal/8th meeting - 2012 dated 18.09.2012. The SRC, Bangalore considered the Appellate authority and issued on 06.11.2012. We have submitted written representation on 9.11.2012 and also submitted the Honourable High Court order W.P.no.30828 of 2012 on 9.11.2012 requesting to issue for grant of recognition for the year 2012-13. The SRC in its 236th meeting held on 16th-18th December 2012, considered the reply and issued cause inspection under section 14 (1) of NCTE act. But the inspection was fixed between 15 to 19th January 2013. The inspection was conducted on 16.01.2013. On 240th meeting of SRC 9th-11th March 2013 the committee considered the Hon'ble High Court order and decided to process the case on merit. Simultaneously, submit to the Hon'ble High court that it is not possible in view of the Supreme Court order dt. 13.12.2012 either to grant recognition for 2012-13 or (even) for 2013-14 and seek further directions.

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As per the order of the Hon'ble High Court dt. 29.10.2012 and NCTE Delhi proceedings No F48-1/2012/NCTE/N & S/A57418 dated 15.09.2012 directed to consider the application of D.Ed course from 2012-13 or 2013-14.

Kindly requesting to consider our application for grant of recognition of D.Ed course LOI and formal recognition for the academic year 2013-14."

Meantime, the institution filed a court case in the Hon'ble Supreme Court of India. An e-mail letter received from the NCTE-Hqrs was placed before the SRC in 250th Meeting held on 12th-13th August 2013 and the committee has decided as follows:

1. The application dated 01/10/2011 in this case was rejected on 11/07/2012 for unsatisfactory reply on 22/05/2012 to the show cause notice (15/05/2012) about absence of title to the land on the date of application. This order was, however, overturned by the appellate authority on 18/09/2012 with a direction to process the case.
2. The case was accordingly processed and a show cause notice was issued on 06/11/2012. Based on the its reply dated 09/11/2012. The institution was inspected on 16/01/2013. The inspection report, received on 21/01/2013 was considered in the SRC meeting on 09th-11th March, 2013.
 - 3.1 In the meanwhile, the applicant institution has approached the Hon'ble Court and obtained an order to the effect that the case should be processed on merit and considered for recognition w.e.f 2012-13.
 - 3.2 In view of the Supreme Court order that after 03rd March, 2013, no Formal Recognition should be issued for 2013-14, the SRC decided that " as directed by the Hon'ble High Court, process the case on merit. Simultaneously, submit to the Hon'ble court that it is not possible, in view of the supreme court order dated 13/12/2012, either to grant recognition for 12-13 or (even) for 13-14 and seek further directions".
1. Even as the matter was being pursued with SRC's lawyer for filing an appropriate affidavit in the Hon'ble court, the applicant made an application on 08/04/2013 requesting for special consideration for grant of Formal Recognition for 2013-14 in view of the time taken to process the case.
2. In the meanwhile, the applicant institution approached the Hon'ble Supreme Court with a similar request in W.P. (C. No. 435 of 2013). In accordance with the direction given by the Hon'ble Supreme Court in this W.P., the case was taken up for further consideration.
3. In terms of the law, issue of Formal Recognition (FR) will be only with reference to issue of LOI and the applicant's reply thereto. In this case, the stage for issue of FR has not been reached. Based on the processing done so far, and the scrutiny made in this 250th Meeting, LOI is issued (for 2013-14) in accordance with the Hon'ble Supreme Court's direction. Issue of F.R. for 2013-14 onwards will depend upon the applicant's compliance of the LOI conditions.

Hence the following order;

ORDER

WHEREAS, in terms of Section 14(1) of the NCTE Act, 1993 **Sri Venkateswara Educational Society, Warangal Road, 622, Narsampet-506132, Andhra Pradesh** has applied for grant of recognition to **Vivekananda College of Education, Plot No.715/1, 724/1, Narsampet Village, Post & Taluk, Warangal District-506132, Andhra Pradesh** for D.Ed course online on 23/09/2011 for two years duration under Section 14 (1) of the NCTE Act, 1993 and received in the Southern Regional Committee NCTE on 26/09/2011.

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AND WHEREAS, on scrutiny of the application submitted by the institution, the documents attached therewith the affidavit and the input received from the visiting team in the form of report and videography, the Southern Regional Committee is satisfied that the institution fulfills the requirements under the provisions of NCTE Act, Rules and relevant Regulations including the Norms and Standards for the said teacher education programme such as instructional facilities, infrastructural facilities, library, accommodation, financial resources, laboratories etc., for running the programme and has appointed duly qualified teaching staff as per NCTE norms.

NOW, THEREFORE, in exercise of the powers vested under Section 14(3) (a) of the NCTE Act, 1993, the Southern Regional Committee, NCTE hereby grants recognition to **Vivekananda College of Education, Plot No.715/1, 724/1, Narsampet Village, Post & Taluk, Warangal District-506132, Andhra Pradesh** for conducting **D.Ed** course of **two years** duration with an annual intake of **50** students from the academic session **2013-14** under clause 7(11) of NCTE (Recognition Norms & Procedure) Regulations, 2009 subject, to fulfillment of the following conditions:

- I. **The endowment fund of Rs.5 lakhs and reserve fund of Rs.3 lakhs kept in joint account with SRC, NCTE should be maintained always. Loan raising or mortgaging of FDRs shall not be done.**
 - II. **The institution shall comply with the various other norms and standards prescribed in the NCTE regulations, as amended from time to time.**
 - III. **The institution shall make admission only after it obtains affiliation from the examining body in terms of clause 8(12) of the NCTE (Recognition Norms & Procedure) Regulations, 2009.**
 - IV. **The institution shall ensure that the required number of academic staff duly approved by affiliating body for conducting the course should always remain in position.**
 - V. **Minority Certificate from the Principal Secretary, Department of Education, Government of Andhra Pradesh to be submitted within 3 months from the date of issue of this order.**
2. Further, the recognition is subject to fulfillment of all such other requirements as may be prescribed by other regulatory bodies like UGC, affiliating University/ Body, the State Government etc, as applicable.
 3. The institution shall submit to the Regional Committee a Self-Appraisal Report at the end of each academic year along the statement of annual accounts duly audited by a Chartered Accountant.
 4. The institution shall maintain & update its Web-site as per provisions of NCTE Regulations and always display following as mandatory disclosure:-
 - a) **Sanctioned programmes along with annual intake in the institution;**
 - b) **Name of faculty and staff in full as mentioned in school certificate along with their qualifications, scale of pay and photograph;**
 - c) **Name of faculty members who left or joined during the last , quarter;**
 - d) **Names of students admitted during the current session along with qualification, percentage of marks in the qualifying examination and in the entrance test, if any, date of admission, etc.;**

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- e) Fee charged from students;
- f) Available infrastructural facilities;
- g) Facilities added during the last quarter;
- h) Number of books in the library, journals subscribed to and additions, if any, in the last quarter;
- i) The institution shall be free to post additional relevant information, if it so desires
- j) Any wrong or incomplete information on website shall render the institution liable for withdrawal of recognition.

5. If the institution contravenes any of the above conditions or the provisions of the NCTE Act, Rules, Regulations and Orders made or issued there under, the Regional Committee shall withdraw the recognition as under the provisions of Section 17(1) of the NCTE Act.

By Order,



(P.Sriraman)
Regional Director (I/C)

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

To,

The Principal
Vivekananda College of Education,
Plot No.715/1, 724/1,
Narsampet Village, Post & Taluk,
Warangal District-506132,
Andhra Pradesh.

Copy to:

1. The Secretary, Dept. of Elementary Education and Literacy, Ministry of Human Resource Development, Govt. of India, Shastri Bhawan, New Delhi-110001
2. The Secretary School Education Department, 'J' Block, 3rd Floor, Secretariat Building Hyderabad-500022, Andhra Pradesh.
3. The Director, SCERT, OPP LB Stadium, E Gate, Nampally, Hyderabad – 500 001, Andhra Pradesh.
4. The Correspondent, **Sri Venkateswara Educational Society, Warangal Road, 622, Narsampet-506132, Andhra Pradesh.**
5. The Under Secretary (CS), National Council for Teacher Education, Hans Bhawan Wing-II, Bahadurshah Zafar Marg, New Delhi – 110 002.
6. Office Order file.